

Submission  
No 374

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

**Organisation:** Hornsby Shire Council

**Date Received:** 20 November 2024

---

22 November 2024

Ms. Emma Hurst  
Chair – Select Committee on Management of Cat Populations in New South Wales  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Dear Ms Hurst,

### **Parliamentary Inquiry – Management of Cat Populations in New South Wales**

---

Thank you for the opportunity to provide comments in relation to the Parliamentary Inquiry into the management of cat populations in New South Wales.

This submission discusses issues with cats being able to roam freely in the environment, the recent changes to the Companion Animals Act 1998, trapping feral cats and council resourcing for cat management.

At its meeting 10 August 2022, Council resolved to support the effective management of cats in New South Wales, including legislation changes that may enable cat containment policies to be implemented. Council's submission discusses this position, the relevant terms of reference to Council (a, b, c, e, f, i) and the following recommendations:

#### **Recommendations**

1. The Companion Animal Act 1998 be amended, in consultation with councils, to introduce best practice domestic cat containment requirements to keep cats secured at home in consideration of the associated resource implications of introducing such changes.
2. The Companion Animal Act 1998 be amended to enable councils to euthanise feral cats in accordance with a policy adopted by the relevant council.

In response to the relevant Terms of Reference for the Inquiry, the following comments are provided:

#### **(a) the Impact of Cats on Threatened Native Animals in Metropolitan and Regional Settings**

Pet cats, despite their valued role as companion animals, are a major threat to native wildlife. Research by the Threatened Species Recovery Hub of the Australian Government's National Environmental Science Program reports that, on average, each roaming pet cat kills 186 animals per year, including reptiles, birds, and mammals. Collectively, pet cats kill 390 million animals per year in Australia, which is more than are killed by feral cats.

Notwithstanding these impacts, many people do not realise that their pet cat/s are roaming. Most residential areas in Hornsby Shire are in close proximity to bushland reserves or National Parks, and domestic cats with natural hunting instincts are able to roam freely in these areas, posing a threat to our native wildlife.

Roaming cats exert higher predation pressure on native fauna. Between 2017-2018 and 2019-2020, Hornsby Shire Council received, on average, 6 complaints per month related to wildlife attacks. In cases where complainants could identify culpability, cats had mostly killed birds, but also frogs, possums, and water dragons.

Keeping cats securely contained at home is the most effective measure to prevent them from killing Australia's native animals. Additionally, many neighbourhoods and gardens provide important habitat for birds, reptiles, and mammals. Many residents delight in having wildlife visit and live around their homes due to the safe and predator-free environment many residential properties offer. Allowing pet cats to roam impacts the ability of other residents to enjoy this aspect of urban living.

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

Keeping cats securely contained at home is the only way to prevent them from killing Australia's native animals.

Neighbourhoods and gardens provide important habitat for birds, reptiles and mammals. Many residents delight in having wildlife visit and live around their homes, due to the safe and predator free environment many residential properties can offer. Allowing pet cats to roam, impacts the ability of other residents to enjoy this aspect of urban living.

The Companion Animals Act 1998 does not currently contain requirements for cats to be secured at home and council officers can only take action if a cat is a nuisance, interfering with the well-being of a neighbour or damaging property. However, other states such as the ACT, SA and Victoria have introduced legislation to address cat containment or provide powers to councils to make local laws to prohibit or regulate the presence of cats.

### **(c) welfare outcomes for cats under contained conditions**

The introduction of requirements to keep cats contained would have significant emotional and financial benefits for cat owners such as reducing threat of injury, disease and death, allowing beloved cats to live a longer, healthier life. Keeping cats safe indoors or in an outdoor enclosure, alleviates the possibility of them being hit by a car, injury through fighting with other animals, catching life threatening diseases, or being poisoned by local toxic plants.

### **(e) Implications for Local Councils in Implementing and Enforcing Cat Containment Policies**

There would be resource implications from any legislation changes that enable councils to implement and enforce cat containment policies. These implications would depend on the extent of the containment measures, including whether they are time-specific (night only or 24/7), if there are additional powers to seize roaming cat, and whether councils will be given the ability to develop enforceable policies specific to the local government area.

