

Dog Control Act Hearings Panel
DETERMINATIONS

Date: Monday 9 February 2026
Time: 2.01 pm
Venue: M2.08, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Community Board Member Tim Lindley
Members	Councillor Nathaniel Herz Jardine Councillor Mark Peters

Meeting Advisor

Luke Smeele
Democratic Services Advisor
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Election of a Chair Te Whakatū Poumua

It was resolved on the motion of Councillor Peters, seconded by Councillor Herz Jardine, that Community Board Member Tim Lindley be appointed Chairperson of the Hearings Panel for the hearings scheduled for this date.

The Christchurch City Council Hearings Panel convened on 9 February 2026 at 2.01pm to hear objections as follows under the Dog Control Act 1996, which were dealt with in this order:

1. First Hearing at 2pm - regarding Whetumara Rerekura

Hearing of an objection by **WHETUMARAMA REREKURA** of Christchurch, pursuant to s 26 of the Act, to disqualification from being an owner of a dog for a period of two years from 18 November 2025 to 18 November 2027, imposed under s 25(1)(a) of the Act by Christchurch City Council Animal Management, was convened on this date and time and the determination contains a summary of the proceedings.

The Objector failed to appear at the scheduled hearing time. After the hearing commenced, a request was received from the Objector to reschedule the hearing. Taking into consideration the timing of the request, the Panel determined to proceed with the hearing and invited Animal Management to present their case. The Hearings Panel at 2.37pm excluded Animal Management and the public under section 48 of the Local Government Official Information and Meetings Act 1987 to deliberate in private, reserving its decision to be delivered once its reasons were duly written, noting the provisions of sections 26 and 27 of the Dog Control Act:

Objection to disqualification

(1) Every person disqualified under section 25—

(a) may object to the disqualification by lodging with the territorial authority a written objection to the disqualification; and

(b) shall be entitled to be heard in support of the objection.

(2) An objection under this section may be lodged at any time but no objection shall be lodged within 12 months of the hearing of any previous objection to the disqualification.

(3) In considering any objection under this section, the territorial authority shall have regard to—

(a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and

(b) the competency of the person objecting in terms of responsible dog ownership; and

(c) any steps taken by the owner to prevent further offences; and

(d) the matters advanced in support of the objection; and

(e) any other relevant matters.

(4) In determining any objection, the territorial authority may uphold, bring forward the date of termination, or immediately terminate the disqualification of any person and shall give written notice of its decision, the reasons for it, and the right of appeal under section 27 to the objector.

Appeal to District Court

(1) Any person who has lodged an objection under section 26 and is dissatisfied with the decision of the territorial authority may, within 14 days of the date on which notice of that decision is, under section 26(4), given to that person, appeal to the District Court against that decision.

(2) The District Court, in hearing the appeal, shall consider the matters specified in section 26(3) and any submission by the territorial authority in support of its decision, and may uphold the determination, bring forward the date of termination, or immediately terminate the disqualification.

Refer page 4 below for determination and reasons of the Hearing Panel.

**BEFORE THE HEARINGS PANEL
OF THE CHRISTCHURCH CITY COUNCIL**

IN THE MATTER of the Dog Control Act 1996

AND

IN THE MATTER objection by **WHETUMARAMA REREKURA** of Christchurch, pursuant to section 25 of the Dog Control Act, to the disqualification from being an owner of a dog for a period of 2 years under section 25(1)(a) of the Act by Christchurch City Council Animal Management

Hearing: M2.08, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Panel: Tim Lindley - Chairperson
Nathaniel Herz Jardine – Member
Mark Peters - Member

Appearances
for the Objector: Whetumarama Rerekura failed to attend the hearing.

for the Animal Management Team: Ivan Trethowen (Manager Animal Services)

Determination: 9 February 2026

Hearings Advisors: Luke Smeele

**DETERMINATION OF THE HEARINGS PANEL
OF THE CHRISTCHURCH CITY COUNCIL**
(Dog Control Act 1996, section 33B)

The disqualification of Whetumarama Rerekura from owning a dog is upheld

REASONS OF THE HEARINGS PANEL

INTRODUCTION

[1] The hearing was held to consider an objection received from Ms Whetumarama Rerekura (the 'Objector') to her disqualification, imposed by the Christchurch City Council Manager Animal Services, Mr Ivan Trethowen, from being an owner of a dog for two years (from 18 November 2025 to 18 November 2027) under section 25(1)(a) of the Dog Control Act 1996 ('the Act'). The disqualification has effects described within section 28 of the Act and is in force throughout New Zealand further to section 29 of the Act.

