



Inquiry into Pounds in New South Wales – NSW Government Response

Portfolio Committee No.8 – Customer Service

December 2024



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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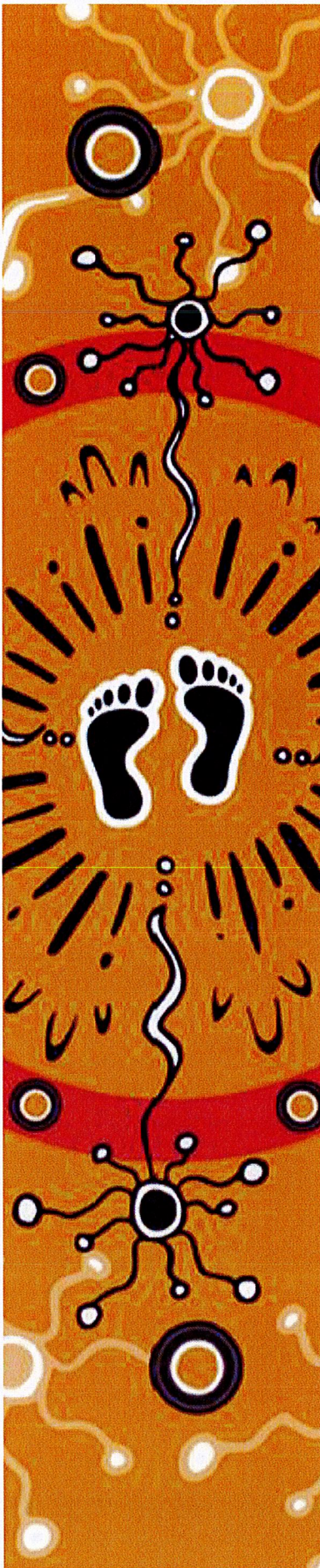
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Executive Summary

The NSW Government recognises the valuable work of Portfolio Committee No. 8 – Customer Service in undertaking this inquiry over the last 18 months and the opportunity it creates to make a shared commitment to creating a future where companion animal pound facilities in NSW are recognised for their excellence in animal care and rehoming efforts.

The inquiry was an important opportunity to consider how pound services in NSW function, identify factors impacting their effectiveness, and look at options available to improve outcomes for companion animals.

Of the 24 recommendations made, the Government either supports or supports in principle 17 recommendations and notes it will consider a further 7 recommendations.

The Government agrees with the Committee’s finding that animals need to be prevented from entering the pound system and it is a fundamental objective of the Government to minimise the number of animals entering pounds and shelters in the first instance while ensuring optimal outcomes for those that do. Pounds should be a last resort when owners are no longer able to care for their pets or manage them appropriately.

Owning a dog or cat entails substantial responsibility, encompassing welfare, behaviour, and compliance with regulations. The NSW framework for companion animal management is underpinned by the principle of responsible pet ownership and the premise that cat and dog welfare and management is a whole of community responsibility.

Through a combination of legislation, grants and education, the Government has achieved a reduction in the number of pets entering pounds. There were 34 per cent fewer dogs entering pounds in 2023/24 compared to 2018/19, and for cats, there was a 41 per cent decrease.

Free lifetime registration for animals purchased from pounds, approved rehoming organisations and animal shelters was introduced to encourage owners to ‘adopt not shop’. The Government also promotes the identification and registration of as many cats and dogs as possible, with reduced registration fees for desexed animals, to significantly improve the prospect of them being returned to their owner and to increase the likelihood that councils can take effective compliance action against irresponsible owners.

For many, companion animals are cherished family members and recent reforms to residential tenancy laws make it easier for renters to keep a pet in their home, thereby reducing the number of pets being surrendered to pounds.

The Government has a multifaceted education strategy to deliver responsible pet ownership messaging, including media collateral for agency and NSW councils’ use. The Government also attends NSW local councils’ pet open days to deliver its responsible pet ownership messaging

which has a direct impact on reducing the number animals entering pounds, such as the importance of microchipping and registration and benefits of desexing.

The Committee makes a number of recommendations for funding of pounds, rescue and rehoming organisations and low-income earning pet owners. Furthermore, several recommendations require legislative change to implement. The Government has committed to considering the funding framework as part of the review of the *Companion Animals Act 1998* (CA Act), which will include a consideration of the funding framework supporting companion animal management.

The Office of Local Government (OLG) is undergoing a restructure, which will include the establishment of a dedicated Companion Animals team in order to progress this work more effectively and efficiently.

Ultimately, the goal of the NSW legislative and regulatory framework in relation to companion animals is to embed responsible pet ownership, protect native wildlife, foster community amenity and promote the welfare of animals.

