

**Submission
No 129**

INQUIRY INTO POUNDS IN NEW SOUTH WALES

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Inquiry into pounds in New South Wales

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About the Invasive Species Council

The Invasive Species Council was formed in 2002 to advocate for stronger laws, policies and programs to keep Australian biodiversity safe from weeds, introduced animals, exotic pathogens and other invaders. It is a not-for-profit charitable organisation, funded predominantly by donations from supporters and philanthropic organisations.

Endorsements

This submission was prepared by the Invasive Species Council and has been endorsed by the following organisations:

- Australian Wildlife Society
- Birdlife Australia
- Nature Conservation Council of NSW
- WIRES

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Contents

Introduction	3
Summary of recommendations	4
Adequately funding and resourcing the pound system and associated reforms	6
Curbing the source of animals entering pounds	8
<i>Preventing the number of animals that end up surrendered or abandoned by desexing</i>	8
<i>Improving the values surrounding pet ownership</i>	9
Establishing clear responsibilities for councils	10
Aligning legislation with companion animal management goals	11
Considering environmental outcomes	12
Appendices	14
1) <i>Safe cat, safe wildlife: fostering responsible pet ownership in New South Wales</i>	14
2) <i>The impact of roaming pet cats on Australian wildlife (factsheet)</i>	19

Introduction

The Invasive Species Council, Australian Wildlife Society, Birdlife Australia, Nature Conservation Council and WIRES welcomes the timely inquiry into pounds in New South Wales.

Pounds currently play a key role within the NSW companion animal management system for managing surrendered and seized animals.

Our interest in this inquiry lies in ensuring appropriate policies, legislation and structures are in place to effectively manage cats and their impacts on wildlife. In NSW, and nation-wide, there are a range of interacting threats to native wildlife, including habitat loss, degradation and fragmentation, disease and pathogens, weeds and introduced animals, pollution, roadkill, alterations to waterways and fire regimes and direct and indirect impacts of companion animals. Cats are a natural and effective predator that predate on native (and non-native) animals if they have access to freely roam.

According to Centre for International Economics (CIE) many of the cats entering council pounds are free-roaming semi-owned or unowned cats – often known as “stray” cats¹. Thus, the operation of pounds and strategies to regulate the number of animals entering pounds, has important consequences for managing the free-roaming cat population and mitigating direct impacts (predation) and indirect impacts (spread of disease, competition, disturbance) of domestic cats on wildlife.

Our submission to this inquiry focuses on the following five Terms of Reference (ToR):

- (a) resourcing challenges affecting New South Wales pounds, including the adequacy of funding given towards the operation of pounds by local and state governments,
- (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,
- (e) factors influencing the number of animals ending up in New South Wales pounds, and strategies for reducing these numbers,
- (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,
- (k) any other related matter.

¹ Centre for International Economics 2022, Rehoming of Companion Animals in NSW (draft report), <<https://www.olg.nsw.gov.au/councils/responsible-pet-ownership/rehoming-practices-review/>>

Summary of recommendations

Adequately fund and resource the pound system and associated reforms

(Relevant ToR/s: a)

Recommendation 1: Identify funding shortfalls from pounds and investigate options to provide stable, ongoing funding to councils to increase their capacity to operate pounds to meet legislative requirements, animal welfare obligations and community needs. This should include funds required for day-to-day operations of pound facilities, as well as maintenance and expansion of existing pound facilities and functions.

Recommendation 2: Undertake resource and stakeholder analysis alongside companion animal legislative reforms so that costs of implementation are fully understood and opportunities to allocate funding can be identified to ensure reforms are effective.

Curb the source of animals entering pounds

(Relevant ToR/s: d, e, i)

Recommendation 3: Increase awareness amongst councillors and council staff about the cost-value benefits of desexing animals, particularly in rural and regional local government areas.

Recommendation 4: Work with the veterinary community to normalise the practice of pre-pubertal desexing.

Recommendation 5: Encourage councils to remove food sources that propagate unowned “stray” cat populations, e.g. excluding cats (with fencing) from rubbish dumps and intensive farms.

Recommendation 6: Provide ongoing funding for councils to undertake large-scale desexing, microchipping and registration programs, and fund effective education programs to encourage people to keep cats indoors.

Recommendation 7: Implement a state-wide education campaign that appropriately addresses potential/future pet owners and existing pet owners, with a focus on 1) helping people make informed choices before getting a pet, 2) increasing desexing and identification, 3) encouraging cat containment and 4) reducing animal abandonment.

Recommendation 8: Develop a central, state-wide online platform to make responsible pet ownership information and resources easily accessible.

Establish clear responsibilities for councils

(Relevant ToR/s: d, e, i)

Recommendation 9: Identify where legislation can be strengthened to provide councils with clear responsibilities to manage cats, including clarity around seizing abandoned cats.

Recommendation 10: Equip all councils with guides and materials to help provide concerned citizens with a clear pathway for managing free-roaming domestic cats.

Recommendation 11: Encourage local governments to develop and implement companion animal management plans that address objectives, strategies, monitoring and evaluation

Recommendation 12: Develop a state-wide cat management strategy that clearly articulates a vision and goals to achieves positive outcomes for cats, other animals, people and the environment. An example of a vision that meets this criteria is: All domestic cats are owned, desexed, microchipped, registered and live at a home where they are provided with care that meets their physical and mental needs.

Align legislation to reflect companion animal goals

(Relevant ToR/s: d, e, i)

Recommendation 13: Amend the NSW *Companion Animals Act 1998* to:

- 1) clearly articulate mandatory desexing of pet cats by four months of age
- 2) require all animals rehomed through a pound or shelter to be desexed
- 3) enable councils to enact local cat containment rules that are appropriate to their area

Recommendation 14: Amend the *Prevent of Cruelty to Animals Act 1979* to:

- 1) Require any animals sold or given away to be registered

Consider environmental outcomes

(Relevant ToR/s: k)

Recommendation 15: Include clear environmental objective/s and considerations for all Government-led companion animal initiatives.

Adequately funding and resourcing the pound system and associated reforms

(Relevant ToR/s: a)

Lack of funding to operate, as well as expand pound facilities and functions to meet community needs has been a long-term issue for pound operators. Lack of resources also places strain on pound operators to meet best practice animal welfare standards and biosecurity measures, which are required for pounds to remain open and operational.

Inadequate state resourcing of pounds was identified seven years ago by the Natural Resources Commission (NRC) when they examined the management of domestic and stray cats as part of the 2016 ‘Statewide review of pest animal management’². In this review, the NRC stated ‘many submissions to the draft report indicated that managing companion animals places a significant cost burden on local government, and called for the sustainable resourcing of existing and proposed activities.’

