

**Submission  
No 177**

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

**Organisation:** Tweed Shire Council

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The Honourable Members  
Legislative Assembly Animal Welfare Committee  
Parliament of NSW  
Macquarie Street  
**Sydney NSW 2000**

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

Dear Committee Members,

On behalf of Tweed Shire Council, I would like to express our gratitude for the opportunity to provide a submission to the inquiry into the management of cat populations in New South Wales.

Local government plays a critical role in invasive species management at the grassroots level, balancing community needs with the protection of native wildlife and the humane treatment of domestic animals. Our submission highlights both the challenges we face and the solutions we believe are necessary to better manage cat populations effectively, ensuring a harmonious coexistence of people, pets, and wildlife.

As one of the councils already advocating for stronger cat containment measures, we welcome this inquiry as a rare and significant opportunity to strengthen policies that safeguard both wildlife and domestic cats. Research consistently shows that contained cats lead safer, healthier lives, while their containment significantly reduces the impact of predation on vulnerable native species. We commend the inquiry for addressing this important issue and exploring legislative pathways to promote responsible pet ownership and ecological sustainability.

This submission is structured around the terms of reference and reflects our extensive on-ground experience in invasive species and animal management. It offers practical recommendations to improve enforcement, education, and resources for local governments.

We hope that our insights contribute meaningfully to shaping policies that benefit all stakeholders.

Thank you for considering our views, and we look forward to the outcomes of this inquiry. Should you have any questions or require further information, please do not hesitate to contact us.

Yours Faithfully

Troy Green PSM  
**General Manager**

## RESPONSE TO TERMS OF REFERENCE

- **The impact of cats on threatened native animals in metropolitan and regional settings.**

Australia's unique wildlife evolved in an environment that did not include cats. The relatively recent introduction of cats to Australia has added a predator with new hunting techniques that has changed the natural balance (Dickman 1996).

The domestic cat (referring in this context to owned, stray and feral cats) has become a feral predator and conservation threat in many regions of the world (DeVore 2010) and has been identified as one of the 'World's Worst Invasive Alien Species' (Lowe 2000).

Domestic cats are known to be Australia's most formidable introduced mid-sized predator and by virtue of their abundance in most Australia's ecosystems, are a major predator of native fauna. They have been implicated in the national decline of several native fauna species across Australia (Denny and Dickman 2010), including small mammals, birds, insects, reptiles, fish and amphibians (DEWHA 2008).

Once caught by a cat, few animals survive. Even if the animal appears to have escaped, infection from the cat's teeth or claws or the stress of capture usually results in death (Coleman *et al.* 1997). In most parts of Australia cats are not controlled or supervised and are free to hunt as they desire.

With increasing knowledge and understanding about urban ecology, it has become clear that many populations of birds and mammals are on the edge of sustainability in human-modified habitats, as urban animals respond to the challenges of living in highly altered and fragmented habitats (Thomas *et al.* 2014). Urban wildlife is not restricted to parks and natural areas; many species of birds, bats, lizards and amphibians can still be found in gardens in suburban areas.

Owned cats that live in urbanised areas have a significant effect on native wildlife, as cat numbers in these areas are generally high whilst numbers of many native species are low (Barratt, 1998; Baker *et al.*, 2008; Van Heezik *et al.* 2010). The urban landscape tends to be saturated with cats and although not all are active hunters, their densities are so great and their home ranges so flexible that their presence is felt virtually everywhere (Van Heezik *et al.*, 2010).

Due to the decline of natural areas and the rapid expansion of developed areas, urban and semi urban habitats are critical to the future protection of biodiversity. Threatened native animals in these settings are already under significant pressure from increasing key threatening processes including the impacts of human population increase, habitat loss, road strike and competition from invasive species (Van Heezik and Ludwig 2012). When combined with the pressure of cat predation, this already vulnerable wildlife is therefore struggling to survive. Management of cat populations in metropolitan and regional areas must be forthcoming to ease the pressure on all native wildlife in these areas, including threatened species.

In the Tweed context, significant bushland areas that are critical for biodiversity conservation are increasingly being encroached upon or impacted by urban development. The three largest urban release areas in the Tweed, set for development over the coming decades, are

immediately adjacent to some of our highest conservation value bushland. Significant effort has been made during the planning phases to minimise the overall impacts of urban expansion on these areas, particularly where they provide habitat for locally abundant, but patchily distributed populations of native fauna. But these efforts are undermined by NSW council's inability to include robust measures for cat containment in these areas.

