

**Submission  
No 15**

# **COMPANION ANIMAL BREEDING PRACTICES IN NEW SOUTH WALES**

**Name:** Ms Pat Carmody  
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**Submission to the Member for Northern Tablelands Adam Marshall and the New South Wales Parliamentary Inquiry into Companion Animal Breeding Practices by Pat Carmody, [REDACTED]**

*In this submission, I wish to draw attention to an existing document, The Animal Welfare Code of Practice for Breeding Dogs and Cats (2009), issued by the NSW Department of Primary Industries.*

*This document was written to regulate management of commercial dog and cat breeding facilities as to ensure the paramount health and welfare when housing, breeding, maintaining companion animals.*

*Additionally, I would like outline additions and amendments to the Code to improve standards in the document in regards to animal welfare.*

*I would also like to clarify the role of both the NSW DPI and the Royal Society for the Protection of Cruelty to Animals (RSPCA) in regards to commercial companion animal facilities.*

## **I Introduction**

My name is Pat Carmody. My current residence is the [REDACTED]  
[REDACTED].

I, and my partner Geoff Johnson, have 40 years each working in the dog industry. We have been licensed greyhound owners, breeders, trainers and public trainers with approximately 300 dogs in our care at any one time.

For some time, Mr Johnson and I served as animal co-ordination officers with the Royal Society for the Protection of Cruelty to Animals (RSPCA) [REDACTED].

Mr Johnson and I have owned and managed a privately run animal refuge since 2005. Our facility houses an average of 100 homeless dogs, and we re-home approximately 500 dogs per year.

I am a licensed microchip identifier with the NSW Companion Animal Register and a qualified veterinary assistant.

Considering my experience in the industry, I feel I have the knowledge to comment on the terms of reference in this enquiry into dog breeding facilities in New South Wales.

## **II The Animal Welfare Code of Practice for Breeding Dogs and Cats**

A thorough document, The Animal Welfare Code of Practice for Breeding Dogs and Cats (to be called hereafter as the Code), was most recently published by the NSW Department of Primary Industries in 2009.

The document can be found on:

<http://www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/codes/breeding-dogs-and-cats>

As with similar industries where animals are bred or sold for commercial gain, this Code addresses most concerns about the dog kennels and dog breeding facilities currently under scrutiny. These include specific standards and guidelines attached to issues such as companion animal housing, overcrowding, facility cleanliness, management and animal safety.

It is our understanding it is the role of government officers within the NSW DPI to monitor and enforce the codes of practice within this document.

It is inappropriate for a non-government body, such as the RSPCA, to oversee and enforce the government policies as outlined in the Code unless animal cruelty is involved.

## **III Definition of a breeding facility in the Code**

There is no clarity about what constitutes a breeding facility of companion animals. A breeding facility of any size is ultimately a place which functions as a business,

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generating financial gain by the reproduction of companion animals, such as dogs or cats.

#### IV Additions to the Code in regards to animal management

There are specific standards within the code (Section 6.1, Table 1) that define the minimal area required to house individual dogs and shared space for two or more dogs.

**TABLE 1: MINIMUM SIZES FOR DOG ENCLOSURES**

Animal/s	Min floor area (m <sup>2</sup> )*	Min Height (cm)	Min width (cm)
Puppy/ies (+/- bitch)	3.5	180	120
1 dog, < 40 cm height at shoulder	1.5	180	90
2 dogs, < 40 cm height at shoulder	2.5	180	90
Socially compatible group of dogs, < 40 cm height at shoulder, housed in back yard or house	1.5 per animal	–	–
1 dog, 40–60 cm height at shoulder	2.4	180	90
2 dogs, 40–60 cm height at shoulder	3.6	180	90
Socially compatible group of dogs, 40–60 cm height at shoulder, housed in back yard or house	2.4 per animal	–	–
1 dog, > 60 cm height at shoulder	3.5	180	120
2 dogs, > 60 cm height at shoulder	5.2	180	120
Socially compatible group of dogs, > 60 cm height at shoulder, housed in back yard or house	3.5 per animal	–	–

\* Minimum floor area includes the area allocated to bedding.

This Table refers to the sizes of both kennels and yards, and should be defined as such in the table. The first 1-3, 5, 6, 8 and 9 are kennel size specifications. The remainder are yards.

The standards set down for kennels are fundamentally sound. The code also stipulates that dogs must have a minimum of 20 minutes per day of exercise (Standard 7.1.1.7).

Keeping this in mind, it might be prudent to remember that dogs in minimally sized kennels, with area that includes bedding, are housed in these spaces for a maximum of 23 ½ hours per day.

