

# **NSW COMPANION ANIMALS TASKFORCE**

## **REPORT TO THE MINISTER FOR LOCAL GOVERNMENT AND THE MINISTER FOR PRIMARY INDUSTRIES**

**October 2012**

**CONTENTS**

**EXECUTIVE SUMMARY ..... 1**

**1. INTRODUCTION ..... 4**

**2. DISCUSSION PAPER AND SUBMISSION PROCESS ..... 4**

**3. OVERVIEW OF SUBMISSIONS..... 5**

**4. STRATEGIC OBJECTIVES ..... 5**

**5. RECOMMENDATIONS ..... 6**

**6. DISCUSSION PAPER OPTIONS NOT SUPPORTED ..... 35**

**7. MATTERS FOR FURTHER CONSIDERATION ..... 37**

**8. DANGEROUS DOG MANAGEMENT ..... 38**

## Definitions

<i>AWAC</i>	means the Animal Welfare Advisory Council
<i>CA Act</i>	means the <i>NSW Companion Animals Act 1998</i>
<i>CA Fund</i>	means the Companion Animals Fund, comprising registration fees collected by councils and registration agents
<i>CA Register</i>	means the NSW Companion Animals Register
<i>CA Regulation</i>	means the NSW Companion Animals Regulation 2008
<i>Chief Executive</i>	means the Chief Executive of the Division of Local Government, NSW Department of Premier and Cabinet
<i>Companion animal</i>	means a cat or a dog (in line with section 5(1) of the CA Act).
<i>Desex</i>	means to render an animal permanently incapable of reproduction, usually by way of removing reproductive organs (often also referred to as ‘spay’ or ‘neuter’)
<i>Division</i>	means the Division of Local Government, NSW Department of Premier and Cabinet
<i>DPI</i>	means NSW Department of Primary Industries
<i>LG Act</i>	means the <i>Local Government Act 1993</i>
<i>POCTAA</i>	means the <i>Prevention of Cruelty to Animals Act 1979</i>

## **EXECUTIVE SUMMARY**

The Companion Animals Taskforce was established by the Minister for Local Government and the Minister for Primary Industries in 2011, to provide advice on key cat and dog issues and, in particular, strategies to reduce the current rate of cat and dog euthanasia.

In May 2012, the Ministers released a discussion paper prepared by the Taskforce for public consultation, which canvassed a range of priority issues identified by the Taskforce, presented key findings and set out a series of options to address them. A copy of the discussion paper is available at Appendix 1.

Over 1,400 public submissions were received, which were taken into consideration by the Taskforce in the drafting of this report. Further information about submissions is set out in sections 2 and 3 of this report.

A key theme highlighted in submissions is that cat and dog welfare and management is a whole of community responsibility. Put simply, it is the people who breed, sell and own cats and dogs who are ultimately responsible for them. Improving the community's understanding of this is crucial to ensuring better outcomes for cats and dogs.

Achieving significant change to community attitudes is a long-term endeavour. It is the Taskforce's view that the long-term commitment of the NSW Government to drive the recommendations contained in this report will be essential to ensuring such change is realised in the area of cat and dog welfare and management.

The Taskforce also acknowledges the ongoing work of the staff and volunteers of councils, pounds, shelters and rescue groups across NSW as crucial to improving outcomes for cats and dogs. Recommendations contained in this report aim to strengthen their capacity to undertake their important work.

### **A. RECOMMENDATIONS**

This report contains 22 recommendations which together provide a strategy to: reduce the number of cats and dogs that are impounded and euthanased, improve the current regulatory framework around the breeding, sale and management of cats and dogs, and promote socially responsible pet ownership to the whole community.

The introduction of annual registration for cats and dogs (see recommendation 8) is a key component of this strategy. While the contentious nature of this recommendation is acknowledged, the Taskforce considers it to be essential, as it will:

- significantly improve the accuracy of data on the Companion Animals Register.
- provide a stronger incentive for owners to desex their cat or dog.
- regularly reinforce that owning a cat or dog is an ongoing commitment.
- increase the capacity of councils and the Government to undertake cat and dog management activities.
- bring NSW into line with all other Australian jurisdictions which require the registration of cats and dogs.

### **Recommendations for the Minister for Primary Industries**

The Minister for Primary Industries has been identified as having responsibility for the implementation of the following recommendations.

**Recommendation 1** - A breeder licensing system should be established and the Companion Animals Register should be updated to capture breeder licence information for each animal record (**with Minister for Local Government**).

**Recommendation 2** - *The Animal Welfare Code of Practice – Breeding Dogs and Cats* should be revised to ensure that the existing guidelines it contains become enforceable standards.

**Recommendation 3** - Relevant animal welfare codes of practice should be amended to require the sellers of cats and dogs to display an animal's microchip number (or the licence number of the breeder of an animal) in all advertisements, and at point of sale in the case of pet shops, markets and fairs.