Several studies have shown that the extent of the impacts of unconfined owned cats on native wildlife varies depending on their proximity to natural areas, and that cats that live close to remnants of bush are likely to kill a wide range of native wildlife (Loss *et al.* 2012; Baker 2005; Lillith *et al.* 2006). Owned cats are likely to have the greatest impact on native fauna where new housing developments adjoin areas set aside for the conservation of biodiversity due to the relatively high number of domestic cats likely to wander into these conservation areas (Baird *et al.* 2005).

- **The effectiveness of cat containment policies including potential barriers**

#### *Effectiveness of cat containment policies*

The current legislative framework in NSW provides limited lawful pathways for local governments to manage free-roaming pet cats effectively.

Under the *Companion Animals Act 1998* (CA Act), NSW councils can only prohibit cats in very specific circumstances: exclusion from food preparation and consumption areas and declared Wildlife Protection Areas. The Act does not empower local governments to regulate roaming pet cats through containment or curfews. This gap poses a significant challenge to advancing responsible pet ownership in NSW.

In Tweed Shire, the only cat containment mechanism currently available is the use of restrictive covenants on property titles under Section 88B of the *Conveyancing Act 1919*. Tweed Shire Council has historically applied such covenants to new residential subdivisions located adjacent to designated Wildlife Protection Areas. However, the effectiveness of restrictive covenants is minimal because enforcement requires civil action, and councils lack regulatory mechanisms to ensure compliance.

The success of mandatory cat containment policies hinges on robust enforcement and comprehensive public awareness campaigns. To support compliance with an amended CA Act, councils will require additional resources to enforce containment measures effectively. Enhanced capacity for compliance would also improve adherence to existing pet identification and registration laws, which could generate additional revenue for councils to reinvest in animal management programs.

#### *Potential Barriers to Effective Cat Containment Policies*

Depending on the legislative pathway provided, potential barriers to developing and implementing effective cat containment policies include:

- Inadequate resourcing for councils: Many councils lack the staff and funding required to enforce compliance effectively.
- Limited capacity of council pound and rehoming facilities: These facilities may struggle to accommodate an increased number of roaming cats detained under containment policies.

- Owner resistance and misconceptions: Many cat owners mistakenly believe their pets do not harm wildlife or that roaming is essential for a cat's wellbeing.
- Inconsistent legislative definitions: Variations in how 'feral cats,' 'roaming pet cats,' and 'infant cats' are defined across legislation create confusion and hinder effective management.

### *Differentiating Between Roaming Pet Cats and Feral Cats*

A key consideration in policy development is the need to distinguish between the management of roaming pet cats and feral cats. Pet cats found roaming should be captured and contained, allowing their owners the opportunity to reclaim them. Conversely, feral cats, which pose a significant threat to biodiversity and are unowned, must be managed as pest animals. Councils need the legal authority to humanely euthanise feral cats, as they currently do for other pest species such as dogs, foxes, pigs, deer and hares.

For cat containment policies to be effective, they must address the practical challenges of enforcement, resource allocation, and public education. Legislative reforms must provide councils with the tools to regulate cat containment and strike a balance between protecting biodiversity, ensuring animal welfare, and supporting responsible pet ownership.

- **Welfare outcomes for cats under contained conditions**

Cats kept indoors with access to a secure outdoor enclosure can lead happy fulfilling lives. Containment provides significant long term welfare benefits for cats, including:

- longer life expectancy
- protection from injury and fighting
- protection from road accidents
- avoidance of accidental breeding
- increases opportunities for meaningful owner-animal interaction
- reduced disease transmission risk
- minimisation of nuisance behaviours

Cat ownership is deeply entrenched within Western society, and cats are highly valued in the Australian community as companion animals. In most parts of Australia cats are not controlled or supervised and are free to hunt as they desire. Pet owners have a duty to secure, care for, and protect their pets from harm. It is therefore worth questioning why the concept of containment is often framed as a welfare concern uniquely for cats. Why is it viewed as such a special and specific consideration?

Every other companion animal under human care is contained in some way. Dogs, for example, are legally required to remain on their owner's property or on a leash when outside. Birds, rodents, reptiles, and fish are all typically housed in enclosures, aviaries, or tanks that restrict their freedom of movement significantly more than what is proposed for cats. Why should cats, alone among companion animals, be exempt from these expectations of responsible containment? Particularly when they are one of only four carnivores included on the list of the 100 worst invasive species in the world, and they have been proven to drive the extinction of numerous vertebrate species around the world (Veitch 2001, Nogales *et al* 2004).

