

13 August 2024

Mark Thomas

fyi-request-27638-67b1d417@requests.fyi.org.nz

Tēnā koe Mark

Thank you for your request to the Department of Conservation, received on 17 July 2024, in which you asked about the extent of, and rationale for, dog bans across New Zealand.

We have considered your request under the Official Information Act 1982.

Your questions and our responses are listed below:

Please provide information that specifically lists the a) areas of conservation land and b) the walks within all DoC managed land in which:

1/ Banning dogs is at DoCs discretion. This excludes areas in which all dogs are automatically banned. For clarity's sake please also state in general terms which areas dogs are automatically banned without any discretion.

2/ Of those locations and tracks where banning dogs is at DoCs discretion, please detail those areas and tracks in which dogs are currently banned and, similarly, those areas where DoC has chosen not to ban dogs. Where dogs are banned please state the penalty or fine to the public for breaking this direction by DoC.

3/ For those locations and tracks in which dogs are currently banned, please provide the rationale in each case for why DoC has chosen to ban dogs for that location or track.

Dog access, including general rules and rationale, is explained at the following link:

www.doc.govt.nz/parks-and-recreation/know-before-you-go/dog-access/where-you-can-take-your-dog/

From this page you can navigate to find tracks where dogs are and aren't allowed. Penalties can be found under the section 'If you ignore dog access rules or conditions'.

I am therefore refusing this part of your request under section 18(d) of the Official Information Act as the information is publicly available.

Further information regarding infringement fines is explained in answer to question 8.

4/ For the answer to the above question, please detail the species of ground birds and protected species that are present in that area or track and the quantities in which they are present and show conclusive data to match your assertion for the ban.

Part of this information is publicly available; if you view the area/track on our website it will detail bird species and/or protected species to a certain extent. However, to fully answer your question would require substantial collation and research. I therefore regret that I am not able to provide you with this information and am refusing this part of your request under section 18(f) of the Official Information Act.

5/ For each of the areas and tracks in which dogs are banned, please detail the consultation DoC undertook with a) the public b) outdoors interest groups and organisations and c) animal protection groups in the consideration of this ban.

Dog access is identified in conservation management strategies and so goes through public consultation. Further information can be viewed at:

<https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/conservation-management-strategies/>

6/ Please detail the specific cases where domestic dogs out walking with their owner on a track, in the last 10 years, have directly caused the death of a ground bird or protected species, and state the species concerned. This excludes hunting dogs out of direct of the control of the hunter and it excludes lost or feral dogs.

I regret that I am refusing this part of your request under section 18(f) of the Official Information Act as to fully answer your question would require substantial research.

However, several examples can be viewed at:

<https://www.doc.govt.nz/news/media-releases/2024-media-releases/>

7/ Since not all dog related animal deaths are reported, please detail all scientific algorithms you use for calculating the percentage of animal deaths you expect dogs will incur in a given area and then relate that to the above number of actual deaths caused by dogs. Please do this so we all know science and facts are behind each decision and that it's not arbitrary personal choice.

The Department does not attempt to calculate projected animal deaths in an area of public conservation land (PCL) with-versus-without domestic or uncontrolled dogs. Nor does the Department attempt to project the number of dog attacks on wildlife it expects to occur. This part of your request is therefore refused under section 18(g) of the Official Information Act as the Department does not hold the information and I have no reason to believe the information

is held by, or more closely connected with the functions of any other department, Minister, organisation or local authority.

8/ Please indicate which role in DoC is ultimately responsible for approving the banning of dogs, setting penalties and who currently holds that position regionally and nationally. Please also indicate the amount of successful prosecutions DoC instigate each year and how much cost goes into dealing with dog bans.

Approving bans

Responsibility for approving the banning of dogs on PCL lies with the Regional Operations Deputy Director-General. This position is currently held by Henry Weston. Local Operations Managers have responsibility for the day-to-day application of the bans. Further information about DOC's structure can be viewed here:

<https://www.doc.govt.nz/about-us/our-structure/>

Setting penalties

Information about DOC's enforcement tools is publicly available here:

<https://www.doc.govt.nz/about-us/our-role/compliance-and-law-enforcement/docs-enforcement-tools/>

Penalties for all conservation related offences are set out in legislation or regulations. The infringement fee that applies depends on which legislation is breached as a result of unpermitted dog entry. For example, for a dog entering public conservation land without permit the infringement fee is \$400. For a breach of section 51N(2) of the Conservation Act 1987 where a dog causes injury to protected wildlife in a controlled area the infringement fee is \$800.

Successful prosecutions

Prosecutions for dogs entering PCL without a permit are very rare and are much more likely to be dealt with by a warning letter or infringement notice. There have been no prosecutions for dogs entering PCL without a permit for the past five years.

Cost dealing with dog bans

Information on costs in dealing with dog bans on PCL is not held by the Department. I am therefore refusing this part of your request under section 18(g) of the Official Information Act as the Department does not hold the information and I have no reason to believe the information is held by, or more closely connected with the functions of any other department, Minister, organisation or local authority.

Regarding the information refused under section 18(f), I have borne in mind sections 18A and 18B of the Official Information Act but concluded that use of these provisions would not assist in this case.

You are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the Official Information Act.

Please note that this letter (with your personal details removed) may be published on the Department's website.

Nāku noa, nā

A handwritten signature in cursive script, appearing to read "Bill", followed by a period.

Andrew Bichan
Director, Governance and Government Services
Department of Conservation
Te Papa Atawhai