

## **INQUIRY INTO POUNDS IN NEW SOUTH WALES**

**Organisation:** Local Government NSW

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DRAFT SUBMISSION

# Inquiry into Pounds in NSW

August 2023

**ONE VOICE  
FOR COUNCILS**





Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

## OVERVIEW OF THE LOCAL GOVERNMENT SECTOR



Local government in NSW employs **55,000 people**



Local government in NSW is responsible for about **90% of the state's roads and bridges**



Local government in NSW looks after more than **\$177 billion** of community assets



NSW councils manage an estimated **4 million tonnes of waste** each year



Local government in NSW spends more than **\$2.2 billion** each year on caring for the environment



NSW councils own and manage more than **600 museums, galleries, theatres and art centres**



NSW has more than **350 council-run libraries** that attract tens of millions of visits each year



NSW has more than **400 public swimming and ocean pools**

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# Opening

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing all NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

LGNSW welcomes the opportunity to make a submission to the Parliamentary Inquiry into Pounds in NSW. Councils are regulators of the Companion Animals Act 1998 and many also operate pounds and rehome animals that are surrendered or otherwise come into their care.

LGNSW has consulted with councils to inform this submission, which is provided as a draft, pending endorsement by the LGNSW Board at its next meeting. We will advise of any amendments to the submission in due course.

## Background

The Parliamentary inquiry was established on 29 June 2023 to inquire into and report on pounds in NSW. The Inquiry's Terms of Reference are wide-ranging and provide the framework for this submission.

In 2022 the Office of Local Government embarked on a review of Rehoming Practices for companion animals in NSW. The overarching objectives of the Review are to reduce unnecessary euthanasia of companion animals and to increase successful rehoming of companion animals. The Review also considered ways to improve the efficiency of the system, which will enable these outcomes to be achieved at a lower cost. The review has not yet been finalised however the [Draft Report – Rehoming of Companion Animals in NSW](#) compiled and analysed data relevant to many of this Inquiry's terms of reference and provides a valuable source of information.

### Financial challenges facing local government

Financial sustainability remains the major challenge facing local government as evidenced by the crippling infrastructure maintenance and renewal backlog of approximately \$3.8 billion according to Office of Local Government figures.

Local government is under escalating financial stress. This is a result of the compounding impacts of rate pegging, growing populations, increased responsibilities, growing community expectations, cost shifting from the Federal and State governments and declining Commonwealth Financial Assistance Grants (in real and proportional terms) and in more recent years, successive natural disasters and a pandemic.

Cost shifting by the NSW Government onto local government is currently estimated to be over \$1 billion per annum (representing around 7% of total local government operating revenue).

Commonwealth Financial Assistance Grants have been steadily declining as a proportion of total Commonwealth Government Taxation Revenue for the past three decades from around 1 percent to around 0.55 percent. They have also declined in real terms as a consequence of a 3-year freeze on indexation from 2014-15 to 2017-18. This cost NSW councils approximately \$300 million with the funding base estimated to be 13% lower than it would have been without the impact of the freeze.

## Response

This submission responds to each of the Inquiry's terms of reference listed below.

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

In 2020/21 there were over 23,000 dogs and 21,000 cats entering council pounds in NSW<sup>1</sup>, or more than 120 animals per day across NSW. The total cost of companion animal management in NSW for all LGAs is estimated to be approximately \$43 million annually. This covers only the costs to councils and includes costs to pounds, animal management officers and programs.<sup>2</sup>

Registration fees for companion animals are pooled into the Companion Animals Fund managed by the Office of Local Government, which returns a proportion of fees to the council where the animal was registered (LGNSW understands 80% is returned). In 2018-19 approximately \$7 million was distributed to councils from the Fund to support councils in their work to regulate companion animals and encourage responsible pet ownership.<sup>3</sup> This represents just 16% of the costs incurred by councils, with the remainder therefore being sourced from council budgets (largely) or donations.

In February 2023 the NSW Government announced \$40.6 million in one-off funding for welfare and rehoming organisations to increase their capacity, including \$26 million for the RSPCA and Animal Welfare League to expand enforcement of animal cruelty laws and \$12 million for a new animal rehoming facility in Sydney. As outlined later in this submission, local government recognises that additional support for rehoming and rescue organisations is much needed. However additional support for councils is also needed to bridge the funding gap identified above.