Lack of resources remains a current issue for local governments. The 2022 draft report on ‘Rehoming of Companion Animals in NSW’ commissioned by the NSW Office of Local Government identified system costs and capacity constraints as current problems facing the pound and shelter system¹. Revenue received by councils from administering the *Companion Animals Act 1998*, e.g. animal registration and permit fees, does not provide a realistic or sustainable avenue of funding for companion animal management. The report found that all councils across NSW collectively spend an estimated \$43 million on companion animal management per year, but collectively only receive around \$8 million from the Companion Animal Fund annually (the fund established under the *Companion Animals Act 1998* that consists of fees received from administration of the Act).

Recent state-led reforms to rehoming practices have further exacerbated the shortfall in state funding to support improvements in the pound system. In early 2022, amendments were made to the *Companion Animals Act 1998* that specified actions councils must take towards rehoming seized or surrendered animals. The amendments made it a legal requirement for councils to: (1) take reasonable steps to advertise each animal available for rehoming, (2) communicate with at least two rehoming organisations about each animal available for rehoming, and (3) increase the holding time for each animal to at least seven days before a decision could be made to destroy the animal (or longer, if a rehoming organisation indicates they can take the animal). The amendments sought to standardise pound practices to reduce the killing of healthy animals by increasing rehoming opportunities for animals. These legislative changes formalised practices already implemented by many pounds. At the same time, this created extra responsibilities for council-operated pounds whose processes did not already meet these requirements. For example, Hornsby Shire Council told the Sydney Morning Herald that the changes imposed additional costs on councils³. Councillors have reported that as a result of the legislative change, councils have a reduced capacity to take in new animals due to the increased holding time of animals already in care. Such councils would have benefited from state assistance to make the transition to the new rehoming practices. This example is demonstrative of the capacity and resourcing constraints across pounds in NSW and the need to increase investment in the pound and animal shelter system.

² NSW Natural Resources Commission 2016, Share problem, shared resolutions: state-wide review of pest animal management, Final report.

³ Sydney Morning Herald 2023, <<https://www.smh.com.au/national/nsw/pointless-killing-councils-labelled-cruel-amid-heated-debate-over-threat-cats-pose-to-native-wildlife-20221206-p5c487.html>>

Recommendation 1: Identify funding shortfalls from pounds and investigate options to provide stable, ongoing funding to councils to increase their capacity to operate pounds to meet legislative requirements, animal welfare obligations and community needs. This should include funds required for day-to-day operations of pound facilities, as well as maintenance and expansion of existing pound facilities and functions.

Recommendation 2: Undertake resource and stakeholder analysis alongside companion animal legislative reforms so that costs of implementation are fully understood and opportunities to allocate funding can be identified to ensure reforms are effective.

Curbing the source of animals entering pounds

(Relevant ToRs: e, a, i)

Preventing the number of animals that end up surrendered or abandoned by desexing

Above we identify a funding gap that prevents pounds fulfilling their functions effectively. However, reducing the number of animals available to enter the pound and shelter system in the first instance is just as important, and in the long-term would help alleviate the capacity constraints pounds experience.

According to data produced by the CIE in 2022² the number of cats entering pounds has remained steady over the past decade. In the 2020/21 period, council pounds managed 21,000 cats, and data suggests that a large majority of cats entering pounds are undesexed “strays”. One impression from this data is that there is a steady, breeding population of free-roaming “stray” cats.

Free-roaming domestic cats contribute to the killing of native wildlife. Cats are a predatory species that express natural hunting behaviours. Research suggests that most pet cats will hunt, even if well fed⁴. A single free-roaming cat can detrimentally affect sensitive species – not only through direct predation, but secondary effects, including deaths attributable to toxoplasmosis and disturbance. Toxoplasmosis is a parasitic disease that is spread by cats and can infect any bird or mammal. Unfortunately, Australian marsupials are highly susceptible to a toxoplasmosis infection. Native species, like the eastern barred bandicoot will die within 2-3 weeks of infection⁵. Evidence also suggests native wildlife alter their behaviour in response to the presence of cats⁶. In Mandurah, Western Australia, one unregistered, desexed male cat caused the total collapse of a protected breeding colony of threatened fairy terns⁷. Over just three weeks, regular predation and disturbance caused the complete abandonment of all 111 nests in the colony. Six adults and multiple chicks were directly killed by the cat, and the remaining birds abandoned their nests. The presence of one free-roaming cat meant the bird colony failed to produce a single chick that made it to the end of nesting season.

Improving strategies to reduce the sources of cats entering pounds would create mutual benefit by reducing the pressure on pound administrators and workers, reduce the flow of animals through the pound that face potential destruction, and reduce the impacts of cats on native wildlife (predation, disturbance, transmission of disease).

The key strategy recommended for stemming domestic cat numbers is preventing unplanned breeding events, i.e. ensuring all pet cats are desexed before they reach breeding age at around 16 weeks of age. Unwanted litters that result from owners not desexing their cats or letting them roam freely outside are a regular source of animals into pounds and shelters; RSPCA NSW shelters can receive up to 500-600 surrendered kittens/week during peak breeding season⁸. Unwanted litters also end up abandoned, and contribute to the free-roaming, “stray” cat population. Curbing breeding is particularly important in remote and disadvantaged local government areas, which generally have low desexing rates.⁹

⁴ Legge *et al.* 2020, ‘We need to worry about Bella and Charlie: the impact of pet cats on Australian wildlife’, *Wildlife Research*, <<https://www.publish.csiro.au/wr/pdf/WR19174>>.

⁵ Fancourt, B 2014, Toxoplasmosis: how feral cats kill wildlife without lifting a paw, <<https://theconversation.com/toxoplasmosis-how-feral-cats-kill-wildlife-without-lifting-a-paw-32228#>>

⁶ Fardell, L *et al.* 2023, ‘Influences of roaming domestic cats on wildlife activity in patchy urban environments’, *Frontiers in Ecology and Evolution*, <<https://www.frontiersin.org/articles/10.3389/fevo.2023.1123355/full>>

⁷ Greenwell *et al.* 2019, ‘Cat gets its tern: a case study of predation on a threatened coastal seabird’, *Animals*, <<https://www.mdpi.com/2076-2615/9/7/445>>.

⁸ RSPCA NSW 2021, Warmer and longer days mean it’s kitten season, <<https://www.rspcansw.org.au/blog/animal-care-information/warmer-and-longer-days-mean-its-kitten-season/>>

⁹ Nou *et al.* 2021, The management of cats by local governments of Australia, Threatened Species Recovery Hub, <[https://wildlifehealthaustralia.com.au/Portals/0/Documents/Resources/Cats Responsible Management/2022_05_1_Report The management of cats by local gov of Aus.pdf?>](https://wildlifehealthaustralia.com.au/Portals/0/Documents/Resources/Cats%20Responsible%20Management/2022_05_1_Report%20The%20management%20of%20cats%20by%20local%20gov%20of%20Aus.pdf?>)

Part of this work should involve normalising pre-pubertal desexing (i.e. desexing between 12-16 weeks of age) to prevent cats becoming pregnant with a first litter, and inspiring councils to take a proactive approach to cat management. In 2021, Nou *et al.* conducted a national survey of 240 councils and found that the majority of local governments have a reactive/passive approach to pet and “stray” cat management. This strategy should involve better understanding, and demonstrating, the cost-benefit value of proactively managing companion animals.