Recent legislative amendments have already impacted councils' ability to manage cat populations effectively. Specifically, amendments made on 4 March 2022 to the Companion Animal Act 1998 introduced new requirements for councils before destroying a seized or surrendered animal (including feral cats). The changes require councils to give notice to at least two rehoming organisations that the seized or surrendered animal is available for rehoming, advertise that the animal is available for rehoming, and following new record-keeping requirements of the actions taken to attempt rehoming.

These amendments have presented significant challenges for managing the feral cat population. The new requirement to seek to rehome all seized feral cats, even when rehoming is neither practical nor feasible, has placed considerable ongoing strain on Council resources and hampered effective control measures.

Council has the ability to hold three animals at any one time in its in-house holding facility. However, this facility is used in an interim basis when residents are making arrangements to collect their animals, or when animals are collected outside of business hours and cannot be taken to a veterinarian or animal shelter. Council has been notified on several occasions that animal shelters have reached capacity and are unable to take animals. Feedback from the RSPCA and some facility operators has confirmed occasions where they were no longer taking cats at their facilities.

The resource implications of any proposed changes, including limited options for shelters to hold cats, may act as a disincentive for councils to proactively trap feral cats. It follows that if legislation changes are made to

require cats to be kept indoors, there would be resourcing impacts, including impacts on the availability of pounds and rehoming organisations.

### **Recommendation 1**

The Companion Animal Act 1998 be amended, in consultation with councils, to introduce best practice domestic cat containment requirements to keep cats secured at home in consideration of the associated resource implications of introducing such changes.

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

Over the past 4 years, Hornsby Council has participated in the Keeping Cats Safe at Home (KCSAH) initiative run in conjunction with the RSPCA. As part of that program, Council provided free desexing to *unowned* cats, subject to them being microchipped and registered to a person. In addition, Council participates in the Nation Desexing Network (NDN), which subsidises desexing of *owned* (microchipped and registered) cats.

Through both programs, 153 cats were desexed in 2023/24, exhausting available funds, indicating there was good community engagement and interest in desexing cats.

However, due to the provisions of the Companion Animals Act 1998, an animal may only be seized under Section 32, which specifically relates to the seizure of a cat necessary for the protection of any person or animal from injury or death. Under the Act, there is no provision for the releasing of the animal, other than to its owner.

It is understood there is some interest in 'trap neuter and release' programs, where stray and feral cats are trapped, taken to a vet to be desexed, then released back in the natural environment. A large-scale desexing program would only be possible for cats that are owned or proposed to be owned (microchipped and registered) by a person and would not appear to be able to be undertaken under the current legislative framework.

#### **(i) Options for Reducing the Feral Cat Population**

Currently, Council has an adopted Feral Cat Policy that does not require a feral cat to be held for any set length of time prior to their euthanasia. Council's Policy details that an unowned cat is able to be deemed feral by a qualified veterinarian through its appearance, behaviour and lack of an identifiable microchip.

However, recent legislative changes have limited the effectiveness of this Policy. As mentioned earlier, amendments to the Companion Animals Act 1998 now require councils to attempt to rehome all seized or surrendered animals, including feral cats. This has made managing the feral cat population challenging, as rehoming feral cats is often impractical or unfeasible.

These constraints have led to a reduction in trapping efforts, as Council resources are limited, and the new requirements demand significant additional effort. Compounding these challenges, complaints reported to the Council regarding feral cats have risen by 28% since 2019. In 2021/2022, the Council trapped over 200 roaming cats, with approximately 50% deemed feral or undomesticated, and the remainder returned to their owners.

To address these issues, amending Section 64B to remove the rehoming obligation for feral cats would enable councils to manage the feral cat population more efficiently and humanely. Increasing shelter capacity and providing additional support to animal shelter organisations would also assist in handling the number of cats needing care.

A combination of legislative reform, increased support for animal shelter organisations, and greater community engagement is essential to effectively address the growing feral cat concerns.

**Recommendation 2**

The Companion Animal Act 1998 be amended to enable councils to euthanise feral cats in accordance with a policy adopted by the relevant council.

Once again, thank you for the opportunity to make a submission to the Parliamentary Inquiry. Should you wish to discuss Council's submission as part of the inquiry process, including the opportunity to give evidence at a hearing, please do not hesitate to contact me on \_\_\_\_\_ or Council's Director, Planning and Compliance, \_\_\_\_\_.

Yours sincerely

Steven Head  
General Manager