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<sup>1</sup> Draft Report - Rehoming of Companion Animals in NSW - The CIE, September 2022, pp26

<sup>2</sup> Draft Report - Rehoming of Companion Animals in NSW - The CIE, September 2022, pp2

<sup>3</sup> Office of Local Government Annual Report, 2018-19 pp 20

From local government's perspective, resourcing challenges for pound operators include:

- **Inadequate physical capacity** across pounds and shelters for the number of animals being impounded. Many if not most pounds are at capacity or over-capacity while they wait for animals to be collected from owners or rehoming organisations;
- **Insufficient funding** to cover the activities required of councils over the life of a cat or dog, such as the identification and registration of an animal, awareness of and encouraging responsible pet ownership, collecting and holding an animal if it is surrendered / impounded. This is further compounded by:
  - The increasing cost of animal feed and care, with costs rising 20% for some over the last two years;
  - Greater difficulty in finding veterinarians willing to provide at cost or discounted desexing and other vet treatments (see (c) below).
  - Limited staffing and other resources to manage the volume of animals being impounded.
- The management of **aggressive dogs and unruly cats** places an additional burden on pound resources to maintain health and safety of the animals, pound workers and visitors. Training / treatment to try make these animals safe for rehoming is also resource intensive.
- **Low collection rates by owners.** One metropolitan council pound advises the collection rate for dogs has dropped from 50% to 26%, with the majority of dogs being around 3 years old, many are not desexed or microchipped.
- **Increased stay times.** Pounds have reported that the average length of time a dog is in the pound has increased (for example, in Sydney from 25 days to 40 days) and at least half of the animals are there for 60 days. This has a significant financial cost to pounds that is rarely recouped.

Councils take the strong view that any animal that can be rehomed, should be, and therefore go to great lengths to rehome animals. This can include keeping a dog or cat for long periods (if the facility has physical capacity to do so) in the hope that a suitable home is found. This comes at a cost to the pound operator for care, food and shelter, where the estimated cost of keeping a dog in a pound is \$40 per day<sup>4</sup>. With the length of stay in pounds doubling in recent years as a result of the 'perfect storm' of issues (see next section), these costs escalate quickly and several pounds have reported they run at a financial loss. This is not sustainable, and ultimately compromises councils' ability to provide adequate companion animal management in a region.

In NSW most animals have lifetime registration, meaning a registration fee is paid only once. The suggestion of annual registration fees for all animals has previously been put forward as a way of better funding pounds, however councils are concerned this will create a larger administrative workload and may have the perverse outcome of driving pet ownership underground.

With the **closure of RSPCA-operated pounds**, there is more pressure on council pounds and rescue/rehoming organisations to manage the growing number of animals

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<sup>4</sup> Draft Report - Rehoming of Companion Animals in NSW - The CIE, September 2022, pp111.

being impounded. Funding to increase pound capacity is needed in the short term, however the long term solution is preventing the flow of animals being impounded in the first place. Animal desexing, training in responsible pet ownership and community education are all critical components of a solution for improved animal welfare and reduced costs to the community and the environment.

**Councils seek additional financial investment** from the NSW Government in pound / rehoming facilities, including regional facilities in more densely populated areas. There are already some pounds in Sydney operating as regional hubs, however more capacity is needed and across Sydney and NSW more broadly. For example, the Maitland pound is supporting Dungog and Cessnock Councils but is already approaching capacity so may not be able to service other interested councils. In rural and remote areas, however, regional pounds may not be as practical due to the longer distances and limited staff resources available to regularly transport animals.

### Recommendations

- 1. Increased capital and operational funding from the NSW Government to enable upgrading of pound facilities, provision of support services to facilitate rehoming and to assist with educating the community about responsible pet ownership.*
- 2. The NSW Government commit to an ongoing, state-wide community awareness and education campaign on responsible pet ownership and the importance of desexing.*

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

Councils consider there to be inadequate capacity across the pound system which has resulted from a 'perfect storm' of issues:

- **Escalating costs of living** are driving more people to surrender or abandon animals as they can no longer keep them (either from a financial perspective or due to restrictions on pets where they live);
- The aftermath of **COVID-driven demand** for puppies/kittens, which are now at breeding age and either being abandoned or being surrendered as people return to work;
- Increasing levels of **homelessness** resulting in more animals being abandoned or collected from the street;
- The recent **closure of eight RSPCA** pounds in NSW, resulting in more animals being directed to existing (council) pounds that are already at or above capacity;
- The **rehoming amendments** to the Companion Animals Act in 2022 have resulted in more animals staying in pounds for longer periods while owners are contacted or rehoming organisations are found;
- **Community perception** about what breeds are desirable or suit higher density living/lifestyles, with a preference for puppies or small-medium dogs. Some pounds report large dog breeds make up more than half the animals in care, often with long stay times of 3+ months, as there is little demand.
- Rural and remote councils typically find it is more **difficult to attract and resource adequate staff and fund facilities**. Rising construction costs, poor access to trades, operational staff and vets often rules out expansion of facilities.

For example, one rural council recently constructed a new facility with 12 dog pens (double the original number) however it is already at capacity. Pounds are increasingly forced to split pens or use areas not originally intended for holding dogs or cats. This can give rise to safety concerns for the animals and for staff, for example if an animal is housed with a distressed animal there may be fighting, behavioural issues particularly at feeding time, insufficient exercise available and potential biosecurity risks / spread of illness through the facility. The mental health of animals impounded for long periods is often a concern, with cats being particularly prone to displaying signs of stress.

## Recommendations

3. *Invest in the upgrade and expansion of pound facilities across NSW.*
4. *Allocate sufficient operational funding to pounds to ensure that are able to provide appropriate care for animals including nutrition, veterinary care, enrichment activities, and shelter.*

### **(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**

Councils are committed to providing for the welfare of companion animals in the community, and do their utmost to give animals physical, social and enrichment opportunities while in their care.

Some of the welfare challenges faced by pounds include:

- **insufficient capacity** (see term of reference (b) below), which has meant pounds are sometimes unable to accept surrendered animals. When pounds are above nominal capacity they may not have the staff to provide more tailored activities or training to animals that would further assist an animal's potential to be rehomed.
- **Access to vets can be difficult**, both due to a shortage of vets (as per our submission to the Parliamentary Inquiry into Veterinarian Workforce Shortages) and also in finding vets willing to provide at-cost/discounted desexing. This is particularly an issue where an owner is in financial hardship and cannot afford to pay for the desexing of their pet nor the fees for collection of their pet. Desexing the animal will prevent breeding and possibly a return of that animal/more animals to the pound, and therefore financial subsidies for desexing of animals, especially for owners in financial hardship, is a high priority.
- **The cost of animal feed**, which has risen considerably in recent years.
- **Variable animal needs** - very active dogs need more exercise than pounds can often provide, which may result in causing psychological problems or self-harm.
- The Animal Welfare COP has not been updated since 2014. Councils seek clarity and certainty on **expectations for pound facilities** moving forward, with a transition process for facilities. For example, facilities developed or upgraded in the last 5 years be exempt, or facilities be given 5-10 years to become compliant with the (new) code. The transition time required could be shortened with dedicated state government funding for facility upgrades.

## Recommendations

5. *Expedite the update of the Animal Welfare Code of Practice No.5 and include transition measures for facilities to meet the revised standards.*
6. *Provide dedicated support for training and retention of vets in the profession once qualified.*

### **(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 Animal Welfare Code of Practice No.5 – Dogs and Cats in animal boarding establishments has not been updated since 2014 despite indications from the NSW Government over the years that an update was in train. Councils would like to see the Code of Practice (COP) updated to reflect current knowledge / best practice and also for clarity around the expectations of the sector moving forward. However, there must be a transition process for pounds to comply. Some councils are currently constructing new facilities or have recently completed major upgrades, some at the cost of millions of dollars. Further redesigns/upgrades to meet standards in an updated COP may have a significant cost and threaten the immediate viability of the facility. A transition process as outlined in the recommendation above would allow for approvals and budget pathways to be set up for any required upgrades.

In addition, **amendments to the Companion Animals Act 1998** are necessary to enable councils to better manage companion animals in their areas. At LGNSW's 2022 Annual Conference councils resolved to call for changes to improve companion animal management in NSW, including calls for the NSW Government to:

- *amend the Companion Animals Act 1998 to enable feral cats to be euthanised in accordance with animal welfare ethics and the policy adopted by the relevant council, and*
- *provide funding and resources to enable councils to be compliant with the additional requirements placed upon them by the 2022 amendment to the Companion Animals Act 1998.*

As noted in the 2022 Rehoming Practice Review's Draft Report, euthanasia is a necessary procedure when it is inhumane to keep an animal alive due to pain and suffering associated with its condition, or there is no prospect of suitable rehoming based on its behaviour or past violent behaviour.