[2] Section 25(1)(a) of the Act, under which the Objector was disqualified, relates to a person who commits three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months. Under section 25 of the Act a territorial authority must disqualify such a person from being an owner of a dog unless the territorial authority is satisfied that the circumstances of the offences are such that: (a) disqualification is not warranted; or (b) the territorial authority will instead classify the person as a probationary owner under section 21 of the Act.

[3] Upon discovering that the Objector had been issued with twelve infringement notices within the period from 24 May 2025 to 18 November 2025 relating to sections 52A and 52 of the Act, the Manager Animal Services under his delegated authority disqualified the Objector from owning a dog (not being satisfied that such was not warranted or to instead classify the Objector as a probationary owner) by causing to be given to her notice of disqualification (for a specified period as noted above) and other prescribed matters, including her right to object to the disqualification under section 26 of the Act.

[4] The Objector exercised her right to object to the disqualification and in accordance with her right to be heard in support of her objection she was referred to the Hearings Panel of the Christchurch City Council as the body with the delegated authority to hear and determine the objection. The Objector did not appear at the scheduled hearing time of 2pm on 9 February 2026. After the hearing commenced, the Objector contacted the Panel requesting that the hearing be rescheduled. Taking into consideration the timing of this request, the Panel determined to proceed with the hearing in the interests of administrative efficiency and natural justice to all parties.

[5] The Hearings Panel on 9 February 2026 heard from the Manager Animal Services, having received a report from the latter relating to the infringement offences, the decision to disqualify the Objector from being an owner of a dog for two years from 18 November 2025, and the Objector's objection to that decision.

[6] This determination of the Hearings Panel that the disqualification of the Objector from being an owner of a dog is upheld sets out the reasons for the Panel's decision in accordance with section 26(4) of the Act. The Objector has a right to appeal this decision under section 27 of the Act, which states that:

(1) Any person who has lodged an objection under section 26 and is dissatisfied with the decision of the territorial authority may, within 14 days of the date on which notice of that decision is, under section 26(4), given to that person, appeal to the District Court against that decision.

(2) The District Court, in hearing the appeal, shall consider the matters specified in section 26(3) and any submission by the territorial authority in support of its decision, and may uphold the determination, bring forward the date of termination, or immediately terminate the disqualification.

LEGAL CONTEXT

[7] The Hearings Panel has the delegated authority to hear and determine the Objector's objection to her disqualification and, further to section 26(4) of the Act, may uphold, bring forward the date of termination, or immediately terminate the disqualification, after having regard, pursuant to section 26(3) of the Act, to:

- (a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
- (b) the competency of the person objecting in terms of responsible dog ownership; and
- (c) any steps taken by the owner to prevent further offences; and
- (d) the matters advanced in support of the objection; and
- (e) any other relevant matters.

The Hearings Panel had regard to these matters in reaching its determination to uphold the disqualification. Under section 25(3) of the Act, disqualification continues in force for a period specified by the territorial authority not exceeding five years from the date of the third infringement offence or offences (as the case may be) in respect of which the person is disqualified.

[8] The Manager Animal Services disqualified the Objector for a period of two years from 18 November 2025, being the date of the twelfth infringement notice issued within the relevant period. The twelve infringement offences (not relating to a single incident or occasion) in respect of which the Objector was disqualified related to violations of sections 52A and 52 of the Act and occurred between 24 May 2025 and 18 November 2025.

THE HEARING

[9] The following summarises the oral and written evidence and submissions presented to the Hearings Panel. It is not intended to be exhaustive in its scope or to present a transcript, but rather to summarise and identify what were considered to be the salient points.

Submissions of the Manager Animal Services

[10] Mr Trethowen, Manager Animal Services, referred to his written report circulated prior to the hearing. Mr Trethowen summarised for the Hearings Panel the circumstances on which his decision to disqualify the Objector from being an owner of a dog for a period of two years from 18 November 2025 to 18 November 2027 was based.

