



# Forest & Bird

TE REO O TE TAIAO | *Giving Nature a Voice*

## **Forest & Bird Conservation Policy - Dogs**

Forest & Bird recognises that dog owners and dog regulations have an important role to play in protecting some of our special wildlife and therefore supports the -

1. Prohibition of dogs from areas of public land with high biodiversity value, particularly where there are species present that are vulnerable to dogs. Dogs should also be required to be on a leash in public spaces adjacent to such areas.
2. Requirement that dogs be on a leash in bush areas where they may contribute to the spread of disease such as kauri die back, cause other damage to a fragile environment, or represent a threat to ground based wildlife.
3. Adequate financing for the public education about, and enforcement of, dog regulations.
4. Provision of informative and visible signage to raise the public's understanding of biodiversity values and to clearly inform dog owners of regulations to protect these values.

# Forest & Bird Conservation Policy - Dogs

## Policy Background

### Purpose

The purpose of this dog policy is:

- To inform the public of Forest & Bird's position on dogs.
- To advocate for effective management of dogs in areas where they are likely to threaten important animal species and habitats.
- To assist F&B staff, and branches and members with submissions on council and local board plans, dog control bylaw reviews etc.

### Context

#### What is Forest & Bird?

Forest & Bird is New Zealand's independent voice for nature. It is a national non-government organisation, with 50 branches throughout New Zealand with a supporter base of around 70,000. Forest & Bird's mission is *To protect and restore nature in Aotearoa/New Zealand.*

#### What is unique about Aotearoa/New Zealand?

Unlike the rest of the world, New Zealand's fauna evolved without mammalian predators. They developed unique characteristics, like flightlessness, that makes them especially vulnerable to disturbance by introduced mammalian predators. The arrival of humans, and the mammals we brought with us, has had a devastating impact on our native species.

A large number of our native species have already become extinct and many are struggling. While rats, mice, mustelids, possums, hedgehogs and feral cats are recognised as significant predators, there are many ground dwelling or ground nesting species that are particularly vulnerable to dogs.

A great deal of success has been had in dealing with introduced predators particularly on off shore islands and mainland fenced sanctuaries. However the problem is an ongoing one as the introduced species reproduce rapidly and have few natural controls on their populations. There are great difficulties in managing introduced predators in the extensive conservation areas. Currently large numbers of volunteers spend many hours doing pest control, while in parts of the conservation estate introduced predators are managed by DOC. Long term the

Predator Free New Zealand initiative aims to eradicate all introduced predators. This approach will require us to work together towards an environment where people, their domestic animals, pets and native species can co-exist. Dog owners have an important part to play in this long term protection of our native species.

[Many conservation areas administered by DOC are closed to dogs, or have leash or permit requirements.](#)

## Why have a policy on dogs?

Forest & Bird recognises the important role dogs play in New Zealand society. Dogs provide companionship and other positive benefits. Many Forest & Bird members own dogs.

However dogs can have a negative impact on some of our native species through predation or disturbance. Flightless birds such as kiwi and weka, and birds that nest, breed and feed on our beaches, estuaries and braided rivers, such as dotterel, blue penguin, godwits and oyster catchers, and ground dwelling lizards are particularly vulnerable to dogs.

This policy is about the ways in which dog owners and dog regulation policy can do their part to avoid the impact of dogs on native species in New Zealand, particularly on publicly owned DOC land, Local Government Reserves, estuaries and foreshores.

Councils have an important role in protecting the environment including native species, providing public amenities and providing for domestic animals needs under the Animal Welfare Act. Forest & Bird encourages Councils to set aside appropriate areas for dogs to run and identify alternate locations to dog owners to avoid conflicts with protected bird breeding and wildlife areas.

## Policy Detail

**1. Dogs should be prohibited from areas of public land with high biodiversity value, particularly where there are species present that are vulnerable to dogs. Dogs should also be required to be on a leash in public spaces adjacent to such areas.**

Protected bird species that are particularly vulnerable to dogs are those that nest, roost, breed or feed in wetland or inter-tidal areas, as well as ground dwelling birds such as kiwi.