The 2022 Annual Conference also accepted several motions seeking improvements to companion animal management, and five of these specifically asked for regulations that would enable councils to implement cat containment or curfew policies. This reflects councils' preference for a focus on owner / community education regarding desexing and responsible ownership, to avoid animals being surrendered or requiring rehoming in the first place.

In relation to **compliance & enforcement**, while it's possible for councils to take stronger enforcement action or increase fees for impounding dogs, this is unlikely to see desirable results. Councils report a common reason for owners abandoning or surrendering animals is that they are in financial hardship, therefore increasing penalties will likely result in fewer animals being collected by their owners or adopted. This therefore increases costs to the pound or requires increased compliance (also increases costs to council). Alternative tools are needed to support effective companion animal regulation, focusing on preventing animals from entering the pound / rehoming system.

An issue of concern for councils is the lack of clarity of the **regulations relating to backyard breeders** (non-commercial breeding), and that this form of breeding is often where animals are failing to be properly microchipped and registered. Councils feel powerless to prevent this breeding and some councils have suggested they be given powers to issue orders and fines to those who repeatedly fail to identify and register animals or are hoarding animals.

**Dangerous or menacing dogs** are also a challenge for councils to regulate. The requirements for owning such dogs can be costly and restrictive for those in financial hardship, which can often lead to non-compliance or surrender of the animal. Section 33 of the Companion Animals Act currently defines a dog that has killed another animal without provocation as dangerous, despite the circumstances of the kill (e.g., a bird in the dog's yard) and the dog's temperament (e.g., calm family dog 99% of the time). While council rangers have some leeway in determining if there's sufficient evidence for a declaration, some believe it would be useful to have a category a step below 'dangerous dog'. This would enable controls to be better matched to the context and the risk posed by the dog, with a better likelihood of compliance.

Another issue raised by council rangers is the **challenge of animal welfare enforcement and companion animal management being separate**. When councils refer animal welfare matters to enforcement organisations such as the RSPCA, they often don't receive feedback on the outcome and it is acknowledged this is likely due to enforcement resources being stretched very thin. However if councils did receive feedback there are situations where they could assist with follow-ups or work with owners to prevent them becoming repeat offenders. Improving information flow and fostering partnership approaches between organisations involved in companion animal management is necessary for improved animal welfare outcomes.

Councils also seek the backing of the courts for decisions their staff must make daily as experienced professionals. Currently if council rangers / pound staff assess a dog as being severely dangerous they are propelled to pay for veterinary assessment to confirm this finding and, once confirmed, then pay for the animal to be euthanised.

**Putting trust in the professional assessment** of those working daily with companion animals will help free up vital resources to provide care and rehome animals. As suggested later in this submission, additional training and standardised guidance on behavioural assessments for staff working with companion animals will also give further consistency and certainty around these decisions.

## Recommendations

7. *Amend the Companion Animals Act 1998 to:*
  - a) *Enable councils to introduce cat containment policies in their local government areas.*
  - b) *enable feral cats without any reasonable prospect of rehoming to be euthanised in accordance with animal welfare ethics and the policy adopted by the relevant council;*
  - c) *Add an opt-in provision for councils to issue orders and fines for individuals who repeatedly fail to identify & register puppies or kittens or for incidences of animal hoarding.*
8. *Support opportunities for greater information sharing, communication and collaboration among organisations involved in companion animal regulation.*

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

Many of the factors that influence the number of animals ending up in pounds have been outlined in our response to term of reference (b). Once an animal is impounded councils report that the biggest factor preventing owners from picking up their animals is the high registration fee for a non-desexed animal.

In addition, the **registration fee** for an undesexed dog older than 6 months is the same as the fee for an undesexed puppy, therefore there is no incentive for owners to desex the dog after the age of 6 months. This is a particular problem for larger breeds where it is not recommended to desex the dog before 6 months of age (and sometimes up to 18 months) for health reasons. If the objective is to desex dogs wherever possible to reduce unintended litters then this regulatory setting is ineffective.

