
From: Susy Cenedese
Sent: Friday, 24 January 2025 10:36 AM
To: Animal Welfare
Cc: Damian Thomas
Subject: RE: Inquiry into the management of cat populations in New South Wales – Post-hearing responses – 16 December 2024
Attachments: Inquiry into Cat Population Management - QoN responses - LGNSW.pdf

Dear Ms Pollard

Local Government NSW thanks the Committee for the extension of time to supply responses to questions on notice.

Please see our response, attached.

regards

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Our ref: R24/0048

23 January 2025

Inquiry into the Management of Cat Populations in NSW

LGNSW responses to Questions on Notice

Thank you for the opportunity to appear before the Animal Welfare Committee Inquiry into the management of cat populations in NSW on 16 December 2024. Please see below responses to questions on notice from Local Government NSW (LGNSW).

QUESTION 1

*The CHAIR: I'm wondering if we need this tool, if it is shown that it's not effective. There's the other side of it where everything that I have read so far says that there's no evidence that it's effective or that it's achieving any change. Are we putting something on councils that's going to cost a lot of money, and potentially then putting it on ratepayers or taxpayers to fund something, when other organisations are saying it's not even effective? So I've got two last questions for you. **Can you point me to any evidence that it is effective? And if we don't have any evidence that it's effective, why would we put that strategy forward, potentially creating a sense for the community that they have to pay for this? Because there's going to be a significant increase, obviously, to councils or the State Government to run it. Why we would ask taxpayers to fund a program like this if there's no evidence that it will achieve what it is set out to achieve?***

SUSY CENEDESE: I would have to take that on notice, in terms of evidence of cat containment on its own making the change that you talked about. I think it's important to remember to look at the whole picture. It depends on what other aspects were in play when cat containment has been introduced—or weren't in play, for that matter. I agree that we need to be aware of the implications for councils and others of introducing these measures. Having said that, we're seeking for councils to have the ability to introduce cat containment, not for it to be mandated. Until it is introduced, there are essentially no costs to the consumers or to councils.

Response:

Cat containment is part of a suite of measures that, together, enable cat populations to be managed for the safety of our community and the environment. One measure alone – such as Trap Neuter Release (TNR) – can reduce cat breeding outside of regulated channels, however it will not necessarily reduce the predation of native animals. Similarly, education of cat owners and carers will go some way to reducing the roaming



and predation of cats but there will always be a portion of the community that does not hear or heed the message about keeping cats at home. For these reasons, local policies or laws that require cat containment make it clear what our society's expectation is and that it is not merely a suggestion but a legal requirement. This in turn enables councils to point to cat containment requirements within their education, compliance and enforcement work. Without a legal requirement for cat containment, there will be no way to follow up or take action in circumstances where cats are willingly left to roam, predate or cause nuisance.

Unless there are enforcement provisions in legislation to deter irresponsible behaviour, education on its own will not be effective in reducing the impact of uncontained cats. While there are no offences for permitting a cat to roam, threaten or kill another animal, no incentive exists for cat owners to responsibly manage their animals for that animal's welfare or to protect the welfare of other animals.

Australians have adapted to the requirement to keep dogs confined to residential premises, which has been aided by the introduction of legislation requiring it. Section 12A of the Companion Animals Act requires a dog owner to take all reasonable precautions to prevent the dog escaping from the property on which it is being kept. Local government seeks the same provisions be made for cats.

In the last two years LGNSW has received ten conference motions from the following councils seeking legislative amendments so that councils can better regulate cats: Tweed, Blue Mountains, Eurobodalla, Queanbeyan-Palerang, Tamworth, The Hills, Hornsby, Orange, Albury and Liverpool. The motions predominantly sought the addition of enforceable cat containment provisions as well as other provisions to limit the roaming of cats.

It is also worth noting that the Natural Resource Commission (NRC) Review of Invasive Species Management Preliminary Report¹ stated:

The Companion Animals Act 1998 is ineffective at managing the biosecurity risks posed by cats, including predation and disease transmission. For example, there are no provisions under the Companion Animals Act 1988 requiring owners to prevent a cat from roaming beyond the owner's property, unlike for dogs. (p119)

The NRC report recommended that the *Companion Animals Act 1998* be amended to enable councils to introduce cat containment policies in their local government area. (Recommendation 10c, p10).

¹ Natural Resources Commission, Reducing Risk, Securing the Future - NSW Invasive Species Management Review Preliminary Report, August 2024 <https://www.nrc.nsw.gov.au/invasive>

A 2020 journal article co-authored by Professor Sarah Legge notes:

Cat containment requirements imposed by local government are slowly becoming more common, and with sensitive communication, including significant weighting to cat welfare concerns, this option could be further expanded. The most effective management approach, namely, cat prohibition, could be considered in new residential developments that are close to sites of high conservation significance.²

Other research supporting cat containment includes the following:

- **Predation of native animals:** A research article in the British Ecological Society's people and Nature journal found that the body of evidence "indicates the desirability of restricting the outdoor access of owned cats, given their cumulative impacts."³

The article continues that:

Altogether, it seems that the only effective ways of preventing and addressing the many, and cumulative, impacts of free-ranging domestic cats on wildlife are (a) to ensure that owned cats are not allowed outdoors (other than in cat-proof enclosures or on a leash); and (b) to remove feral and other unowned cats from the landscape to the greatest extent possible.