Rather than framing containment as a loss of freedom, we should view it as a way to safeguard a cat's welfare. With proper environmental enrichment, such as scratching posts, climbing structures, interactive toys, and time in secure outdoor enclosures, cats can lead enriched and stimulating lives indoors. This approach balances their physical and psychological needs while also fulfilling the owner's duty to protect them from harm and reduce their impact on local wildlife.

- **The effectiveness of community education programs and responsible pet ownership initiatives**

Tweed Shire Council has been actively engaged in promoting responsible pet ownership for over a decade and is well-positioned to provide insights into the effectiveness of such programs.

In 2013, Tweed Shire Council began monitoring bushland areas for native fauna and pest species. These surveys revealed that cats—both owned and unowned—were among the most frequently recorded animals, along with domestic dogs and foxes. While traditional management methods have effectively controlled foxes and dogs, addressing the presence of domestic cats in bushland areas remains a significant and complex challenge.

Tweed Shire Council implemented a Wildlife Protection Area Policy in 2017, which provided a compliance framework for prohibiting cats in designated areas and enabled Council to trap roaming cats. Although cat trapping and issuing fines to owners helped reduce cat activity in specific areas, the process proved resource-intensive, inconsistent, and difficult to sustain due to the elusive nature of cats.

From 2015 to 2017, Tweed Shire Council introduced initiatives such as subsidized desexing, free microchipping, and educational workshops on responsible pet ownership. Despite these efforts, the results were underwhelming, with no noticeable reduction in roaming cats and a rise in community complaints about cat-related issues.

Recognizing the need for a more innovative approach, Council adopted a Community-Based Social Marketing (CBSM) model, shifting the focus from wildlife protection to cat welfare. Initiatives like the Love Cats Love Wildlife project (2017–2021) sought to encourage behaviour change among cat owners, aiming to reduce roaming cat activity by 50%. Despite deploying a range of methods, including targeted messaging and incentives, the project did not achieve measurable reductions in roaming cat activity, based on available monitoring data.

More recently, Tweed Shire Council partnered with the RSPCA NSW on the Keeping Cats Safe at Home program (2022–2025), funded by the NSW Environmental Trust. This initiative employs community engagement, surveys and targeted campaigns to reduce the impact of pet cats on wildlife. Findings from a 2021 community survey revealed that 28–30% of respondents supported full cat containment, with motivations primarily linked to protecting wildlife, keeping cats safe, and minimizing nuisances to neighbours. While this represents some progress, societal attitudes toward cat containment remain resistant to change, highlighting the complexity of behaviour modification.

Additional efforts to promote responsible pet ownership have included free desexing campaigns and creative incentives, such as prize draws for cat owners. These initiatives have

had limited success in shifting long-standing and widespread perceptions about cats' need to roam freely. Behaviour change, especially regarding ingrained beliefs about pet care, requires sustained, multi-faceted efforts, including repeated engagement and clear messaging.

Over the years, and particularly with the Keeping Cats Safe at Home campaign, Tweed Shire Council has observed a small shift in community attitudes toward roaming pet cats, particularly in social media responses and posts. Increasingly, community members are expressing their expectation that cats should be kept indoors, particularly at night, reflecting a growing awareness of the impacts of roaming cats on wildlife and neighbourhoods. This shift highlights that although small, there is a change in social expectation for responsible pet ownership practices, which is a critical foundation for achieving behaviour change on a broader scale.

Overall, while Tweed Shire Council's programs have achieved incremental progress in raising awareness and fostering a culture of responsible pet ownership, significant challenges remain. To achieve lasting behaviour change, education and community outreach must be complemented by stronger legislative frameworks and government leadership, adequate resourcing, and continued collaboration with key stakeholders. Addressing these barriers will be crucial to ensuring the effectiveness of community education programs and responsible pet ownership initiatives in the future.

- **Implications for local councils in implementing and enforcing cat containment policies**

The successful implementation and enforcement of cat containment policies would require clear and unequivocal legislative amendments to the *Companion Animals Act 1998*, particularly regarding councils' powers to seize roaming cats and manage feral cats through humane euthanasia. Currently, these powers are ambiguous and open to interpretation, which hampers effective regulation and compliance efforts.

