

Dog Control Act Hearings Panel
DETERMINATIONS

Date: Friday 1 May 2026
Time: 3 pm
Venue: M2.08, Level 2, Civic Offices,
53 Hereford Street

Present

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

Meeting Advisor

Luke Smeele
Democratic Services Advisor
Tel: 941 6374
luke.smeele@ccc.govt.nz
Website: www.ccc.govt.nz

Election of a Chair Te Whakatū Poumua

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

The Christchurch City Council Hearings Panel convened on <Enter Date of Hearing> to hear objections as follows under the Dog Control Act 1996, which were dealt with in this order:

1. First Hearing at 3pm - regarding dog named 'Zeus'

Hearing of an objection by **SUSAN KIM MANSELL** of Christchurch, pursuant to s 33B of the Act, to classifications of her dog, '**Zeus**', as dangerous under s 31 of the Act by Christchurch City Council Animal Management.

The Hearings Panel heard on this date the evidence and submissions (summarised in its decision) of the Objector, Animal Management Team, in regard the incident leading to the classifications objected to, and at 3.17 pm adjourned the hearing to deliberate its decision in this matter making a determination at 3.25 pm, which is attached hereto and was confirmed as noted at its base.

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

IN THE MATTER of the Dog Control Act 1996

AND

IN THE MATTER objection **SUSAN KIM MANSELL** by of Christchurch,
pursuant to section 25 of the Dog Control Act, to the
classification of 'Zeus' as a dangerous dog under
section 31 of the Act by Christchurch City Council
Animal Management

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

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

Appearances
for the Objector:

for the Animal Management Team: Lionel Bridger (Manager Animal Services)

Determination: 1 May 2026

Hearings Advisors: Luke Smeele

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

The classification of Zeus as a dangerous dog is upheld

REASONS OF THE HEARINGS PANEL

INTRODUCTION

[1] The hearing was held to consider an objection received from dog owner, Susan Kim Mansell ('the Objector'), to the classification by the Christchurch City Council Animal Management Team ('Animal Management') under section 31 of the Dog Control Act 1996 ('the Act') of her:

- 10 year old, white, male Staffordshire Bull Terrier dog named Zeus;

as a 'dangerous' dog – which classification creates special obligations imposed on the dog owner by, and described within, sections 33E-33F of the Act.

[2] Section 33A(1)(b)(i) of the Act, under which Zeus was classified, relates to a dog that a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of an observed or reported behaviour of the dog.

[3] Under section 33A(2) of the Act a territorial authority may classify such a dog as 'dangerous', and following a report that Zeus had attacked another dog, in a public place, the Manager of Animal Management under his delegated authority from the territorial authority in which the Objector resides did so classify Zeus as a 'dangerous' dog by causing to be given to the Objector notice of the classification.

[4] The Objector exercised her right to object to the classification of Zeus as 'dangerous' and in accordance with her right to be heard in support of her objection. Objection, they were referred to the Hearings Panel of the Christchurch City Council as the body with the delegated authority to hear and determine the objection.

[5] The Hearings Panel on Friday 1 May 2026 heard the Objector's evidence and submissions and also heard from Animal Management in relation to the incident leading to the classification of Zeus, having previously received a report from Lionel Bridger, Manager Animal Services. Manager Animal Services, together with the evidence collected by the Investigating Animal Management Officer relating to the incident and classifications.

[6] This report notifies the determination of the Hearings Panel that:

- the classification of the Objector's dog, Zeus, as 'dangerous' is upheld;

and the reasons for its determination in accordance with section 33B(3) of the Act. The determination that the classification of Zeus is 'upheld' signifies that Zeus will remain classified as a dangerous and the relevant special obligations thus imposed by the Act in relation to 'dangerous' dogs must be adhered to or the consequences for non-adherence set out in s 33EC of the Act will apply.

BACKGROUND

[7] On the date of the incident, Zeus was in a public place where he encountered another dog. Zeus bit the other dog during this interaction.

At the time of the incident, Zeus had already been classified as a ‘menacing’ dog. As a result of that classification, the Objector was required under the Dog Control Act 1996 to ensure that Zeus was muzzled at all times when in a public place. Zeus was not muzzled at the time of the incident.

[8] When the Investigating Officer’s statements and evidence collected were assessed by the Manager with the delegated authority to make the decision, Animal Management determined that Zeus may pose a threat and would be classified ‘dangerous’ under section 33A(1)(b)(i) of the Dog Control Act (which relates to a dog that 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).

[9] The Council subsequently received from the Objector a formal objection to the classification of her dog, Zeus, as ‘dangerous’. The objection triggered the appointment of a Hearings Panel to hear the objection with delegated authority to uphold or rescind the classification after having regard, pursuant to Section 33B(2) of the Act, to:

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

The Hearings Panel had regard to these matters in reaching its determination as summarised in this report.

[10] The following report and assessment summarises a considerable volume of 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.

THE HEARING

Submissions of the Animal Management Team

[11] The Manager Animal Services appeared at the hearing to speak to the decision to classify Zeus as menacing, which was subject to the objection to be determined by the Hearings Panel. In his report he outlined the circumstances leading to the dog attack and the relevant section of the Dog Control Act, i.e. section 33 that stipulates a territorial authority may classify a dog as menacing.

[12] Lionel Bridger summarised for the Hearings Panel the facts on which the decision to classify the Objector’s dog as ‘dangerous’ was based, including that Zeus had bitten another dog while not being muzzled in a public place despite an existing menacing classification.

