

Agenda for a hearing by Commissioners of the Regulatory Subcommittee for Waikato District Council to be held in Committee Rooms 1 and 2, 15 Galileo Street, Ngaruawahia on **FRIDAY, 1 DECEMBER 2023**, commencing at **10.00am**.

Information and recommendations are included in the reports to assist the Subcommittee in the decision-making process and may not constitute Council's decision or policy until considered by the Subcommittee.

1. APOLOGIES AND LEAVE OF ABSENCE

2. DISCLOSURES OF INTEREST

3. HEARING – NAVJOT SINGH SIDHU

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GJ Ion
CHIEF EXECUTIVE

Regulatory Subcommittee

Reports to: Policy & Regulatory Committee

Chairperson: Cr Janet Gibb

Deputy Chairperson: Cr Peter Thomson

Membership: Deputy Mayor Carolyn Eyre
Cr Crystal Beavis
(The composition of any Regulatory Subcommittee for quorum purposes to be determined by the Chairperson)

Meeting frequency: As and when required

Quorum: A panel of three to be appointed in the first instance allowing for a quorum of two once the hearing has commenced.

Purpose

1. To conduct fair and effective hearings and make determinations on the Council's regulatory functions under legislation and other matters as referred to the Committee.
2. To recommend to the Council or relevant Council committee any matters that it considers necessary to enable the effective management of the Council's regulatory functions.

Terms of Reference:

1. Hear and determine any statutory or regulatory hearings under relevant legislation unless otherwise delegated or retained by the Council, including (but without limitation):
 - a. objections under the Dog Control Act 1996;
 - b. matters under the Resource Management Act 1991 and related legislation;
 - c. matters under the Impounding Act 1955;
 - d. matters regarding drainage and works on private land under the Local Government Act 1974 and Local Government Act 2002;
 - e. matters under the Gambling Act 2003, Health Act 1956 and Litter Act 1979;
 - f. matters regarding residential pools under the Building Act 2004.
2. Hear and determine other matters that require hearings or submissions, as referred by Council or other Committees.
3. To convene working groups and carry out the Terms of Reference approved and referred by Council or other Committees.

The Subcommittee is delegated the following powers to act:

- Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings that fall within the committee's Terms of Reference.
- Appoint additional members, including external members, for hearings where expert advice is required.
- Establish and amend hearings protocols relating to the general conduct of hearings and hearings-related matters in accordance with the applicable legislation and the principles of administrative law and natural justice.
- Approval of activities and expenses relating to working groups consistent with the terms of reference and approved working group budget.

Explanatory Note:

1. The Committee may request expert advice through the Chief Executive when necessary.
2. The General Manager Customer Support, in consultation with the Chairperson of the Regulatory Subcommittee, are delegated the power to determine:
 - a. the composition of any hearings panel to be convened under the committee's terms of reference; and
 - b. the appointment of any independent hearings commissioner within the panel of commissioners approved by the Council, to hear and determine any matter under the Resource Management Act 1991 (and related legislation). An independent commissioner can be appointed to act in his/her sole capacity, or together with appointed councillors who hold the appropriate accreditation.
3. Decisions of a hearing panel shall be made by consensus although if necessary the majority view prevails

To	Policy and Regulatory Subcommittee
Report title	Objection to Menacing Classification
Date:	16 October 2023
Report Author:	Phil Greeves, Senior Animal Control Process and Compliance Specialist
Authorised by:	Roger MacCulloch, General Manager Customer Support

1. Purpose of the report

Te Take moo te puurongo

To provide information to the Policy and Regulatory Subcommittee (“the Committee”) to enable the Committee to hear the objection to a Menacing Classification imposed on the dog (“Marshal”) belonging to Navjot Singh Sidhu (“Mr Sidhu”).

2. Executive summary

Whakaraapopototanga matua

Section 33A of the Dog Control Act 1996 (“the Act”) allows Waikato District Council (“Council”) to classify a dog as menacing if the dog is considered to pose a threat to a person or other animal due to observed or reported behaviour (Sections 33A and Section 33B of the Act annexed as Appendix 1).

Marshal, a black and tan male German Shepherd, aged 5 years 6 months and owned by Mr Sidhu was involved in an attack on a small Sydney Silkie aged 11 years 11 months. The attack occurred across the road from Mr Sidhu’s partially fenced address at 42 Glen Ida Way, Tauwhare. As a response to the attack Senior Animal Control Officer Amanda Davis (“SACO Davis”) attended the property.

After investigation, Council advised Mr Sidhu of the decision to classify Marshal as Menacing (Notice of Classification of dog as Menacing annexed as Appendix 2). In accordance with section 33B of the Act, Mr Sidhu formally objected in writing to the menacing classification within the statutory time frame (Notification of Intention to Object to Menacing Classification annexed as Appendix 3).

Council considers that Marshal poses an ongoing threat to persons or animals given the circumstances of the attack and that the attack was made on a much smaller dog.

Council understands that although Mr Sidhu has made some changes to the property fence line and that Marshal is wearing a containment collar, Council submits that for public safety reasons Marshal should remain classified as menacing, requiring Marshal to be muzzled when in public.

3. Staff recommendations Tuutohu-aa-kaimahi

THAT the Policy and Regulatory Subcommittee

- a. receives the Objection to Menacing Classification report; and**
- b. the Classification of Marshal under section 33(A)(2) of the Dog Control Act 1996 be upheld.**

4. Background Koorero whaimaarama

On 14 August 2023 at 13:14 hours, Council's after hours call centre received a complaint from a member of the public, Ms Fiona Snape ("Ms Snape") that her dog had been attacked by a German Shepherd (Service Request annexed as Appendix 4).

Ms Snape describes in her witness statement (Witness Statement annexed as Appendix 5) that at approximately 12:50 hours, she was walking with her two dogs, Mabel, Chocolate Labrador and Wilbur, Sydney Silkie on the grass verge across the road from 42 Glen Ida Way, Tauwhare ("the Property"), she saw Marshal inside the gate. Marshal was barking and charged at the gate with his teeth bared and his heckles up.

The gate to the Property was closed and Marshal went along the Property boundary fence and hedge line, made his way underneath the boundary hedge, and charged at Ms Snape and her dogs.

Ms Snape stated that Marshal appeared to be charging at Mabel then changed direction and attacked Wilbur, biting him on his left hip and pinning him to the ground. Ms Snape advised that Wilbur suffered a puncture wound to his left hip. (Photo of injury annexed as Appendix 6).