[11] The report detailed that between 24 May 2025 and 18 November 2025, the Objector received twelve infringement notices relating to sections 52A and 52 of the Dog Control Act 1996. These offences involved:

- (a) Multiple incidents where the Objector's dogs were found wandering at large;
- (b) Incidents resulting in the deaths of cats and chickens;
- (c) An incident involving an attempt to bite a person.

[12] Mr Trethowen outlined that a persistent and fundamental issue was the Objector's inability to adequately fence the property to prevent the dogs from escaping and wandering. He noted that Animal Management had taken proactive steps to assist the Objector by securing the front gate post to prevent the dogs from exiting the front of the property. However, he emphasised that the rear of the property remained unfenced, providing an ongoing avenue for the dogs to escape.

[13] The Panel questioned Mr Trethowen about the current status of the fencing issue and whether it had been remedied. Mr Trethowen responded that while there was now adequate fencing at the front of the property (with Animal Management's assistance), the lack of fencing at the rear of the property remained a significant concern. In his professional opinion, it was only a matter of time before the remaining dog would escape again and continue to pose a risk to the community.

[14] The Panel inquired whether any attempt had been made to contact Kāinga Ora (the Objector's housing provider) regarding the fencing issue. Mr Trethowen confirmed that no such contact had been made by Animal Management.

[15] Mr Trethowen indicated that while the Objector had voluntarily surrendered one of the dogs to the SPCA, which demonstrated some level of responsibility, the fundamental issue of inadequate property security remained unresolved. He submitted that the disqualification was warranted given the frequency and seriousness of the offences, the ongoing risk to the community, and the lack of a permanent solution to prevent future incidents.

The Objector

[16] The Objector did not appear at the hearing. At 2.15pm, after the hearing had commenced, the Objector contacted the Hearings Panel requesting that the hearing be rescheduled. The Panel considered this request but determined that, given the timing of the request and the importance of proceeding in a timely manner, it was appropriate to continue with the hearing and make a determination based on the evidence available.

[17] The Panel had before it the Objector's written objection, which outlined the following matters:

- (a) The Objector had made multiple requests to Kāinga Ora to erect a fence on the property, but these requests had been denied;
- (b) The Objector had been provided with homes by Kāinga Ora in the past which had adequate fencing, and there had been no issues with the dogs at those properties;
- (c) The Objector had taken steps to remedy the situation by partially erecting a fence, but progress had been difficult due to the Objector's partner being in a wheelchair;
- (d) The Objector had voluntarily surrendered one of the dogs to the SPCA.

[18] While the Panel acknowledged these matters advanced in support of the objection, the Panel was mindful that the Objector chose not to appear at the hearing to elaborate on these points or to respond to questions from the Panel or from Animal Management.

RESERVED DECISION

[19] The Hearings Panel considered that it had sufficient information to have regard to the matters under section 26(3) of the Act after considering the evidence, information and submissions available to it.

[20] The Hearings Panel reserved its decision, which it now conveys as the decision to uphold the disqualification for the reasons that follow. The Panel's reasons are grouped under headings of the matters the Panel had regard to and without seeking to repeat all the evidence and submissions pertaining to these set out above which the Panel had due regard to.

The circumstances and nature of the offence or offences in respect of which the person was disqualified

[21] The report of the Manager Animal Services indicates that the Objector was disqualified in respect of twelve infringement offences committed between 24 May 2025 and 18 November 2025, which related to violations of sections 52A and 52 of the Act. These offences involved failures to keep the dogs under control or properly confined, resulting in the dogs wandering at large on multiple occasions.

[22] The nature and circumstances of these offences are of significant concern to the Panel. Unlike cases involving simple wandering without incident, the offences in this case had serious and tangible consequences for the wider community:

- (a) Multiple incidents resulted in the deaths of cats and chickens belonging to members of the community;
- (b) At least one incident involved an attempt by one of the dogs to bite a person;
- (c) The frequency of the incidents—twelve infringement notices in less than six months—demonstrates a pattern of ongoing and unresolved risk.