Response Table

REC #	RECOMMENDATION	RESPONSE	COMMENT
Rec. 1	That the NSW Government provide grants to councils and rescue and rehoming organisations to carry out large scale targeted desexing programs across the state, including community cat desexing programs, with a specific focus on disadvantaged communities and areas with large homeless cat populations.	Support in principle	<p>The Government is undertaking a review of the Companion Animals Fund, looking at the most effective ways to utilise revenue from registrations and annual permits that best supports all NSW councils to meet their responsibilities in companion animal management.</p> <p>Councils receive 80 per cent of registration and permit fees received, for expenditure on companion animal activities, including subsidised desexing programs.</p> <p>The funding framework for companion animals, rehoming processes etc, will also be considered as part of the review of the CA Act, committed to by the Government.</p>
Rec. 2	That the NSW Government review the need for reforms to ensure that community cats do not have to be microchipped and registered to an individual, and can be microchipped and registered to an organisation.	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review.
Rec. 3	That the NSW Government seek to amend the <i>Prevention of Cruelty to Animals Act 1979</i> to clarify that Trap Neuter Release programs are legal.	Noted	The Government acknowledges the impacts of owned, semi-owned, unowned and feral cats on native wildlife. However, Trap Neuter Release programs do not have agreed efficacy due to concerns from existing research and program evaluations over effectiveness.

REC #	RECOMMENDATION	RESPONSE	COMMENT
			<p>The Government will consider the matters raised in this inquiry and related reviews and inquiries in determining whether any changes to legislation are necessary. Several relevant studies are underway, including the NSW Legislative Council Animal Welfare Committee's Inquiry into the management of cat populations in New South Wales announced on 11 October 2024. The findings of these studies will also be considered as part of the government's commitment to review the <i>Prevention of Cruelty to Animals Act 1979</i> (POCTAA).</p>
Rec. 4	<p>That the NSW Government further investigate the need to provide lower income earners with companion animals specific funding support, with a focus on the evidence linking financial hardship to the surrendering of companion animals in pounds, and make funding available to assist lower income earners to pay for:</p> <ul style="list-style-type: none"> • microchipping and registration fees • food • behavioural training • impoundment fees • secure containment • veterinary services, including desexing. 	Support in principle	<p>The funding framework will be considered as part of the review of the Companion Animals Fund and outcomes of the review of the CA Act, as committed to by the NSW Government. Any investigation of the need for funding support for lower income workers will be undertaken as part of the review of the CA Act and the implementation of the Government's response to the Parliamentary inquiry into veterinary workforce shortages.</p>
Rec. 5	<p>That the NSW Government urgently introduce legislation to ensure tenants can rent with animals and to ensure these laws place the onus on the landlord to apply to the NSW Civil and Administrative Tribunal if they want to refuse an animal.</p>	Noted	<p>The Government recognises the important place that pets hold for many people across NSW. This is why the Government is implementing reforms to make it easier for renters to keep a pet.</p>

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			<p>On 24 October 2024 the Government's reforms to residential tenancy laws were passed by the NSW Parliament. The reforms include changes to make it easier for renters to keep a pet in their home. A renter will be able to apply to keep a pet, with the landlord only able to decline for certain limited reasons.</p> <p>Landlords will need to respond to a pet request within 21 days. If they do not respond, the pet will be automatically approved. The renter will be able to apply to the NSW Civil and Administrative Tribunal if they do not think the reason given by the landlord for refusing the pet applies.</p> <p>The changes will help ensure the right balance between renters and homeowners, without adversely impacting on housing supply.</p> <p>The changes to make it easier to keep pets in a rental home will commence in the first half of 2025, following the development of new regulations.</p>
Rec. 6	<p>That the NSW Government implement relevant recommendations set out in the report of the Select Committee on Puppy Farming in New South Wales, including that the NSW Government:</p> <ul style="list-style-type: none"> • urgently introduce legislation on puppy and kitten farming in New South Wales • introduce a cap on the number of female breeding animals that a proprietor of a companion animal breeding business may have, lifetime litter limits for 	Support in principle	<p>The <i>Prevention of Cruelty to Animals (Puppy Farming) Act 2024</i>, assented on 21 November 2024, will ban puppy farming and strengthen puppy and dog welfare across the state by establishing clear standards for dog breeders.</p> <p>This Act addresses recommendations 4, 10, 12 and 13 from the 2022 Select Committee Report on Puppy Farming in New South Wales.</p>

