

**From:** Wendy Collard  
**To:** [REDACTED]  
**Subject:** Local Government Official Information and Meetings Act (LGOIMA) request for information on Ocean View Beach  
**Date:** Tuesday, 4 June 2019 03:33:00 p.m.  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Good afternoon

I am writing in response to your LGOIMA request of 7 May 2019 requesting information on Ocean View Beach. Please find information below:

1. Who arranged the meeting at Ocean View Beach in early April which you attended.  
[The Team Leader of Animal Services arranged the meeting.](#)
2. Why were the general public excluded? OR alternatively, why were only two members of the public included.  
[The general public were not excluded. This meeting transpired after two members of the public spoke at a Saddle Hill Community Board meeting about their concerns – a meeting with staff and a representative from Department of Conservation was arranged to gain a better understanding of the issue. A member of the Saddle Hill Community Board also attended.](#)
3. Did the decision to create more signs or make existing signs "clearer", hinge solely on an endorsement of the submitting views of the two public attendees alone, OR were there other reasons.  
[No, this decision was only made after staff considered the concerns brought to their attention. It was identified that some of the access points to the Ocean View Beach had no signage therefore visitors who are not familiar to the area could easily end up in a prohibited area. Other signage was not clear so will be changed to ensure everyone is aware the areas that dogs are/not permitted.](#)
4. How many incidents involving dogs versus "wildlife" on Ocean View Beach, have been reported over recent times including those in "no dog" areas?  
[No incidents involving dogs versus "wildlife" on Ocean View Beach have been reported to Animal Services in recent times.](#)
5. To what extent (noting the above), and what area does the DCC exercise jurisdiction over the foreshore and seabed and under what legislation is this right delegated?  
[DCC seaward boundaries are to the low tide point.](#)
6. Is it within the purview of those who attended this meeting to make decisions regarding erection of signs or does it require further approval. If so, who/where?  
[Yes, this decision was made by senior Animal Services staff in consultation with the DCC Communications and Marketing team.](#)
7. What costs in changing /amending such signs will be incurred.  
[It has cost \\$336 for the new signs.](#)
8. Is it intended that there will be wider consultation within the local community around such signs. If no, it is the norm to act on the advice of one or two people in such circumstances.  
[As outlined in Q.9 this is DCC land so we are permitted to erect these signs to ensure the general public are aware of the bylaw restrictions/prohibited areas.](#)
9. Does the DCC post or notify in public, it's intention around erection of such signs and/or any areas where there may be restrictions? If so where? If not why not?  
[No, the public are not notified. The signs are placed on DCC land to ensure the general public are aware of the bylaw restrictions/prohibited areas.](#)
10. Do the dog control areas extend to the Ocean View Reserve/domain behind the Ocean View Community Hall which is leased to the Brighton Pony Club.  
[The Dog Control Bylaw extends over the whole of the DCC area, which includes the Ocean View Domain. Below is a map outlining this area within the Dog Control Bylaw 2016 maps and notes related to each particular area which pop up when clicked on.](#)



Dog Control Bylaw 2016	
Name	Brighton Recreation Reserve
Type	Beach
Action	Prohibited

Dog Control Bylaw 2016	
Name	Brighton Domain
Type	Sportsfield
Action	Allowed off leash
Comments	Dogs are prohibited at all times from all marked playing surfaces on DCC owned sports grounds, permitted off leash outside of the marked areas at all times, however must be on a leash when games are being played.

Dog Control Bylaw 2016	
Name	Brighton Domain
Type	Playground
Action	Prohibited
Comments	Sportsground and playground

11. Is it a requirement that dog control areas, (including areas of leash/no leash), always require a By law and if so, does this include the posting of notices in enforcement of that by law?

The Dog Control Act 1996 allows any territorial authority to make bylaws to prohibit dogs from specific public places and also require dogs to be controlled on a leash in other specified public places. Councils can also make bylaws that regulate and control dogs in any other public place.

Any council can carry out publicity for the purposes of this Act.

I trust that this answers your request.

Regards

Wendy Collard

Governance Support Officer

Civic

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**From:** [REDACTED]  
**Sent:** Tuesday, 7 May 2019 4:43 p.m.  
**To:** Ros MacGill <[Ros.MacGill@dcc.govt.nz](mailto:Ros.MacGill@dcc.govt.nz)>  
**Subject:** Re Ocean View Beach

Hello

We are long time residents of Brighton and Ocean View. We have a particular interest in Ocean View and its environs, especially the beach, having owned property overlooking it since the late 1970's and then in residence since 1982. We walk the beach and/or the surrounding areas most days and have done so over the years we have lived here.

We have been following the "fall out" around a recent submission to the Saddle Hill Community Board by a local group seeking to further ban or restrict dogs on the beach.

We also note record of a meeting early April, which involved that group (2), DCC (you), DOC, Dog Control and a representative from the Community Board.

It is reported that meeting agreed signs will be changed, enlarged and/or multiplied (or suchlike), which if correct and in context, appears to be tacit approval of the submissions of two people around the alleged nuisance of dogs versus "wildlife"

on Ocean View beach.

In many discussions with other beach users, we understand that there have been requests to you and elsewhere as to why the above meeting was held amongst so few, (two who submitted), and why no such opportunity was afforded to others with the same or more interest, and who may or may not, support the contentions made, but who in any event, should have had the same courtesy extended as to consultation.

After all, the beach is public which indicates to us, anything affecting access, freedom of use etc, should not be dominated by a sectional and possibly vocal minority. We believe that there are a number of others within our community who would have attended this restricted meeting, if the same opportunity had been available to them even if it was only to discuss the adequacy (or otherwise), of current signage.

It also raises a number of questions, not least the impact the Foreshore and Seabed legislation has around the rights of people to have reasonable enjoyment without undue restrictions over the coastline and the foreshore in particular. *For example*, how far can any local authority have its "powers" extend - high tide mark, low tide, everywhere?

I would be interested to receive answers to the following, noting that if required and appropriate, I am prepared to make it a request under the Official Information Act. Obviously, I understand if some of these are outside of your area of knowledge and may require to be sourced elsewhere.

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8. Is it intended that there will be wider consultation within the local community around such signs. If no, it is the norm to act on the advice of one or two people in such circumstances.
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10. Do the dog control areas extend to the Ocean View Reserve/domain behind the Ocean View Community Hall which is leased to the Brighton Pony Club.
11. Is it a requirement that dog control areas, (including areas of leash/no leash), always require a By law and if so, does this include the posting of notices in enforcement of that by law?

I await your written reply and thank you in anticipation.

Yours sincerely

[Redacted signature block]