...

Prohibiting cat owners from allowing their pets outdoors without supervision is a mere act of legislation, which does not face anything like the practical feasibility issues associated with feral cat eradication attempts. The effective enforcement of such prohibitions will likely require allocation of resources, particularly in the first period after enactment. Once behaviour change has set in, the mechanisms of habit and social control can be expected to lessen the demands on law enforcement and help ensure any such ban is complied with. A parallel can be drawn, for instance, with national bans on smoking in public places.⁴

- **Cat welfare:** The Cat Protection Society of NSW has [noted](#) that the health and safety benefits of keeping cats indoors are significant. "There is no risk of being

² Sarah Legge, John C. Z. Woinarski, Chris R. Dickman, Brett P. Murphy, Leigh-Ann Woolley and Mike C. Calver; We need to worry about Bella and Charlie: the impacts of pet cats on Australian wildlife, *Wildlife Research* 47(8) 523-539, 20 April 2020. <https://www.publish.csiro.au/wr/Fulltext/WR19174>

³ Trouwborst A, McCormack PC, Martinez Camacho E. Domestic cats and their impacts on biodiversity: A blind spot in the application of nature conservation law. *People Nat.* 2020; 2: 235-250. <https://doi.org/10.1002/pan3.10073>

⁴ Ibid



hit by a car, fighting with other cats that may transmit disease, being poisoned, or getting lost. The average lifespan of a cat with outdoor access is estimated to be some 10 years shorter than that of an indoor-only cat.”

A paper in the journal *Animals* has similarly noted that free roaming poses risks to cat safety:

Trauma is a leading reason for pet cats to present to veterinary practices, especially due to road traffic accidents, and mortality rates from road traffic accidents can be 60% or higher. Roaming cats are frequently injured when attacked by other cats or dogs and are at risk of contracting infectious diseases such as feline immunodeficiency virus.⁵

QUESTION 2

*The Hon. PETER PRIMROSE: You make a number of recommendations in relation to amendments required for the Companion Animals Act. In the time we have, could you talk to one of those? That's your very first one about **the definition of a cat being owned, in terms of colony cats, and what problems may arise when discussing desexing and registering colony cats.** Can you talk to that, about the problems, how they might be overcome and what the definition may need to change to?*

SUSY CENEDESE: As I understand it, the challenge with colony cats and identifying an owner is that that owner then takes responsibility for that animal. For regulatory and follow-up purposes, councils are looking for cats to be identified to a particular person or legal entity, at the end of the day. Being clear about how that works is what councils are seeking.

*The Hon. PETER PRIMROSE: **Do you have any suggestions about what the amendment might look like?** Please feel free to take this on notice. My experience from talking to rangers over a whole range of issues, particularly to do with motor vehicles and things, is that we can move really good legislation and then they get caught up in the most pedantic little issue that stops them from actually doing what we're asking them to do. That's why it would seem to me that these types of issues may need to be clarified really carefully. Please feel free to take it on notice and come back to us with—I'm looking for some specifics about what you would change it to.*

SUSY CENEDESE: Yes, I will take that one on notice.

⁵ Ma GC, McLeod LJ. Understanding the Factors Influencing Cat Containment: Identifying Opportunities for Behaviour Change. *Animals (Basel)*. 2023;13(10):1630. Published 2023 May 12. <https://doi.org/10.3390/ani13101630>



Response:

LGNSW's submission made several recommendations for amendments to the Companion Animals Act, which would support improved management of cat populations. In relation to the amendment raised by The Hon Peter Primrose, Section 7 of the Companion Animals Act provides the meaning of 'owner' as:

- (1) Each of the following persons is the owner of a companion animal for the purposes of this Act—
 - a) the owner of the animal (in the sense of being the owner of the animal as personal property),
 - b) the person by whom the animal is ordinarily kept,
 - c) the registered owner of the animal.

It is preferable that an animal is registered to an individual to simplify compliance and enforcement, however the registered owner could be any other legal entity. For colony cats, conditions (a) and (b) above usually would not apply. We note the definition of 'kept' may also need review in this context as colony cats may not be considered to be kept by any one individual.

Councils have noted it is important for the approach to registering colony cats to be clear and consistently applied so that it is legally enforceable.

Any such amendment should provide that the registered owner of a colony cat must be a recognised legal entity that will take responsibility for the animal(s), such as an organisation that is registered with the Office of Local Government. More broadly there will also be a need to consider how the registration of colony cats would co-exist with containment requirements (in areas where they are introduced).

Thank you again for the opportunity to contribute to this inquiry. For further information, please contact LGNSW at policy@lgnsw.org.au.

Yours sincerely

Damian Thomas
Director Advocacy