

Submission
No 183

INQUIRY INTO MANAGEMENT OF CAT POPULATIONS IN NEW SOUTH WALES

Organisation: North Sydney Council

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Dear Sir/Madam

Inquiry into the management of cat populations in New South Wales

Please find below North Sydney Council's submission to the NSW Legislative Council's inquiry into the management of cat populations in Australia.

North Sydney's community has a long history of prioritising wildlife conservation in our LGA. Over the past 15-20 years, we have recorded significant species recoveries including the return of Long-nosed Bandicoots; Swamp Wallabies; Short-beaked Echidna; Superb Lyre Birds and Australian Brush Turkeys to our network of remnant bushland reserves (as well as surrounding residential areas). This has largely been achieved through a commitment to ongoing bushland rehabilitation (which commenced in the late 1980's); developing green linkages between bushland areas; delivering community education and engagement programs (i.e. Bushcare); reimplementing fire as an ecological management tool and addressing threats to wildlife, such as introduced predators.

With regard to the inquiry terms of reference, please find the following responses:

(a) the impact of cats on threatened native animals in metropolitan and regional settings

Cats in Australia kill more than 2 billion reptiles, birds and mammals each year. Mammals are the most common of these prey items, for all types of cat (i.e. domestic and feral), with more than one billion mammals killed by cats in Australia every year (National Environmental Science Program).

North Sydney Council routinely conducts wildlife camera monitoring within our remnant bushland areas. Results from this monitoring show that roaming domestic cats regularly visit bushland reserves, including those declared as Wildlife Protection Areas (WPAs) under the NSW Companion Animals Act. It is well documented that cats are skilled and instinctive predators that don't need to be hungry to hunt and kill/injure native animals. Data from wildlife rescue and care organisations indicates that possums, small terrestrial mammals, birds and reptiles are the most impacted native species by pet cats in and around suburban areas. Studies have also found that some native species (e.g. Brush Turkey chicks) do not instinctively perceive cats as a potential predator and this impacts their ability to anticipate/avoid predation.

Predation by feral cats has been listed as a "key threatening process" under the NSW Biodiversity Conservation Act 2016. As part of the Scientific Committee's final determination, cat predation was found to threaten the survival of at least twelve threatened fauna species listed in NSW, with many more at risk of becoming Endangered/Vulnerable through ongoing predation pressures.

North Sydney LGA contains less than 50 hectares of remnant natural bushland fragmented into twelve reserves / reserve groupings across a highly urbanised landscape. Despite this limitation to bushland extent and connectivity, over 195 native wildlife species have been recorded inhabiting these natural areas and in the context of such a habitat constrained environment, the majority of these species are considered “threatened” at the local level. In particular, ground-dwelling and arboreal mammals; reptiles and birds are most vulnerable to cat predation in North Sydney’s bushland.

The following studies demonstrate the impacts of cat predation in suburban situations;

- A three-year study carried out by the University of NSW in Manly Warringah War Memorial Park, on Sydney’s Northern Beaches, has shown that cat predation of common ringtail possums (*Pseudocheirus peregrinus*) accounted for a 37% loss of the total study population.
- A study by the Sydney Metropolitan Wildlife Service (Sydney Wildlife) on urban possums and cat attacks showed; over a four year study between 2002-2005, 70-80% of common ringtail possums rescued/taken in to care, were from cat attacks.
- Christopher Dickman’s study at the University of Sydney in 2006 answered the following question; What do cats eat? In both forest and suburban habitats, the common ringtail possum (*Pseudocheirus peregrinus*) is preyed on frequently by the domestic cat.
- A study undertaken on the home range of house cats living adjacent to Booderee National Park (Jervis Bay) found that home cats are capable of roaming between 600m and 2.5km from their home.

(b) the effectiveness of cat containment policies including potential barriers

The NSW Companion Animals Act 1998 (CA Act) provides little assistance to Councils seeking to improve outcomes for native wildlife and address the predation impacts of domestic and stray cats. Under the Act, domestic cats are permitted to roam across all land tenures except for:

- a) ***Food preparation/consumption areas*** (meaning any public place, or part of a public place, that is within 10 metres of any apparatus provided in that public place or part for the preparation of food for human consumption or for the consumption of food by humans).
- (b) ***Wildlife protection areas*** (meaning any public place or any part of a public place set apart by the local authority for the protection of wildlife and in which the local authority ordered that cats are prohibited for the purposes of the protection of wildlife and in which, or near the boundaries of which, there are conspicuously exhibited by the local authority at reasonable intervals notices to the effect that cats are prohibited in or on that public place).