[23] The Panel notes that the objects of the Dog Control Act 1996, as set out in section 4, include making better provision for the care and control of dogs by imposing on the owners of dogs obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person or any stock, poultry, domestic animal, or protected wildlife.

[24] In this case, the offences directly touch upon the core objects of the Act. The deaths of cats and chickens, the attempt to bite a person, and the repeated wandering at large all represent clear failures to prevent dogs from injuring, endangering, or causing distress to people and domestic animals. These are not technical or minor breaches; they are substantive failures with real victims and real harm.

[25] The sheer number of offences within such a short timeframe—twelve in less than six months—is highly aggravating. This is not a case of isolated incidents or occasional lapses in vigilance. It is a sustained and persistent pattern of failing to meet the fundamental obligations of dog ownership.

The competency of the person objecting in terms of responsible dog ownership

[26] The Panel must assess whether the Objector has demonstrated the competency required for responsible dog ownership. In this case, the evidence raises significant concerns about the Objector's ability to discharge the fundamental obligations of a dog owner.

[27] The primary obligation of any dog owner is to ensure that their dog is properly confined and does not pose a risk to the community. This is a basic and non-negotiable requirement. The Objector has, over a sustained period, demonstrably failed to meet this obligation.

[28] While the Panel acknowledges that the Objector faces challenges—including having a partner in a wheelchair and difficulties in obtaining assistance from Kāinga Ora—these challenges do not relieve the Objector of the responsibility to ensure that their dogs are properly confined. Dog ownership is a privilege, not a right, and it comes with obligations that must be met regardless of personal circumstances.

[29] The Panel notes that the Objector has voluntarily surrendered one of the dogs to the SPCA, which indicates some recognition of the problem. However, this action alone does not address the fundamental issue: the remaining dog is still at risk of escaping due to the inadequate fencing at the rear of the property.

Any steps taken by the owner to prevent further offences

[30] The Objector has taken some steps to address the problem, which the Panel acknowledges:

- (a) The Objector has partially erected a fence, though progress has been slow due to the physical limitations of the Objector's partner;
- (b) The Objector has made multiple requests to Kāinga Ora to erect adequate fencing, though these requests have been denied;
- (c) The Objector has voluntarily surrendered one of the two dogs to the SPCA.

[31] While these steps are commendable and demonstrate some level of effort and responsibility, they do not amount to a complete solution. The critical issue—the lack of adequate fencing at the rear of the property—remains unresolved.

[32] Mr Trethowen's evidence was clear: in his professional opinion, it is only a matter of time before the remaining dog escapes again. The Panel accepts this assessment. The partial fence is incomplete, and there is no indication of when, or if, it will be completed. The requests to Kāinga Ora have not resulted in action, and there is no evidence before the Panel to suggest that Kāinga Ora will provide a fence in the foreseeable future.

[33] The Panel is sympathetic to the Objector's difficulties, but sympathy cannot override the Panel's duty to protect the wider community from the ongoing risk posed by an inadequately confined dog with a history of causing harm.

The matters advanced in support of the objection

[34] The Panel has carefully considered all matters advanced in support of the objection, as outlined in the Objector's written submission. The key matters are:

- (a) The Objector's previous homes provided by Kāinga Ora had adequate fencing, and there were no issues with the dogs at those properties;
- (b) The Objector has made multiple requests to Kāinga Ora for fencing, which have been denied;
- (c) The Objector's partner is in a wheelchair, which has made it difficult to complete the fence;
- (d) The Objector has voluntarily surrendered one dog to the SPCA.

[35] While the Panel is sympathetic to these circumstances, they do not provide a sufficient basis to terminate or reduce the disqualification at this time. The fact that the Objector had no issues at previous properties with adequate fencing simply confirms what is already apparent: adequate fencing is essential to prevent these dogs from escaping and causing harm. The current property does not have adequate fencing, and there is no clear timeline for when it will.

[36] The Panel notes that the Objector did not appear at the hearing to elaborate on these matters or to provide any update on progress toward completing the fence or securing alternative housing with adequate fencing. The request to reschedule the hearing, made after the hearing had already commenced, was not accompanied by any explanation of why the Objector could not attend or any medical or other evidence to support a postponement.