Ms Snape advised that a resident of the Property came out to see what was happening due to Marshal barking and Ms Snape screaming in an attempt to scare Marshal off.

Ms Snape advised that she managed to scare Marshal off Wilbur and Marshal ran back under the hedge into the Property. Ms Snape stated that she yelled at the resident of the Property telling them to "get control of their dog" and that Marshal had bitten her dog.

Ms Snape stated that she took Wilbur to the Cambridge Veterinary Services for treatment (Veterinary Treatment Notes annexed as Appendix 7).

Ms Snape has stated that the attack has had a major impact on her life, in that she has been sleeping poorly since it happened and has been anxious and tearful. Ms Snape has also stated that Mr Sidhu's actions after the incident have impacted her significantly and made her feel more unsafe as she states he has threatened her and made out that she

was the cause of the incident. Ms Snape states that she has no confidence that Mr Sidhu will take his responsibility as a dog owner seriously.

Council notes Ms Snape states Marshal has previously started barking as soon as he sees or hears her pass by the Property. Ms Snape states that Marshal is always angry, aggressive, and menacing and has been for many years.

Senior Animal Control Officer ("SACO") Davis states in her Officer Statement (SACO statement annexed as Appendix 8) that she received a call from after hours at approximately 13:15 hours in respect of this dog attack.

As noted in the onsite time in the Service Request, at 14:00 hours SACO Davis attended the Property and, although Mr Sidhu was not present at the time of the incident, his parents were home and their level of English required them to call Mr Sidhu.

SACO Davis spoke to Mr Sidhu over the phone and after it was explained to him what had happened, Mr Sidhu instructed his parents to hand over Marshal to SACO Davis.

SACO Davis notes in the decision-making criteria that Mr Sidhu has not denied the incident happened, but he does not believe the incident was of an aggressive nature.

On 14 August 2023 Mr Sidhu came to the Ngaruawahia Waikato District Council office to claim his dog. After speaking to Mr Sidhu about what occurred, the dog was released to him.

Mr Sidhu is convinced that Marshal was only trying to play as he spends two days a week at doggy daycare. SACO Davis explained that the dog may be territorial and displays this at home. Mr Sidhu stated on that occasion that he had taken the following day off to improve his fencing and purchased materials to do so.

He has CCTV footage of the incident and he said he would supply it and that he knows the victim so will also go and apologise. Mr Sidhu also advised his dogs use a containment wire system and on his check of that system after the incident it was found to be flat due to a power fault.

Mr Sidhu has provided CCTV footage of the incident which shows Marshal barking at the Property gate then going under the hedge and running towards Ms Snape and her dogs. The footage does not show the point of contact made by Marshal on Wilbur (CCTV Footage of Attack annexed as Appendix 9)

Mr Sidhu has advised that Marshal is wearing a containment collar. SACO Davis notes in the decision-making criteria that Marshal was wearing the collar at the time of the incident but that it was not working due to a flat battery (Decision making criteria annexed as Appendix 10).

Mr Sidhu has advised that he has since amended the area of the fence where Marshal left the Property. (Photos of repaired fence annexed as Appendix 11, Appendix 12, and Appendix 13)

On 16 August 2023 SACO Davis spoke with Mr Sidhu updating him on the process. Mr Sidhu advised SACO Davis he had repaired the fence, and he said he had tested the containment collar, and it is functioning. SACO Davis discussed possible outcomes if the incident was substantiated regarding classifications/infringements.

SACO Davis discussed with the Animal Control Team Leader the attack and reasoning for issuing Mr Sidhu with the Menacing Classification (Decision making criteria annexed as Appendix 10) and on 4 September 2023, emailed Mr Sidhu with Council's decision to classify Marshal. Mr Sidhu replied that he would be filing an appeal against the classification once he had received it.

On 6 September 2023, the Menacing Classification was sent to Mr Sidhu via email and tracked post (Notice of Menacing Classification email to Mr Sidhu annexed as Appendix 14) to which Mr Sidhu replied that he would be appealing the classification (LGOIMA Request - Copy of Dog Complaint and Evidence of injury to Victim dog annexed as Appendix 15).

On 13 September 2023, Mr Sidhu was emailed Acknowledgement of his LGOIMA Request (Acknowledgement of your LGOIMA Request - Copy of Dog Complaint and Evidence of Injury to Victim annexed as Appendix 16).

Having received Mr Sidhu's objection to the menacing classification, the objection now needs to be determined in accordance with section 33B of the Act (sections 33A and 33B of the Act annexed as Appendix 1).

5. Discussion and analysis Taataritanga me ngaa tohutohu

Section 33B(2) of the Act (Appendix 1) provides that in determining this objection the Committee shall have regard to:

- (a) the evidence which formed the basis for the classification; and
- (b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
- (c) the matters relied on in support of the objection; and
- (d) any other relevant matters.

As a result of this analysis, the Committee will have the following options:

- A. Uphold the classification of Marshal as menacing; or
- B. Rescind the classification.

The Committee must give written notice of its decision and the reasons for it, under section 33B(3) of the Act to the objector.

The option preferred by staff is option A, and the reasons for this recommendation are discussed below.

5.1 Options Ngaa koowhiringa

Staff recommend option A because:

- The Act states that the territorial authority may classify a dog as menacing if the territorial authority considers Marshal may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of any observed or reported behaviour of Marshal.
-

- Marshal was free to leave the Property and able to access a public place and exhibited behaviour which indicates he may pose a threat to any person or domestic pet. As a result of being able to leave the Property, Marshal made contact with another dog, injuring it.
- The owner was not present at the time of the incident and no one else was in attendance to control Marshal physically or verbally to prevent this situation occurring.
- A menacing classification ensures that:
 - Marshal is muzzled when in public to help mitigate the threat Marshal poses;
 - If Marshal offends again, a menacing classification allows Animal Control to take stronger measures of enforcement such as seizure of Marshal until Mr Sidhu can demonstrate how he is going to prevent further offending;
 - Mr Sidhu takes the appropriate steps to ensure any threatening behaviour is mitigated.

5.2 Financial considerations

Whaiwhakaaro puutea

There are no material financial considerations associated with the recommendations of this report.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Staff confirm that the staff recommendation complies with the Council's legal and policy requirements. Legal Counsel will be available to assist the Committee with the matters of law as required.

