

Animal Management Bylaw Review

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To: Auckland Council, Private Bag 92300, Auckland 1142
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From: Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird), PO Box 631, Wellington 6011
Attention: Lissy Fehnker-Heather, Regional Conservation Manager – Auckland/Coromandel

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Introduction

The Royal Forest & Bird Protection Society of New Zealand Inc (Forest & Bird) is New Zealand's longest running independent conservation organisation. Its constitutional purpose is to take all reasonable steps within its power for the preservation and protection of the indigenous flora and fauna and the natural features of New Zealand.

Forest & Bird has for many years had a strong interest and involvement in the greater Auckland area and has a long-standing interest in improving biodiversity and protecting and enhancing landscapes in the region. We have 47 branches throughout the country, seven of which, are in the Auckland region. All branches are involved in a wide range of conservation and advocacy activities.

Submission

1. We would like to provide feedback on feeding of animals on private property, and the inclusion of cat controls in the Animal Management Bylaw.

Feeding of animals on private property

2. We support the inclusion of rules about the feeding of animals on private property to the Animal Management Bylaw rather than the Property Maintenance and Nuisance Bylaw 2015.
3. We suggest Auckland Council considers similar bylaws relating to feeding animals on public land. We highlight that the feeding of unmanaged stray or feral animal populations has huge ramifications for not only the species being fed but also the people that feed or come into contact with those animals. For example, the feeding of a large population of wild chickens in West Auckland attracted huge rats to the area which scavenged the same food¹. Similarly, stray and feral cats carry high loads of zoonotic disease² which then exposes the people feeding those cats but also people that may inadvertently come into contact with those cats e.g. children in sandpits where a cat may have defecated.

Inclusion of cat controls in the Animal Management Bylaw

¹ <https://www.stuff.co.nz/auckland/auckland-top-stories/116766117/famed-titirangi-chickens-removed-after-infesting-west-auckland-village-with-rats>

² New Zealand National Cat Management Strategy Report 2020.

4. We use this opportunity to strongly advocate that controls around cats are included in the Animal Management Bylaw. Forest & Bird encourages Auckland Council to adopt meaningful cat management policies and regulations to support responsible domestic cat ownership, to minimise risk to human health and to minimise the risk of nuisance cats to biodiversity.
5. We acknowledge that Auckland Council's concerns about wildlife protection are addressed through Biosecurity Act 1993, specifically Auckland Council's Auckland Regional Pest Management Plan and not a Bylaw. However, that Plan specifically regulates feral cats and is silent on strays and nuisance cats. The fact that Auckland Council has determined that registration and microchipping of cats should require central government legislation similar to the Dog Control Act 1996 is simply unacceptable. We do not disagree that a Cat Management Act is long overdue but it will take examples of leadership from councils such as the Auckland Council to demonstrate to central government that regulation is not only necessary, it is supported by the public. Whanganui District and Palmerston North City councils passed their bylaws with compulsory microchipping, desexing and a three cat limit recently and there was little to no negative public reaction. Now it is Auckland Council's turn to lead.
6. Forest & Bird are pleased to see that Auckland Council has non-regulatory advice relating to responsible cat ownership in Auckland³ which is aligned to Forest & Bird's views around desexing and microchipping. However, considerable leadership has been demonstrated in many district and city councils around the country in recent years to address the stray and nuisance cat issues in a regulatory manner. We urge Auckland Council, to be part of this leadership approach for Aucklanders and Auckland's natural environment.
7. Cats are predators. Domestic cats pose a significant risk to native and endemic birds, lizards, and insects throughout New Zealand. The detrimental direct effect of cats on populations of native species has been widely recognised and documented^{4,5} and include devastating examples such as a recent case where a single domestic cat decimated the breeding attempts of native banded dotterels breeding on a beach in Wellington harbour, for the second season in a row.⁶
8. Domestic cats are also carriers of zoonotic diseases. This includes toxoplasmosis said to now be present in a high percentage of New Zealanders⁷ and a contributing factor in the death of a number of native species^{8,9,10}. Recent research from Australia has shown that the costs associated with diseases transmitted by cats cost the Australian economy more than A\$6 billion annually through their impact on human health and the agricultural sector¹¹.
9. Domestic cats do not respect property boundaries. They are the cause of many cases of nuisance such as defecating in peoples' gardens as well as having the potential to kill the beloved pets (birds, guinea pigs etc) of those who have no control over the unwanted movements of others' free-ranging cats. Furthermore, cats (particularly un-neutered toms) pose a significant threat to other cats and can cause innocent families large vet bills after a fight.
10. When poorly managed, irresponsible owners of domestic cats contribute to the growth of stray and feral cats, which have even more devastating impacts.¹²