Some of the strategies to reduce the number of animals ending up in pounds are covered in our response to terms of reference (d) and (j). **Education is critical** to reduce/avoid animals ending up in pounds, and to drive more responsible breeding and provenance of companion animals so that they are suitably homed in the first place, desexed and that owners understand their responsibilities.

The best way to prevent an animal coming into a pound is to make sure that it is identified (and then registered) as soon as possible, and that way it can be returned to its owner. Educating the community, particularly breeders and potential pet owners, about this and how to go about it is critical.

Making it easier for an animal to be identified necessitates ready access to those trained to microchip an animal. Training is currently only offered through the RSPCA or TAFE, is very resource intensive (cost and time) and requires vet supervision to complete. Councils would like to see **microchip training made more accessible** so that more staff can be trained to undertake identification and updating of pet/owner details.

**Veterinarians** are another important part of the picture, as they regularly see animals for vaccinations and health checks. Greater incentives are needed for vets to check that an animal is microchipped and to update details in the Companion Animals Register. Many vets do not have capacity (time) to do this and will enter only basic details, with the new owner expected to complete the rest via a separate process.

The next critical step in reducing the number of animals in the pound is **encouraging owners** to claim their animal as soon as possible. Council data suggests the critical timeframe is the first 48 hours after impounding. If the animal is not claimed by then it is typically due to an inability to pay the fees.

To encourage owners to collect their pet, some councils have policies or are looking into policies for waiving the fees for an animal that is claimed within the first 48 hours. Although this comes at a cost (lost revenue) for the pound, there are greater savings over the longer period from not needing to house the animal, not to mention the benefits from an animal welfare and community perspective.

## **Recommendations**

9. *Strategies recommended for reducing animals in pounds include:*
- a) *Review animal registration fees to address perverse impacts / provide the right incentives for desexing.*
  - b) *Fund or subsidise desexing programs for companion animals;*
  - c) *Combine the pet identification and registration processes;*
  - d) *Establish a dedicated program of ongoing education campaigns and community outreach programs focused on responsible pet ownership and desexing.*
  - e) *Improve accessibility and reduce costs of training to become an accredited identifier of companion animals.*
  - f) *Incentivise veterinarians to fully complete animal identification details in the Companion Animal Register.*

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

The Draft Report - Rehoming of Companion Animals in NSW examined the data on euthanasia rates and practices in pounds and found a significant improvement by way of decreased rates of euthanasia. The Draft Report noted that in 2012/13 NSW had the highest euthanasia percentage of all states at 29% of admissions, whereas in 2020/21 the percentage was 9% for NSW pounds<sup>5</sup>. Councils have invested substantial time and resources to considerably reduce euthanasia rates in pounds, and they continue to work with rehoming organisations and the community to find suitable homes for animals that come into their care.

In recent years there has been a spike in the number of dogs being recorded as dangerous or menacing, which has had a negative impact on euthanasia statistics. This spike may be partly attributed to there being more dogs in the community (particularly

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<sup>5</sup> Draft Report - Rehoming of Companion Animals in NSW, The CIE, September 2022, pp87

during/post COVID), where a high proportion have not been adequately socialised or trained due to lack of owner knowledge of the need or inability to afford training.

Members of the community have reported to councils that it can be difficult to find a vet that is willing to euthanise an animal unless the vet is ordered to do so. If owners cannot find a vet to perform euthanasia on a dangerous dog (for example) or cannot afford to euthanise the animal, it can end up being surrendered to the council pound. It is situations such as these, or where an animal is unable to be rehomed after extended attempts and the pound is full where euthanasia becomes a last resort.

### **Recommendations**

- 10. Support the development, pilot and roll out of innovative programs to foster and rehome companion animals, such as the trial by Blacktown Animal Rehoming Centre for dog fostering at a correctional facility.*
- 11. Fund animal training programs for pounds and rescue/ rehoming organisations to rehabilitate animals and/or improve their rehoming potential.*
- 12. Subsidise animal training programs for new owners in dog behaviour and management, with a view to reducing dog declarations and surrenders.*

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

Behavioural assessments provide important information to pound staff about the temperament of an animal, its current condition and any potential behavioural patterns that may need to be addressed before rehoming or by a new owner.