5.4 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

5.5 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

There are no wider Maaori or cultural considerations involved in the exercise of Council's legislative responsibilities under the Act.

5.6 Climate response and resilience considerations

Whaiwhakaaro-aa-taiao

The matters in this report have no known impact on climate change or resilience for the Council.

5.7 Risks

Tuuraru

Should the Committee uphold the classification and proceed with the staff recommendation, the classification stands with no further recourse for appeal by the objector.

Should the Committee rescind the classification, there is a risk that further breaches of the Act will occur, and members of the public could be further threatened or even harmed.

6. Significance and engagement assessment

Aromatawai paahekoheko

6.1 Significance

Te Hiranga

The decisions and matters of this report are assessed as of low significance, in accordance with the Council's [Significance and Engagement Policy](#).

6.2 Engagement

Te Whakatuutakitaki

This is a regulatory/operational matter concerning an individual and we do not propose to inform more broadly than necessary to give effect to the classification, if upheld.

7. Next steps

Ahu whakamua

Should the classification be upheld, it will apply at a national level.

Council's role will be to update the relevant records and enforce the requirements of the classification.

8. Confirmation of statutory compliance

Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations.	Confirmed
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The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>).	Confirmed
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Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	Low
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>).	Confirmed
The report considers impact on Maaori (<i>Section 5.5</i>)	Not applicable
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>).	Confirmed

9. Attachments Ngaa taapirihanga

Appendix 1 – Section 33A and Section 33B of the Act

Appendix 2 – Notice of Classification of dog as Menacing

Appendix 3 – Notice of Intention to Object to Menacing Classification

Appendix 4 – Service Request

Appendix 5 – Witness Statement Fiona Snape

Appendix 6 – Puncture wound after area shaved.

Appendix 7 – Veterinary Treatment notes

Appendix 8 – SACO Statement – Marshal

Appendix 9 – CCTV Footage of Attack (Included separately)

Appendix 10 – Decision Making Process Form

Appendix 11 – Fence repair Photo 1

Appendix 12 – Fence repair Photo 2

Appendix 13 – Fence repair Photo 3

Appendix 14 – Email containing Notice of Menacing Classification sent to Najot Sidhu

Appendix 15 - LGOIMA Request - Copy of Dog Complaint and Evidence of injury to Victim Dog.

Appendix 16 - Acknowledgement of your LGOIMA Request - Copy of Dog Complaint and Evidence of Injury to Victim.

Menacing dogs

Heading: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).

33A Territorial authority may classify dog as menacing

- (1) This section applies to a dog that—
 - (a) has not been classified as a dangerous dog under [section 31](#); but
 - (b) a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of—
 - (i) any observed or reported behaviour of the dog; or
 - (ii) any characteristics typically associated with the dog's breed or type.
- (2) A territorial authority may, for the purposes of [section 33E\(1\)\(a\)](#), classify a dog to which this section applies as a menacing dog.
- (3) If a dog is classified as a menacing dog under subsection (2), the territorial authority must immediately give written notice in the prescribed form to the owner of—
 - (a) the classification; and
 - (b) the provisions of [section 33E](#) (which relates to the effect of classification as a menacing dog); and
 - (c) the right to object to the classification under [section 33B](#); and
 - (d) if the territorial authority's policy is not to require the neutering of menacing dogs (or would not require the neutering of the dog concerned), the effect of [sections 33EA](#) and [33EB](#) if the owner does not object to the classification and the dog is moved to the district of another territorial authority.

Section 33A: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).

Section 33A(3): amended, on 1 November 2004, by [section 10](#) of the Dog Control Amendment Act 2004 (2004 No 61).

Section 33A(3)(c): amended, on 28 June 2006, by section 13 of the Dog Control Amendment Act 2006 (2006 No 23).

Section 33A(3)(d): added, on 28 June 2006, by section 13 of the Dog Control Amendment Act 2006 (2006 No 23).

33B Objection to classification of dog under section 33A

- (1) If a dog is classified under [section 33A](#) as a menacing dog, the owner—
 - (a) may, within 14 days of receiving notice of the classification, object in writing to the territorial authority in regard to the classification; and
 - (b) has the right to be heard in support of the objection.
- (2) The territorial authority considering an objection under subsection (1) may uphold or rescind the classification, and in making its determination must have regard to—
 - (a) the evidence which formed the basis for the classification; and
 - (b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
 - (c) the matters relied on in support of the objection; and
 - (d) any other relevant matters.
- (3) The territorial authority must, as soon as practicable, give written notice to the owner of—
 - (a) its determination of the objection; and
 - (b) the reasons for its determination.

Section 33B: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).

Navjot Singh Sidhu



Marshal
German Shepherd
Male, Black and Tan

NOTICE OF CLASSIFICATION OF DOG AS MENACING DOG

Section 33A, Dog Control Act 1996

This is to notify you that this dog has been classified as a menacing dog under section 33A(2) of the Dog Control Act 1996.

This is because reported behaviour of the dog leads us to believe that it may pose a threat to public safety; being any person, stock, poultry, domestic pet, or protected wildlife.

A summary of the effect of the classification and your right to objection is provided overleaf.

Tracey Oakes
Animal Control Team Leader

6/9/2023

Date

*For the purposes of the Dog Control Act 1996, you are the owner of a dog if-

- you own the dog
- you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner): or
- you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependant on you

Effect of classification as menacing dog

Section 33E, 33F and 36A, Dog Control Act 1996

You—

- (a) must not allow the dog to be at large or in any public place or in any private way (except when confined completely within a vehicle or cage) without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) must, produce to Waikato District Council, within 1 month after receipt of notice of the classification, a certificate issued by a registered veterinary surgeon certifying—
 - (i) that the dog is or has been neutered; or
 - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) where a certificate under paragraph (b)(ii) is produced to Waikato District Council, produce to Waikato District Council, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with all of the matters in paragraphs (a) to (c) above.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (c) above. The officer or ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c) above.

As from 1 July 2006, you are also required for the purpose of providing permanent identification of the dog, arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to the Waikato District Council in accordance with reasonable instructions of the Waikato District Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement-

- within 2 months from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006;
- or
- within 2 months after the dog has been classified as menacing if your dog is classified as menacing after 1 July 2006.,

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction. You will commit an offence and be liable on conviction to a fine not exceeding \$500 if you fail to comply with this requirement.