*Resource Challenges for Councils*

As discussed under barriers, the greatest challenge for councils, particularly smaller regional councils where roaming cat issues are often more pronounced, will be the resourcing and infrastructure required to support enforcement.

Key considerations include:

- Increased demand for cat traps and holding facilities - Implementation of containment policies is likely to lead to a surge in the capture of roaming cats, especially during the initial transition period. Many council pounds and rehoming organisations are already at or near capacity, which limits their ability to manage this increased demand.
- Ongoing operational costs- councils will need additional funding to acquire and maintain cat traps, expand holding facilities, and hire staff for enforcement and animal welfare management.

*Social and Community Change Management*

An additional implication is the substantial effort required to address social and community perceptions surrounding cat containment. Changing entrenched attitudes and behaviours will require:

- Comprehensive and ongoing public awareness campaigns to educate owners about the benefits of cat containment for both cats and the environment.
- Outreach to dispel misconceptions, such as the belief that containment is cruel or detrimental to cat welfare.
- Support mechanisms, such as subsidies for building cat enclosures or providing traps for loan, to ease the transition for pet owners.

#### *Clarification of Powers Under the Companion Animals Act*

The powers to seize roaming cats under the CA Act are currently ambiguous. For example:

- Section 32 permits the seizure of a cat to prevent injury or death to an animal or person. Some interpret this to mean that any roaming cat, being capable of harming wildlife, can be seized. Others interpret this provision as applicable only when a cat has actively attacked or caused harm.
- Legislative reform must explicitly define councils' enforcement powers, including the circumstances under which cats can be seized and the processes for managing captured cats, whether owned or feral.

To enable councils to implement and enforce cat containment policies effectively, legislative amendments must provide clear and actionable powers, adequate resourcing, and support for public education. Without these elements, councils—particularly smaller or under-resourced ones—will face significant challenges in addressing the environmental and welfare issues caused by free-roaming cats.

- **The effectiveness and benefits to implementing large scale cat desexing programs**

Large-scale cat desexing programs offer significant benefits for managing cat populations and mitigating associated environmental and welfare challenges. These benefits include:

- Desexing reduces the occurrence of unintended or unwanted litters, helping to curb the oversupply of cats in the community. This directly lowers the potential for pet cats to contribute to the feral population.
- Addressing cat populations on a wide scale creates consistency across regions, reducing the likelihood of cats migrating between areas and undermining local efforts.
- A coordinated, large-scale program allows for more efficient delivery of education campaigns, promoting widespread community understanding of the importance of desexing and responsible pet ownership.

Cats can reproduce as early as 16 weeks of age and, without intervention, can produce new litters every 12 weeks. Without significant action, stray and feral cat populations will continue to grow exponentially, creating a pressing issue for both local governments and communities.

The oversupply of cats in the community is largely driven by persistent and uncontrolled breeding of domestic cats. Legislative changes are necessary to encourage or mandate desexing of all cats by breeding age. However, these efforts must be supported by adequate financial investment from state or federal governments to subsidize desexing programs, particularly for low-income households and vulnerable communities.



### *Considerations for Legislative Frameworks*

To maximize the effectiveness of desexing programs, the legislation must address potential barriers to compliance while ensuring fairness and accessibility. Key considerations include:

- Exemptions for Recently Acquired Cats - Individuals who recently obtain a cat and, through no fault of their own, are unable to desex the animal by the time of registration should not be penalized. To avoid discouraging registration, legislation should include an exemption process that allows owners to register their cat without incurring additional fees, provided they:
- Submit evidence of desexing within three months of registration, such as a desexing certificate.
- Obtain a veterinarian's statement if desexing needs to be delayed for medical reasons, with a provision for extension.
- Veterinarians may advise delaying desexing past 16 weeks of age due to health or developmental concerns. In such cases, owners should be granted an extension, requiring submission of a signed veterinary statement and a desexing certificate within a specified timeframe.
- Subsidized or low-cost desexing services should be prioritized to ensure that all cat owners, regardless of financial capacity, can comply with desexing requirements.

### *Long-Term Outcomes*

Implementing large-scale desexing programs will help address the persistent issue of cat overpopulation, benefiting communities, local governments, and the environment. By reducing the number of stray and feral cats, these programs:

- Alleviate pressure on shelters and rehoming organizations, many of which operate at capacity.
- Mitigate the environmental impact of cats, particularly on native wildlife populations.
- Improve community safety and reduce nuisance behaviours associated with roaming cats.

