

IN THE MATTER of the Dog Control Act 1996

AND

IN THE MATTER of an objection against the classification of a dog as dangerous pursuant to section 31(4) of the Dog Control Act 1996.

BETWEEN **Juanita VOSLOO**

Objector

AND **Waikato District Council**

Respondent

**BEFORE THE WAIKATO DISTRICT COUNCIL REGULATORY
SUBCOMMITTEE.**

Chairperson Cr Noel Smith
Members Cr Jan Sedgwick
Cr Carolyn Eyre

DECISION

Submissions from:

Mr James Carter, Counsel for the Objector
Ms C Pidduck, Counsel for Waikato District Council, the Respondent

Background:

[1] As a result of an alleged incident on 30 January 2021, a Black Male Rottweiler dog belonging to the objector was later classified as a dangerous dog by an officer of the Waikato District Council.

[2] The dog owner objected to the classification within the prescribed timeframes as set out in the Act and a hearing was scheduled.

[3] The hearing to consider the objection was set down for Friday, 23 July at Ngaruawahia.

[4] Ms Pidduck, Counsel for the Waikato District Council, filed submissions with the Committee on 15 July 2021. Ms Pidduck, at paragraphs 11 and 12 of her submissions, outlines an error made by Council staff in classifying the dog.

[5] Ms Pidduck has correctly concluded that the classification was not founded on sworn evidence and the classification must be rescinded. The Committee concurs.

[6] In their submissions both Mr Carter and Ms Pidduck have alluded to matters outside the scope of the Committee's function in determining matters under s31(4) of the Act. The Committee has not and will not comment on those matters.

[7] Pursuant to section 31(4) of the Dog Control Act 1996, and by unanimous decision, the Regulatory Subcommittee rescinds the classification of 'Bow', as a dangerous dog.

[8] The hearing scheduled for 23 July 2021 is cancelled.

A handwritten signature in black ink, appearing to read 'Noel Smith', is written over a light grey rectangular background.

Noel Smith
Chairperson

20 July 2021