Disturbance by dogs can cause ground-nesting and other birds (including the New Zealand Dotterel) to **leave their nests**, resulting in loss of clutches and broods. These species have been predated by dogs. (1) The parent leaving the nest can increase the risk of eggs or chicks being predated. Nesting success in areas where dogs are permitted is low or nil (2, 3, 4).

Estuaries are an important food source for shorebirds. Disturbance can **disrupt feeding** which is particularly important for migratory birds. Godwits feed on the intertidal mud flats. Seeking food is an important, intensive process requiring access to the intertidal zones. They can be seen until March before their long migration to Alaska. Disturbance by dogs at this time could

be critical to their flight plans. Shorebirds need a lot of undisturbed time to forage for small invertebrates in the sand and mud. The continual presence of dogs can **stress birds** and their presence could jeopardize a bird's ability to put on the correct weight in preparation for a very long migratory journey.

Endangered shore birds are very vulnerable to continual disturbance which **can lead to territorial disputes** if young birds are forced into other birds' territories.

All dogs on beaches disturb shorebirds. It has been well-documented scientifically that their mere presence is enough to stress birds and impair their foraging efficiency. Off-leash dogs that chase birds have an even greater impact by interrupting the foraging and resting time of shorebirds. In addition the birds burn off valuable calories and **expend large amounts of energy** escaping pursuing dogs.

Council support of the provision of a corridor of safe habitats for native wildlife (eg Auckland's North-West Wild Link (NWWL)) is undermined when dogs are permitted in bush reserves and intertidal areas. Dogs will render these habitats unsafe for the envisaged "spillover" of native birds from land and island sanctuaries, as many of these species spend a lot of time on or near the ground.

Dogs can be a major predator of kiwi. The Department of Conservation Draft Kiwi Recovery Plan 2017 – 2027 makes particular mention of the issue of dogs as a menace to kiwi. For example, section 5.3.4 states: "For some populations (e.g. in Northland), dogs have surpassed mustelids as the main agent of decline." Section 3.1.5 states: "Predation of adult kiwi by dogs and ferrets can cause catastrophic declines in local populations and strongly influence population trends by significantly reducing the life expectancy of adults in some areas."

Many conservation areas administered by DOC are closed to dogs, or have leash or permit requirements. However these are often not well known, advertised, adhered to, monitored or enforced. People should check whether dogs are permitted before visiting conservation areas <http://www.doc.govt.nz/parks-and-recreation/know-before-you-go/dog-access/> There should be greater publicity and clear sign posting on site as to whether dogs are permitted, required to have a permit or be on leash. Greater monitoring and enforcement of restrictions on conservation land is needed.

Forest & Bird supports the role of kiwi aversion training, but notes that it is not fail safe (hence the reason conservation dogs wear muzzles) and needs to be repeated regularly, which is often not done in practice. Dogs should be prohibited from National Parks and other conservation land with vulnerable birds, reptiles and invertebrates, unless they are clearly for the purpose of biodiversity protection.

There should be restrictions on dogs in areas adjacent to high biodiversity sites, including on leash requirements on public land and limits on dog ownership on private land. These restrictions can also help to protect dogs and their owners from severe penalties under s57 of the Dog Control Act by removing the opportunity for dogs to attack protected wildlife.

**2. Requirement that dogs be on a leash in bush areas where they may contribute to the spread of disease such as kauri die back, cause other damage to a fragile environment, or represent a threat to ground based wildlife.**

In areas of high use dogs can trample plants, erode stream banks and muddy streams. The silting can have a detrimental impact on native fish and other aquatic life. Kauri Die Back is a soil born disease and can be distributed by people and animals, including dogs. Dogs should therefore not be running free in kauri areas.

**3. There should be adequate financing for the public education about, and enforcement of, dog regulations.**

Restrictions on dogs in Council reserves and DOC conservation land are often ignored and breached, resulting in disturbance of the wildlife they are intended to protect. Dog owners should be accountable for understanding and meeting restrictions on dogs in public areas. Enforcement of breaches of restrictions should occur.

F&B advocates the proper financing and use of local dog rangers, honorary dog control officers, spot fines, and adequate signage. Failure to comply can and should lead to conviction under the Dog Control Act or the Wildlife Act, to protect our native wildlife.