Behavioural assessments and the capacity to address behavioural issues through care and training can lead to better outcomes for companion animals. Ultimately it all comes back to the level of resourcing and funding available for this work because assessments require trained personnel and can take time to do. For example, an animal's behaviour often differs from its 'normal' behaviour when it first arrives in pound, so a behavioural assessment may need to be carried out over a few days or more, or assessors must wait to give the animal a chance to settle.

Councils report that an animal's temperament may also change after extended stays in the pound. For example, an initially happy and boisterous dog may become prone to aggression due to limited exercise or proximity to other dogs. A behavioural assessment therefore needs to be used carefully with appropriate consideration of the context and timing in which it was conducted.

Some areas in NSW, particularly rural and remote areas, do not have any trained assessors. In addition, the lack of formal accreditation for assessors or clear guidance on how to conduct an assessment can give rise to uncertainty in the results, often defeating the purpose of an assessment. With this uncertainty comes concern that an incorrect assessment could result in disastrous consequences, for example if a dog is rehomed in good faith and then goes on to injure or kill.

Councils would like to see standardisation applied to behavioural assessments, so that assessments are consistently applied and that results are more reliable.

## **Recommendations**

- 13. Introduce nationally recognised and validated companion animal behaviour assessment training and accreditation for those working with companion animals.*
- 14. Provide funding and resources for training in animal behaviour assessment to staff in pounds and rehoming/rescue organisations.*

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

In general, councils have good relationships with rehoming organisations and they recognise that collaboration is key to achieving good outcomes for companion animals. In many cases council pounds have established collaborative arrangements with rehoming organisations, allowing for open communication and more effective operation for both parties.

However, there are some circumstances where rescue organisations may be well-intentioned but the state or nature of their facilities and operation may be sub-par. There is no simple way for a council to check the merits of a rescue / rehoming organisation and whether it is operating with all required permits and approvals. Site visits to all organisations that may respond to a council's contact about rehoming animals is time and resource intensive, particularly if the organisation is in another local government area.

Ideally, rescue and rehoming organisations would have some form of minimum accreditation, and all those working with companion animals would be required to have mandatory basic training so that basic knowledge, competence and safety is assured. However, many of the people and organisations working to rescue and rehome companion animals are doing so on a volunteer basis, and any requirements imposed on the sector must be cognisant of the impact that will have on capacity. It may be necessary to subsidise training and accreditation if this option is pursued.

Some councils have noted that while relationships with rescue / rehoming organisations are good, they are also strained as both pounds and rehoming organisations are at full capacity, staff are time poor and there are many demands in coordinating the movement of animals between facilities with staff or third party operators.

Councils have reported that rescue / rehoming organisations seem to be reluctant to go on the record if they are refusing animals offered for rehoming and therefore may not respond to council emails/letters. While there is hope of rehoming, councils will hold animals for ever longer periods and are regularly at or exceeding pound capacity. However at some point difficult decisions must be made for the welfare of the animals and of staff, particularly where an animal has very little chance of being rehomed.

Animals held for long periods are more prone to psychological issues and changes to temperament and can negatively impact other animals and staff in the pound.

## Recommendations

15. *Noting that there is limited financial and time capacity within largely volunteer-based rescue and rehoming organisations and that funding support will likely be required:*

- a) *Consider setting minimum requirements or basic accreditation for rescue / rehoming organisations.*
- b) *Consider mandatory basic training for all those working with animals.*
- c) *Provide additional funding for smaller organisations to get their facilities up to appropriate standards and/or expand capacity.*

### (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

The Draft Report - Rehoming of Companion Animals in NSW<sup>6</sup> estimates that NSW has 1.5 million pet cats and that about half of pet cats are identified and only a quarter of cats are registered. The Rehoming draft report further states that in 2020/21 there were over 30,000 cats that came into animal shelters, including 21,000 into council pounds and 9,000 into RSPCA shelters, and these cats are mostly:

- not registered or desexed,
- likely to be semi-owned or unowned domestic cats and potentially feral cats
- often kittens, and
- likely to be from regional and rural areas.

This accords with councils' experiences, particularly the high prevalence of cat litters/kittens and strays ending up in pounds. Stray cats are often semi-owned, where they may be regularly fed or cared for but they do not live with or are not claimed by an owner. Semi-owned cats are not usually microchipped or registered. By nature, cats will stay in the vicinity of a food source, and if not desexed they will breed.