Full details of the effect of classification as a menacing dog are provided in the Dog Control Act 1996.

Right of objection to classification under Section 33A

Section 33B, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with Waikato District Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object.

You have the right to be heard in support of your objection and will be notified of the time and place at which your objection will be heard.

From: "Navjot singh sidhu" [REDACTED]
Sent: Mon, 4 Sep 2023 19:16:27 +1300
To: "Amanda Davis" [REDACTED]
Subject: RE: Marshal character reference

Hi Amanda

Thank you for your email.

We will be filing appeal to the classification once we have received the notice of same.

In the meantime and based on the reference made by you in your email to the complaints received and the injury inflicted on the victim dog, we would like a copy of the complaint(s) together with the evidence of the injury provided by the owner of the victim dog, for transparency of the process.

We have requested the owner of the victim dog to provide us detail of the nature and extent of injury suffered which they didn't provide to us.

We would appreciate if you can provide the requested information or let us know the process for obtaining this information so that an informed submission can be made in support of the appeal.

Kind Regards
Navjot

[Sent from Yahoo Mail on Android](#)

On Mon, 4 Sept 2023 at 3:53 pm, Amanda Davis
[REDACTED] wrote:

HI Navjot

Thank you for your email.

I will attach this reference to your file as requested.

Council intends to classify Marshall as menacing based on observed/reported behaviour and injury inflicted on the victim dog. I will send you the classification via email in due course.

Your right to appeal is covered on the classification form and must be received by the Waikato District Council within 14 days of receiving the classification.

If you have any further questions please do not hesitate to ask

Regards

Amanda

From: Navjot singh sidhu [REDACTED]
Sent: Thursday, August 24, 2023 2:51 PM
To: Amanda Davis [REDACTED]
Subject: Fw: Marshal character reference

Hi Amanda,

Future to our previous emails in respect of Marshall, Please find below email from Marshall doggy day care providing reference for him.

I would appreciate if you can add this to his file.

Kind Regards

Navjot

[Sent from Yahoo Mail on Android](#)

----- Forwarded message -----

From: "Sam Hurring" [REDACTED]
To: "navjotsinghs@yahoo.com" [REDACTED]
Cc:
Sent: Thu, 24 Aug 2023 at 12:05 pm
Subject: Marshal character reference

To whom it may concern Marshal has been attending our doggy daycare for two years now and is such a lovely boy with an amazing nature and temperament, I'm pretty blown away that he has even asked for a reference for marshal as he doesn't have an aggressive bone in his body! At daycare we are free range on a lifestyle block and we run small dogs with the big dogs like chihuahua's with Shepards for example, marshal has also come for long period stays including Christmas and other holidays, I can honestly say I would be happy to have marshal as one of my own dogs I think anyone could tell he's gentle and kind hearted after just meeting him the one time 😊

Feel free to give me a call on [REDACTED] happy to chat cheers

--

Thanks from Sam at Redbrae doggy daycare and hotel 🐶

Waikato District Council

Request

<i>Description</i>			<i>Commenced</i>	<i>Target Date</i>	<i>Role Name</i>
	<i>Status</i>	<i>Decision</i>	<i>Finalised</i>		<i>User</i>
Notes					
Infringement / Prosecution or Warnings Required'			06/09/2023	04:01.57 pm	
	Past	UpMenace	06/09/2023	04:03.07 pm	
.....					
Email Envir Admin to Update to Menacing			06/09/2023	04:03.07 pm	
	Past	Done	06/09/2023	04:03.18 pm	
.....					
Infringement / Prosecution or Warnings Required'			06/09/2023	04:03.18 pm	
	Past	N/A	06/09/2023	04:05.27 pm	
.....					
Inform Complainant of Action			06/09/2023	04:05.27 pm	
	Past	Yes	06/09/2023	04:07.27 pm	
.....					
CRM Completed?			06/09/2023	04:07.27 pm	
	Past	Yes	06/09/2023	04:07.49 pm	
.....					
CRM Completed			06/09/2023	04:02.14 pm	
	Past	Yes	06/09/2023	04:02.14 pm	
.....					

Waikato District Council Request

Custom Date Fields:

Custom Text Fields:

Date Received	14/08/2023 1:14:53PM	Victim Type?*	Animal
		Dog made contact?*	Yes
		Description of dog?*	Fiona's small dog
		Incident Location?*	Around [REDACTED]
Respon/Onsite Target	14/08/2023 2:14:53PM	Where Dog from?*	[REDACTED]
		Owner Details	Unsure, caller knew names
		Victim Details	Fiona's dog
		Ani Control Area*	South
OnSite Time	14/08/2023 2:00:00PM		
Completion Target	14/08/2023 5:14:00PM	Severity	0
Work Completed	06/09/2023 4:07:49PM	Substantiated?	
		Outcome	

Custom Value Fields:

EOC Open?	0.00
EOC GIS Map?	0.00
EOC Impact	
EOC Urgency	
EOC Injury Count	
EOC Fatality Count	

Antenno/SSS Ref

District Office

Private Bag 544 15 Galileo Street ☎ 07 824 8633
Ngaruawahia 3742 Facsimile ☎ 07 824 8091
Huntly Area Office 142 Main Street ☎ 07 828 7551
Raglan Area Office 7 Bow Street ☎ 07 825 8129
Tuakau Area Office 2 Dominion Road ☎ 0800 492 452

OFFICE USE ONLY

CRM:
Person ID:
Dog ID:

Witness Statement

Section 82 of the Criminal Procedure Act 2011

Statement of: Fiona Snape

Date of birth [REDACTED]

Address: [REDACTED]

Contact Number: [REDACTED]

Date of Statement: 21/8/23

Time of Statement: 9 am

I am making this statement to Waikato District Council as a complaint of an offence against the Dog Control Act 1996 or the Waikato District Council Dog Control Bylaw 2015.

*****Please read the back page before completing this Witness Statement*****

The incident occurred on 14/8/23 **at about** 12.50 **pm**
specify the date *give the time of day event happened*

The incident happened at On road outside [REDACTED]

Address of where the incident occurred

The dog involved was a German Shepherd from [REDACTED]

description of dog – breed, colour, sex, size, collar, tag etc. See last page for further information

The dog is kept at [REDACTED]

give the address where the dog is kept

I know the dog is from this address because

We live [REDACTED] and it has barked menacingly and aggressively at me every time (when he has been outside, which is most of the time) I have left my property on foot for many years

Have you seen it there before? Did you see it go back there?