[37] The Panel must balance sympathy for the Objector's difficult circumstances against its duty to protect the community from ongoing risk. In this case, the scales tip decisively toward upholding the disqualification. The risk to the community is real, ongoing, and unresolved.

Any other relevant matters

[38] The Panel notes that Animal Management proactively assisted the Objector by securing the front gate post to prevent the dogs from escaping from the front of the property. This demonstrates a willingness on the part of Animal Management to work constructively with dog owners to prevent escalation. However, despite this assistance, the fundamental problem—the lack of fencing at the rear—remains.

[39] The Panel also notes that no contact was made with Kāinga Ora by Animal Management. While this is not a criticism of Animal Management (as it is not their role to liaise with housing providers on behalf of dog owners), it does raise the question of whether a coordinated approach involving Kāinga Ora might have yielded a solution. However, the Objector's own evidence is that Kāinga Ora has repeatedly denied requests for fencing, so it is unclear whether such an approach would have been successful.

[40] The Panel emphasises that the disqualification is not punitive in nature. It is a protective measure designed to safeguard the community while the underlying issues are resolved. The Objector has the right to object again in the future under section 26(2) of the Act (though not within 12 months of this hearing) if circumstances change—for example, if the fencing is completed, or if the Objector relocates to a property with adequate fencing.

[41] The Panel notes that the disqualification period of two years imposed by Animal Management is reasonable and proportionate given the number and seriousness of the offences. It is well within the maximum period of five years permitted under section 25(3) of the Act.

RESULT

[42] Having considered the objection of the Objector to her disqualification from being the owner of a dog for a period of two years, together with the evidence and submissions provided by the Manager Animal Services, and having regard to the matters contained within the Dog Control Act 1996 and referred to in section 26(3) of the Act, it is determined that:

The disqualification of the Objector from being the owner of a dog for a period of two years from 18 November 2025 to 18 November 2027 is UPHELD for the reasons indicated herein.

[43] The Panel has reached this decision for the following key reasons:

(a) The significant number of infringement offences (twelve) within a very short period (less than six months) demonstrates a sustained and persistent failure to meet the fundamental obligations of dog ownership;

(b) The seriousness of the consequences when the dogs escaped—including the deaths of cats and chickens and an attempt to bite a person—directly engages the core objects of the Dog Control Act in protecting the community from harm;

(c) The lack of adequate fencing at the rear of the property remains unresolved and, in the professional opinion of Animal Management, creates a high likelihood that the remaining dog will escape again;

(d) While the Panel is sympathetic to the Objector's difficult circumstances and acknowledges the steps the Objector has taken, these steps have not resulted in a complete solution that would adequately protect the community from ongoing risk;

(e) The Panel's primary duty is to protect the safety and wellbeing of the wider community, and the ongoing risk of harm outweighs the individual hardship to the Objector.

[44] The Panel wishes to emphasise that this decision is not a reflection on the Objector as a person, nor is it a permanent prohibition. It is a protective measure necessitated by the current circumstances. Should the Objector be able to resolve the fencing issue—whether by completing the partial fence, securing alternative housing with adequate fencing, or obtaining assistance from Kāinga Ora—the Objector may lodge a further objection under section 26 of the Act (subject to the 12-month limitation in section 26(2)).

[45] The Panel also wishes to acknowledge the voluntary surrender of one dog to the SPCA, which demonstrates a degree of responsibility and recognition of the problem. However, this action alone does not resolve the fundamental issue of inadequate confinement for the remaining dog.

[46] Finally, the Panel notes its concern that the Objector did not appear at the hearing and made a request to reschedule only after the hearing had commenced. The Panel proceeded in the circumstances as it considered it had sufficient information to determine the objection fairly, but the Panel would have benefited from hearing directly from the Objector about any progress on the fencing issue or plans to resolve it.

[47] THE DISQUALIFICATION OF WHETUMARAMA REREKURA FROM BEING AN OWNER OF A DOG FOR A PERIOD OF TWO YEARS FROM 18 NOVEMBER 2025 TO 18 NOVEMBER 2027 IS UPHELD.

Hearing concluded at 2.42 pm.

CONFIRMED THIS 20th DAY OF FEBRUARY 2026

COMMUNITY BOARD MEMBER TIM LINDLEY
CHAIRPERSON