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	<p>cats and dogs used for breeding and staff to animal ratios for companion animal breeding businesses</p> <ul style="list-style-type: none"> • introduce a well-resourced breeder licensing scheme in New South Wales that contains robust licensing conditions for breeders • move towards restricting the sale of dogs and cats in pet shops to those sourced from pounds, shelters or rescue groups • ensure proper traceability of animals and breeders to assist both the public and enforcement agencies to identify unethical breeders • introduce an 'extended liability' scheme whereby breeders are responsible for congenital, genetic and/or other health issues that arise in the first year of an animal's life. 		
Rec. 7	That the NSW Government urgently introduce legislative reforms to address backyard breeding.	Support in principle	<p>The <i>Prevention of Cruelty to Animals (Puppy Farming) Act 2024</i>, assented on 21 November 2024, will address the lack of oversight of the number and size of breeding facilities across the State by mandating that dog breeders must, for the first time, obtain a unique breeder identification number through the NSW Pet Registry, enabling transparency of breeders and their location.</p> <p>Further additional measures have been put in place to strengthen the sale or transfer of dogs, to require all advertisements to have the dog's microchip number, and either the Breeder Identification Number or Rehoming Organisation Number.</p>

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			These requirements coupled with other provisions will ensure that dog breeding facilities are appropriate and adhere to animal welfare standards.
Rec. 8	That the NSW Government roll out an ongoing public education campaign encouraging New South Wales residents to 'adopt, don't shop' and further educational programs about the lifetime care needs of companion animals.	Support in principle	The Government has a multifaceted education strategy that delivers 'adopt not shop' messaging, and other responsible pet ownership information. The education strategy is informed by stakeholder feedback, including local councils, and will be considered as part of the Companion Animals Fund review.
Rec. 9	That the NSW Government remove the 'annual permit fee' for undesexed cats over 4 months old, to remove this barrier to adopting, microchipping and registering community cats.	Noted	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review. Owners who adopt a cat from a pound or approved rehoming organisation that were desexed after 4 months of age are not required to pay an annual permit fee. Registration is also free for these cats.
Rec. 10	That the NSW Government review the fees and processes associated with the companion animal registration framework, with a view to reduce costs.	Noted	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review.
Rec. 11	That the NSW Government, in consultation with the rescue and rehoming organisations and other key stakeholders, enhance and standardise annual reporting of pound data to the Office of Local Government, including by requiring council pounds to collect and report on the reasons for animal surrenders.	Support in principle	Annual reporting of pound data is standardised. While rescue and rehoming organisations have no role in council pound reporting, this matter will be considered as part of the review of the CA Act, committed to by the Government, noting the recommendation to include reasons for surrender.

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Rec. 12	That the NSW Government provide increased funding for council pounds, and call upon local government authorities to provide increased funding for council pounds.	Noted	<p>Councils are largely independent bodies under the <i>Local Government Act 1993</i> and resourcing decisions are a matter for them through the Integrated Planning and Reporting process.</p> <p>Councils receive 80 per cent of registration and permit fees, for expenditure on companion animal activities.</p> <p>The Government is undertaking a review of the Companion Animals Fund, looking at the most effective ways to utilise revenue from registrations and annual permits that best supports all NSW councils to meet their responsibilities in companion animal management.</p> <p>This matter will be considered as part of the review of the CA Act.</p>
Rec. 13	That the NSW Government commission a report to determine the appropriate amount of funding required to support council pounds across New South Wales.	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review.
Rec. 14	That the NSW Government require councils to publicly report budget allocations for pound operations.	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review.
Rec. 15	That the NSW Government develop an enforceable Code of Practice containing standards for construction, and the care and housing of companion animals, in New South Wales pounds,	Support in principle	The Government will commit to the development of a Code of Practice for organisations that are established primarily for the purpose of rehoming rescued or unwanted companion animals in consultation with relevant

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	<p>including, but not limited to:</p> <ul style="list-style-type: none"> • minimum space requirements for animals • quarantine and isolation areas • minimum size for exercise areas for animals, as well as minimum requirements (including time) for exercise • housing design that ensures animals' health, welfare, physiological, psychological, behavioural, and social needs are met • appropriate heating, cooling, air quality, ventilation, lighting, and noise control • separation of dogs and cats in pound facilities, so they cannot see, hear or smell each other, and consideration of other species if the pound is not limited to cats and dogs • other requirements including access to veterinary care, appropriate first aid facilities, food storage, waste removal, hot and cold running water, vaccinations, and desexing. 		<p>stakeholders. These issues will be considered as part of the consultation.</p>
Rec. 16	<p>That the NSW Government review and update the Companion Animals Act 1998, including to further specify the obligations of councils regarding companion animals management.</p>	<p>Support in principle</p>	<p>Councils' obligations regarding companion animal management are prescribed in the CA Act, the POCTAA and codes prescribed under POCTAA.</p> <p>The Government made an election commitment to review the CA Act. This review will include an examination of the</p>