Animal Management escalated compliance action, noting that a warning was not appropriate given the prior classification and the failure to comply with the muzzling requirement.

The Objector

Evidence and Submissions of the Objector

[14] The Objector provided evidence regarding Zeus' temperament and circumstances of the incident and submitted that the classification should be reconsidered. The Objector acknowledged the incident and did not dispute the facts presented by Animal Management. The Objector did however note that the reason she had chosen to not muzzle Zeus was due in large part to an incident that occurred in which Zeus was attacked by another dog while muzzled and could not defend himself. As result of that previous incident the Objector decided not to muzzle Zeus on the day of the incident. In final remarks, the Objector acknowledged the incident but sought leniency and reconsideration of the classification.

[16] The Panel thanked the Objector for their appearances at the hearing.

Reply by Animal Management

[17] Animal Management reiterated that the key issue was non-compliance with the existing menacing classification, particularly the failure to muzzle Zeus in a public place.

Close of Hearing

[18] The Hearings Panel considered that it had all the information it needed to have regard to under section 33B(2) of the Act after considering the evidence, information and submissions available to it.

[19] The Hearings Panel adjourned the hearing and deliberated its decision.

PANEL DELIBERATIONS

The evidence which formed the basis for the classification

[20] The Panel considered that the evidence clearly established that Zeus bit another dog while in a public place and while not being muzzled, despite being subject to an existing menacing classification.

[21] Classification as dangerous is not intended to be punitive, and the statutory requirement for it is not high; only that it is assessed that the dogs may pose a threat, based on observed or reported behaviour – not specifically that a bite had occurred. The muzzling requirement arising from classification may suggest that the threat should be from biting, but the Panel having carefully looked at the evidence did consider it more likely than not that Zeus does pose some risk of biting based on the evidence around the reported behaviour.

[22] In fairness, the Panel notes that any dog that can bite does pose some risk of biting, so classification is not intended to stigmatize or pass moral judgement on Zeus. Rather there is an issue with society wrongly stigmatizing a dog wearing a muzzle, and the Dog Control Act unhelpfully employing the label 'dangerous' to cover the plethora of often accidental incidents that lead territorial authorities to impose the muzzling requirement, when the reality is that muzzling should be a more widespread voluntary device to manage the common and innate risk of dog bites.

[23] The Panel considered that the incident resulted from a failure on Objector's part in regard to maintain effective control of Zeus, which may be accepted as a mistake, not to be punished, but neither allowing the Panel to neglect the object of the Dog Control Act and obligation to consider the wider community. The Panel can only look at the preventative tool of classification the Act puts in front of it, imperfect as it may be.

[24] The Panel principally takes a forward-looking approach of judging whether the evidence supports upholding classification to advance the objects of the Act and prevent risk. The Panel may be satisfied that the Objector is generally a responsible dog owner and has engaged appropriately with the process, but only to recognise that dogs are unpredictable and risk cannot reasonably be eliminated in this case. So classification requiring muzzling in the circumstances the Act prescribes, should remain in place in light of the evidence of the incident.

[25] Thus the Hearings Panel, having regard to the evidence which formed the basis for the classification of Zeus as 'dangerous', considered that it there was sufficient to form the basis for the Animal Management Team's classification of the dog, recognising that it would proceed to consider the Objector's evidence and her submissions in support of her objection to the classification.

Steps taken to prevent any threat to the safety of persons or animals

[26] The Objector outlined steps taken since the incident, including increased supervision and awareness of obligations.

[27] However, the Panel was not satisfied that these steps sufficiently mitigated the risk, particularly given that the incident occurred while the dog was already subject to a menacing classification.

[28] The Panel therefore considered that the steps taken by the Objector were not sufficient in all the circumstances of this case to persuade it to rescind the classification.

Matters relied on in support of the objection

[29] The Panel were also mindful of the Objector's submissions and personal circumstances, including her explanation of the incident and the past events giving rise to her rationale for not muzzling Zeus. However, classifications are not intended to remedy or punish but are to prevent risk.

[30] The Hearings Panel had regard to all the matters relied on in support of the objection and did not consider them sufficient to outweigh the risk identified.

[31] The Hearings Panel was mindful of the safety of the wider public and was not satisfied that Zeus no longer had the propensity to attack in unpredictable circumstances.

[32] The nature and result of the attack supported upholding the ‘dangerous’ classification of Zeus so as to require muzzling as a preventative measure.

Other relevant matters

[33] The Hearings Panel had regard to the evidence as a whole and considered that it had all the information it needed to have regard to under section 33B(2) of the Act. The Hearings Panel noted that every objection to a menacing dog classification is considered on its own merits and having regard to the circumstances particular to the case. The Hearings Panel, having regard to all relevant matters, considered that upholding the classification would be justified by the evidence and submissions and would align with the objects of the Act.

RESULT

[34] Having considered the objection of the Objector to the classification of Zeus as a ‘dangerous’ dog, it is determined that the classification of the Objector’s dog, Zeus, as a ‘dangerous’ dog be upheld for the reasons indicated herein and for the reason that the Hearings Panel considers because of the reported incident that Zeus does pose a threat and may pose a threat to one or other of the types of sentient being the Act has designs to ensure are not injured, endangered or caused distress.

Hearing concluded at 3.31pm.

CONFIRMED THIS 3rd DAY OF JUNE 2026