³ <https://www.aucklandcouncil.govt.nz/dogs-animals/keeping-other-animals/keeping-cats/Documents/guidelines-cat-ownership-welfare.pdf>

⁴ <https://zslpublications.onlinelibrary.wiley.com/doi/abs/10.1017/S095283690200328X>

⁵ <https://www.sciencedirect.com/science/article/abs/pii/S0006320709004133>

⁶ <https://www.stuff.co.nz/national/117263362/lone-tabby-on-its-way-to-wiping-out-second-generation-of-dotterels>

⁷ <http://www.stuff.co.nz/national/10056562/Cats-will-damage-your-mind-Morgan>

⁸ <https://www.doc.govt.nz/nature/pests-and-threats/diseases/toxoplasmosis-and-hectors-and-maui-dolphin/>

⁹ https://www.researchgate.net/publication/261836844_Four_Cases_of_Fatal_Toxoplasmosis_in_Three_Species_of_Endemic_New_Zealand_Birds

¹⁰ <https://www.tandfonline.com/doi/abs/10.1080/00480169.2016.1230526>

¹¹ <https://www.rnz.co.nz/national/programmes/sunday/audio/2018770798/cats-costing-billions-each-year-by-spreading-diseases>

¹² <https://www.doc.govt.nz/nature/pests-and-threats/animal-pests/feral-cats/>

11. Forest & Bird acknowledges the position cats hold as a valued companion animal to loving owners. As a loved animal, these owners also need to take responsibility for their cat's behaviour. Limiting the number of cats on a property and ensuring all cats are de-sexed and microchipped is the bare minimum of this responsibility.

Forest & Bird proposes a limit of three cats per household

12. New Zealanders show a high level (>65%) of support for limits to be placed on the number of cats owned per household¹³. We note that in the pre-engagement undertaken by Council, a number of residents specifically noted the need for tougher limits on pet numbers. In Whanganui last year, as part of its Animal Bylaw review, Council staff undertook an online survey of residents. When asked to consider the most appropriate number of cats per premises, 48% of respondents considered two cats or fewer were the most appropriate while 34% considered that four cats was the most appropriate number¹⁴.

13. Forest & Bird requests a limit on the number of cats per household across Auckland to three. Over 50% of councils that regulate cat numbers have set the limit to three (Table 1.). Whanganui District Council amended its draft Bylaw from a limit of four to three cats per household. Similarly, during its Animal Bylaw review last year, New Plymouth District Council reduced its cat limit from five to three, in line with the direction other councils are taking around New Zealand and in response to the service requests and complaints received relating to nuisance from cats.

Table 1. Authorities that currently limit cat numbers in their bylaws.

Cat limits per household	Council
Three cats	Buller District Council ¹⁵ Palmerston North City Council ²⁰
	Carterton District Council ¹⁶ Rangitikei District Council ²¹
	Invercargill City Council ¹⁷ South Wairarapa District Council ²²
	Masterton District Council ¹⁸ Tararua District Council ²³
	New Plymouth District Council ¹⁹ Whanganui District Council ²⁴

¹³ Walker, J.K., Bruce, S.J., Dale, A.R. 2017. A Survey of Public Opinion on Cat (Felis catus) Predation and the Future Direction of Cat Management in New Zealand. *Animals (Basel)*. 7(7): 49. Accessed: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5532564/>

¹⁴ <https://www.whanganui.govt.nz/files/assets/public/consultations/keeping-of-animals-poultry-and-bees-bylaw/keeping-of-animals-poultry-and-bees-bylaw-2020-statement-of-proposal-and-bylaw.pdf>

¹⁵ <https://bullerdc.govt.nz/wp-content/uploads/2013/09/Keeping-of-Cats.pdf>

¹⁶ https://www.swdc.govt.nz/sites/default/files/Part%206%20Keeping%20of%20Animals%20Poultry%20and%20Bees%20Bylaw_Current_0.pdf

¹⁷ <https://icc.govt.nz/wp-content/uploads/2020/05/Keeping-of-Animals-Poultry-and-Bees-Bylaw-2013.pdf>

¹⁸ See Footnote 17.

¹⁹ <https://www.newplymouthnz.com/-/media/NPDC/Documents/Council/Council%20Documents/Bylaws/Animals%20Bylaw%202020.ashx?l>

[a=en&hash=A677A7CBBBA6FDC4E908A526DFC6A5DE7C136DFC](https://www.newplymouthnz.com/-/media/NPDC/Documents/Council/Council%20Documents/Bylaws/Animals%20Bylaw%202020.ashx?l)

²⁰ <https://www.pncc.govt.nz/media/3130963/animals-and-bees-bylaw-2018.pdf>

²¹ <https://www.rangitikei.govt.nz/files/forms/Animal-Control-Bylaw-2019.pdf>

²² See Footnote 17.