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			obligations of councils regarding companion animals management.
Rec. 17	That the NSW Government introduce reforms to give the POCTA enforcement agencies powers to enforce the Companion Animals Act 1998 in relation to New South Wales pounds, and ensure adequate funding is secured for POCTA enforcement agencies undertaking this work.	Noted	<p>POCTA enforcement agencies can currently inspect and audit council pound facilities from an animal welfare perspective. The Minister for Local Government and the Office of Local Government has the power to investigate where there are significant gaps or oversight in council companion animal management responsibilities.</p> <p>The Government made an election commitment to review the CA Act. This review will include an investigation into the most effective ways to enforce that local councils are meeting their legislative obligations in relation to the provision of pound services.</p>
Rec. 18	That the NSW Government introduce reforms to make it mandatory for New South Wales pounds to desex and vaccinate all animals before they are adopted, and support councils to implement these reforms with appropriate funding.	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review and with consideration of past reviews, including by the Companion Animals Taskforce.
Rec. 19	That the NSW Government develop a new oversight and enforcement framework to empower enforcement agencies to conduct routine audits, and regular and unannounced inspections in New South Wales pounds.	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review.
Rec. 20	That the NSW Government provide ongoing grant funding to rescue and rehoming organisations.	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review and the review of the Companion Animals Fund.

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			The Government has previously provided a one-off program funding of a Companion Animal Welfare package that included a specific competitive grant providing \$5 million to support companion animal care and rehoming by animal rescue groups.
Rec. 21	That the NSW Government undertake a campaign to support community members to become foster carers with their local rescue and rehoming organisation, and promote collaboration between foster care networks and New South Wales pounds.	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review and the review of the Companion Animals Fund.
Rec. 22	<p>That the NSW Government implement relevant recommendations in Portfolio Committee No. 4 – Regional NSW's Veterinary workforce shortage in New South Wales report, including that the NSW Government:</p> <ul style="list-style-type: none"> • consider amending the <i>Companion Animals Act 1998</i> to ensure local government authorities collect stray animals from licensed veterinary clinics, and to ensure that appropriate funding is provided to local government authorities to ensure that there is a consistent interpretation of the Act across all local government areas • consider amending the <i>Veterinary Practice Act 2003</i> and other relevant legislation to ensure that mobile veterinary clinics can be easily registered to deliver veterinary care, particularly in areas with no clinic within a 	Support in principle	<p>The Government supported in-principle recommendations 2, 4, 24, 27, 31, 32 and supported recommendation 34 made by the Legislative Council Portfolio Committee No. 4 – Regional NSW inquiry into the veterinary workforce shortage in New South Wales.</p> <p>The Government made an election commitment to review the CA Act. This review will include an examination of the obligations of councils regarding companion animals management.</p> <p>The NSW Government will commit to reviewing the veterinary practice regulatory framework in consultation with the NSW Veterinary Practitioners Board.</p> <p>Any proposed changes to legislation would be considered in consultation with relevant stakeholders and the community, to ensure that the revised regulatory frameworks are fit for purpose and protects veterinary practice, companion animal, and animal welfare outcomes.</p>

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	<p>reasonable distance. Any changes must ensure mobile clinics work collaboratively to ensure they can provide essential additional veterinary services without causing detriment to local clinics</p> <ul style="list-style-type: none"> • seek to introduce a regulatory framework for veterinary nurses and veterinary technicians in New South Wales • review the <i>Veterinary Practice Act 2003</i> to determine whether some restricted acts of veterinary science could be extended to veterinary nurses and technicians who are regulated under the same legislative framework • investigate strategies to best ensure veterinary care for pet owners particularly low income earners can be made more affordable • investigate providing subsidised vet care to low-income earners, pensioner and animal rescue groups • consider options for trialling companion-animal friendly public transport. 		
Rec. 23	That the NSW Government, in consultation with key stakeholders, develop a behavioural assessment protocol that requires all behavioural assessments to be conducted by staff that have been trained in this area (ideally, by a qualified behaviouralist and in a	Noted	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review.

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	foster care environment) and in manner that is consistent with current research.		
Rec. 24	<p>That, in addition to Recommendation 11, the NSW Government make the following revisions to annual reporting of pound data to the Office of Local Government:</p> <ul style="list-style-type: none"> • the reason for euthanasia currently classified as 'feral/infant' be split into 'infant' and 'behaviour' • report reasons for 'owner-requested euthanasia' • report reasons for animals being classed as 'unsuitable for rehoming'. 	Support in principle	The Government made an election commitment to review the CA Act. This matter will be considered as part of that review.