Improving the values surrounding pet ownership

We note, that there is a recurring issue of pet overpopulation on a national scale and people surrendering pets to already overcrowded shelters. It has been reported that current cost-of-living pressures, the pandemic and “throw-away attitudes” to companion animals has led to a record number of people surrendering pets¹⁰. Strategies are required to 1) increase the value people place on pets and 2) help people consider the resources required (e.g. time, money) to provide lifetime care to an animal before getting a pet. Helping people make informed decisions about their capability to provide care for a pet’s lifetime should form part of the preventative strategy to reduce the number of surrendered and abandoned animals.

Recommendation 3: Deliver programs to raise awareness amongst councillors and council staff about the cost-benefit value of desexing companion animals, particularly in rural and regional local government areas.

Recommendation 4: Work with the veterinary community to normalise the practice of pre-pubertal desexing.

Recommendation 5: Encourage councils to remove food sources that propagate unowned stray cat populations, e.g. excluding cats (with fencing) from rubbish dumps and intensive farms.

Recommendation 6: Provide ongoing funding for councils to undertake large-scale desexing, microchipping and registration programs, and fund effective education programs to encourage people to keep cats indoors.

Recommendation 7: Implement a state-wide education campaign that appropriately addresses potential/future pet owners and existing pet owners, with a focus on 1) helping people make informed choices before getting a pet, 2) increasing desexing and identification, 3) encouraging cat containment and 4) reducing animal abandonment.

Recommendation 8: Develop a central, state-wide online platform to make responsible pet ownership information and resources easily accessible.

¹⁰ABC 2023, Animal shelters overflowing as cost-of-living pressures prompt record pet surrenders, <<https://www.abc.net.au/news/2023-05-02/animal-shelters-overflowing-with-record-pet-surrenders/102284546>>

Establishing clear responsibilities for councils

(Relevant ToR/s: d, e, i)

Councils are responsible for providing companion animal management services to their community. However, councils vary in how they interpret, and prioritise this responsibility. An extensive national review of local government practices by the Threatened Species Recovery Hub concluded that a ‘a key determinant of whether a cat management measure is used is whether state/territory legislation requires, or enables the setting of local regulations to enact them’⁹. Similarly, the NSW review of rehoming practices reported that councils expressed that they had ‘substantial discretion to not accept animals’ and that ‘some councils are not accepting cats (as cats are allowed to roam, there is often no reason for the council to impound cats)’. This is also supported anecdotally by concerned community members; common feedback provided to the Invasive Species Council by community members is that councils do not provide support or advice for managing roaming cats, and provide a standard response: “it is legal for cats to roam so we do not need to intervene.” As a result, community members can feel helpless about cat management and councils can miss opportunities to address animals that may be contributing to pound intakes, e.g. a “stray”, breeding cat.

The above information suggests that existing legislative structures can make it easy for councils to completely negate responsibilities in regards to cat management, before exhausting strategies available to them such as education, incentivisation and activating legislative provisions provided to protect persons and animals against cats. Furthermore, councils may not be aware of, or fully considered the role they can play in reducing pressure on their pound system by proactively reducing the number of free-roaming and breeding pet or “stray” cats.

We note this is not the case for all councils, and many councils have demonstrated a concerted effort to manage cat populations and should be commended.

One avenue for driving councils to deeply consider companion animal management and the issues, strategies and outcomes relevant to their jurisdiction is through the development and implementation of local companion animal management plans. Victoria and South Australia companion animal legislation requires local governments to review animal management plans every 4-5 years. A review of NSW council websites (n = 128) identified at least 38 councils (29%) that have proactively developed a companion animal management plan, or cat plan, at some stage, despite this not being a legislative requirement in NSW companion animal legislation. Of the plans available online, it is worth noting that ~23% (n = 9) of plans are more than ten years old and 16% (n = 6) are more than ten years old.

Recommendation 9: Identify where legislation can be strengthened to provide councils with clear responsibilities to manage cats, including clarity around seizing abandoned animals.

Recommendation 10: Equip all councils with guides and materials to help provide concerned citizens with a clear pathway for managing free-roaming domestic cats.

Recommendation 11: Encourage local governments to develop and implement companion animal management plans that address objectives, strategies, monitoring and evaluation, and help drive continuous improvement.

Recommendation 12: Develop a state-wide cat management strategy that clearly articulates a vision and goals to achieve positive outcomes for cats, other animals, people and the environment. An example of a vision that meets this criteria is: All domestic cats are owned, desexed, microchipped, registered and live at a home where they are provided with care that meets their physical and mental needs.

Aligning legislation with companion animal management goals

(Relevant ToR/s: *d, e, i*)

Previous projects have identified a number of legislative amendments that would help achieve companion animal management goals. For example, mandated desexing by a jurisdiction has been associated with higher estimates of desexed cats in the pet cat population⁹. We identify below a number of amendments that would help support either the reduction of animals entering pounds, or improve rehoming opportunities for animals after impoundment.

Recommendation 13: Amend the NSW *Companion Animals Act 1998* to:

- 1) clearly articulate mandatory desexing of pet cats by four months of age
- 2) require all animals rehomed through a pound or shelter to be microchipped and desexed.
- 3) enable councils to enact local cat containment rules that are appropriate to their area

Recommendation 14: Amend the *Prevent of Cruelty to Animals Act 1979* to:

- 1) Require any animals sold or given away to be microchipped and registered

Considering environmental outcomes

(Relevant ToR/s: i, k)

A holistic approach to companion animal management should recognise and consider environmental impacts, in conjunction with animal welfare and human health objectives.

Environmental considerations are often overlooked in the companion animal management narrative. For example, the purpose of the *Companion Animals Act 1998* overlooks environmental protection. The purpose of the act is ‘to provide for effective and responsible care and management of companion animals by’. In contrast, Victoria’s *Domestic Animals Act 1994* recognises the intersection, stating that the purpose of the Act is to ‘promote animal welfare, the responsible ownership of dogs and cats and the protection of the environment by...’. A more recent example is provided in the Rehoming of Companion Animals draft report, commissioned by the NSW Government in 2022, where environmental impacts are not considered within the report. This is then reflected in the recommendations. Recommendation 2 of the report advises the NSW Government to adopt a model definition for types of cats, as reflected in image 1 below.

