

Submission
No 124

**INQUIRY INTO MANAGEMENT OF CAT POPULATIONS
IN NEW SOUTH WALES**

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Submission to the
Inquiry into the
Management of
Cat Populations in
New South Wales



Dr. Catherine Settle
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To the Honourable Emma Hurst MLC
Chairperson to the Inquiry into the Management of Cat Populations in New South Wales

Dear Ms Hurst,

Thank you for this opportunity to provide a submission to your Inquiry into the Management of Cat Populations in New South Wales (NSW).

I congratulate you on progress with this important work and I welcome the broad range of considerations within the remit of your Terms of Reference. As it stands, it encouragingly suggests that we, the community, might hope for a meaningful outcome from this inquiry.

Please find my submission on the following pages.

I live in the Port Macquarie/Hastings region which is home to several threatened, native wildlife species and a nationally significant population of koalas. Yet despite this, we have no laws to effectively prevent cat-owners from allowing their pet to roam freely in our environment.

With this in mind, in July 2023 I wrote to the Minister responsible for the Office of Local Government [OLG], the Hon. Ron Hoenig MP. Essentially, in that letter I explained how inadequate the NSW Companion Animals Act 1998 is in meeting the needs of our community to protect our native wildlife from free-roaming, domestic cats.

My concerns were acknowledged by the Manager of Policy in the OLG, who had been asked by Minister Hoenig to reply to my letter. I was assured that, amongst other things, the NSW Government takes animal management seriously and their commitment to develop a new Animal Welfare Framework was mentioned. So, again, it is heartening to see work progressing on this important matter.

As I explained in my correspondence with the OLG, my own average-sized, suburban backyard provides an excellent example of the limitations of the current approach to cat ownership in NSW. For instance, it is not unusual, over the course of a few days, to see several different, free-roaming, domestic cats wandering through and stalking birds in my garden. Equally concerning are the times I see these cats trying to access the family of blue-tongued lizards which has taken up residence under my back deck. It is also quite distressing to think of what these cats get up to at night or when I am not at home to shoo them away. My backyard is fully surrounded by fencing and yet these free-roaming cats still easily gain entry to my property.

Compounding my concerns over these free-roaming cats, is the fact that I live only a few houses away from a heritage-listed bush reserve. This bush reserve is known to be a koala habitat; it is also home to many other native fauna. It is naïve, at best, to think that the domestic cats which roam freely throughout my neighbourhood do not enter this bush reserve whenever they desire.

I have spoken with many of my local community members to understand their experiences with free-roaming cats. Each has relayed their own frustrations with the status-quo on cat ownership and the problems they encounter in their own efforts to protect wildlife within their property and the surrounding bushlands.

When trying to understand what measures currently exist on cat ownership, and those which might be improved, I have researched widely, including my LGA's website and the NSW Companion Animals Act 1998. In line with their legal capacity, it seems, our local Council has taken an educative approach to inform cat-owners of their - very limited, it must be said - legal responsibilities. The Council's website also highlights the benefits to both the cats and our native wildlife when cats are kept indoors or in an outdoor enclosure.

But, as I have already outlined, the disastrous limitations of this approach are evident on any given day in our LGA. And what is now clear to me is that unless there are legislative changes, for instance and at a minimum, to the NSW Companion Animals Act 1998, our local Council has no legal capacity to enact more effective measures on cat containment.

This situation is confounding and, in truth, to the lay reader the NSW Companion Animals Act 1998 raises more questions than it answers. For instance, why are domestic cats only ‘prohibited’ from roaming in wildlife protection areas and food preparation/consumption areas, as stipulated in the NSW Companion Animals Act 1998? Native wildlife is no more adherent to manmade-boundary-lines than are free-roaming cats. So why is the native wildlife that ventures into my neighbourhood any less worthy of protection than those in designated bush reserves? Realistically, too, if domestic cats are ‘prohibited’ from roaming freely in certain areas, who is going to prevent them from entering those areas when there is no human around to keep watch and deter them? And I struggle to understand why dog-owners are compelled to keep their dogs on leads, when taken off their property, and cat-owners are allowed to let their pet roam freely? It all makes no sense.

