

18 February 2021

Request for Official Information responded to under the Local Government and Official Information and Meetings Act 1987 (LGOIMA) – reference: 7929485 (OIR: 2021-167)

I refer to your information request we received on 26 January 2021 for the following:

I am continuing to see dogs off leads in the Estuary every time I go in there to volunteer or visit, People take no notice of the signs and therefore patrols need to be regular so that the owners are fined which would send a message. We have endangered bird species and other fauna that must be protected. The new Minister of Conservation recently visited the reserve.

Could you please send me some data on how many fines have been issued in 2020 and how often the Estuary was visited by dog control officers.

Council response regarding your request

The Estuary is under the control of the Department of Conservation (DOC) and subject to their Waikanae Estuary Scientific Reserve Bylaw. This Bylaw states “no animals”, but DOC allows dogs on leads. Therefore, there is no ability to issue infringement offence notices for “dogs off lead”. DOC have warranted officers who have authority to enforce the rules in this Bylaw. Here is a link to the bylaw for your perusal:

[Waikanae Scientific Reserve Bylaws Pursuant to section 106 \(3\) of... - 1994-In2005 - New Zealand Gazette](#)

Kāpiti Coast District Council do regularly monitor the Estuary, and are committed to ensuring dogs are under control while in the vicinity. However, we do not record proactive prevention based patrols in the Estuary as it is not under our jurisdiction. Therefore, under section 17(e) of LGOIMA we are not able to release this information, as the information requested does not exist.

Transfer of request

On 18 February 2021, we transferred your request to DOC under section 12(b)(ii) of LGOIMA which provides for a transfer where “the information to which the request relates – is believed by the person dealing with the request to be more closely connected with the functions of another local authority or a Department or Minister of the Crown or organisation.”

Further correspondence in regards to your request will therefore come to you directly from DOC. In this regard the 20 working day time limit for providing you with a response to your request will begin from the day after DOC receives and accepts the transfer.

In light of the above I am required to advise you that you have the right to make a complaint under section 27(3) of the Act to an Ombudsman, to seek an investigation and review of this response.

Complaints can be sent by email to info@ombudsman.parliament.nz, by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



James Jefferson
Group Manager Regulatory Services
Te Kaihautū Ratonga Whakaritenga