Some of the challenges for councils in managing 'homeless' cats include:

- **inconsistency in cat definitions**, particularly in defining 'feral cats' and 'infant cats', which has implications for their management.
- 'Homeless' cats **roam freely and are often not desexed**, giving rise to more kittens and more 'homeless' cats. Predation by cats has a significant impact on native wildlife such that it is recognised as a key threatening process under environmental legislation;
- **powers to seize cats** under the Companion Animals Act are unclear. Section 32 provides that a cat can be seized in order to prevent injury or death to an animal or person. Some interpret this as an indication that all cats are capable of killing

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<sup>6</sup> [Draft Report - Rehoming of Companion Animals in NSW](#) - The Centre for International Economics, September 2022, pg 33

and therefore can be seized if roaming. Others interpret this section as being applicable only if a cat attacks an animal or person.

- **Limited demand for cats.** Based on figures in the Draft Report on Rehoming Companion Animals in NSW there is a significant number of 'homeless' (unowned or semi-owned) cats compared to potential owners or places in pounds, and current funding is inadequate to manage them all.

The highly mobile nature of cats plus poor understanding of responsible cat ownership in the community means the current legislation has limited effect on managing the cat population. Councils would like to see a clearer definition in legislation as to what constitutes cat ownership, for example, if you care for a cat by feeding it then you are considered the owner.

The Keeping Cats Safe at Home program, currently being trialled by the RSPCA in association with eleven NSW councils, is implementing a targeted social marketing campaign to increase responsible ownership, especially containment of pet cats through cat owner behaviour change. The program also includes targeted cat desexing programs aimed at reducing the size of the semi-owned cat population. LGNSW is also aware of other programs that welfare organisations and charities have run in collaboration with councils to subsidise the desexing, identification and vaccination of cats owned by welfare recipients or those in financial hardship.

Councils support the intent of this program as it is tackling the complex issue of cat management at the front end i.e. using education to stop unintended litters (by encouraging / supporting cat desexing) and limit cats from straying and potentially ending up in pounds.

## **Recommendations**

*16. Amend the Companion Animals Act to:*

- a. define when a cat is considered to be owned, or what cat ownership entails;*
- b. clarify the application of section 32 (powers for seizing a cat)*
- c. define cats as domestic, infant or feral.*
- d. Enable councils to introduce enforceable cat containment or curfew policies.*

*17. Subsidise desexing programs for cats, particularly for owners in financial hardship or where there are significant numbers of semi-owned / 'homeless' cats;*

*18. Invest in an expanded behaviour change program in relation to current and potential cat owners around the importance and benefits of desexing and keeping cats contained.*

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

Several strategies for improving the outcomes for animals in pounds have already been mentioned in this submission and are reiterated or added to below:

- Increasing funding to councils for **more holding capacity / upgraded facilities**, to undertake training, behaviour programs and education campaigns to improve rehoming potential.
- **Incentivise desexing** of animals by enabling the 'desexed' registration fee (\$29 instead of \$370) to be paid if a dog is desexed within (say) 2 weeks of registration. Currently the legislation requires registration by 6 months of age but does not provide any leeway for the lower registration fee to be applied if the dog will be desexed soon after.
- **Subsidise desexing** of companion animals, which could be targeted to areas with high rates of litters / pound presentations, or in areas with lower capacity to pay.
- **Combine identification and registration** into a single process and strengthen enforcement.
- Provide more **formalised and standardised training** for rangers and those working with companion animals in how to care for animals.
- **Improve the Companion Animal Register** (Pet Registry) so that owners can update their details and those of their pet via Service NSW. Suitable checks and balances are needed to prevent misuse.

#### **(k) any other related matter**

While the focus of this submission is on the welfare of companion animals that come into the care of pounds, it is also vital that we consider the welfare of staff that care for these animals. Where animals have a longer stay in the pound or with a rehoming organisation, staff can form attachments and can be emotionally affected by changes in an animal's behaviour. Where an animal is displaying aggression and stress, this can have health and safety implications for staff. Special care is needed to ensure staff that are dealing with animals are adequately trained and supported to deal with the variety of circumstances they face daily, and to know when to step away.

