

**Submission
No 13**

INQUIRY INTO POUNDS IN NEW SOUTH WALES

Organisation: Eurobodalla Shire Council

Date Received: 10 August 2023

Submission Regarding an Inquiry into pounds in New South Wales

TERMS OF REFERENCE

1. That Portfolio Committee 8 – Customer Service inquire into and report on pounds in New South Wales, and in particular:

(a) resourcing challenges affecting New South Wales pounds, including the adequacy of funding given towards the operation of pounds by local and state governments.

Eurobodalla Shire Council Animal Shelter only opens to the public and operates on a part time basis; however, kennels and catteries are cleaned daily, and all animals are cared for in accordance with *Prevention of Cruelty to Animals Act 1979*. The resources to operate an effective animal shelter are challenging and include: staffing; veterinarian fees, animal food, cleaning products, electricity, waste disposal, building costs, administrative costs, maintenance and depreciation costs of the facility are borne by local government and the community.

Minimal costs are recovered through microchipping, registration and the costs associated with the sale or return of animals. The fees that Council set are kept low to assist animal owners to release their animals and to encourage animal adoptions.

Animal Shelters in NSW operate without support funding from state or federal governments, however, are required to accept the new legislation *Companion Animals (Rehoming Animals) Amendment Act 2022* (the Act) which incurs additional requirements for housing of animals at shelters.

Local councils that wish to build new shelters are struggling to do so within their budgets. The increasing cost of a new build is cost prohibitive for regional councils. Minimal or no funds are provided from the state government for the funding of new animal shelter, upgrades to existing shelters or for the operation of existing ones.

Resourcing is inadequate to support the build of new animal shelters and for the functions of responsible pet ownership as required from animal welfare organisations and increasing from the broader community.

(b) the adequacy of pound buildings and facilities in New South Wales

The Eurobodalla Shire Council operates an animal shelter that provides adequate care for animals. Councils within NSW may have identified the need to upgrade or replace their animal shelters and align them with the NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments 1996.

Councils' financial constraints across most local governments in NSW, and particularly regional NSW find it difficult to fund new animal shelters without support from the Office of Local Government or grant funding from the NSW Government. Additional funding support should also be provided for ongoing operation of animal shelters to assist local government in their operations.

(c) welfare challenges facing animals in pounds across New South Wales, including the provision of housing, bedding, feeding, exercise, enrichment, veterinary treatment, vaccination and desexing

The implementation of the Act was required to safeguard animal welfare by providing a strong regulatory framework. On 23 February 2022 a Private Members bill was passed in Parliament and assented to on 4 March 2022 becoming law and are now in effect.

This Bill received support from the Office of Local Government and the NSW Government and required councils to review their current practices in relation to rehoming of companion animals in their care. The legislative changes were aimed at standardising the rehoming process and creating a consistent approach to rehoming across all NSW councils. This Bill created a challenge for regional councils to find welfare organisations willing to accept animals and placed a further financial burden on councils to house the animals until they can be rehomed. At times this may be for months, and may cause neurological damage to a dog by being locked in a kennel most of the time and not receiving the enrichment they need and deserve.

Veterinary treatment is always provided where needed, however, vaccinating and desexing requirements on the release of an animal from the animal shelter should not be compulsory as this cost could be the difference in an animal being rehomed or not.

(d) the adequacy of the laws, regulations and codes governing New South Wales pounds, including the Companion Animals Act 1998 (NSW) and the NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments (1996), as well as the adequacy of the current enforcement and compliance regime

The laws, regulations and codes governing NSW animal shelters are adequate at this time.

(e) factors influencing the number of animals ending up in New South Wales pounds, and strategies for reducing these numbers.

Council have often identified feral cat colonies as factors influencing the number of animals ending up in NSW animal shelters, a strategy recommended to animal welfare agencies was to change the legislation permitting the use of Trap/Neuter/Release (TNR) for cats. This strategy would allow the colony of cats to maintain its numbers and reduces the number of pregnancies and the colonies would reduce over time. However, this was deemed as abandoning an animal which is in breach of section 11, of the *Prevention of Cruelty to Animals Act 1979*.

Further education programs regarding responsible pet ownership could assist with reducing the number of animals in animal shelters.

(f) euthanasia rates and practices in New South Wales pounds, including the adequacy of reporting of euthanasia rates and other statistics

Euthanasia Rates and practices in NSW and the adequacy of reporting is purely statistical and should not be utilised by welfare organisations advocating for animal rights. This reporting has no bearing on the operations of the animal shelters.

(g) the role and challenges of behavioural assessments in New South Wales pounds

Behaviour assessments on dogs should be conducted, where possible, by qualified trainers with a National Accredited Training Certificate or equivalent. If this were to be a requirement funding and support should be provided to Councils to further upskill Council Rangers/Officers. This training and support for Councils would further aid in animals being adequately assessed and successful rehoming.

(h) the relationship between New South Wales pounds and animal rescue organisations

Eurobodalla Shire Council has fortunately maintained good relationships with animal rescue organisations. The number of volunteers in regional areas and there are often only a few volunteers that carry the bulk of the workload. Council has and does work collaboratively with RSPCA, and/or Animal Welfare League conducting annual free microchipping and animal welfare days for the community.

More broadly the relationship between Council run animal shelters and animal rescue organisations can be challenging. The objectives of the animal rescue organisations may be that all animals can be rescued, and Council is required to consider public health and safety where dangerous, menacing and feral animals may be euthanised. Some animal rescue organisations believe they can direct council animal shelters to adopt reporting methods and practices which do not improve the animal's wellbeing. There is also differing agendas and politics involved in some of the rescue organisations to the detriment of animal welfare.

(i) the challenges associated with the number of homeless cats living in New South Wales for both pounds and animal rescue organisations, and strategies for addressing this issue

Refer to paragraph (e)

(j) strategies for improving the treatment, care and outcomes for animals in New South Wales pounds

At present, councils who operate an animal shelter experience a substantial financial loss. The requirement to meet the standards as set by the Act and by welfare organisation and foster carers is beyond the financial and resourcing capacity of many local councils.

Councils require dedicated funding from NSW Government and potentially from animal welfare organisations to improve animal shelters. The care and welfare of animals entering animal shelters is paramount to both council and animal rescue organisations.

The large number of companion animals entering the shelters and organisations can be overwhelming and increasingly we may see more animals in our shelters and care, and now also for longer durations.

Council and welfare agencies should be adequately supported through the provision of training, and further and increasing opportunities for grant funding to support Animal Shelter operations and rehoming organisations.

(k) any other related matter.

- Legislative amendments to the Act must be conducted with the animal's welfare at the forefront, any recommendations or changes to the Act must incorporate key stakeholders in a meaningful consultative process and allow time to consider these outcomes carefully.
- Further, Councils across NSW are advocating for improvements in the *Companion Animals Act 1998* for cat containment. The negative impact on fauna by cats is well known and cat containment should be considered to improve local biodiversity. Should this be adopted in the future there must be consideration given for the need to further resource pounds as this would foresee and increase in cats in the facilities also.