



INQUIRY INTO COMPANION ANIMAL BREEDING PRACTICES IN NSW

QUESTIONS ON NOTICE AND ADDITIONAL QUESTIONS

Name	Additional/Questions on Notice	Response
Armidales Dumaresq Council	<ul style="list-style-type: none">How much does it cost the Council for data entry onto the Companion Animals Register?	<ul style="list-style-type: none">Council's estimate is approximately \$21,000 to \$26,000 per annum for Registration input; Change of Details and Permanent Identification Notices. It does not include the annual check and follow-up on animals with Permanent Identification but no matching registration.
Phillip Evans	<ul style="list-style-type: none">What proportions of animals (dogs and cats) coming into the refuge are microchipped and not microchipped?	<ul style="list-style-type: none">Of the 469 incoming animals at the New England Companion Animals Shelter in the 2014/2015 year, 239 were identified by microchip.
PIAA	<ol style="list-style-type: none">You have given evidence that your membership includes about 25 per cent of pet stores in Australia. Can you provide the Committee with information about where pet shops are located – the 100 per cent not the 25 per cent? Are they overwhelmingly in urban areas as opposed to small regional towns?If an animal is not rehomingable and surrendered to the RSPCA, Animal Welfare League, or the pound, would it be killed within seven to 14 days?	<ol style="list-style-type: none">48 PIAA members in total sell animals:<ul style="list-style-type: none">31 are based in metro areas:<ul style="list-style-type: none">13 QLD1 SA1 TAS6 VIC10 NSW17 are based in rural areas:<ul style="list-style-type: none">1 NT5 QLD11 NSWThe PIAA Dog Re-Homing Strategy will ensure that any dog purchased from a PIAA member that becomes unwanted or abandoned at any age is re-homed.

		<p>The PIAA will either house the animal in a care facility or fund its care in an affiliated facility until it is re-homed.</p> <p>The PIAA Dog Re-Homing Strategy will ensure the continued welfare of all dogs purchased from a PIAA member pet store.</p> <p>No pet will be euthanized unless in the opinion of a veterinarian that the animal suffers from health and/or behavioural problems that cannot be otherwise managed and the veterinarian deems euthanasia necessary and in the best interests of the animal. The PIAA Dog Re-Homing Strategy is written into the PIAA National Code of Practice and the PIAA Standards & Guidelines for Best Practice for Retail Establishments.</p>
<p>Animal Welfare League</p>	<ol style="list-style-type: none"> 1. Do you have any comment about regulatory harmonisation across the States? 2. Is there any evidence of 'jurisdiction shopping'? 3. Do you have any recommendations about the framework for running a prosecution? Should this be simplified? Should there be a lower level of offence such as a 'fine' for minor matters? 	<ol style="list-style-type: none"> 1. The Prevention of Cruelty to Animals Act is a criminal act and as such should apply across all States as with other criminal legislation. There is no facility for cross border sharing of information and as such anyone committed of an Animal Cruelty offence may simply relocate to another State or Territory. Though there is a memorandum of understanding between Animal Welfare League Inspectors and the NSW Police Force to assist with enquires regarding persons of interest, that information can only be requested by attendance at a police station and information is usually only requested for serious matters. If a minor matter is investigated then there is the possibility that that person may have a restriction / banning order in another state and we would be unaware of that ban / order. <p>Information held on RSPCA databases throughout the States and Territories may also hold information on individuals. Sharing of that information may be beneficial in dealing with cruelty investigations within NSW.</p> 2. The Animal Welfare League Inspectorate has no records of any jurisdiction shopping here in Sydney Metro. The distance to other