- 2 The NSW Government provide a definition for types of cats, with a model definition below:
 - a) Domestic cats, which have some dependence (direct or indirect) on humans, categorised into:
 - i) Owned cats — identified with and cared for by a specific person and are directly dependent on humans. They are usually sociable, although sociability varies.
 - ii) Semi-owned cats — directly and intentionally fed or provided with some other care by people who do not consider they own them. These cats are of varying sociability, with many socialised to humans, and they may be associated with one or more households.
 - iii) Unowned cats — receive food from humans indirectly such as from food waste bins. They are indirectly dependent on humans, may have casual and temporary interactions with humans, and are of varying sociability, including some who are unsocialised to humans.
 - b) Feral cats, which can be distinguished from domestic cats because they are unowned, unsocialised, have no relationship with or dependence on humans, survive by hunting or scavenging, and live and reproduce in the wild. Feral cats do not receive food from humans directly or indirectly.
 - c) Infant cats, which is a cat in the first stage of existence and that is not able to feed and fend for itself or is of such age that keeping it within a pound facility would place the cat’s welfare at risk

Image 1. Definitions provided in recommendation 2 of the Rehoming of Companion Animals draft report.

We acknowledge that the current nonuniform understanding and application of definitions for different cat groups presents a challenge for cat management. While we agree that standardising definitions for domestic cats are required to identify appropriate management interventions, the proposed definitions for semi-owned and unowned domestic cats do not acknowledge their interaction with wildlife as a food source. The proposed definitions suggest domestic cats only obtain food from human resources and do not acknowledge that the diet of these cats would consist of prey

they hunt, which includes native wildlife. It is estimated that on average, a free-roaming, hunting domestic cat in Australia kills 110 native animals per year (40 reptiles, 38 birds and 32 mammals)¹¹. Studies have demonstrated that if given access to roam, most cats will hunt, regardless of how well they are fed. One study from the USA attached small cameras to the collars of a managed cat colony, which consisted of desexed cats that were fed daily. 82% of monitored cats (n = 24/29) exhibited hunting behaviours, with the most successful hunting cat capturing 35 frogs over 58 recording hours.¹² Such evidence demonstrates that semi-owned and unowned cats are not wholly dependent on humans, and this should be acknowledged in any definitions used.

It is incredibly important to appropriately consider and articulate environmental factors in companion animal management so that all impacts can be considered and unintended harm minimised.

See appendix 1 and 2 for further information on the impact of free-roaming pet cats on Australian wildlife. Appendix 1 specifically addresses opportunities to safeguard wildlife in New South Wales from free-roaming pet cats.

Recommendation 15: Include clear environmental objective/s and considerations for all Government-led companion animal initiatives.

¹¹ Nou *et al.* 2023, The roaming impact of pet cats on Australian wildlife, <<https://invasives.org.au/wp-content/uploads/2023/06/Pet-cat-impacts-June-2023.pdf>>

¹² Hernandez *et al.* 2018, 'The use of point-of-view cameras (kitty-cams) to quantify predation by colony cats (*Felis catus*) on wildlife', *Wildlife Research*, <<https://bioone.org/journals/wildlife-research/volume-45/issue-4/WR17155/The-use-of-point-of-view-cameras-Kittycams-to-quantify/10.1071/WR17155.short>>

Appendices

1) Safe cat, safe wildlife: fostering responsible pet ownership in New South Wales

Safe cat, safe wildlife: Fostering responsible pet ownership in New South Wales



Photo by Niels Klim

Recommendations in brief

- Amend the *NSW Companion Animals Act 1998* to enable local governments to enforce anti-roaming laws for pet cats at a local level.
- Allocate a minimum of \$9 million to fund compliance, education, desexing, identification and registration programs.
- Encourage local governments to develop companion animal management plans.
- Develop a state-wide web resource for pet owners.
- Streamline pet identification and registration processes.
- Make desexing mandatory state-wide.

The impact of roaming pet cats

Cats are both a valued companion animal and one of the world's most successful predators.

There are 4.9 million pet cats in Australia and rising.

Pet cats that are allowed to freely roam outside kill an estimated 527 million animals annually, the majority native. This equates to an average of 186 animals killed each year per free-roaming, hunting pet cat¹.

Cats have strong natural hunting instincts; when given the opportunity, pet cats will hunt, regardless of whether they've been fed or not. The majority (up to 85%) of prey are not brought home¹.

More than 3 million Australians love or care for cats; almost a third of Australian households keep pet cats and research suggests that **the majority of cat owners (70%) allow their cats to freely roam** all or part of the day, although this level can vary greatly across jurisdictions¹.

¹ Legge, S, Woinarski, J, Dickman, CR, Murphy BP, Woolley, LA & Calver, MC 2020, 'We need to worry about Bella and Charlie: the impacts of pet cats on Australian wildlife', *Wildlife Research*, vol. 47, pp. 523-539.



GPS data reveals the secret life of pets. The map above shows the movements of Semi, a cat from Lithgow, who ventures into nearby bushland. Australian research using GPS-tracking collars from over 400 pet cats has shown that **pet cats roam as much as 30 hectares around their home base, although the average area a pet cat roams is 2 hectares.** Two hectares is equivalent to around 40 house yards! (Data: Roetman, P, Tingle, H, Litchfield, C, Chiera, B, Quinton, G, Kikillus, H et al. 2017, 'Cat tracker South Australia: understanding pet cats through citizen science', University of South Australia, Adelaide.)



Each year pet cats kill 90 million native birds, including rainbow lorikeets. Photo by Anna Tarazevich

Current constraints in NSW

The NSW *Companion Animals Act 1998* sets out the duties and responsibilities of pet owners. These are enforced at a local government level. However, the *Act* currently provides limited controls for the management of free-roaming pet cats by local government.

NSW local governments can prohibit the presence of cats in very specific circumstances, namely, prohibition from food and consumption areas and areas declared wildlife protection areas.

The *Act* does not allow local governments to regulate roaming cats generally. This presents a major challenge for increasing responsible pet ownership in the state.

Responsible pet ownership laws

The most effective solution to prevent pet cats preying on native animals is for owners to keep them indoors and only provide controlled access to the outdoors via a cat run, cat-proof fencing, a harness and leash or similar. This is often termed 'cat containment' or a '24/7 curfew'. This can also have significant benefits for pet cat health, through reduced risk of injury and disease. In fact, **pet cats that are responsibly kept at home can live up to 10 years longer than if they were free-roaming**².

Alternate solutions, such as predation-inhibiting devices offer a sub-optimal solution. For example, cat bibs, a collar-mounted pounce protector, only reduce predation success by 50%³.

