
Hearings Committee

MINUTES

Minutes of an ordinary meeting of the Hearings Committee held in the Council Chambers, Dunedin Public Art Gallery, The Octagon, Dunedin, on Tuesday 25 February 2025, commencing at 1.33 pm - Objection to Dog Owner Disqualification

PRESENT

Chairperson

Cr Kevin Gilbert

Cr Bill Acklin

Cr Jim O'Malley

IN ATTENDANCE

Cazna Savell (Compliance Solutions Manager (Acting)) and Karan Whyte (Animal Control Officer)

Governance Support Officer

Wendy Collard

1 DECLARATIONS OF INTEREST

Members were reminded of the need to stand aside from decision-making when a conflict arose between their role as an elected representative and any private or other external interest they might have.

Moved (Cr Kevin Gilbert/Cr Jim O'Malley):

That the Committee:

- a) **Notes** the Elected Members' Interest Register ; and
- b) **Confirms** the proposed management plan for Elected Members' Interests.

Motion carried (HEAR/2025/003)

2 DOG OWNER'S OBJECTION TO DISQUALIFICATION FROM DOG OWNERSHIP

A report from Customer and Regulatory detailed the Dunedin City Council's decision to disqualify the appellant (Ricky Bailey) from being the owner of a dog for a period of three years from 2 August 2024 to 1 August 2027, pursuant to section 25 of the Dog Control Act 1996 (the Act).

The Appellant was represented by:

Ricky Bailey
Vanessa Kirby

Submissions from Council Officers

The Compliance Solutions Manager (Acting) (Cazna Savell) provided a background a history of the record of complaints and the reasons behind the decision to issue Mr Bailey with a notice disqualifying him from dog ownership for a period of three years from 2 August 2024 to 1 August 2027.

Ms Savell responded to questions.

Submission from the Appellant

Ricky Bailey tabled information and spoke his objection to disqualification from dog ownership. Mr Bailey provided a background to improvements that he had made the property which included installing temporary fencing to assist with containing his dogs. He noted that the letter from the Principal from the Pine Hill School (which was across the road from his property) had no issues with their dogs and she felt that the dogs had never posed any threat to any stakeholders of the Pine Hill School.

Mr Bailey commented that while he had taken responsibility for the attacks on the chickens and cat by covering costs, he had not seen any evidence of them or proof that his dogs had been responsible.

Mr Bailey provided his account of the incident which occurred on 21 October 2024 and advised that he had only assisted in breaking up two dogs who had been fighting. He commented that he had grabbed one of the dogs and taken it to his property where the owner picked it up from. Mr Bailey advised that he was not the owner of this dog and that he did not know or have details of its owner.

Mr Bailey also commented when he was served the disqualification notice in October 2024 there were three dogs on the property, two of which were not his dogs and had only been visiting his property.

Ms Kirby commented that there had been a number of false accusations on a Facebook page and she felt that this could be where a number of complaints had been generated from.

In response to a question, Ms Savell advised that Council did not act on Facebook complaints.

Mr Bailey and Ms Kirby responded to a number of questions on the record of complaints in particular the one that had been received on 21 October 2024.

The Animal Control Officer (Karan Whyte) responded to a question on the fencing requirements in the Bylaw and advised that what Mr Bailey had done met these requirements. However, it was a dog owners' responsibility to ensure that their dog/s were contained at all times.

In response to a question, Ms Savell confirmed that, excluding the October 2025 incident, they had received no further complaints regarding Mr Bailey's property or dogs since September 2025.

Staff Reply

The Compliance Solutions Manager (Acting) (Cazna Savell) commented that she agreed that Mr Bailey took good care of his dogs, however there were concerns that Mr Bailey was not taking the offences seriously and the requirement for his dogs to be contained within his property.

In response to questions, Ms Savell advised that her recommendations within the report remained the same.

Appellant Reply

Mr Bailey acknowledged that the four infringement offences had been committed by his dogs and he thought he had apologised to the owners of the animals via the Dunedin City Council and reiterated that he had covered costs associated with these.

Mr Bailey reiterated that he had done his best to comply with the fencing requirement and had thought that the other dogs excluding Ragnor were no longer registered in his name.

Mr Bailey asked the Committee to not uphold the disqualification of dog owner.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved (Cr Kevin Gilbert/Cr Jim O'Malley):

That the Committee:

Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
		Section 48(1)(d)
Objection to Dog Owner Disqualification	That a right to appeal lies to any Court or Tribunal against the Dunedin City Council in these proceedings	

Motion carried (HEAR/2025/004)

The meeting moved into non public at 3.25 pm and concluded at

CHAIRPERSON