**4. Informative and visible signage should be provided to raise the public's understanding of biodiversity values and to clearly inform dog owners of regulations to protect these values.**

F&B supports significant effort being made to raise public awareness of biodiversity values and the impacts of humans and dogs on those values. On site signage is particularly important to raise awareness, to enable the public to encourage others to comply with restrictions, and for enforcement.

## **Outcomes – What we want to see**

- Reduced native wildlife disturbance and deaths from dogs
- Public awareness and compliance with dog management
- Clear signage regarding dog rules in appropriate locations.
- Strong enforcement of dog restrictions

## **Relevant National Policy/Legislation**

**1. The Resource Management Act** provides for the protection of significant indigenous vegetation and significant habitats of indigenous fauna (biological diversity), section 6(c). Council plans generally seek to identify such areas and either list them or identify them in their Regional and District Plans.

**Regional Policy Statements** set out the Regions objectives and policies for protection of biodiversity and direct responsibilities to both regional and district councils.

The “**New Zealand Coastal Policy Statement 2010**” directs both regional and district councils in terms of protecting biological diversity within the coastal environment. Of particular relevance is the requirement under policy 11 to avoid adverse effects on threatened or at risk species.

The objectives and policies in **Regional and District Plans** which set out how council will protect indigenous biodiversity provide useful reference when advocating to council on the effects of dogs on indigenous fauna.

Regional Councils must have a pest management strategy under the Biosecurity Act. However these deal with non-domesticated pests and do not include dogs.

**Subdivision and Consent Notices** - Pursuant to s.221 of the RMA, Councils can impose consent notice conditions on new Certificates of Title. For example, consent notice conditions to prohibit the keeping of dogs, cats and mustelids. Historically this has been a popular method to manage the adverse effects of subdivision and development on kiwi. The efficacy of consent notices is directly linked to monitoring and enforcement. For an example see Far North District Council Environment court decision APPLICATION NUMBERS RC-2170133, RC-2160327 and RC-2150179.

**2. The Local Government Act (LGA)** provides councils powers to make bylaws. And it is under Bylaws that dog restrictions are usually made.

Bylaws can be used to control and restrict dogs in locations where they are likely to have an adverse effect on biological diversity. This is especially important in terms of both regional council responsibilities to protect biological diversity as set out in 1. above. The use of bylaws and education is also important in limiting the occurrence of offences.

District Councils have the responsibility to enforce bylaws in respect of the offences set out in the LGA and under the Dog Control Act.

The Department of Conservation has responsibility on conservation land and may identify dog control areas under the Conservation Act 1987 as well as exclude dogs from wildlife sanctuaries, wildlife refuge and wildlife management reserves under the Wildlife Act.

**3. Under the Dog Control Act 1996**, it is an offence to allow dogs to roam or attack protected wildlife. Penalties include seizure and destruction of the dog, owner imprisonment for a term not exceeding three years, or a fine not exceeding \$20,000, or both.

**4. The Wildlife Act 1953:** Under section 63 it is an offence to kill or disturb wildlife. Penalties for individuals include imprisonment for a term not exceeding two years, or a fine not exceeding \$100,000, or both.

**5. The Marine Important Bird Areas** – particularly **Document 2, Sites on Land, Rivers, Estuaries, Coastal Lagoons and Harbours** - identifies many areas of important mangrove habitat e.g. Waipu, Mangawhai, Kaipara Harbour etc. These sites are globally important for seabird and often other birds are included during the assessment eg bittern.

<http://www.forestandbird.org.nz/important-bird-areas>

## **Species threat status list**

<http://www.doc.govt.nz/nztcs>

<http://www.doc.govt.nz/Documents/science-and-technical/nztcs4entire.pdf>

## **References**

1. Ogden & Dowding 2013

2. [http://www.pauldonahue.net/dogs\\_shorebirds.html](http://www.pauldonahue.net/dogs_shorebirds.html)

3. [Micheaux 2016](#)

3. [Lorde, Waas, Innes 2001](#)

4. Niwa – the effects of sediment in streams [https://www.niwa.co.nz/our-science/freshwater/tools/kaitiaki\\_tools/impacts/sediment](https://www.niwa.co.nz/our-science/freshwater/tools/kaitiaki_tools/impacts/sediment)