

**Submission
No 128**

INQUIRY INTO POUNDS IN NEW SOUTH WALES

Organisation: Tamworth Regional Council

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Parliament of New South Wales
Parliament House
Macquarie Street
SYDNEY NSW 2000

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Dear Sir/Madam

INQUIRY INTO POUNDS IN NEW SOUTH WALES

Ref: Ir/GV Document Set ID 1799671

On behalf of Tamworth Regional Council, please find **attached** Council's submission into the Legislative Assembly Inquiry into Pounds in New South Wales.

Council would welcome the opportunity to appear before the Committee, if invited.

Yours faithfully

Gina Vereker

Director – Liveable Communities

Contact: Lisa Rennie

25 August 2023

The Mandate for Rehoming

- Tamworth Regional Council fully supports the mandate.
- It's the 'right thing to do' and has already no doubt saved thousands of adoptable cats and dogs from unnecessary euthanasia.

Positive Outcomes of the Mandate

- For Tamworth Regional Council there has been a significant reduction in euthanasia rates.
- Reputation – enhanced, more positive reputation and image for Council pounds – i.e. Pound/Rangers are there to rescue/save animals not to kill animals.
- Improved mental health outcomes for staff. Most pound staff take this job because they care about animals – these staff suffered significant stress, burnout, mental health trauma having to kill cats and dogs for no reason other than they didn't have a home.
- Historically Pounds were staffed by Compliance/Regulatory staff or Rangers – called “Animal Control” so the focus was on picking up and disposing of unwanted animals – ie. Companion Animals were viewed as disposable. The Mandate has changed this for the better.
- Many Pounds have had a change of name to “Companion Animal Centre”, “Animal Care Facility” etc.
- When recruiting we now receive applications from Vet Nurses because they want to help rehome and thus save unwanted and abandoned pets. They therefore bring significant useful skills and experience with them yet understand the necessity for euthanasia in some circumstances.
- It is acknowledged we still need Rangers/Compliance staff to attend/manage dog attacks, dangerous and menacing dogs but this role should be separate to the staff managing the Pound as Rangers and Regulatory staff do not have the appropriate training or in some cases commitment – the purpose of these two roles is quite different.
- Better/closer relationships with volunteer rescue organisations.

Unforeseen Consequences or Unfunded Mandate?

- I would like to think that the mandate for rehoming was imposed “with the best of intentions”, without full consideration being given to the financial and practical consequences. The alternative is that the legislative changes were imposed intentionally with the expectation that local government would somehow find the funds to implement it consistent with other unfunded mandates.
- The reality is that Councils are struggling to manage hold, feed, house and rehome the number of rehomingable companion animals being received. Why?
 - Pounds – (particularly rural and regional) old, poorly designed, few kennels.
 - Not high on most Council's priorities or asset management plans.
 - Designed for a quick turnover of animals – hold the minimum period, then euthanise.
 - Hidden in backstreets/waste management facilities, industrial areas – out of sight/out of mind.
 - COVID-19 – as well documented lead to a huge increase in the numbers of abandoned animals upon the return to work.

- The Housing Crisis
 - Increasing rates of homelessness
 - Cost of living increases
 - Rental laws prohibiting pets
- The minimum holding periods for microchipped animals has increased (Council fully supports this – ideally 14 days is not enough and should be increased). Any animal, cat or dog entering a Pound will be stressed, frightened, distressed – this results in barking/aggressive behaviour, anxiety, withdrawal.
- Some animals take a month or more to settle in order to reach the point that:-
 - their true behavioural traits can be ascertained to determine if they are rehomingable; and
 - they have settled to the point they can be offered for rehoming to the community or a rescue organisation; and
 - What is the outcome for those animals if there is no space to house them? Euthanasia.

What is required?