What were you doing? And who were you with? (Walking running cycling etc)

I was walking with my chocolate Labrador, Mabel and Sydney Silkie, Wilbur

Where/when did you first notice the dog? (Where was it? What was it doing? How far away from you was it?)

Whenever I walk past the dog runs towards the gate barking aggressively and gets a few metres from the gate and stops running abruptly. It continues to bark very angrily baring its teeth and with heckles up while we walked past as quickly as possible and as far away from him as possible. This time was different it came right up to the gate and came under the hedge on the right side of the gate and came charging towards us at high speed. Barking and baring teeth.

What was the dog doing when you first noticed it? (What was its attitude like?)

It starts barking always as soon as it sees or hears us coming past. It is always angry, aggressive and menacing and has been for many years. We have reported his barking to the council before.

How/When/Where did the dog approach you?

We were outside the gate, it charged at us at full speed, with teeth bared and heckles up.

Was it wearing a muzzle? no

What was the dogs behaviour? (Barking, snarling, growling, lunging, attempting to bite etc)

I did not know who he was going to attack but knew from his behaviour it was going to be one of us. My Labrador was out in front and he seemed to go towards her first but then turned to target my Sydney Silkie biting him and pinning him to the ground.

Did the dog make contact? Who/what did it make contact with?

Yes, he made contact with my Sydney Silkie.

If the dog has made contact – Where on the body? What injuries were caused? Was medical or veterinary treatment sought and if so what was done?

He made contact with his left hip area pinning him to the ground and leaving a puncture wound.
He was taken to the vet who assessed him for any internal injuries and gave him a painkilling injection.

Was it with its owner? Was it on a lead or not under control? What action did they take?

It was not with the owner and was not on a lead. One of the residents of the house came out to see what was going on due to the barking (from their dog, mine were silent) and my screaming in an attempt to scare the dog off.

What action did you take? (During and after the incident?)

It all happened very fast but I knew my little dog was in grave danger and so I made myself as big and scary as possible and ran towards them screaming and yelling. I hoped to either scare him off or for him to turn on me instead. Luckily it worked and he retreated to the house.

I grabbed my little dog and picked him up. I was terrified and shaking. The resident came out and attempted to grab their dog as he ran back, he was still barking as was the other dog that lives there.

I yelled at them to control their dog and that it was terrorising the neighbourhood and it had bitten my little dog. I walked quickly home in tears to check him out. I could not see any obvious

wounds. I called the council to report his behaviour as he has been menacing the road for many years and finally what I feared would happen every time I have walked my dogs past their house had. I called the vet to ask their advice as my dog only weighs 6kg and was worried about internal nonvisible injuries. Wilbur then started licking the area and I noticed a puncture wound so I made an appointment for that afternoon to take him to the vet.

What impact has this event had on your mental wellbeing? This event has had a major impact on me, I have been sleeping poorly since it happened, anxious and tearful. The attack was truly terrifying, and I was expecting to see my beloved little dog die a most vicious and violent death and/or get badly injured myself. The owner's actions after the event have also impacted me significantly and made me feel more unsafe as he threatened me and made it out that I was the problem. This gave me no confidence that he would take his responsibilities as a dog owner seriously.

I have watched this dog become angrier and angrier over the years and more and more menacing whenever we walk past. I have always breathed a sigh of relief when I make it past their house without event. The night after it happened, I developed a severe migraine from the stress and spent several hours vomiting and in agony. I now have to be in the same room as my little dog and get anxious if I cannot see him. I am fearful that someone will leave a door open at home and he might wander off and get savaged. I have not walked past the house alone since it happened. I work from home several days a week and walking my dogs was normally a relaxing part of my day. Now I feel like a prisoner in my own home, unable to leave safely. I have to drive my dogs out and park at my neighbour's house if I want to walk them as I am not prepared to risk walking

past alone. I did walk out with my husband and as usual we were barked at as soon as we came near their house. I held my little dog, and we had a large umbrella with us. Even with my husband I felt unwell and shaky. On returning from our walk their gate was open, I though I was going to vomit, and my knees were shaking. Luckily the dog was not out front, but I was still terrified of him coming charging out again.

Wilbur is a truly cherished member of our family. He is almost 12 years old, weighs a mere 6kg, and has arthritis. We rescued him from an abusive and violent home 7 years ago. He was a very anxious little dog when he first joined our family, but 7 years of love and safety have made him a confident and happy dog. I made a promise to him that I would not let anything bad happened to him again and I would always protect him. I now feel like I have failed him and have brought him into a risky environment and could have seen him die in a terrible way in front of me. That is hard for me to reconcile and brings me to frequent bouts of tears.

The owner's attitude afterwards has left me feeling doubly attacked and I will detail this further below.

Are you concerned for your safety or the safety of the community because of the actions of this dog?

As detailed above I remain fearful that this dog is a major risk to our neighbourhood. Children no longer walk past the house or play out at the end of the road as they are scared of the dog. Dog owners no longer walk past the house due the menacing barking and the fact that the dog escapes, bares teeth and growls at passers-by, only retreating when shouted at. The owner's attitude that this is just normal behaviour for a German Shepherd and that dogs bite leads me to

fear that they will not take action to ensure their dog is trained and contained. The dog is very rarely walked and when he does, he pulls the owner's son down the road and lunges as you walk past. The dog appears untrained and very aggressive. A dangerous combination for such a large dog.

Any further detail you would like to add?

The evening after it happened the owner came round to 'apologise'. I wish now I hadn't opened the door, or I had waited until my husband got home as I felt this was a second attack on me.

I feel that this was actually a misogynistic attack where I was told by the male owner that my interpretation of the events was all wrong and that my reaction to them had been unbecoming and too loud and too rude. After he left I felt bullied, gaslit and threatened and this has added to my anxiety as I am fearful of having a further confrontation with him or other member of the household. He told me that the dog was so lovely and friendly that animal control had let him go straight away. He told me off for shouting at his mother and said if I had caused her any health issues as I result there would be trouble. He said he did not care about dogs but his mother that was a different matter. He said he had watched the video of me shouting at her and it was terrible and totally unacceptable. I apologised and said I was in flight or fight and fully expecting to see my dog killed by his dog, but he just smiled and shook his head and said 'no, no, no'. Implying I'd got it all wrong and my dog was in no danger. He suggested bringing my dogs round for a play date to socialise them with his lovely dog.

