



BIOSECURITY ACT 2015

Discussion Paper: Wild dogs

December 2015



Image: © NSW Department of Primary Industries

Comments on this paper close on 12 February 2016

Email your comments to: submissions.biosecuritylegislation@dpi.nsw.gov.au

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For more information

See: www.dpi.nsw.gov.au/biosecurityact

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2015). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

Summary

The *Biosecurity Act 2015* (Biosecurity Act) will repeal Part 10 of the *Local Land Services Act 2013* (LLS Act) which provides the regulatory framework for the control of pest animals across NSW. The *Local Land Services (Wild Dogs) Pest Control Order 2015* (PCO) is made under Part 10 of the LLS Act and provides for the management of wild dogs in NSW.

The Biosecurity Act will also repeal parts of the *Wild Dog Destruction Act 1921* relating to destruction of wild dogs and will rename that Act to the *Border Fence Maintenance Act 1921* to more accurately describe its major purpose.

Having considered existing management arrangements and the risks associated with wild dogs, it is proposed to manage wild dogs under the *Biosecurity Act 2015* by way of the **General Biosecurity Duty (GBD)**.

Background Information

What is the problem?

Wild dogs are defined as all free living dogs in NSW, including dingoes, feral dogs and their hybrids. They are considered a pest animal because they prey on and harass livestock, domestic animals and native fauna. Diseases carried and transmitted by wild dogs can impact on livestock, pets, native animals and humans. The presence of wild dogs can also have social impacts, in particular anxiety and stress related disorders, in wild dog affected communities.

Predation and hybridisation by feral dogs is currently listed as a key threatening process under the *Threatened Species Conservation Act 1995*.

Why is it important?

Wild dogs are estimated to cost Australia's livestock industry over \$50 million annually due to impacts on agricultural production, the spread of endemic diseases and the costs of control. Wild dogs are able to host significant exotic animal diseases including rabies and they can impact on public safety and the wellbeing of affected rural communities.

What is the outcome we are seeking?

The desired outcome is to minimise and control the negative impacts of wild dogs on primary production, the environment and wider community whilst making provisions for the conservation of dingo populations in areas where they do not cause these negative impacts.

Current management arrangements

Under the LLS Act, the PCO declares wild dogs as pest animals throughout NSW.

The PCO declares all land in NSW as either Schedule 1 land or Schedule 2 land. Schedule 2 land is a list of certain publicly controlled land in NSW such as some national parks, nature reserves, state conservation areas, state forests and crown land. Schedule 1 land is all land not listed in Schedule 2.

The PCO provides for coordinated wild dog control in NSW by:

- requiring occupiers of land to notify Local Land Services (LLS) of the presence of wild dogs;
- empowering LLS to serve eradication orders requiring land occupiers to eradicate wild dogs; and
- imposing a general destruction obligation on land occupiers to eradicate wild dogs.

The general destruction obligation requires owners and occupiers of Schedule 1 land to eradicate wild dogs on their land. The LLS Act defines “eradicate” as “fully and continuously suppress and destroy.” For public land managers, this applies to the “extent necessary to minimise the risk of the pests causing damage to any land”.

To balance the need for wild dog control with the conservation of dingoes, the general destruction obligation for Schedule 2 lands is satisfied by preparing and following wild dog management plans with control and conservation objectives that have been agreed to by the LLS and the land occupier.

Control of wild dogs is coordinated through a combination of techniques including poison baiting, trapping and shooting.

Proposed Management under the NSW Biosecurity Act 2015

Wild dogs will be defined as all wild living dogs (*Canis lupus ssp.*) including their subspecies and hybrids but excluding any dog kept in accordance with the *Companion Animals Act 1998*, the *Exhibited Animals Protection Act 1986* and the *Animal Research Act 1985*. This includes dingoes, feral dogs and their hybrids.

It is proposed that wild dogs will be managed under the **General Biosecurity Duty (GBD)**. The GBD requires any person dealing with biosecurity matter (wild dogs) and who knows or ought to know of the biosecurity risks associated with that activity to take measures to prevent, minimise or eliminate the risk as far as is reasonably practicable. Dealing with biosecurity matter includes having possession or control of wild dogs on land owned or occupied by a person.

As the GBD is outcomes focused, individuals can determine the best way of managing the risks associated with wild dogs. For example, the occupier of land should take all practical measures to minimise the biosecurity impacts of wild dogs by controlling wild dogs on their land and preventing their movement onto neighbouring land. The occupier could discharge his or her GBD by complying with control actions outlined in a wild dog management plan or through other legal pest control means as long as the outcome is achieved. The NSW Government produces best practice guidelines which establish expectations with respect to the management of wild dogs.