- More Space – RSPCA compliant facilities, bigger facilities, modern facilities.
- More time for animals to settle.
- Access to animal behavioural experts – not for a one-off visit but on a regular basis over two (2) – four (4) weeks.
- Staff with a commitment to animal welfare not animal control.
- More staff to resource larger facilities – including social media expertise.
- Mandatory desexing as a prerequisite to any animal being rehomed.
- Minimum standards for the operation of Pounds including:-
 - standard bedding;
 - artificial grass;
 - minimum exercise space per m² per pen for a dog; and
 - quarantine areas for parvo/brucellosis.

How can this be achieved? (funding, funding, funding)

- Funding is negligible, Council is unaware of any state funding available to Councils for Pounds.
- Government funding to enable us to achieve the mandate.
- Volunteer rescue/adoption organisations must be funded by state government to ensure their on-going sustainability.
- RSPCA funding should be directed towards enforcement of owner compliance in relation to cat containment and in enforcing the closure of illegal/unregistered breeders of both cats and dogs.
- Funding for behavioural assessments. At least one staff accredited in each Pound. State accredited course.
- A more effective fee structure to enable Councils to carry out *Companion Animals Act* responsibilities. The Office of Local Government (OLG) website states that fees paid for microchipping, registration etc are used to fund cost of Pound operation and rehoming is farcical – representing a drop in a very large bucket.
- Current income from microchipping and registration is totally inadequate to fund Council's compliance responsibilities including dealing with dog attacks and dangerous dogs, yet that is the expectation on the OLG website.

- If the overall aim is the reduction in unwanted/abandoned animals through Responsible Pet Ownership, which it should be, Councils need to be sufficiently funded to resource their Ranger/Compliance/Companion Animal functions to implement inspection/programs/follow up.

What to do about cats?

- Mandate desexing of all cats under the *Companion Animals Act*.
- Mandate cat containment either inside the dwelling and/or with access to an outside enclosure.
- Registration of cats should be cheaper.
- There needs to be a clear definition of what is a domestic/homeless cat versus a feral cat and the responsibility for the management of feral cats needs to be clarified and Local Government does not have resources or the budget to do it.
- Will these measures work?
 - Yes, “good” people will comply but what about the others?
 - Government funding must be provided to enable the above to be implemented and resourced. Funding could be directed to either Councils or the RSPCA or a government department – but without funding to enforce compliance, the above changes will not work.

Other relevant issues for review

- Vets do nothing/provide no assistance in relation to stray/unmicrochipped animals unless they know they will be paid for the service – recent example dog hit by a car/taken to vet in Tamworth – Vet Surgery refused to assist the animal or take in because it wasn't microchipped. The person was advised to take the injured dog to the Pound. The Pound then transported the injured dog to another vet to treat because they could invoice Council.

Rental Laws

- There is an urgent need to review the legislation relating to rental accommodation so that it is not lawful to prohibit tenants from having a pet – dog or cat and it is not lawful to give preference to a tenant or prospective tenants that do not own a pet.
- It is noted that legislation consistent with the above has been introduced into the Queensland parliament.

Training of Volunteers

- Mandatory training of Rescue Group volunteers should not be required in any changes to the *Companion Animals Act*.
- Volunteer numbers in all areas of volunteering fell/substantially during COVID and numbers have not recovered. Tamworth Regional Council has seen a significant drop in volunteers with the most common reason given the increase in bureaucracy ie induction WHS, vaccinations etc.
- Creating additional rules for rescue groups to meet will negatively impact volunteer numbers and reduce the viability and sustainability of rescue groups.
- The success or otherwise of the rehoming mandate relies on the on-going contribution of volunteers via foster care and rehoming organisations.

Council Euthanasia Policies

- Some Councils believe that euthanasia decisions be left in the control of individual Councils via a policy – including the time period an animal must be held in a Pound before euthanasia? Tamworth Regional Council does not agree. This would significantly dilute the impact of the mandate and signal a return to the policies and behaviours that led to the rehoming mandate being introduced. It would enable some Councils to return to the previous model where decisions on euthanasia (in some Councils) were made on the basis of budget and convenience. This cannot be allowed to happen again.

The Tamworth Experience – a necessary model for local government?