Then as he was leaving, he said and 'you shouldn't have threatened to kill my dog' and 'I'm expecting your husband to come round with a gun and shoot him'. Now I never said that and never would. I don't know if he misheard me when I said I thought his dog was going to kill mine

I confirm the truth and accuracy of this statement. I make this statement with the knowledge that it may be used in court proceedings. I am aware that it is an offence to make a statement that is known by me to **be false** or intended by me to mislead.

Signed:

Siona Snape

Date:

21.8.23

Signed



(Witness - ACO)

Date:

21.8.23

Information on completing a Witness Statement

Thank you for taking the time to complete a Witness Statement. It is important that you complete this form with as much detail as possible so that the Animal Control Officer (ACO) dealing with the case is well informed and can take the most appropriate enforcement action. Without this statement it is likely that the ACO will be unable to take any action with the owner of the dog or the dog itself. This statement is an important and necessary piece of evidence.

Please include in your statement -

- Your full details.
- The **date** and **time** of the incident.
- Where the dog lives and how you know this.

A detailed description of the dog(s) -

- **Colour** – (include any patches etc.).
- **Size** – small, medium, large.
- **Gender** (if known).
- If the dog was wearing a collar/tag.
- **Length of coat** – smooth, medium, longhaired.
- **Breed** - an option is to say what **type** of dog it is like if you are unsure of the exact breed.
- **Body type** – stocky, skinny, tall, short.
- **Face shape** - pointed or floppy ears, long or short nose, floppy jowls etc.
- Any other distinctive details you noticed.

Also, in your account of the incident include –

- The location of the incident.
- How the incident came about.
- How you came to be in contact with the dog - When and how did you first notice it? Where was the dog?
- The dog's behaviour – Was it growling, barking, lunging, attempting to bite?
- If the dog has bitten – Where? When? What the injuries are. Was medical or veterinary treatment sought and if so what was done??
- Was the owner of the dog or anyone else present? If so, what action did they take regarding the incident?
- Was anything said by anyone?
- What action you took - What did you do during and after the incident?
- Where did you last see the dog? Did it run off? If so, in what direction?
- How did the incident come to a conclusion?

It is important that you initial or sign each page of the statement, and date it.

If you have any questions please contact
an Animal Control Officer at the Waikato District Council, (07) 824-8633.



Owner Snape Garry (1/24700)

For Wilbur (1/74245)
Dog, Male, Sydney Silkie, Salt & Pepper
Age: 11 yr 11 mth , Desexed: Y On:

Sales Group:
Client Group:

Bill#: 1/2390970 Date: 14/08/2023

14/08/2023 [EH]
WEIGHT:6.6
HISTORY:0.2mls pentosan

Staff	Qty	Name
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Bill#: 1/2390964 Date: 14/08/2023

14/08/2023 [EH]
WEIGHT:6.6
HISTORY:approx at 1pm today was walking and next door neighbours german shepherd came running out and pinned Wilbur to the ground
client was yelling and dog went home
Wilbur has seemed ok but client found puncture walking well
CLIN_EXAM:on exam bright and alert temp 38.4 mm pink
puncture left side close to hip
doesn't seem to go deep
cant feel any other punctures
TREATMENT:cleaned and clipped
inj rimadyl 0.5mls
can have abs if required

Staff	Qty	Name
EH	0.5	Rimadyl 5mg Inj 20ml

ANIMAL CONTROL OFFICER (ACO)

DOCUMENTS

(Tick all that apply)

- ACO Statement and Declaration
- Scene – photos and key
- Scene – aerial image / map and key
- Scene – sketch diagram and key
- Case notes *(if any)*
- Correspondence and other
- Photo album *(if applicable)*

- History
(Tick all that apply)

- P & R printouts
- Infringement notices
- Other:

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ACO DETAILS			
ACO Number	7	Date of Birth	██████████
Full Name	Amanda Davis		
Email	amanda.davis@waidc.govt.nz		
Phone	██████████		

ACO STATEMENT	
<p>I am a Senior Animal Control Officer and have been employed by the Waikato District Council for the past 11 years. On The 14th of August 2023, at approximately 13:5 hours, I received a service request for a current dog aggression. It was alleged that a German Shepherd (Marshal) residing at ██████████ ██████████ had left its property and attacked another dog in a public place. I attended the property with ACO 26. I spoke to two residents at the address who are now identified as the dog owner's parents, they spoke limited English, so they contacted the dog owner (Mr Singh) whom I spoke to over the phone. I introduced myself and explained we had received a call that the German Shepherd from this address had attacked another dog. I advised Mr Singh I would be seizing Marshal while we conduct our investigation into exactly what happened. The dog owner, Mr Singh, was very cooperative and he asked his father to go and get the dog for me. The dog owners' father was also very cooperative, he took me around the rear of the property to a kennel and run area where the dog was secure. I took the dog from him as he was physically struggling to hold onto him as he is a large dog. I gave the seizure notice to the dog owners father. I spoke to the complainant, Fiona Snape, and advised we had removed the dog but further advised that did not mean the dog would not return to that property. Fiona confirmed her dog was not seriously physically injured from the attack. Marshal was impounded in the Ngaruawahia pound. On the 14th of August Mr Singh came to the Ngaruawahia Waikato District Council office to claim his dog. After speaking to Mr Singh about what occurred the dog was released to him. Mr Singh is convinced that Marshal was only trying to play as he spends 2 days a week at doggy daycare. I explained that the dog may be territorial and displays this at home. Mr Singh stated to me on that occasion that he had taken the following day off to improve his fencing and purchased materials to do so. He has CCTV footage of the incident and he said he would supply it and that he knows the victim so will also go and apologise. Mr Singh also advised his dogs use a containment wire system and on his check of that system after the incident it was found to be flat due to a power fault. On the 16th of August 2023 I called Fiona to arrange a statement, Fiona expressed concerns that the owner did not care as she has alleged he came over and was threatening towards her. I offered support and advised her that was a police matter. On the 16th of August I spoke to Mr Singh updating him on the process. Mr Singh advised me he has repaired the fence, and I also reminded him about Marshal's collar and he said he has tested it and it is functioning. We discussed possible outcomes if the incident was substantiated in regard to classifications/infringements. Mr Singh has viewed the footage. He said he will send me the clip. He stated the incident was over within about 4 seconds and he believes his mother called the dog back. We discussed aggression and territorial aggression some more in regard to Marshal's breed. Mr Singh provided the CCTV footage of the incident, references from Marshal's doggy daycare and photos of fencing improvements. Fiona provided a witness statement, vet records and photos of her dog's injury. I have reviewed the footage, and it is my opinion Marshal displayed territorial aggression towards the dog walking past his property. Decision made with Team Leader to classify Marshal as menacing based on behaviour. I have spoken to Fiona several times to reassure her as she is now afraid to leave her property by foot. Since the incident two other residents from Glen Ida Way have put in complaints regarding Marshal but they are unable to be actioned. 6/09/2023 Marshal's classification was sent via email and tracked post.</p>	
Signature:	