The NSW Wild Dog Management Strategy provides for the development of wild dog management plans for all areas of NSW negatively affected by wild dogs. These management plans which are developed using endorsed guidelines documents, relevant legislation and policy, specify what control and monitoring work should be done, where the control work and monitoring will be conducted, who is responsible for the work, who will report and what the timelines are for each activity. A wild dog management plan could for example:

- provide for a requirement to notify of the presence of wild dogs on a person’s land,
- require occupiers to control wild dogs on their land to the extent necessary to minimise the risk of the pests causing damage on any land,
- incorporate requirements to manage important areas of dingo habitat in NSW

Wild dog management plans provide a strategic and proactive approach to improve the management of wild dogs in NSW. Therefore, private land managers, the community and the Government will be strongly encouraged to implement strategies contained in a wild dog management plan prepared for the affected area.

In cases where occupiers of land fail to meet their wild dog control obligations, an authorised officer will be able to issue a **Biosecurity Direction** detailing precisely how wild dog control is to be done and within what timeframe. An authorised officer may accept a **Biosecurity Undertaking** from the occupier that will include a proposed plan to minimise the biosecurity impacts of wild dogs on their land.

If a person fails to comply with a biosecurity direction or a biosecurity undertaking, an authorised officer or other authorised person can enter the premises and undertake the required work. The costs and expenses incurred can then be recovered against the person.

Note: The Natural Resource Commission (NRC) is currently undertaking a review of pest animal management in NSW. A draft report is due for release by the NRC in February 2016 with a final recommendations report scheduled for June 2016. The findings and recommendations contained in the NRC's reports may affect the proposed management approach set out in in this discussion paper.

What do you think?

We value your comments on how we can improve our biosecurity system and look forward to receiving your input into this important process.

Please complete the following survey on 'Wild Dogs' at:
https://www.surveymonkey.com/r/wild_dogs.

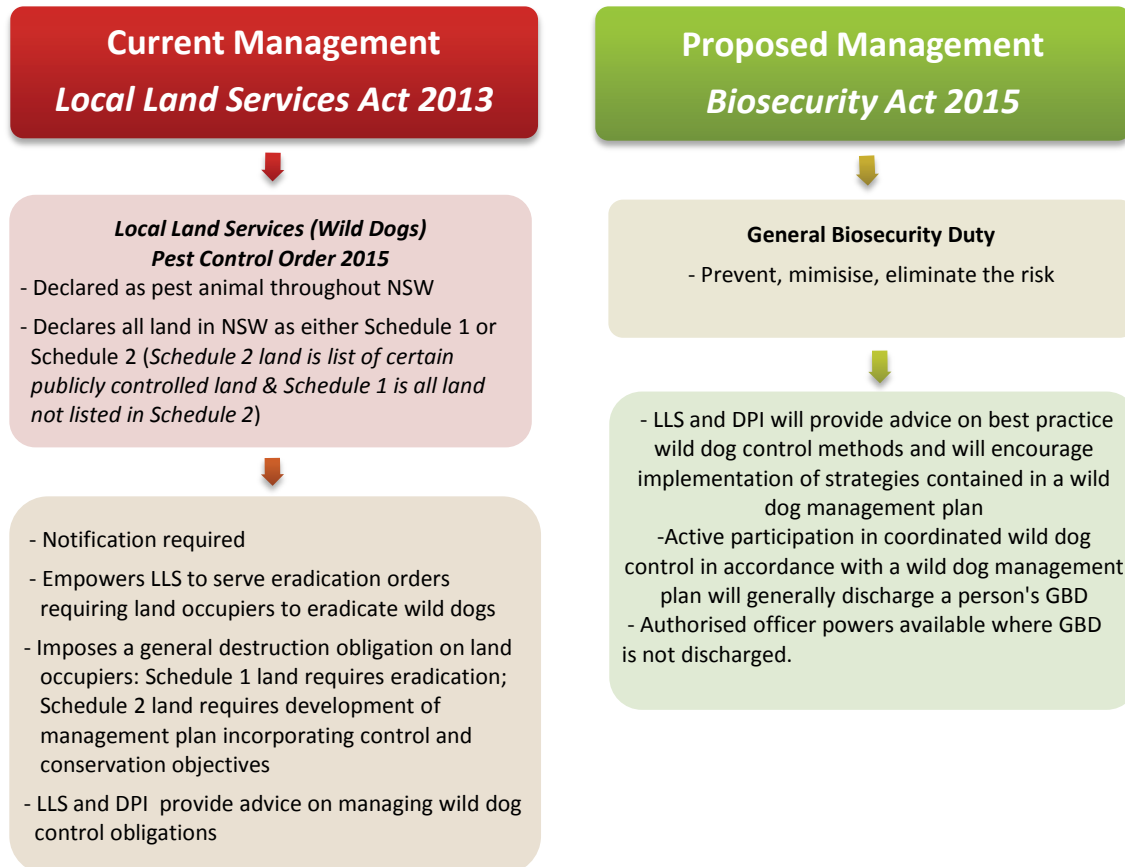
Alternatively, submit your feedback **by Friday, 12 February 2016** via [email](#) or post to:

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For more information about the *Biosecurity Act 2015* and regulatory framework, please visit www.dpi.nsw.gov.au/biosecurityact.

Appendix 1

Summary of current and proposed management of wild dogs



Appendix 2

