

Submission
No 247

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

Name: Name suppressed
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NSW Legislative Council Animal Welfare Committee Inquiry into the management of cat populations in NSW

Given the biodiversity crisis facing the State of NSW, the NSW Legislative Council Inquiry into management of cat populations is a welcome if not overdue step. The recommendations flowing from the Inquiry will be critical for the preservation and conservation of threatened species across the State.

This includes extensive areas of the Sydney Region that are a sanctuary for supporting remnant populations of threatened native species (including numerous bird species, reptiles and marsupials) that are on a trajectory of decline as a result of a combination of factors including the deficiency at state and local government levels in managing cat populations, urban expansion and climate change.

I have had firsthand experience in witnessing this decline working in local government sector in the Sydney Region over the last 30 years in the area of strategic urban and environmental planning. In this respect, my submission to the inquiry focusses on the need for legislative reform to deliver the policy measures required to deliver recommendations of the Inquiry's Terms of Reference (TOR)

Implicit to the Inquiry TOR are a number of some self-evident factors including but not limited to:

- The current lack of initiatives to manage cat populations in the State is resulting in a decimating impact on native species comprising native bird populations, reptiles and smaller marsupials.
- Cats in themselves are not the fundamental problem, human behaviour and lack of awareness across the community is driving such problems as abandonment of unwanted cats in bushland areas and inadequate control of home cats.

Moreover, I would suggest that for meaningful delivery of outcomes, the Inquiry must seek clear and unqualified commitment by the NSW Government to undertake an urgent and comprehensive review of the NSW Companion Animal Act (the Act) to ensure a cohesive and consistent approaches across the State for managing cat populations

Currently there are significant gaps and an 'imbalance' in the Act in relation to provisions that promote the implementation of policy across the whole of the local government sector in delivering effective management of cat populations including:

- The Act places greater emphasis on management and control of dog nuisances particularly if dog consistently roams. In comparison there are no mandatory restrictions placed on roaming of cats. As a result many Council's and RSPCA NSW simply recommend a best-practice of keeping cats within the boundaries of their owners property at all times for the welfare of cats and wildlife.
- In this regard the provisions of Part 4 – Responsibilities for control of cats of the Act needs to be simplified and strengthened to allow Council's to take more direct action where cats or cats populations are a threat, or are having a direct impact on native species on any public land.

- Various provisions of Part 4 place constraints on authorised officers before taking action to deal with 'nuisance' cats. This section of the Act also fails to provide adequate discretion for authorised officers for potential populations of feral cats in urban areas without first investigating cat ownership responsibilities including taking reasonable steps to return a cat to its owner.
- Under Part 4 of the Act councils can only prohibit both cats and dogs on public land that is classified as a Wildlife Protection Area (WPA). From both community and political perspectives, the process of successfully establishing a WPA can be uncertain and has led to the majority of councils in the state hesitating the pursuit of WPA's particularly in urban areas that can include area areas containing remnant vegetation and native species.
- The single objective of Act "*to provide for the effective and responsible care and management of companion animals*" is deficient in sending a clear message to the community and local councils of the framework and scope of issues relevant to the management of cat populations. To address this deficiency, the objectives of the Act should be expanded to capture the impact of cat populations on biodiversity of the State as well as providing for greater onus on local government to implement policy measures to control cat populations and acknowledge the responsibilities for cat owners on this issue.

Based on the above, I suggest that that the first and fundamental step for managing cat populations should be comprehensive review and reform of the Act. There is also a suite of existing environmental planning instruments including State Environment Planning Policy (Biodiversity Conservation), NSW Standard Local Environmental Plan (LEP) and Local LEPs that provide a platform for the role out and implementation of further measures to protect native species from the impact of cat populations.

As an example, a simple but first step would be to amend the objectives of the NSW Standard LEP in relation to zones: RE1 Public Recreation, C1 National Parks and Natural Reserves, C2 Environmental Conservation, C3 Environmental Management and C4 Environmental Living Zones requiring Councils to take into consideration the impact of introduced species (that automatically includes cats) on native species and measures to mitigate these impacts.

Finally, I would suggest that there needs to be a high-level State Government led approach to introducing reforms to manage cat populations, including a comprehensive community information and education programs across the State.

The preservation of native species through the management of cat populations would not only have intrinsic environmental outcomes. I suggest It would send a message to the original custodians of this land and general community acknowledging the unique and irreplaceable species this land contains and need to preserve and conserve them for future generations of this land and visitors from other lands.

My final observation is how many global cites can boast the abundance of natural flora and fauna but Sydney contains? and can this be retained?