#### **Recommendation**

*19. Ensure adequate and appropriate training and support is available to companion animal workers for managing physical and psychosocial stresses.*

## **Conclusion**

Local government remains committed to the delivery of animal welfare outcomes for companion animals in NSW. This submission highlights the many challenges faced by councils in operating pounds and rehoming facilities and in prioritising the return of animals to their owners or to new homes.

Councils have made substantial efforts in the last decade to increase successful rehoming of companion animals and reduce euthanasia. Local government strongly supports community education and companion animal desexing as being the most important factors for reducing the number of animals entering the pound / rehoming system. Additional investment by the NSW Government is needed for facility upgrades

and in state-wide education programs to build community knowledge about responsible pet ownership, the importance of desexing and the benefits of adopting an animal.

Local government looks forward to continuing to work collaboratively with animal welfare, rescue and rehoming organisations and the community to further improve companion animal welfare outcomes in NSW.

# Summary of Recommendations

1. Increased capital and operational funding from the NSW Government to enable upgrading of pound facilities, provision of support services to facilitate rehoming and to assist with educating the community about responsible pet ownership.
2. The NSW Government commit to an ongoing, state-wide community awareness and education campaign on responsible pet ownership and the importance of desexing.
3. Invest in the upgrade and expansion of pound facilities across NSW.
4. Allocate sufficient operational funding to pounds to ensure that are able to provide appropriate care for animals including nutrition, veterinary care, enrichment activities, and shelter.
5. Expedite the update of the Animal Welfare Code of Practice No.5 and include transition measures for facilities to meet the revised standards.
6. Provide dedicated support for training and retention of vets in the profession once qualified.
7. Amend the Companion Animals Act 1998 to:
  - a) Enable councils to introduce cat containment policies in their local government areas.
  - b) enable feral cats without any reasonable prospect of rehoming to be euthanised in accordance with animal welfare ethics and the policy adopted by the relevant council;
  - c) Add an opt-in provision for councils to issue orders and fines for individuals who repeatedly fail to identify & register puppies or kittens or for incidences of animal hoarding.
8. Support opportunities for greater information sharing, communication and collaboration among organisations involved in companion animal regulation.
9. Strategies recommended for reducing animals in pounds include:
  - a) Review animal registration fees to address perverse impacts / provide the right incentives for desexing.
  - b) Fund or subsidise desexing programs for companion animals;
  - c) Combine the pet identification and registration processes;
  - d) Establish a dedicated program of ongoing education campaigns and community outreach programs focused on responsible pet ownership and desexing.
  - e) Improve accessibility and reduce costs of training to become an accredited identifier of companion animals.
  - f) Incentivise veterinarians to fully complete animal identification details in the Companion Animal Register.

10. Support the development, pilot and roll out of innovative programs to foster and rehome companion animals, such as the trial by Blacktown Animal Rehoming Centre for dog fostering at a correctional facility.
11. Fund animal training programs for pounds and rescue/ rehoming organisations to rehabilitate animals and/or improve their rehoming potential.
12. Subsidise animal training programs for new owners in dog behaviour and management, with a view to reducing dog declarations and surrenders.
13. Introduce nationally recognised and validated companion animal behaviour assessment training and accreditation for those working with companion animals.
14. Provide funding and resources for training in animal behaviour assessment to staff in pounds and rehoming/rescue organisations.
15. Noting that there is limited financial and time capacity within largely volunteer-based rescue and rehoming organisations and that funding support will likely be required:
  - d) Consider setting minimum requirements or basic accreditation for rescue / rehoming organisations.
  - e) Consider mandatory basic training for all those working with animals.
  - f) Provide additional funding for smaller organisations to get their facilities up to appropriate standards and/or expand capacity.
16. Amend the Companion Animals Act to:
  - e. define when a cat is considered to be owned, or what cat ownership entails;
  - f. clarify the application of section 32 (powers for seizing a cat)
  - g. define cats as domestic, infant or feral.
  - h. Enable councils to introduce enforceable cat containment or curfew policies.
17. Subsidise desexing programs for cats, particularly for owners in financial hardship or where there are significant numbers of semi-owned / 'homeless' cats;
18. Invest in an expanded behaviour change program in relation to current and potential cat owners around the importance and benefits of desexing and keeping cats contained.
19. Ensure adequate and appropriate training and support is available to companion animal workers for managing physical and psychosocial stresses.