ACO STATEMENT *(continued)*

[A large, faint, diagonal line is drawn across the page, likely a placeholder or a scanning artifact.]

Signature:

[Handwritten signature]

ACO STATEMENT *(continued)*
Signature:
ACO DECLARATION

This statement is true to the best of my knowledge and belief. I have made the statement knowing that it may be used in court proceedings and that I could be prosecuted for perjury for making a statement known by me to be false and intended by me to mislead.

ACO Full Name	Amanda Davis				
ACO Signature					
ACO Number	7	Date	26/10/2023	Time	10am

Classification Decision Making Criteria

Owner ID: 69206

Dog ID: 145230

CRM : DOGS0468/24

OWNER RESPONSIBILITY *(How did they react? Did they stop the dog? Were they present? Have they offered to help the victim in any way? Was the dog leashed?)*

The owner was not present at the time however his parents were home. The dog owner has amended the fence where the dog left the property and has a containment collar (was on the dog at the time but flat battery prevented it from working) The owner has not denied the incident happened but does not believe it was of an aggressive nature. Has provided video footage of the dog leaving the property

HISTORY *(Any history in Council Database)*

DOGS0009/21 – Barking/aggression job was closed with educational conversation from ACO 21. Job was from 1/7/2020

SERIOUSNESS OF THE INCIDENT *(Was contact made? Was the attack prolonged? What injuries were sustained?)*

Contact was made the dog has left minor puncture wounds on the victim dog. The attack was not prolonged. The dog displayed aggressive territorial behaviour

VICTIMS VIEWS *(Impact of the incident on the Victim, and/or ongoing effects of the incident?)*

She is now experiencing anxiety about walking that way and has found herself avoiding the route she walks daily, she has to drive past to walk the dog. She feels like a prisoner in her own home. She has also stated the dog owner has displayed threatening behaviour towards her.

EVIDENCE *(Witness statement provided? Dog identified?)*

<p>Witness statement Vet report Photos Video footage of the incident (provided by the defendant) Photos of fencing (provided by the defendant)</p>
<p>REGISTRATION COMPLIANCE <i>(Was the dog registered at the time? If not, have they registered it since?)</i></p>
<p>The dog was registered at the time</p>
<p>PROPERTY <i>(Is the property suitable to contain this dog?)</i></p>
<p>The dogs property is partially fenced – not suitable to contain a large dog. Amendments to the front fence have been made after the incident. The dog also wears an electric containment collar. There is also a kennel and run compound at the rear of the section</p>
<p>MITIGATING RISK <i>(How the dog owner thinks they can mitigate this sort of behaviour in the future? Physical steps the dog owner has taken?)</i></p>
<p>The dog owner has made improvements to the fence at the front of the property. He has a containment collar (this was in place at the time of the incident however the battery was flat)</p>
<p>ACO REASONING BEHIND CLASSIFICATION</p>
<p>This dog has displayed territorial behaviour by leaving its property and attacking a dog walking past. Given the threat to public safety classifying the dog as menacing would mitigate risk to the public and domestic animals. This classification will also allow Council to take further enforcement in the event of any future offending .</p>

Discussion between ACO7 and Team Leader

Dog Seized/Impounded

Yes/No

Menacing Classification

Yes/No

Dangerous Classification

Yes/No

Infringement

Yes/No

Prosecution

Yes/No

Signed (ACO)



Date

6/9/23

Check List

- Witness Statement
- Officers Statement
- Sworn Evidence (If Dangerous)
- Classification
- Copy of signed classification in ECM
- Classification hand delivered or delivered by registered post

Given the minor injuries to a small dog by the much larger dog, the menacing classification is appropriate. A dangerous classification was considered to ensure the dog is contained to the rear of the property, however the nature of the injuries and the fact the attack was not prolonged led to the menacing classification being issued.



6/9/23

Tracey Oakes. Animal Control team leader.







From: "Amanda Davis"
Sent: Wed, 6 Sep 2023 16:56:12 +1300
To: "Navjot singh sidhu" [REDACTED]
Subject: Marshall Classification
Attachments: classification.pdf

Hi Navjot

Please find attached the Menacing classification for 'Marshall'.
I have also sent a hard copy of the classification via tracked mail.

I have forwarded your request for information to my Team leader.

If you have any question please do not hesitate to ask.

Kind regards
Amanda

Navjot Singh Sidhu

RD 7
Hamilton 3287

Marshal
German Shepherd
Male, Black and Tan

NOTICE OF CLASSIFICATION OF DOG AS MENACING DOG

Section 33A, Dog Control Act 1996

This is to notify you that this dog has been classified as a menacing dog under section 33A(2) of the Dog Control Act 1996.

This is because reported behaviour of the dog leads us to believe that it may pose a threat to public safety; being any person, stock, poultry, domestic pet, or protected wildlife.

A summary of the effect of the classification and your right to objection is provided overleaf.



Tracey Oakes
Animal Control Team Leader

6/9/2023

Date

*For the purposes of the Dog Control Act 1996, you are the owner of a dog if-

- you own the dog
- you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner): or
- you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependant on you

Effect of classification as menacing dog

Section 33E, 33F and 36A, Dog Control Act 1996

You—

- (a) must not allow the dog to be at large or in any public place or in any private way (except when confined completely within a vehicle or cage) without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) must, produce to Waikato District Council, within 1 month after receipt of notice of the classification, a certificate issued by a registered veterinary surgeon certifying—
 - (i) that the dog is or has been neutered; or
 - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) where a certificate under paragraph (b)(ii) is produced to Waikato District Council, produce to Waikato District Council, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with all of the matters in paragraphs (a) to (c) above.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (c) above. The officer or ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c) above.

