

---

**From:** ACA President  
**Sent:** Friday, 10 January 2025 1:06 PM  
**To:** Animal Welfare;  
**Subject:** Re: Inquiry into the management of cat populations in New South Wales – Post-hearing responses – 16 December 2024

Hello David

Please see the attached response from Animal Care Australia.

If you require anything else, please don't hesitate to let me know.

Kind regards,

Michael Donnelly

**Michael Donnelly**  
President  
**Animal Care Australia Inc**

Sponsors: Petcover and Animal Care Australia - together  
supporting animal welfare

10<sup>th</sup> January 2025  
Animal Welfare Committee

### **Inquiry into the management of cat populations in New South Wales – Post-hearing responses**

Thank you for the opportunity to provide post-hearing responses.

#### **Transcript:**

Animal Care Australia has no transcript corrections.

#### **Question On Notice:**

To provide feedback on the recommendations provided by Local Government NSW – submission no 5:

*1. The NSW Government commit to an ongoing, state-wide community awareness and education campaign on responsible pet ownership, the importance of desexing, and the benefits of keeping cats contained.*

#### **Animal Care Australia fully supports recommendation 1.**

Any community awareness or education campaign must be consulted with key stakeholders including cat keeping/breeding associations.

*2. The NSW Government increase capital and operational funding to enable upgrading of pound facilities, provision of support services to facilitate rehoming and to assist with educating the community about responsible pet ownership.*

#### **Animal Care Australia fully supports recommendation 2.**

Responsible pet ownership education campaigns must be consulted with key stakeholders including cat keeping/breeding associations.

Rehoming services must be regulated with methods of reporting and accountability required regardless of who is running the rehoming facility. Data is necessary for the purpose of monitoring and evaluating whether the measures being taken are having an effect on the numbers of cats requiring rehoming including the ‘types’ of cats (ie owned, community, strays, abandoned kittens etc) being assessed and rehomed.

*3. Amend the Companion Animals Act 1998 to:*

*a) define when a cat is considered to be owned, or what cat ownership entails.*

*b) clarify the application of section 32 (powers for seizing a cat)*

**Animal Care Australia supports 3 a) and b)** with stakeholder consultation.

*3 c) define cats as domestic, infant or feral.*

**Animal Care Australia does not support 3 c)** as proposed, as these definitions are insufficient. As the testimony from multiple experts stated there is a need for better definitions than what is proposed here.

**Animal Care Australia fully supports the need to improve the definitions of cats and recommends the following:**

**Domestic (pet)** cats have some form of dependence on humans, either directly or indirectly. They can be classified into three subcategories based on their relationship with humans. These subcategories are:

**Owned** — these cats are identified with and cared for by a specific person and are directly dependent on humans. They are usually sociable although sociability varies.

**Semi-owned/community** — these cats are fed or provided with other care by people who do not consider themselves owners. They are of varying sociability, with many socialised to humans, and may be associated with one or more households.

A subset of these include **‘working cats.’** These are farm/barn cats and warehouse cats. Working cats provide a valuable service to landholders and may or may not be cared for by an owner.

**Unowned** — often also referred to as ‘stray cats’ - these cats are indirectly dependent on humans, with some having casual and temporary human interaction. They are of varied sociability, including some being unsocialised, and may live in groups (e.g., at rubbish tips, shopping centres and other urban environments where they can scavenge for food).

**Feral cats** are unowned, unsocialised, have no relationship with or dependence on humans, and reproduce in the wild.

Definitions matter, as does the environment that the cat lives in, and this varied population of cats needs to be considered separately for each of the Terms of Reference.

A clear distinction needs to be made about the treatment of the main categories of cats – domestic (pet) cats, stray cats, and feral cats. Strategies dealing with stray cats will assist in reducing the feral cat problem as stray cats are most likely to have been a pet cat at some point and socialised with people. The longer these cats remain as strays increases the potential for them to fall into the feral category as their contact with humans decreases.