These requirements are far too flexible and provide little incentive for cat owners to take responsibility for their pets in a way that supports urban biodiversity conservation. Furthermore, the Act does not distinguish between different categories of domestic cat (i.e. owned; semi-owned; stray; feral etc). This results in ambiguous legalities around enforcement under the CA Act and addressing known problem populations of ‘free-living’ cats in urban areas.

Unlike other interstate jurisdictions, the NSW CA Act provides no mechanism for local councils to implement/enforce higher thresholds of responsible cat ownership in proximity to high biodiversity areas such as remnant bushland and wildlife corridor zones. Management approaches such as mandatory containment and curfews, which place the burden of responsibility on pet owners to mitigate the natural hunting instincts of their pets, are not provided for and can not be instigated under other legislation.

The NSW Companion Animals Act requires legislative reform to cat-related provisions so that responsible cat ownership is defined and becomes a mandatory obligation for cat owners. Furthermore, Councils require improved supports to more effectively enforce responsible ownership, so that the predation impact from roaming cats (owned or otherwise) on native wildlife, as well as other nuisances (i.e. night-time fighting and defecation etc) can be more effectively managed.

(c) welfare outcomes for cats under contained conditions

It is widely recommended by peak animal welfare and advocacy groups – such as the RSPCA – that appropriately contained cats can lead longer, healthier and mentally fulfilled lives free of the risk of death or injury that is posed by the typical urban environment. The RSPCA “advocates for responsible cat ownership that provides for cats’ physical and mental needs while taking into account potential cat impacts on wildlife, other cats (owned, semi-owned, unowned, and feral), and the community”.

According to the Australian Veterinary Association: “contained cats require an appropriate environment with enrichment that meets the cats’ physical and mental needs, allows expression of natural behaviours, promotes good health and welfare and minimises stress. This should include controlled outdoor access where possible.”

The RSPCA state that “Cat containment must be implemented in a way that safeguards cat welfare. Contained cats must be provided with an environment that is optimised to meet the cat’s physical and mental needs, allows and encourages the expression of normal feline behaviours, minimises stress, and promotes good health and welfare (see the RSPCA Australia safe and happy cats guide for more information). Cats should have choice and control in their lives, this includes choice about how or if to interact with the environment, people, animals, and objects in it.”

(d) the effectiveness of community education programs and responsible pet ownership initiatives

Education is currently the only management mechanism available to NSW Council’s experiencing problems with roaming domestic cats impacting native animals outside of declared Wildlife Protection Areas. Funding is required to better support Councils develop and disseminate responsible pet ownership programs. Many NSW Councils are not financially equipped to establish and maintain public awareness/education programs on their own. Model community engagement programs and resources that can be adapted by individual Councils to suit their local communities should be made available, along with stronger legislative requirements in the CA Act that define responsible pet ownership and place the burden of responsibility on cat owners to meet these requirements.

North Sydney Council supports more education and awareness programs from Government. For any form of behavioural change to occur, the focus should be on assisting pet owners to understand the impacts domestic cats have on urban biodiversity and the meaningful steps they can (and must) take to help mitigate these impacts. Across Sydney, native animals are continuing to move into suburban areas due to habitat loss and fragmentation elsewhere. Roaming cats impact vulnerable native species within these ever-diminishing habitat areas, adding to the cumulative pressures that combine to limit fauna diversity and the ability for native species to maintain viable breeding populations.

(e) implications for local councils in implementing and enforcing cat containment policies

Based on the reported experiences of some Victorian Councils that have implemented cat containment policies/requirements, increased costs are incurred with regard to enforcement activities; monitoring and complaint investigation. Any legislative change that would enable NSW Councils to designate cat containment areas (such as within a fixed distance of remnant natural areas and/or known wildlife habitats), would require a well-publicised “phasing-in” period whereby existing cat owners could be

supported in transitioning their property and pet to the new containment requirements. Supported by Government, Councils would need to develop and disseminate educational materials and could consider grant programs or other financial supports that would assist residents to modify their properties for ethical cat containment. Councils would also need to carry out strategic cat trapping programs to reduce the population of stray/unowned/feral cats that currently inhabit and impact urban bushland and are essentially indistinguishable from roaming domestic cats.