In 2021 the NSW Environmental Trust invested \$2.4 million in a four-year project, 'Keeping Cats Safe at Home.' The project is being delivered by RSPCA NSW in close partnership with 11 local governments. The project starts to provide further resources and interventions to improve the way people care for their cats and increase the practice of cat containment through a behaviour change and education lens.

Social research has identified a desire by local governments for powers under the *Companion Animals Act 1998* to enforce cat containment to meet local needs, as an additional management strategy in the toolkit⁴.

'Cat containment' has been recommended or supported by a broad suite of organisations:

- **Local Government NSW (LGNSW)** has consistently identified the need for stronger legislation. Their current policy platform advocates for 'amendments to legislation to enable councils to more effectively manage the nuisance effects of cats on residents and wildlife, including... limiting the roaming of cats beyond their owner's property'.
- In 2021 the **National Threatened Species Recovery Hub** surveyed 240 local governments and recommended creating strong, enabling legislation for pet cat management that includes 'mandatory requirements to keep cats contained to the owner's property, or under equivalent control e.g. on a leash, or in a carrier) when off-property.'

2 RSPCA NSW, <https://www.rspcansw.org.au/keeping-cats-safe/cat-lovers-2>

3 Calver, M, Thomas, S, Bradley, S & McCutcheon, H 2007, 'Reducing the rate of predation on wildlife by pet cats: the efficacy and practicability of collar-mounted pounce protectors', *Science Direct*, vol. 137, pp. 341-348

4 Nou, T, Legge, S, Woinarski, J, Dielenberg, J & Garrard, G 2021, 'The management of cats by local governments of Australia', Threatened Species Recovery Hub, National Environmental Science Programme, Brisbane.

Case study:

What impact can a single cat have?

A single free-roaming cat can detrimentally affect sensitive species – not only through direct predation, but secondary effects. In Mandurah, Western Australia, one unregistered, desexed male cat entered a protected breeding colony of fairy terns. Over a period of three weeks, regular predation and disturbance by the cat caused the complete reproductive failure of all 111 nests; 6 adults and multiple chicks were directly killed and the remaining birds abandoned their nests. The presence of one cat meant the bird colony failed to produce a single chick that made it to the end of nesting season¹.



Roaming pet cat spotted at the fairy tern sanctuary. Photo by Claire Greenwell.

1 Greenwell, CN, Calver, MC & Loneragan, NR 2019, 'Cat gets its tern: a case study of predation on a threatened coastal seabird', *Animals*, vol. 8, pp. 445.

- In 2017-18 **RSPCA Australia** reviewed best practice cat management and identified 'education programs are needed to increase the acceptance and uptake of 24-hour cat containment, with subsequent regulation in areas of high conservation value.'
- The 2016 **NSW Natural Resources Commission (NRC)** state-wide review of pest animal management recommended the NSW Government 'revise the current regulatory arrangements to make the declaration and enforcement of cat containment areas by local government more effective'. The NRC recognised that reducing the threat cats pose to biodiversity requires the holistic management of both domestic and feral cats.



Each year pet cats kill 143 million native reptiles, including the blue-tongued skink. Photo by MTSOfan

Minor amendments to the *Companion Animals Act 1998* could create an enabling environment for local governments to enforce containment measures that meet their community's needs and expectations, and would complement the current 'Keeping Cats Safe at Home' project.

The success of mandatory cat containment will be dependent on active enforcement and public awareness of its requirement. The recommendations outlined below will ensure councils that opt-in to improve the management of pet cats in their area are better resourced to support compliance with the *Companion Animals Act 1998*.

Such laws would help shift the norms around how cats are cared for – encouraging owners to keep their pet cats safe, while preventing predation on wildlife. **Previous social research has found that a majority of Australians would support mandatory cat containment**⁵.

5 Toukhsati, SR, Young, E, Bennett, PC & Coleman, GJ 2012, 'Wandering cats: attitudes and behaviours towards cat containment in Australia', *Anthrozoos*, vol. 25, pp. 61-74.

A win for all: wildlife, cats and community

Cats can live up to 10 years longer when they aren't allowed to roam away from home.

All cat owners have a responsibility to their cat, their community and the environment.

Preventing pet cats from freely roaming not only helps reduce the impact on local biodiversity from hunting, but helps protect pets from contracting diseases, reduces their risk of becoming injured or killed through fighting and accidents, prevents accidental breeding, increases the opportunity for owner-animal interaction, minimises transmission of diseases like the zoonoses toxoplasmosis and reduces disturbance caused to neighbours by roaming pets¹.



Photo by Sarah Skelton

1 RSPCA Australia, www.safeandhappycats.com.au



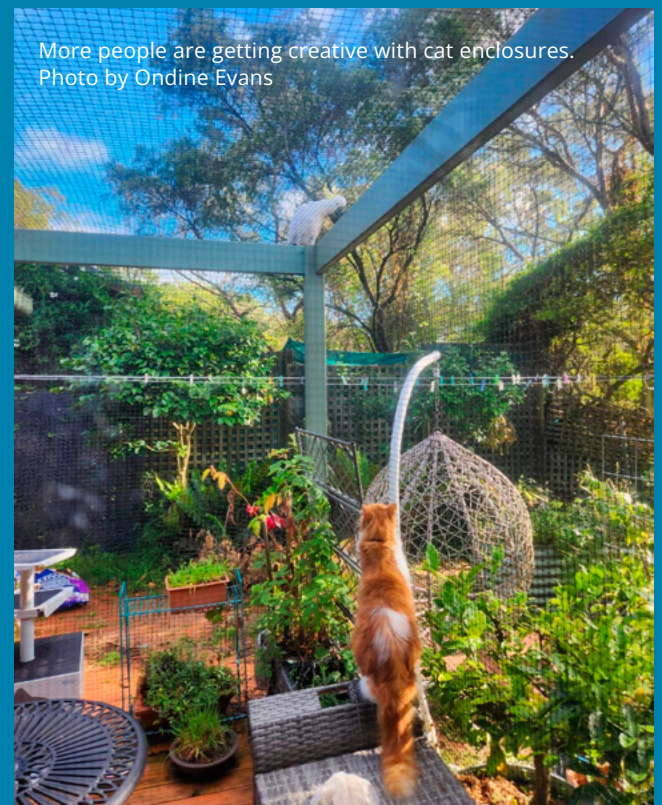
Sugar gliders are one of the native marsupials hunted by pet cats. Each year pet cats kill 88 million native mammals. Photo by Patrick Kavanagh

Aligning NSW with Australian standards

In response to the 2020 federal inquiry into the problem of feral and domestic cats, the **Australian government recommended local governments actively consider 24/7 containment options.**

NSW and WA are the only states in Australia that do not enable local governments to consider cat containment through the state legislation. For example, the respective companion animal management legislation in Victoria, Tasmania, Queensland and South Australia supports local governments to create locally-specific laws for pet containment.