*3 d) enable councils to introduce enforceable cat containment or curfew policies in their local government areas.*

**Animal Care Australia conditionally supports recommendation 3 d).**

Any introduction of policy **MUST** be consulted with the community and in particular cat keeping/breeding associations, and animal welfare stakeholders and advocates. It must be remembered that a cat containment policy in itself does not in itself equal good cat welfare outcomes.

Any legislation **MUST** prevent Councils from having carte blanche power as in other states this has proven to be disastrous and in Victoria has seen unrealistic number restrictions such as only permitting 1 or 2 cats owned in residential zones, and in certain cases entire councils declaring themselves as ‘breeder free’ zones.

*3 e) enable feral cats without any reasonable prospect of rehoming to be euthanased in accordance with animal welfare ethics and the policy adopted by the relevant council.*

**Animal Care Australia conditionally supports recommendation 3 e).**

What exactly defines a ‘feral cat without any reasonable prospect of rehoming?’ A fully consulted set of criteria must be adopted prior to any such policy being adopted. Again, this goes to providing

Councils with too much power without incorporating oversight or transparency on how the cat is being assessed and by whom.

Example: A terrified domestic (pet) cat being assessed in a small holding cage showing signs of aggression is not and should not be deemed 'feral'. Several days of assessment in a quiet and more open caging is necessary in beginning to understand whether that cat is a pet or is feral. This is particularly important if being held in pounds or shelters where barking dogs can be clearly heard.

Cat behaviour experts do exist, and councils/officers should be required to attend an educational session held by these experts before being provided with the responsibility of determining the fate of the cats.

*3 f) Add an opt-in provision for councils to issue orders and fines for individuals who repeatedly fail to identify and register kittens or for incidences of animal hoarding.*

**Animal Care Australia does not object to repeat offenders being penalised,** However, it must be remembered that animal hoarding is a mental health issue and consideration must be given to those individuals.

A documented process for the issuing of orders must also be implemented. For example: education must be the first course of action, checking on implementation of that education, then warnings where failure occurs, followed by fines and then restricted ownership orders. Any attempts to reduce the numbers being hoarded must be reasonable, and gradual, to encourage the hoarding behaviour to slow.

*4. Subsidise desexing programs for cats state-wide, but particularly for owners in financial hardship or where there are significant numbers of semi-owned / 'homeless' cats.*

**Animal Care Australia fully supports recommendation 4.**

In closing, as agreed by most of the testimony provided at this Inquiry this is a complex issue that requires multi-faceted approaches to address the multiple categories or types of cats in each area. Urban areas will require different approaches to rural areas etc. Therefore again any legislation **MUST** prevent Councils from having carte blanche power or from being able to introduce policies without proper consultation. What has occurred in other states must be prevented from occurring in NSW.

Cats have been victimised and bastardised too much as it is. This is the opportunity to correct this and to make cat ownership a proud thing where owners will be encouraged to do the right thing rather than hiding from fear of retribution or punishment.

Animal Care Australia thanks the Committee for the opportunity to provide this feedback.

Should you require further details please do not hesitate to reach out.

Kind regards,

Michael Donnelly  
President

## **About Animal Care Australia**

As a nationally recognised animal welfare organisation, Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, animals used for educational or entertainment purposes or kept for conservation, and in particular native birds, reptiles, and mammals.

Animal Care Australia was founded in early 2018 to establish an organisation run solely by volunteers to lobby for real animal welfare. With extreme animal rights and animal liberationist ideologies influencing government legislation, regulation, and policy at our expense and to the detriment of our animals and pets, it has become necessary to provide government with a balancing voice.

By uniting the broad spectrum of animal groups, collectively we offer an experienced, sensible approach to animal welfare.

By educating our members and the public about the importance of treating animals with kindness and respect for their needs and promoting the humane treatment of animals to improve animal welfare outcomes, Animal Care Australia is in the unique position of lobbying and advocating for all animals within our care.

Animal Care Australia provides priority to the following:

- advocating for stronger welfare outcomes
- advocating to increase education of the public in animal welfare and best care techniques
- educate the public on handling their animals with kindness & respect and the importance of their needs
- educate the public in the differences between animal welfare and animal rights