		<p>borders would probably be restrictive. There may be cross border activity closer to the State boundaries involving population close to those borders, again we have no evidence of that.</p> <p>3. The Animal Welfare League has exactly the same processes in place when running a prosecution as the NSW Police Force. This process satisfactorily deals with the process from investigation and evidence gathering, through formal recorded interviews, transcription of those interviews, collation of evidence and documentation to form the brief, serving of court attendance notices and formal court proceedings. The Animal Welfare League Inspectorate has confidence in that framework when dealing with prosecutions.</p> <p>As the Prevention of Cruelty to Animals Act is a criminal act, the framework for prosecutions under that act should be no different to other frameworks for other criminal prosecutions.</p> <p>The option for Inspectors to issue penalty notices for minor offences already exists. Inspectors are able to issue penalty notices that range from \$200 to \$500 for individuals and \$1000 to \$1500 for corporations. The penalty for a minor breach of the Breeders Code of Practice is \$200. Serious offences then come under the Prevention of Cruelty to Animals Act. Consideration should be given to increasing the minimum level of penalty notices for offences under both existing codes of practice and the Prevention of Cruelty to Animals Act.</p> <p>There is an issue with the enforcement of penalty notices issued. The State Department Recovery Office is responsible for collecting those fines and for following up on non-payment of those fines. A large number of those fines issued are often given to people from low socio-economic areas. The fines are often not paid and the State Debt Recovery Office will write those fines off.</p> <p>Consideration should be given to alternatives such as community service to those people unable to service that debt. Alternatively,</p>
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		if a Breeders Licencing Scheme were to be implemented, then cancelation of that licence should be an option for breaches of that code of practice.
Campbelltown City Council	<ul style="list-style-type: none"> How much does it cost the Council for data entry onto the Companion Animals Register? 	<ul style="list-style-type: none"> Equivalent of 1 full-time staff member salary of \$60,000 per annum (not including staff on costs – allow additional 30 per cent).
Holroyd City Council	<ul style="list-style-type: none"> How much does it cost the Council for data entry onto the Companion Animals Register? 	<ul style="list-style-type: none"> Estimated Council of approximately \$13,000 per year to enter information into the NSW Companion Animal Register. (Based on staff salary and excludes minor costs such as IT equipment, postage of registration certificates and the like).
Office of Local Government	<ol style="list-style-type: none"> Are there any legal or other impediments to councils being required to advise enforcement agencies of development approvals given for companion animal breeding establishments? How do councils measure and report euthanasia rates of companion animals, and are all incidences being reported given current arrangements eg where council contracts euthanasia to a third party? 	<ol style="list-style-type: none"> There is currently no legal requirement for councils to directly notify POCTA enforcement agencies of the approval of any companion animal breeding establishments. Council may be required to provide public notice of applications for certain types of development under the <i>Environmental Planning & Assessment Act 1979</i>. Current POCTA enforcement agencies include the NSW Police, the Animal Welfare League and the RSPCA. A recommendation to require councils to notify current enforcement agencies would need to consider the notification process and the form of notice that is applicable to each agency and how that agency may be best placed to use that information. Given the decision by the NSW Government to commission IPART to conduct a review of the reporting and compliance burden on local government, any additional reporting obligations on councils will need to be carefully considered in light of this review. Councils are required to report to the Office of Local Government annually on council’s seizures of cats and dogs. The collection of information includes how and why an animal enters a pound (seized or surrendered) and how it leaves the pound (returned to

		<p>owner, euthanized, sold or transferred to a rehoming organisation). The reasons for euthanasia are also captured such as deemed unsuitable for rehoming, diseased or injured or where homes are unable to be found.</p> <p>2. Councils do partner with rehoming and approved welfare organisations to reduce euthanasia rates for cats and dogs in their pounds and increase the chance of rehoming selected cats and dogs. Where a cat or dog is transferred to a rehoming organisation, those organisations are required to report to the OLG annually on the fate of the animals released to them. Approved welfare organisations publish their own statistics regarding the fate of the animal in their public annual reports. The animals transferred from councils to rehoming and approved welfare organisations are selected by those organisations for rehoming suitability and are thereby more likely to be rehomed and not euthanized.</p>
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