Victorian Councils, such as Yarra Ranges, have supported their community to transition to containment requirements through education programs such as Safe Cats, Safe Wildlife – developed by RSPCA Victoria & Zoos Victoria.

(f) the effectiveness and benefits to implementing large scale cat desexing programs

Widescale desexing programs are an important way to reduce the number of unwanted pet cats, whilst also limiting the potential breeding population of free-living/stray cats in urban environments. In the long-term, large-scale incentivised desexing (when combined with other management actions) could dramatically reduce the problem of abandoned domestic pets/unwanted litters joining the breeding population of stray/feral cats and perpetuating the negative impacts these groups of unowned, or free-living cats have on native wildlife. Other potential benefits for pet cats could include positive behavioural changes; less chance of developing reproductive health-related issues and a reduction in roaming, nighttime yowling and fighting.

Incentive programs that encourage large scale desexing of cats (by breeding age) could include subsidised or capped vet fees; discounts on pet registration fees or access to other responsible owner benefits, such as discounted outdoor enclosures; leads; toys or similar. Government funding support, potentially drawn from registration fees, would be needed to implement large scale desexing of cats.

(g) the impact of potential cat containment measures on the pound system

Victorian Councils that have adopted cat containment policies report an increase in both the number of cats being impounded and consequently, the number of cats being euthenaised. This experience is likely to be replicated with the adoption of cat containment laws in NSW, as under the current legislative framework, there is no distinction drawn between roaming domestic (i.e. owned) cats and semi-owned or stray cats. Under the CA Act, domestic cats are legally permitted to roam regardless of land tenure, making the management/removal of stray cats from public land and non-WPA declared natural areas virtually impossible without the risk of unlawfully trapping an owned domestic cat.

(h) the outcomes of similar policies on cat containment in other Australian states or territories

Further research is needed to quantify the ecological benefits of implementing cat containment in urban areas, particularly where the landscape character incorporates moderate to high levels of biodiversity (e.g. remnant bushland; wetlands and estuarine environments in close proximity to suburbia). Oponents of mandatory cat containment will cite the increased number of complaints, pound admissions and animals euthanised as evidence that containment is ineffective in reducing the population of free-living cats over time, however these assertions have not been measured against ecological recoveries that have/may occur in response to reduced predation pressures. To be effective in the medium-term, any containment policy would need to be implemented alongside active trapping/removal/relocation of stray cats in order to holistically address the issue of wildlife predation.

(i) options for reducing the feral cat population

Stronger regulations in relation to roaming domestic and stray cats may potentially prevent domestic/stray cats from becoming feral. NSW legislation, such as the Companion Animals Act (CA

Act) needs to distinguish between feral, stray and domestic cats to allow for lawful feral cat control programs that support threatened species recovery and biodiversity conservation in general. Roaming domestic cats add to the overall level of predation pressure that is continually impacting Australia's native wildlife. These impacts can be effectively addressed through legislative reforms that place a higher onus of responsibility upon cat owners and provide practical tools for land managers to effectively mitigate cat predation.

Roaming domestic cats make feral/stray cat control difficult in urban areas. There are risks surrounding feral/stray cat control that councils need to consider, particularly with regard to the unintended capture of roaming domestic cats and the potential for civil legal action. Trapping an owned cat may be considered theft unless the cat is caught in accordance with any applicable law. The only practical (and lawful) avenue for capturing cats in many urban areas is through the declaration of Wildlife Protection Areas (WPAs). WPA declaration can be a lengthy, resource intensive process for local Councils. All remnant natural areas in an urban context should automatically be considered WPAs under a revised CA Act. For example, all "C" zoned lands under the NSW Standard Instrument – Principal Local Environment Plan should be considered as WPAs where the minimum requirement is for cats and dogs to be prohibited unless always leashed and under the effective control of an adult/responsible person.

Programs that better support stray/feral cat control, carried out in conjunction with other pest animal control programs, would support threatened species protection and would benefit from further investigation. Government investment in "smart" pest control technologies would help to drive innovation and lead to more effective management of feral cats.

(j) any other related matters.

Cats occur in all habitats across Australia, they occupy more habitats than all the other introduced species such as foxes and rabbits (National Environment Science Program). The total number of pet cats exceeds the estimated 2.8 million feral cats (Cat in Australia, 2001). These numbers indicate that pet cats contribute to the impacts on native wildlife predation in Australia, which may be further concentrated around urban areas.

Yours sincerely,

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