In addition to the minimum space requirements per animals, there is provision for animal mental welfare in the notes for Section 6:

*The cage sizes provided in Tables 1 and 2 provide the minimum enforceable standard. Breeders of dogs and cats are strongly encouraged to ensure that the physical and mental needs of individual animals do not become constrained by their spatial environment.*

However, in review of enclosures or undefined spaces, such as yards for multiple 'socially compatible' dogs (see point V below), I and Mr Johnson feel these spaces require clarification. The minimum amount of square area per dog in fenced areas such as yards or open spaces set out in Table 1 is same as the kennel sizes.

There is no defined maximum number of dogs per space. Therefore, there is nothing to stop a facility owner or manager to overcrowd such an enclosure.

We suggest these are the minimal area sizes per dog in yards:

In reference to table item #4: dogs < 40cm require a minimal area of 3m<sup>2</sup> per dog

In reference to table item #7: dogs 40-60cm require a minimal area of 6m<sup>2</sup> per dog

In reference to table item #10: dogs > 60cm require a minimal area of 8m<sup>2</sup> per dog

All require shelters within the standards set down by section 6.11 of the Code.

A house or backyard is not a dog enclosure for a breeding facility and should not be referred to as such.

#### **V Definition of socially compatible dogs.**

In Table 1 of the Code, there is a reference to 'socially compatible' dogs in regards to housing multiple dogs in a shared space.

There is no such thing as socially compatible dogs in a confined situation. Not 100 percent of the time. Under stress, fear or anxiety, even sometimes in an escalating play situation, dogs will fight. The danger is an instinctual pack situation kicking in.

Therefore, it is vital a maximum number limit in each enclosure.

We believe there should be a maximum number of 4 dogs over 6 months of age with respect to the allotted minimal space per size of dog as outlined above. By complying with the minimal space requirements, and maximum amount of dogs per enclosure or yard, all overcrowding issues are eliminated.

All grassed areas used to house dogs, both in and around enclosures, must be properly maintained and mowed to a height of 200mm maximum for both pest and fire-hazard reduction.

## **VI Regulations for breeding facilities**

These are amendments to the Code for any facility breeding 3 or more litters per year.

New Laws: At the introduction of any new laws, all existing facilities should be given a period of 90 days to register with the DPI including their name, address, phone number and number of dogs within the facility.

Once registered, a breeder should be given 6 months to reach all standards outlined in The Animal Welfare Code of Practice for Breeding Dogs and Cats. They would then apply for a license requiring an inspection by the NSW DPI.

That license would be issued for the number of dogs aged 6 months and over provided for by the existing infrastructure.

The license may be extended to include additional dogs, but only after all additional infrastructure is completed and a further inspection is carried out.

## **VII Standards about animal identification**

All breeding facilities should be required to maintain a working microchip scanner. This ensures that every puppy (or kitten) or adult animal is correctly identified at the time of sale and/or exchange of registration and vaccination documents. This protects the animal, the buyer/new owner and the breeder/seller.

This is especially critical in cases of multiple litters and/or to puppies, kittens or adults with similar to identical appearances such as colour, size, gender or markings.

## **VIII Standards about human residency**

There is no provision in the Code for responsible 24 hour care by a human resident for animals in a commercial companion animal breeding facility. The facility must have a residence for an owner or manager with financial interest, whether is for profit or wage.

This addition prohibits rogue operators who may try to establish any size of breeding facility that can be hidden, where the owners live off-site, install a part-time caretaker, or where animals are left without the minimal standards such as round-the-clock access to water, shelter, food, health, welfare and safety are ensured.

This is especially critical for pregnant animals, sick animals, or with very young or elderly animals.

## **IX Pet shops**

Pet shops must only be permitted to obtain and sell companions animals as defined in the Code from NSW DPI licensed breeders or the RSPCA.

## Conclusion

It is our belief that individuals or businesses with intent to breed dogs or cats for financial gain should be governed by The Animal Welfare Code of Practice for Breeding Dogs and Cats with the additions suggested in this submission. These facilities should be regulated and inspected by the NSW Department of Primary Industries.

It is the job of the NSW DPI to regulate all standards defined in the Code. It is not the job of the RSPCA to enforce these standards. The RSPCA should intervene and follow-up only in matters of animal abuse and cruelty.

By diluting or extending the responsibility of either the DPI or the RSPCA, both roles are confused and in the end, the animal suffers.

We believe that if the standards are met, with a commitment from the NSW DPI, the issues underlying the exploitation of breeding animals, danger to animal health and welfare would be addressed.

Thank you for your time. I or Mr Johnson would be happy to discuss any of this submission at any time.

We would also welcome a visit to [REDACTED] by Mr Adam Marshall and members of the enquiry committee. A half hour visit may be worth 10,000 words of explanation.

Respectfully,

Pat Carmody

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[REDACTED]  
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