As from 1 July 2006, you are also required for the purpose of providing permanent identification of the dog, arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to the Waikato District Council in accordance with reasonable instructions of the Waikato District Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement—

- within 2 months from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006;
- or
- within 2 months after the dog has been classified as menacing if your dog is classified as menacing after 1 July 2006.,

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction. You will commit an offence and be liable on conviction to a fine not exceeding \$500 if you fail to comply with this requirement.

Full details of the effect of classification as a menacing dog are provided in the Dog Control Act 1996.

Right of objection to classification under Section 33A

Section 33B, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with Waikato District Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object.

You have the right to be heard in support of your objection and will be notified of the time and place at which your objection will be heard.

From: "Tracey Oakes" [REDACTED]
Sent: Wed, 13 Sep 2023 09:09:52 +1300
To: "Records 4U" [REDACTED]
Cc: "Raelene Evans-McLeod" [REDACTED]; "Myra Williamson" [REDACTED]; "Dorothy Derecourt" [REDACTED]; "Amanda Davis" [REDACTED]
Subject: LGOIMA Request - Copy of Dog Complaint and Evidence of injury to Victim dog.

Moorena Team,

Please find below a LGOIMA request. Namely;

In the meantime and based on the reference made by you in your email to the complaints received and the injury inflicted on the victim dog, we would like a copy of the complaint(s) together with the evidence of the injury provided by the owner of the victim dog, for transparency of the process.

Please send an acknowledgement.

Kind regards,

Tracey Oakes

Animal Control Team Leader

Waikato District Council

Te Kaunihera aa Takiwaa o Waikato

Nama waea: 0800 492 452

Pouaka Poutaapeta: Private Bag 544, Ngaruawahia 3742

Waahi Mahi: 15 Galileo Street, Ngaruawahia



From: Amanda Davis [REDACTED]
Sent: Tuesday, September 12, 2023 4:19 PM
To: Tracey Oakes [REDACTED]
Subject: FW: Marshal character reference

Official information request
 I have replied and advised you have the request

From: Navjot singh sidhu [REDACTED]
Sent: Monday, September 4, 2023 6:16 PM
To: Amanda Davis [REDACTED]
Subject: RE: Marshal character reference

Hi Amanda

Thank you for your email.

We will be filing appeal to the classification once we have received the notice of same.

In the meantime and based on the reference made by you in your email to the complaints received and the injury inflicted on the victim dog, we would like a copy of the complaint(s) together with the evidence of the injury provided by the owner of the victim dog, for transparency of the process.

We have requested the owner of the victim dog to provide us detail of the nature and extent of injury suffered which they didn't provide to us.

We would appreciate if you can provide the requested information or let us know the process for obtaining this information so that an informed submission can be made in support of the appeal.

Kind Regards
Navjot

[Sent from Yahoo Mail on Android](#)

On Mon, 4 Sept 2023 at 3:53 pm, Amanda Davis [REDACTED] wrote:

Hi Navjot

Thank you for your email.

I will attach this reference to your file as requested.

Council intends to classify Marshall as menacing based on observed/reported behaviour and injury inflicted on the victim dog. I will send you the classification via email in due course.

Your right to appeal is covered on the classification form and must be received by the Waikato District Council within 14 days of receiving the classification.

If you have any further questions please do not hesitate to ask

Regards

Amanda

From: Navjot singh sidhu [REDACTED]
Sent: Thursday, August 24, 2023 2:51 PM
To: Amanda Davis [REDACTED]
Subject: Fw: Marshal character reference

Hi Amanda,

Future to our previous emails in respect of Marshall, Please find below email from Marshall doggy day care providing reference for him.

I would appreciate if you can add this to his file.

Kind Regards

Navjot

[Sent from Yahoo Mail on Android](#)

----- Forwarded message -----

From: "Sam Hurring" [REDACTED]
To: [REDACTED]
Cc:
Sent: Thu, 24 Aug 2023 at 12:05 pm
Subject: Marshal character reference

To whom it may concern Marshal has been attending our doggy daycare for two years now and is such a lovely boy with an amazing nature and temperament, I'm pretty blown away that he has even asked for a reference for marshal as he doesn't have an aggressive bone in his body! At daycare we are free range on a lifestyle block and we run small dogs with the big dogs like chihuahua's with Shepards for example, marshal has also come for long period stays including

Christmas and other holidays, I can honestly say I would be happy to have marshal as one of my own dogs I think anyone could tell he's gentle and kind hearted after just meeting him the one time 😊

Feel free to give me a call on [REDACTED] happy to chat cheers

--

Thanks from Sam at Redbrae doggy daycare and hotel 🐶

From: "Loretta M. Elkington"
Sent: Wed, 13 Sep 2023 12:43:00 +1300
To: [REDACTED]
Subject: Acknowledgement of your LGOIMA Request - Copy of Dog Complaint and Evidence of Injury to Victim.

By email: [REDACTED]
Our Reference ADM0074/24.

Dear Navjot Singh Sidhu,

RE: REQUEST FOR INFORMATION UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

We acknowledge receipt of your information request dated 4th September 2023.

In accordance with the Local Government Official Information and Meetings Act 1987 ("the Act"), Council will, as soon as reasonably practicable, and in no case later than 20 working days after the day on which the request is received: -

- (a) decide whether the request is to be granted and, if it is to be granted, in what manner and for what charge (if any); and
- (b) email to you notice of the decision on the request.

Please be aware that sometimes for large requests or those requiring consultation, we will seek an extension which the Act allows. If so, we will let you know and give you a specific due date; or we may seek further information from you if we feel your request is not clear, or we may seek to refine your request if the scope is very broad.

If you require any further information regarding your request please contact Myra Williamson, Official Information and Delegations Advisor, telephone [REDACTED] or email [REDACTED]

Yours faithfully,

Records and Information Officer

Waikato District Council

Te Kaunihera aa Takiwaa o Waikato

■ **Waea puukoro:** 0275098907 ■ **Nama waea:** 0800 492 452

Pouaka Poutaapeta: Private Bag 544, Ngaruawahia 3742

Waahi Mahi: 15 Galileo Street, Ngaruawahia