With clear legislation, appropriate resourcing, and accessible support mechanisms, large-scale cat desexing programs have the potential to deliver transformative outcomes for cat population management and responsible pet ownership across Australia.

#### **• The impact of potential cat containment measures on the pound system**

The demand for cat holding facilities is likely to increase significantly (at least in the short-medium term). Many council facilities are already at capacity, and as noted elsewhere the number of potential cats requiring rehoming already exceeds potential new homes.

Current funding is inadequate to manage the additional cats. Effort must be focused on helping owners to keep their cats contained in the first place rather than on capturing / processing roaming cats.

Councils are not all in the same financial position. Enabling councils to introduce containment policies when and where they consider is most appropriate for their context, community need and resourcing will with successful implementation of policies.

- **The outcomes of similar policies on cat containment in other Australian states or territories**

Tweed Shire Council provides no comments in relation to this Term of reference.

- **Options for reducing the feral cat populations.**

To effectively reduce the feral cat population, legislative clarity and allowances under the *Companion Animals Act 1998* (CA Act) are critical. Specifically, councils require explicit authority to undertake targeted control programs, including the humane euthanasia of feral cats. The following outlines potential strategies and their benefits.

#### *Humane and Ethical Control Measures*

Councils should be empowered to implement control programs that align with the *National Code of Practice for the Humane Control of Feral Cats*. This code emphasizes the use of ethical, effective, and humane methods such as:

- Trapping: Employing cage traps to capture feral cats for assessment.
- Targeted Shooting: A controlled method in remote areas with minimal risk to non-target species.
- Baiting Programs: Using species-specific baits, such as Curiosity® feral cat bait, designed to minimize harm to native species.

These measures ensure minimal suffering for the target animals and are integral to biodiversity conservation efforts.

#### *Integrated Pest Management*

Best practices for managing feral cat populations emphasize an integrated approach. This involves:

- Collaboration between councils, state agencies, and community stakeholders.
- Combining direct control methods with habitat management and exclusion fencing where feasible

Legislative clarity is necessary for councils to fully participate in such integrated pest management frameworks.

#### *Alignment with National Strategies*

Reducing the feral cat population is a key priority of the *Threatened Species Strategy* and other national biodiversity frameworks. Clear legislative pathways for councils to engage in feral cat control align with these strategic goals and ensure local governments can contribute meaningfully to national conservation objectives.

## Tweed Shire Council Recommendations

To enhance the management of pet cats and support responsible pet ownership in NSW, Tweed Shire Council strongly recommends the following amendments be made to the *Companion Animals Act* and associated regulations:

- Clearly define what constitutes cat ownership, including the responsibilities and obligations of cat owners.
- Clarify the application of Section 32, specifically outlining the circumstances under which a cat may be seized.
- Establish clear definitions for categories of cats (e.g., domestic, infant, feral) to guide appropriate management strategies.
- Enable local governments to introduce and enforce cat containment or curfew policies within their jurisdictions.
- Provide councils with the authority to humanely euthanise feral cats with no reasonable prospect of rehoming, in accordance with animal welfare ethics and relevant council policies.
- Introduce an opt-in provision for councils to issue orders and fines for individuals who:
  - Repeatedly fail to identify and register kittens.
  - Engage in animal hoarding.

To ensure these legislative amendments are impactful, the following additional measures are recommended:

- Subsidise desexing programs for cats, particularly for owners in financial hardship or where there are significant numbers of semi-owned / 'homeless' cats.
- Invest in an expanded, state-wide behaviour change program to educate current and potential cat owners on the importance and benefits of desexing and cat containment.
- Develop and fund a comprehensive state-wide program to support local governments in enforcing the *Companion Animals Act 1998*. (including allocating funding to increase the number of rangers available for compliance activities).
- Consolidate pet identification and registration into a single, user-friendly process managed by Service NSW, with self-service options accessible through the Service NSW app.
- Transition to mandatory desexing laws, aligning with existing legislative approaches in Western Australia, Tasmania, Australian Capital Territory, South Australia and Victoria.
- Implement a consistent and cohesive state-wide 'Safe cat, safe wildlife' campaign to promote legislative amendments.
- Develop a central, state-wide online platform, in consultation with councils, relevant agencies and animal welfare bodies, providing accessible and comprehensive information on responsible pet ownership.

These recommendations aim to create a balanced, effective, and sustainable approach to managing pet cats in NSW, addressing both community expectations and environmental impacts while ensuring the welfare of cats.

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