- Historically Tamworth relied on one local volunteer rescue organisation for dogs called “Heaven Can Wait”.
- Other local rescues focused on cats - only a single option existed for rehoming of adoptable dogs from the pound.
- In September 2022, after 12 years, Heaven Can Wait shut its doors, due to the lack of reliable volunteers and the owner’s burnout leaving a gap of 22 dog pens and the only Tamworth town based boarding kennels.
- Tamworth Regional Council pound statistics in September 2022 had increased from an average of 60 dogs to 80 dogs per month entering the facility, i.e. 960 dogs annually in a Pound facility with only 15 pens.
- Council considered its options:-
 - kill adoptable dogs (not acceptable under the mandate or to the community);
 - develop relationships with rescue groups Australia wide – (we did);**OR**
 - take on the operation of Heaven Can Wait and run it as a separate “Not-for-Profit” Dog rescue and rehoming facility.
- **The outcome?**

On 24 June 2023 the new Tamworth Regional Council “Paws for Life” rehoming facility opened. Council resolved in October 2022 to take over the Lease of the “Heaven Can Wait” site.

 - Time to establish – 10 months.
 - Challenges involved:-
 - RSPCA approval – upgrades to meet RSPCA standards including fencing, larger pens, artificial turf;
 - WHS upgrades to meet Council and SafeWork requirements;
 - New site office;
 - Staffing – 2 new positions created, one yet to be filled;
 - Lease and outgoing payments, service connections;
 - CCTV cameras;
 - Signage, gates; and
 - Australian Taxation Office rules do not allow a Council to accept tax deductible donations even if it is running a not-for-profit facility which Paws for Life is – this needs to be rectified.
 - Establishment costs to date – \$60,380
 - Additional Staff (x 2) - \$160,000
 - Additional Vehicle - \$12,000

- Positives
 - Community support.
 - Community voted to select the name Paws for Life from a list of three (3).
 - Over 50 community members signed up to assist as volunteers.
 - Local media support – regularly running stories – therefore keeping the development of the facility, Responsible Pet Ownership messages and the plight of the abandoned animals in the mind of the community.
 - Introduction of new policy – rehoming dogs held for minimum of 14 days at the Pound while vaccination and desexing carried out with health and behaviour assessments undertaken during this time and then transferred to Paws for Life.
 - This avoids the transfer of diseased animals (especially parvo) to Paws for Life – this is a clean site.
 - All dogs and cats placed for adoption must be microchipped/registered, vaccinated and desexed – adoption fee structure is built around this.

Summary

The responsibility for responsible pet ownership lies with individual owners. There needs to be significant resources provided by the government to ensure that owners meet their commitments. It is impossible for a Council to undertake a compliance role using basically the same staff and resources that are required to look after the abandoned and surrendered animals in their Pounds. The RSPCA needs to be resourced and required under legislation to properly undertake the compliance role both in the metropolitan areas and across the regions.

With any proposed changes it must be recognised that a distinction exists between metropolitan, regional and rural Councils. As an example, regional and rural Councils often face greater rehoming challenges due to the type of animal (working dogs), the quantity of animals presenting to pounds and the resources available to rehome those animals. Funding opportunities should reflect this and be made available accordingly;

The issue of illegal breeders and puppy farms needs to be addressed by way of enforcement. Again, this is not a role for Council due to resourcing issues. The entire management of breeding, approvals and permits needs to be overhauled because it is not working and this is a significant reason for the huge increase in unwanted animals and illegal puppy farms. Consideration needs to be given to prohibiting the advertising of litters without a permit. The prohibition would at least hinder one method used by backyard breeders to sell litters, while the cost of a permit may also act as a disincentive. Funds collected from permits could be directed to Councils to assist in resourcing. It is too easy for a breeder to run a puppy farm by simply obtaining a breeder number online and using the same breeder number for multiple litters.

Tamworth Regional Council appreciates the opportunity to make a submission to this inquiry and looks forward to positive outcomes.