In seeking a better way forward, and in my earlier correspondence with the OLG, I suggested as an alternative to the status-quo - whereby LGAs act independently on cat management - that, instead, the NSW Companion Animals Act 1998 is amended to encompass a State-wide Cat Management/Containment Plan. With the guidance, consistency, and legal capacity enabled by such a State-wide plan, the various LGAs could then work with their local community members to develop the most appropriate educative and, possibly, incentivising strategies for more effective cat management in their own regions.

In November last year I also made a submission to the Federal Government’s, Threat Abatement Plan For Predation By Feral Cats 2023. Wherein, I expressed my concerns over the lack of an overarching, national cat management plan – which would include feral and pet cats - and the inconsistent, companion animal legislation in Australia. I went on to propose an overarching Cat Management Plan in Australia and explained how this could, for instance, have two complementary components within it: one being the Threat Abatement Plan For Predation By Feral Cats [under consultation at that time]; the other being a Nation-wide Pet Cat Plan - with supporting, nation-wide legislation as a critical component of it. These two components could thus be brought together into an integrated whole as a Cat Management Plan in Australia.

Submissions closed in December 2023, but the draft Threat Abatement Plan For Predation By Feral Cats 2023 is still available on the Department of Climate Change, Energy, the Environment and Water’s [DCCEEW’s] website. It is an extremely comprehensive and impressive document - not least, its evaluation framework - and if not already viewed by your Committee members, I urge them to read it.

According to the DCCEEW website, they are still carefully considering the feedback received from submissions so that they can finalise their updated threat abatement plan. With that in mind, might I be so bold as to suggest that - if you have not already done so – this is an ideal opportunity for your Committee for the Inquiry into the Management of Cat Populations in New South Wales to liaise with the relevant people in DCCEEW so that both, the NSW and National, approaches to cat management will complement each other. Because anything other than a nationally co-ordinated and consistent approach will continue to leave our native fauna vulnerable to wherever the gaps remain.

I appreciate that, as it stands, the development of legislation and policies on the management of pet animals in Australia is under the purview of State and Territory Governments - and Local Governments to a lesser degree. But a co-ordinated NSW and National approach will demonstrate strong leadership which, hopefully in time, others might follow.

That said, the Australian Capital Territory [ACT] has already taken steps towards effective cat management with their Cat Management Plan 2021-2031. It is evident that a great deal of work and community participation has gone into the development of that Plan. And although not everything within the ACT Cat Management Plan might be relevant to our needs in NSW, it is bound to have insights to offer including any evaluation data already compiled on its implementation in that jurisdiction.

So, to conclude my submission to you, Ms Hurst, I must declare that I am a cat-lover. I greatly admire their intelligence, beauty, and grace. That said, I also admire the same qualities in the domesticated cats' relatives: for instance, lions and tigers. But, like most Australians, I believe it is reasonable that we do not allow our citizens to have a pet lion or tiger; let alone, allow that animal to roam freely in our environment. In the event of such a scenario, the loss of human life - not to mention any other life - would be unimaginably horrific.

And yet we neglect our responsibility to protect our defenceless native wildlife from the same harm and loss of life when we do nothing to prevent them from falling prey to pet domestic cats. So much so, that it is now well documented that free-roaming domestic cats are one of the top human-caused threats to native wildlife in Australia.

Sometimes the enormity of human-caused problems in our world leaves us feeling powerless to effect change. But research does indicate that we can protect our native wildlife from free-roaming cats by implementing more effective cat containment legislation/measures. It is something we can do. It is something we must do.

Again, thank you for your important work on this matter.

Yours faithfully,

Catherine

Dr Catherine Settle