

ANIMAL WELFARE (POPULATION CONTROL PROGRAMS) BILL 2014**Bill introduced on motion by Mr Alex Greenwich, read a first time and printed.****Second Reading****Mr ALEX GREENWICH** (Sydney) [10.08 a.m.] I move:

That this bill be now read a second time.

At the outset, I welcome the many people who are in the public gallery for the introduction of the Animal Welfare (Population Control Programs) Bill 2014 this morning. I thank councils across New South Wales and a number of other organisations for their help in preparing this legislation. The Animal Welfare (Population Control Programs) bill will ensure that trap-neuter-return [TNR] and management programs are lawful. During my speech I will refer to these programs as TNR programs, as they are widely known; however, they can also be called trap-desex-return or capture-desex-return programs.

TNR programs primarily involve desexing a large proportion of a specific population of un-owned, stray, feral or pest animals and returning them to the place where they were found. The animals can no longer produce new offspring. This helps to stabilise the population and potentially reduces it through natural attrition. Animals are also given veterinary treatment before being returned—such as vaccination, deworming and flea treatment—and those animals that can be are rehomed. For the program to work, new animals that join the group need to be desexed. Generally TNR programs are carried out on urban cat colonies. Cats are provided with food and water, monitored for any need for veterinary care and can be provided with shelter.

<2>

TNR programs are also increasingly being used to control rabbit populations and there is interest in trialling programs on other introduced species. TNR programs exist around the world, particularly in the United States, as a humane alternative to euthanasia, which often involves cruel methods, such as baiting, that cause slow and painful deaths and can kill other non-target animals.

A number of TNR programs are being run in Australia by volunteers. In Sydney the volunteer non-profit organisation the Campus Cat Coalition manages a population of homeless cats and kittens living on University of New South Wales property. The coalition comprises staff, students, residents and community volunteers. Cats and kittens are humanely trapped, spayed or neutered, vaccinated and either rehomed or returned back onto campus territory, where they are fed and monitored. Before the coalition began I understand the colony was rapidly expanding, but since implementing the program the population has stabilised. TNR programs are also run at Callan Park, in Marrickville and across the metropolitan area. The University of Victoria has entered into a pilot project agreement for a long-term management plan for a feral rabbit population on campus.

While the Campus Cat Coalition has been able to avoid potential breaches of the law by registering the university as the cats' owner, other programs are in legal limbo because releasing an animal could constitute abandoning that animal under the Prevention of Cruelty to Animals Act 1979. It could also breach the National Parks and Wildlife Act 1974, which makes it an offence to liberate a

non-native animal anywhere in New South Wales without a licence. The Animal Welfare (Population Control Programs) Bill 2014 would make the release of animals under a TNR program lawful if the program is sponsored by the Animal Welfare League, RSPCA New South Wales, the council, or the NSW National Parks and Wildlife Service in the case of a national park. If the program is for a declared pest—such as a rabbit, feral pig or fox—the sponsor organisation must notify the Local Land Services. If the program is being undertaken outside the Sydney metropolitan area the Minister will have to approve the program and allow for it in a pest control order.

Under the bill a program must provide primarily for the capturing, desexing and returning of the animals but the bill also recognises the other management activities that programs provide, including veterinary care, food and microchipping. A number of international studies have demonstrated success with TNR in reducing the size of cat and rabbit colonies, and TNR has gained official approval from the RSPCA UK. The International Society of Feline Medicine Guidelines on Population Management and Welfare of Unowned Domestic Cats published in the *Journal of Feline Medicine* on 21 August 2013 confirms that TNR programs are a well-documented, researched and effective method of population management. It states:

A stable group of neutered cats may help limit others from entering the area, and can be managed successfully to avoid reproduction and nuisance behaviour.

By contrast, the International Society of Feline Medicine says culling is effective only in isolated environments, such as small islands, but in most situations the void attracts other cats that will potentially be more problematic and less tolerant of humans. I have consulted with councils on my bill and many welcome it, particularly those councils that work with community groups running TNR programs. Some councils have stated that they do not intend to sponsor a TNR program because they believe baiting animals is a more cost-effective or efficient way to manage introduced species. Those councils will continue to be able to do this under my bill because it does not force any council or organisation to sponsor a TNR program; it only empowers them to do so if they choose. Councils will continue to be able to use whatever form of feral, stray or pest reduction program they currently use under existing laws. The bill in no way proposes to replace current pest management programs with TNR.

There is some concern that TNR promotes the release of introduced species into the wild. It does not. Undesexed animals are merely returned to their home environment after being desexed. The animal was already there but under a TNR program it will be prevented from breeding. TNR programs occur now and this bill merely provides them with a legal framework and clarity. It is not groundbreaking and will not replace or interfere with any existing species controls. TNR programs are humane and therefore volunteers who would never engage in animal destruction programs willingly run TNR programs that assist with stabilising and reducing the populations of introduced species. TNR does not increase the number of introduced species in an area but it increases the proportion of those that are desexed. I repeat that the unowned, feral, stray and pest animals released under a TNR program would have been in the wild anyway. The only difference is that under a TNR program they will be desexed and not produce further offspring. It is important to remind members that an undesexed female cat and her offspring can produce 420,000 cats in seven years. TNR programs can help break this cycle.

TNR is likely to decrease population sizes and therefore have a beneficial effect on the ecosystem. But even if it is incorrect to say that TNR is effective in decreasing population sizes, it certainly cannot increase them and so the ecosystem would be no worse off than it otherwise would have been. Because TNR is likely to be carried out by animal welfarists who would not otherwise use lethal methods of population control TNR would only occur in addition to, not as substitution for, those other methods. The bill includes safeguards that prevent TNR programs in national parks without sponsorship from the NSW National Parks and Wildlife Service. If the State Government has declared that an introduced species is a pest a TNR program for that pest could only occur outside the metropolitan Sydney area with the approval of the Minister.

The bill introduces annual reporting requirements for TNR programs that will be publicly available. Annual reports will need to identify the number of animals desexed and released, rehomed, treated, euthanased and microchipped and, where it is reasonably practicable, population estimates at the beginning and end of the financial year. This will enable us to gather data on programs and compare TNR with other population control methods. TNR programs have strong community support because they are humane and do not involve cruel destruction methods. TNR programs could help stabilise populations through a reduction in breeding. This bill facilitates population control particularly in metropolitan areas and will complement existing measures taken by councils. TNR programs should be able to operate lawfully. I thank everyone in the gallery today for attending. I look forward to working with members to pass this bill. I commend the bill to the House.

Debate adjourned on motion by Mr Victor Dominello and set down as an order of the day for a future day.