There is no equivalent capacity in NSW legislation to enforce cat containment currently, however, minor amendments to the *Companion Animals Act 1998* could equip local governments with the necessary powers to consider cat containment at a local level.



More people are getting creative with cat enclosures. Photo by Ondine Evans

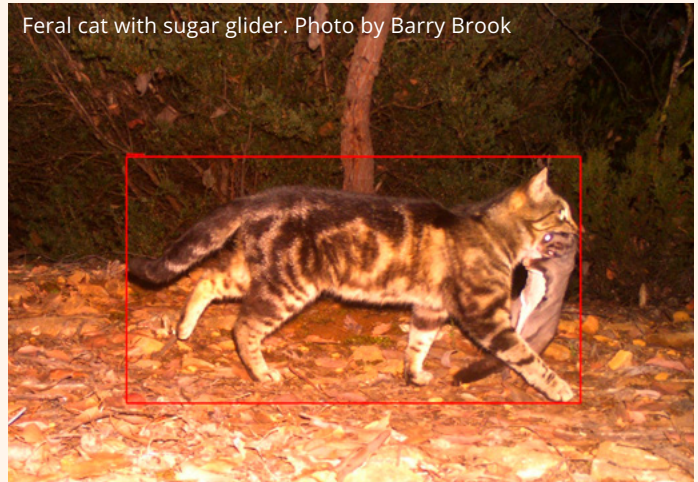
Recommendations

Legislative reform priorities

Amend the *Companion Animals Act 1998* to enable local governments to enforce the containment of pet cats at a local level:

- Amend the *Companion Animals Act 1998* and associated Companion Animals Regulation 2018 to allow local governments to declare entire jurisdiction, or any area within their jurisdiction, as a cat containment or curfew area for the purposes of preventing pet cats from roaming at large.
- Ensure local governments have the flexibility to introduce containment laws that meet the specific needs of their area and community, including phase-in periods, selection of which areas within their jurisdiction the policy applies and enabling community support and monitoring frameworks.

Feral cat with sugar glider. Photo by Barry Brook



Additional opportunities for the NSW Government to reduce wildlife predation by pet cats

1. Allocate funding to support local governments to enforce compliance with the *Companion Animals Act 1998*:

- Develop a three-year **\$9 million state-wide grant program** to support local government implementation of domestic **cat containment**, including through increasing the number of rangers, education programs and subsidies for cat enclosures.
- The fund should provide multi-year funding to local governments to support employment of staff to establish and implement cat containment Orders provided for under the proposed legislative amendments.

2. Increase investment in programs that support the responsible cat ownership measures of containment, desexing, identification and registration:

- Provide funding for councils to undertake large-scale desexing, microchipping and registration programs, and fund effective education programs to encourage people to keep cats indoors.
- Extend the Keeping Cats Safe at Home project which is due to conclude in 2024 and develop a strategy to expand the program across NSW's 128 local government areas via a prioritisation process based on key biodiversity values.
- Part of this process should involve developing guides for local governments and collating all materials developed as part of the Keeping Cats Safe at Home project into a centralised resource for re-use and easy distribution.

3. Encourage local governments to develop and implement companion animal management plans that address objectives, strategies, monitoring and evaluation.

4. Fund the development of a state-wide web resource for responsible pet ownership

- In partnership with the state's animal welfare bodies develop a central, state-wide web platform that makes responsible pet ownership information easily accessible.
- This should include a map and search function that makes it easy for residents to look up the local rules that apply to pet ownership in their area, similar to the ACT cat containment and dog exercise area map.

5. Streamline pet identification and registration processes.

- Streamline the pet identification and registration into one process, rather than two separate processes.
- Transfer the NSW Pet Registry to a database managed by Service NSW and improve service to owners of companion animals by establishing self-service functions via the Service NSW app.
- Require any animal sold or given away to be registered.

6. Transition to state-wide mandatory desexing laws

- Simplify the *Companion Animals Management Act 1998* to require pet cats to be desexed by four months of age, with limited exceptions for licenced breeders, to align with existing state approaches in Western Australia, Tasmania, Australian Capital Territory, and South Australia.
- Make it mandatory for animals rehomed or sold through council pounds or rehoming organisations to be desexed, unless there is a welfare or health reason not to.

Contact us
cats@invasives.org.au
or visit invasives.org.au



Nature
Conservation
Council



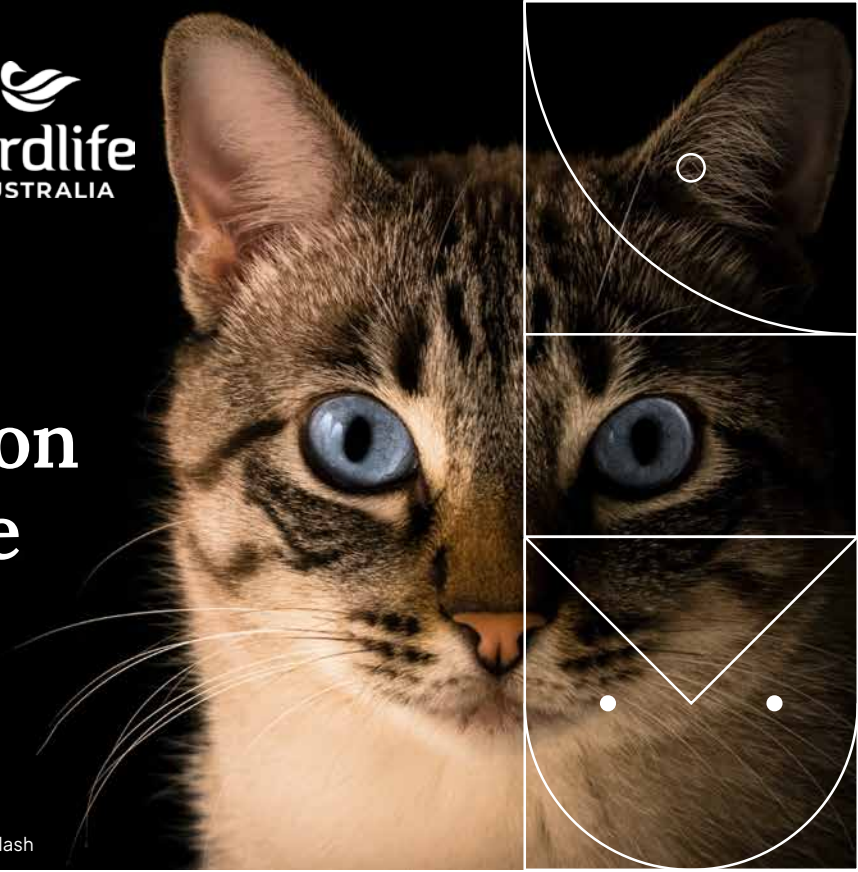
2) The impact of roaming pet cats on Australian wildlife (factsheet)

The impact of roaming pet cats on Australian wildlife

Factsheet

June 2023

Image: Pacto Visual on Unsplash



This factsheet summarises research findings on the impact of Australia's pet cats on wildlife. It also provides information for cat owners and local government organisations about how to reduce the impact and improve the welfare of pet cats.