²³ <https://www.tararuaadc.govt.nz/Publications/Policies-Bylaws>

²⁴ <https://www.whanganui.govt.nz/files/assets/public/bylaws/keeping-of-animals-poultry-and-bees-bylaw-2020.pdf>

Four cats	Hastings District Council ²⁵	Manawatū District Council ²⁷
	Marlborough District Council ²⁶	Ruapehu District Council ²⁸
Five cats	Far North District Council ²⁹	South Waikato District Council ³¹
	Southland District Council ³⁰	

Forest & Bird proposes that microchipping and registering is compulsory

14. Forest & Bird believes that microchipping and registering cats should be required of all cat owners. Requiring individuals to microchip and register their cats allows for a clear delineation between stray, feral and free-roaming owned cats. Identification of cats is paramount to ensuring that effective strategies for control of un-owned cats, that Council may wish to undertake, can progress.
15. In this context, catching microchipped cats allows an opportunity to educate that cat owner who may have previously been oblivious to the negative impact their cat was having in the local community. Furthermore, compulsory microchipping would bring Auckland Council in line with recent bylaws enacted by Whanganui, Palmerston North, Wellington City³² and more recently, Selwyn District Council³³.
16. Microchipping is a well-supported management tool for cats in New Zealand, with almost 80% of the general public in favour of a national requirement for mandatory microchipping (in addition to restriction of cat numbers and mandatory desexing)³⁴. The Ministry for Primary Industry's Code of Welfare: Companion Cats 2018's Recommended Best Practice is that cats should be identified with a microchip³⁵. Given microchipping is compulsory for dog owners, few cat owners will be put off by the imposition of the cost of microchipping to ensure the protection of their companion animal.

Forest & Bird proposes the compulsory requirement to de-sex cats

²⁵ <https://www.hastingsdc.govt.nz/assets/Document-Library/Bylaws/Hastings-District-Council-Consolidated-Bylaw/hastings-district-council-consolidated-bylaws-october-2016.pdf>

²⁶

<https://www.marlborough.govt.nz/repository/libraries/id:1w1mps0ir17q9sgxanf9/hierarchy/Documents/Your%20Council/AnimalsBylaw2017.pdf>

²⁷ <https://www.mdc.govt.nz/Documents/Bylaws>

²⁸ <https://www.ruapehudc.govt.nz/SiteCollectionDocuments/Policies%20and%20Bylaws/Bylaws/The%20Ruapehu%20Bylaw/The%20Ruapehu%20Bylaw%202018.pdf>

²⁹ <https://www.fndc.govt.nz/files/assets/public/objectivedocuments/governance-and-executive-management-gem/bylaws/keeping-animals-poultry-and-bees/keeping-of-animals-poultry-and-bees-2007.pdf>

³⁰ <https://www.southlanddc.govt.nz/assets/bylawspolicies/Keeping-of-Animals-Poultry-and-Bees-Bylaw-come-into-effect-12-October-2020.pdf>

³¹ <https://www.southwaikato.govt.nz/repository/libraries/id:24rtvarkd17q9s3wxfn/hierarchy/our-council/strategies-plans-policies-bylaws/bylaws/documents/Keeping%20of%20Animals%2C%20Poultry%20and%20Bees%20Bylaw%202017.pdf>

³² https://wellington.govt.nz/your-council/plans-policies-and-bylaws/bylaws/wellington-consolidated-bylaw-2008/part-2_-animals#four4

³³ <https://www.selwyn.govt.nz/news-And-events/news/new-rules-agreed-for-keeping-animals-in-selwyn-towns>

³⁴ Walker, J.K., Bruce, S.J., Dale, A.R. 2017. A Survey of Public Opinion on Cat (*Felis catus*) Predation and the Future Direction of Cat Management in New Zealand. *Animals (Basel)*. 7(7): 49. Accessed: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5532564/>

³⁵ <https://www.agriculture.govt.nz/dmsdocument/1413-Companion-Cats-Animal-Welfare-Code-of-Welfare>

17. Forest & Bird suggests Auckland Council would be lagging behind other councils if it did not include the requirement to de-sex cats in this bylaw review. Tararua, Palmerston North and Whanganui District Councils all included de-sexing in their recent Keeping of Animals Bylaw reviews.
18. The reproductive potential of a single female cat is estimated at 300 kittens in her reproductive lifetime. The potential for a male cat is far beyond that. MPI's Code of Welfare states puberty can occur from four months of age. Responsible cat ownership includes having cats desexed at or before puberty. Forest & Bird would support the provision of targeted funding towards voluntary de-sexing and the establishment of an education programme teaching responsible cat ownership.
19. If council officers have any further questions about the contents of this submission, please do not hesitate to contact me.

Nāku noa iti, nā,

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to be 'LFH'.

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