

MINUTES APPEALS HEARING COMMITTEE	MEETING HELD ON TUESDAY 18 MARCH 2014	TIME 2.00PM
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MINUTES of a meeting of the Appeals Hearing Committee, held at the Council Chambers, Ground Floor, 175 Rimu Road, Paraparaumu, on Tuesday 18 March 2014 commencing at 2.00pm.

PRESENT:

Cr	T	Lloyd	(Chair)
Mayor	R	Church	
Cr	M	Cardiff	
Cr	M	Bell	
Cr	P	Gaylor	
Cr	D	Ammundsen	
Cr	G	Welsh	

IN ATTENDANCE:

Ms	T	Evans	(Group Manager Community Services)
Mr	N	Fowler	(Environmental Standards Manager)
Ms	T	Emery	(Owner of 'Hoha')
Ms	T	Ferry	(Executive Secretary Community Services)

The Chair Cr Lloyd welcomed everyone to the meeting and read the Council blessing.

**APP 14/03/04
APOLOGIES**

There were no apologies.

**APP 14/03/05
PUBLIC SPEAKING TIME**

There were no members of the public wishing to speak.

**APP 14/03/06
CONFIRMATION OF MINUTES**

MOVED (Ammundsen/Welsh)

That the minutes of the Appeals Hearing Committee meeting on 23 January 2014 be accepted as a true and accurate record of that meeting.

CARRIED

**APP 14/03/07
MEMBERS BUSINESS**

- (a) Public Speaking Time Responses – There was no public speaking to respond to.
- (b) Leave of Absence – There were no requests for leave of absence.
- (c) Matters of an Urgent Nature – There were no matters of an urgent nature.
- (d) Declarations of interest relating to agenda items – There were no declarations of interest.

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**APP 14/03/08
OBJECTION TO MENACING CLASSIFICATION (CS-14-1133)**

Environmental Standards Manager Nick Fowler spoke to the report. Key discussion points included:

- The Dog Control Act 1996 (“the Act”) states that a council must disqualify a person from owning a dog if that person receives three or more infringement offences within a continuous 24 month period. In this case there have been four infringements in the last five months;
- Since the report was written there have been four more offences;
- The Committee may either disqualify the owner for a period of up to five years or classify the owner as probationary; and
- The owner is currently in the process of paying off fines by way of automatic payment.

**APP 14/03/09
RESOLUTION TO GO INTO PUBLIC EXCLUDED**

MOVED (Ammundsen/Welsh)

PUBLIC EXCLUDED RESOLUTION		
<p>That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered:</p> <ul style="list-style-type: none"> • Appendix 6 – Objection to Dog Owner’s Classification (CS-14-1133) <p>The general subject of each matter to be considered, while the public are excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987, for the passing of this resolution are as follows:</p>		
<p>Appendix 6 – Objection to Dog Owner’s Classification (CS-14-1133)</p>	<p>Section 7(2)(a) – to protect the privacy of natural persons.</p>	<p>48(1)(a): That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

CARRIED

The meeting went into public excluded session at 2.09pm.

The meeting came out of public excluded session at 3.04pm.

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**APP 14/03/10
OBJECTION TO MENACING CLASSIFICATION (CS-14-1133) – CONTINUED**

Discussion continued:

- The meeting was reminded the Committee has the option of either disqualifying the owner for up to five years or classifying the owner as probationary. Mr Fowler explained the conditions and requirements for the probationary classification;

MOVED (Gaylor/Mayor)

That the Committee upholds the Disqualification of Tiahuia Emery.

- Cr Bell asked the meeting to consider classifying the owner as probationary rather than disqualifying her;
- Ms Evans read aloud the relevant legislation regarding probationary ownership;
- Committee members expressed reluctance to go against the recommendation of Council officers; and
- There was doubt as to whether the owner would be able to meet the conditions required for the probationary classification.

CARRIED

The meeting was closed at 3.15pm.

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Chairperson

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Date