Pet cats, despite their valued role as companion animals, are a major threat to wildlife. Collectively, roaming pet cats kill 546 million animals per year in Australia. As such the management of cats has major implications for Australia's wildlife and ecosystems.

One third of Australian households (33%) have pet cats, and about half of cat-owning households have two or more cats: the total pet cat population in Australia is 5.3 million.

Pet cats that are kept contained 24 hours per day (indoors or in a secure outdoor cat run) are safe for wildlife. In Australia, around 1.6 million pet cats are contained in this way 24 hours per day by responsible pet owners.

The remaining 3.7 million pet cats – 71% of all pet cats in Australia – are able to roam, and 78% of these roaming cats hunt, presenting a major threat to wildlife in their local areas.

Many people are unaware that their pet cat is leaving the house and roaming. A radio-tracking study in Adelaide found that of the 177 cats whom owners believed were inside at night, 69 (39%) were sneaking out for nocturnal adventures.

Many owners believe their cats don't hunt because they never come across evidence of killed animals. However, studies of pet cats using video-tracking collars or scat analysis have established that the vast majority (85%) of the animals killed by pet cats are not brought home.

Radio tracking, video collars and poo analysis have revealed the roaming and hunting habits of pet cats

On average, each roaming, hunting pet cat kills more than three animals every week. The numbers add up. On average, over a year each roaming and hunting pet cat in Australia kills 186 animals. This number includes 110 native animals (40 reptiles, 38 birds and 32 mammals).



A happy indoor cat.
Image: Jaana Dielenberg



Pet cats in homes near bushland roam the furthest and hunt the most frequently.

Image: Oliver Schwendener on Unsplash

Every cat counts

Some cat owners may think the contribution of their own cat doesn't make much difference. However, we found that even individual pet cats have driven the decline and complete loss of populations of some native animal species in their area.

Documented cases have included: a feather-tailed glider population in south-eastern New South Wales; a skink population in a Perth suburb; and an olive legless lizard population in Canberra. Anecdotally, many people have experienced that native birds become scarce or absent in their gardens once a pet cat (their own, or that of a neighbour) takes up residence.

Killing animals is not the only significant impact of pet cats on wildlife. When cats prowl and hunt in an area, wildlife have to spend more time hiding or escaping. This reduces the time spent feeding themselves or their young, or resting. In Mandurah, Western Australia, the disturbance and hunting of just one pet cat and one stray cat caused the total breeding failure of a colony of more than 100 pairs of fairy terns.

Fast facts on pet cats in Australia

Total pet cat population:	5.3 million
Percentage of households with pet cats:	33%
Size of animals cats can kill:	up to 4 kg
Percentage of pet cats that roam:	71%
Percentage of roaming cats that hunt	78%
Mean home range of a pet cat:	2 hectares (size of two playing fields)
Average density of roaming, hunting pet cats in Australian suburbs:	54 to 100 per km ²
Average number of animals (mammals, birds and reptiles) killed per roaming cat per year:	186
Number of all mammals, birds and reptiles killed by pet cats per year:	546 million
Number of native mammals, birds, reptiles killed by pet cats per year:	323 million

Concentrating the problem

Pet cats are concentrated in very high densities in our cities and towns. In suburbs that do not require containment, you'll find up to 100 roaming and hunting cats per square kilometre.

In the bush there's only one feral cat for every three to four square kilometres, so even though each individual feral cat kills about 4 times more animals per year than a pet cat, cats inflict a much higher toll per square km in suburbs, than in the bush.

In fact, roaming, hunting pet cats kill 30–50 times more native animals per square kilometre in suburbs than feral cats kill per square kilometre in the bush.

About one third of the animals killed in urban areas are introduced species like rabbits, house mice, house sparrows and Indian mynas. If we count only native wildlife, pet cats kill 6,000 to 11,000 animals per square kilometre each year in urban areas.

These numbers include the numbers of birds, mammals and reptiles killed. Cats also kill frogs and invertebrates, but there are not sufficient data to include these prey groups in these totals.

Benefits of a life indoors

Indoor cats can be happy and exercised too. Keeping cats indoors helps protect pet cats from injury and disease, reduces expensive vet bills, prolongs the cat's lifespan, avoids nuisance behaviour and prevents unwanted breeding.

Cats allowed outside often get into fights with other cats, even when they're not the fighting type (they can be attacked by other cats when running away). They can also be badly injured or killed by other animals, especially dogs and snakes. Roaming cats are also very prone to getting hit by vehicles.

Indoor cats have lower rates of infectious diseases, some of which can be spread to humans. For example, the cat-borne disease toxoplasmosis can cause illness, miscarriages and birth defects in humans.

With some of your attention cats can be happy and healthy living indoors.

Image: Rubaitul Azad on Unsplash



What can pet owners do?

Keeping your cat securely contained 24 hours a day is the only way to prevent it from killing wildlife. Containment means keeping your cat indoors or in a secure cat run if outdoors. Even if you keep a cat in at night, it can still hunt birds and lizards by day. Containment needs to be 24 hours per day.

It's a myth that a good diet or feeding a cat more meat will prevent hunting: even cats that aren't hungry will hunt.

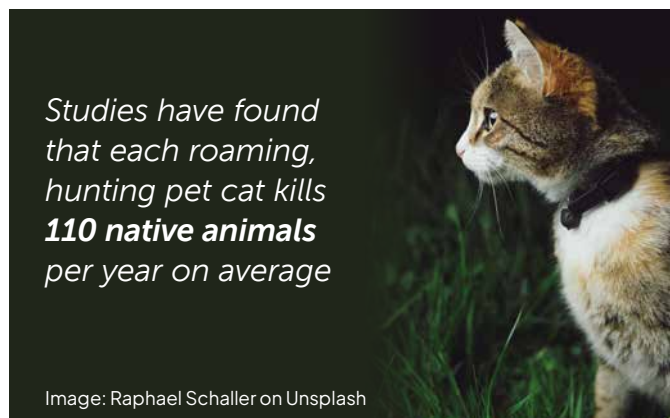
Various devices, such as bells on collars, are commercially marketed with the promise of preventing hunting. While some of these items may reduce the rate of successful kills, they don't prevent hunting altogether. These devices also don't prevent cats from disturbing wildlife, which is also a serious problem.

