

## Inquiry into the Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024 – Government Response

| Rec | Recommendation  | Preliminary Advice   |
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| 1   | That the House proceed to debate the Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024, and consider recommendations and evidence from this inquiry.   | <p><b>Noted</b></p> <p>The NSW Government acknowledges the work of the Member for Orange (Mr Philip Donato MP) to provide farmers access to beneficial on-farm technology by introducing the Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024.</p>   |
| 2   | That the NSW Government legalise virtual stock fencing by amending the Prevention of Cruelty to Animals Regulation 2012 and review these amendments two years after their commencement to ensure they are fit for purpose.      | <p><b>Supported</b></p> <p>The NSW Government recognises the benefits that virtual fencing technology can bring to NSW. The NSW Government supports the recommendation to legalise virtual fencing in NSW, provided necessary safeguards for animal welfare, biosecurity and public safety are in place.</p> <p>The Minister for Agriculture will consider amendments to the <i>Prevention of Cruelty to Animals Regulation 2025</i> to:</p> <ul style="list-style-type: none"> <li>• allow for the use of virtual fencing technology and</li> <li>• regulate how and in what circumstances virtual fencing can be used.</li> </ul> <p>Consultation on a proposed approach to allow virtual fencing in NSW will be undertaken before a regulation to legalise virtual fencing is made.</p> |
| 3   | That the Department of Primary Industries and Regional Development prohibit the use of virtual stock fencing as perimeter fencing or replacing physical perimeter fencing with virtual fencing, when legalising the technology. | <p><b>Supported</b></p> <p>The NSW Government supports the proposal to legalise virtual fencing in NSW, provided necessary safeguards for animal welfare, biosecurity and public safety are in place.</p>  |

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|   |   | Virtual fencing technology is not considered to be an appropriate replacement for physical perimeter fencing.   |
| 4 | That the Department of Primary Industries and Regional Development include "herding" in the definition of virtual stock fencing devices, when legalising virtual stock fencing.   | <p><b>Noted</b></p> <p>The NSW Government supports the proposal to legalise virtual fencing in NSW, provided necessary safeguards for animal welfare, biosecurity and public safety are in place.</p> <p>The Minister for Agriculture will consider amendments to the <i>Prevention of Cruelty to Animals Regulation 2025</i> to:</p> <ul style="list-style-type: none"> <li>• allow for the use of virtual fencing technology and</li> <li>• regulate how and in what circumstances virtual fencing can be used.</li> </ul> <p>Consultation on a proposed approach to allow virtual fencing in NSW will be undertaken before a regulation to legalise virtual fencing is made.</p> |
| 5 | That the Department of Primary Industries and Regional Development limit the use of virtual stock fencing to cattle and sheep when legalising the technology, with a view to broadening its permitted uses in the future. | <p><b>Noted</b></p> <p>The NSW Government supports the proposal to legalise virtual fencing in NSW, provided necessary safeguards for animal welfare, biosecurity and public safety are in place.</p> <p>The Minister for Agriculture will consider amendments to the <i>Prevention of Cruelty to Animals Regulation 2025</i> to:</p> <ul style="list-style-type: none"> <li>• allow for the use of virtual fencing technology and</li> <li>• regulate how and in what circumstances virtual fencing can be used</li> </ul> <p>Consultation on a proposed approach to allow virtual fencing in NSW will be undertaken before a regulation to legalise virtual fencing is made.</p>  |

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| 6 | <p>That the Department of Primary Industries and Regional Development develop a mandatory code of practice within three months of the tabling of this report to support the legalisation and regulation of virtual stock fencing, with a draft code to be circulated to relevant stakeholders within six weeks of the tabling of this report. The code of practice should include safeguards including but not limited to:</p> <ul style="list-style-type: none"> <li>• Stock management considerations including only permitting collars to be used on the intended species, the fitting and placement of collars, regular checking of collars and rapid removal of animals that are non-learners.</li> <li>• Collar design including the weight and materials of the collar, release load break points and compliance with electrical device safety standards.</li> <li>• The appropriate shape, size and angulation of boundaries for stock animals.</li> <li>• The strength of the electrical stimulus, including the power and duration of the shock.</li> <li>• The maximum number of shocks permissible before cessation.</li> <li>• The maximum threshold of consecutive shocks. The velocity of an animal at which it will not receive a shock.</li> <li>• The prohibition of the ability to manually deliver shocks.</li> <li>• The ability to monitor and alert critical welfare data and thresholds.</li> <li>• The time lag between data collection and access/reporting.</li> <li>• The management and supervision of animals using virtual stock fencing devices.</li> </ul> | <p><b>Noted</b></p> <p>The NSW Government supports the proposal to legalise virtual fencing in NSW, provided necessary safeguards for animal welfare, biosecurity and public safety are in place.</p> <p>The Minister for Agriculture will consider amendments to the <i>Prevention of Cruelty to Animals Regulation 2025</i> to:</p> <ul style="list-style-type: none"> <li>• allow for the use of virtual fencing technology and</li> <li>• regulate how and in what circumstances virtual fencing can be used.</li> </ul> <p>Consultation on a proposed approach to allow virtual fencing in NSW will be undertaken before a regulation to legalise virtual fencing is made.</p> |
| 7 | <p>That the Department of Primary Industries and Regional Development review the operation of internal fencing in</p>   | <p><b>Noted</b></p>   |

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|   | regional New South Wales including the benefits and risks of removing redundant internal fences when virtual fences are put in place.   | <p>The NSW Government supports the proposal to legalise virtual fencing in NSW, provided necessary safeguards for animal welfare, biosecurity and public safety are in place.</p> <p>The Minister for Agriculture will consider amendments to the <i>Prevention of Cruelty to Animals Regulation 2025</i> to:</p> <ul style="list-style-type: none"> <li>• allow for the use of virtual fencing technology and</li> <li>• regulate how and in what circumstances virtual fencing can be used.</li> </ul> <p>Consultation on a proposed approach to allow virtual fencing in NSW will be undertaken before a regulation to legalise virtual fencing is made.</p> |
| 8 | That the Department of Primary Industries and Regional Development develop a community education campaign on the operation, risks, benefits, and lawful use of virtual stock fencing. | <p><b>Support in principle</b></p> <p>The NSW Government will produce education material and other complimentary information to support any Regulation to legalise virtual fencing is made.</p>   |