Desexing cats before they are sexually mature (i.e., by five months of age) has multiple benefits for their health and wellbeing; by preventing unwanted breeding you will also prevent your cat from contributing to Australia's feral cat population.

Microchipping, and putting identifying information on your cat's collar, will ensure that if it 'escapes' or roams beyond your property it can be returned to you.

Registering your cat with your local council will help to support responsible pet management programs in your local area.

Encourage your friends to also contain their cats.



*Studies have found that each roaming, hunting pet cat kills **110 native animals** per year on average*

Image: Raphael Schaller on Unsplash

What can councils do?

Cat owners are primarily responsible for the behaviour of their cats but local councils also have a key role to play. Council programs and by-laws can encourage responsible pet management, reducing impacts on wildlife and reducing nuisance behaviour by roaming cats.

Local councils can strengthen and improve by-laws and management of pet cats by:

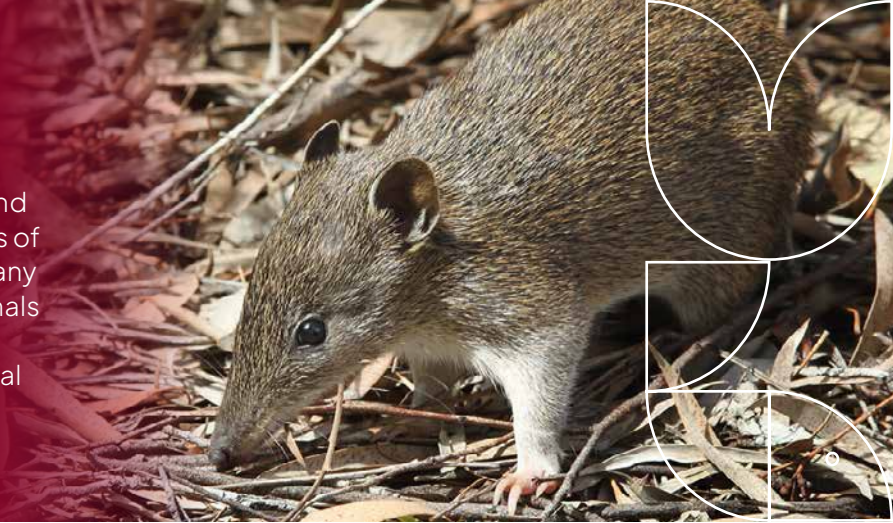
- Developing a companion animal management plan
- Setting up cat registration fee structures that incentivise desexing of cats, and dis-incentivise keeping cats that are not desexed
- Introducing by-laws requiring mandatory registration and desexing of cats by 5 months, coupled with subsidised desexing programs
- Setting limits for the number of cats per household
- Introducing cat-free areas (especially in new suburbs)
- Introducing by-laws for 24-hour containment or curfews
- Encouraging/promoting responsible cat ownership, including showing benefits for cat welfare
- Reducing populations of stray cats
- Setting up a registration system that allows staff to keep track of cat breeders in local government areas
- Dedicated resourcing for regional cat management officers, who can work with multiple councils towards consistent management of pet cats. They can also work on measures to help address complex issues as they arise (hoarding, 'backyard' breeding)
- Working in collaboration with adjoining councils towards consistent regional management of cats.

These measures need to include appropriate resourcing for compliance and enforcement and relevant infrastructure, and may involve collaborations with veterinary practices.

Cats in Australia

Cats have played a leading role in most of Australia's 34 mammal extinctions since 1788, and are playing a major role in the on-going declines of over 230 threatened native species and also many non-threatened species. The loss of these animals degrades our ecosystems and diminishes the character of the natural places we value. Both feral and pet cats contribute to the problem.

Image: Southern brown bandicoot by John O'Neill



Losing nature where we live

Most of us want to see native wildlife in our towns, local parks and gardens. Pet cats are not the only threat to native wildlife in urban areas but they are one that every cat owner can reduce through responsible pet ownership.

Urban areas are important to wildlife, even threatened species. For example, the Critically Endangered western ringtail possum is found in suburban areas of Mandurah, Bunbury, Busselton and Albany, in Western Australia. The possum did not move into these areas – rather, we moved into their habitat, and predation by our pet cats makes their persistence more precarious.

Previous studies have shown that pet cats living near bushland roam further and hunt more frequently, reducing the value of natural areas that should be havens for wildlife and that are also favoured recreational places for people.

Australia is in a very good position to make change. Compared to many other countries, the Australian public are more aware of how cats threaten native wildlife and more supportive of actions to reduce those impacts.

Cat containment is manageable. Over one and a half million pet cats are already being safely contained by their owners in Australia. We need to rethink what it means to be a cat owner in Australia and see cat containment as a basic responsibility, in the same way that dog owners are expected to keep their pets contained to their property.

Who undertook this research?

The findings presented here are summarised from an analysis of the results of many dozens of studies that was undertaken by the Threatened Species Recovery Hub. The research team included scientists from The University of Queensland, The Australian National University, Charles Darwin University, The University of Sydney and Murdoch University. The research received funding from the Australian Government through the National Environmental Science Program and was published in *Wildlife Research*.

READ MORE

Dielenberg, J., Murphy, B., Dickman, C., Woinarski, J., Woolley, L.-A., Calver, M. and Legge, S. (2020) **One cat, one year, 110 native animals: lock up your pet, it's a killing machine**, *The Conversation*, 14 May 2020

Harvey, A. and Malik, R. (2020) **Don't let them out: 15 ways to keep your indoor cat happy**, *The Conversation*, 21 May 2020

Legge, S., Woinarski, J. C. Z., Dickman, C., Murphy, B. P., Woolley, L.-A., Calver, M. (2020). **We need to worry about Bella and Charlie: The impacts of pet cats on Australian wildlife**. *Wildlife Research*, 47, 523–553. <https://doi.org/10.1071/WR19174>

Story by Tida Nou, Sarah Legge, John Woinarski and Jaana Dielenberg



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Biodiversity Council



birdlife AUSTRALIA



invasive species council

The Biodiversity Council brings together leading experts including Indigenous Knowledge holders to promote evidence-based solutions to Australia's biodiversity crisis. It was founded by 11 universities including its host the University of Melbourne, with support from The Ian Potter Foundation, The Ross Trust, Trawalla Foundation, The Rendere Trust, Isaacson Davis Foundation, Coniston Charitable Trust and Angela Whitbread.

The Invasive Species Council was formed in 2002 to advocate for stronger laws, policies and programs to keep Australian biodiversity safe from weeds, feral animals, exotic pathogens and other invasive species.

BirdLife Australia the largest and longest running national bird conservation charity that is putting birds and nature on a path to recovery by informing and leading action to halt biodiversity loss and restore ecosystems.