**Recommendation 5** - An information sheet should be issued in relation to the advertising and sale of cats and dogs.

**Recommendation 6** - Mandatory standardised information on socially responsible pet ownership should be developed to be given out at point of sale (**with Minister for Local Government**).

**Recommendation 7** - Relevant animal welfare codes of practice should be updated to require that at least one staff member working in a pet shop, breeding establishment, pound or animal shelter must hold a *Certificate II - Animal Studies* qualification.

#### **Recommendations for the Minister for Local Government**

The Minister for Local Government has been identified as having responsibility for the implementation of the following recommendations.

**Recommendation 4** - The Companion Animals Regulation should be amended to remove the existing provision that allows recognised breeders to sell unmicrochipped cats or dogs to pet shops.

**Recommendation 8** - The Companion Animals Act should be amended to require cats and dogs to be registered on an annual basis.

**Recommendation 9** - Cat and dog registration fees should be reviewed and set at such a level to provide an additional incentive for owners to desex their animals.

**Recommendation 10** - The Companion Animals Regulation should be amended to require a cat to be registered from the time it is 4 months of age.

**Recommendation 11** - The Companion Animals Regulation should be amended to allow cat and dog registration fees to be indexed to the Consumer Price Index.

**Recommendation 12** - A new discounted registration category 'Desexed animal – purchased from a pound or shelter' should be established to further encourage the purchase of desexed cats and dogs.

**Recommendation 13** - A grant funding program should be established for councils and partner organisations to deliver targeted microchipping, registration and desexing programs.

**Recommendation 14** - Measures should be introduced to improve compliance with companion animal legislation data entry requirements.

**Recommendation 15** - A community-wide socially responsible pet ownership education campaign should be developed (*with Minister for Primary Industries*).

**Recommendation 16** - The socially responsible pet ownership school-based education program should be expanded to include the preschool age group.

**Recommendation 17** - Comprehensive education material about the importance of confining cats to their owner's property should be developed.

**Recommendation 18** - Funding should be provided for research into key cat and dog issues.

**Recommendation 19** - Better practice guidelines should be issued to councils with a view to standardising impounding practices.

**Recommendation 20** - The Companion Animals Register should be updated to provide a centralised impounded animal management tool for use by all councils, relevant State agencies and animal welfare organisations.

**Recommendation 21** - The Ministers should write to the Minister for Fair Trading to request that barriers to cat and dog ownership in relation to residential tenancy laws be reviewed (*with Minister for Primary Industries*).

**Recommendation 22** - An ongoing reference group on cat and dog management issues should be established.

**Note:** Section 6 of this report addresses those options contained in the discussion paper which were not ultimately supported by the Taskforce.

## **B. MATTERS FOR FURTHER CONSIDERATION**

The Taskforce suggests that the following issues be considered in further detail (a relevant responsible Minister or suggested coordinating body is identified for each):

- Allowing cats and dogs to be kept in retirement villages and nursing homes (*Companion animal management reference group – see recommendation 20*).
- Release of *Animal Welfare Code of Practice for Pounds and Shelters* (*Minister for Primary Industries and AWAC*).
- Developing further options for the management of cats (*Companion animal management reference group*).
- Comprehensive review and update of the CA Register (*Minister for Local Government and the Division*).

Further information is contained in section 7 of this report.

## **C. FORTHCOMING ADVICE ON DANGEROUS DOG MANAGEMENT**

The Taskforce has also identified the issue of dangerous dog management as one requiring further consideration. However, due to the complexity of this issue, the Taskforce has determined that it will deal with this as a separate issue. The Taskforce has commenced deliberations on this issue and advice is expected to be provided to the Minister for Local Government by the end of 2012.

## **1. INTRODUCTION**

The Companion Animals Taskforce was established by the Minister for Local Government and the Minister for Primary Industries in August 2011.

The Taskforce Terms of Reference require it to inquire into:

- Euthanasia rates and re-homing options for surrendered or abandoned cats and dogs.
- The breeding of cats and dogs including the practices of ‘puppy farms’.
- The sale of cats and dogs.
- The microchipping and desexing of cats and dogs.
- Current education programs on ‘responsible pet ownership’.
- Any other high priority cat and dog issues that become apparent to the Taskforce.

The Taskforce is chaired by the Member for Charlestown, Mr Andrew Cornwell MP, and consists of representatives of the following organisations, invited by the Ministers to participate:

- Animal Welfare League NSW (AWL NSW)
- Australian Companion Animal Council (ACAC)
- Australian Institute of Local Government Rangers (AILGR)
- Australian Veterinary Association (AVA)
- Cat Protection Society of NSW (CPS)
- Dogs NSW
- Local Government and Shires Associations of NSW (LGSA)
- Pet Industry Association Australia (PIAA)
- Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA)

Representatives of the Division and DPI also participate on the Taskforce.

## **2. DISCUSSION PAPER AND SUBMISSION PROCESS**

In May 2012, the Ministers released a discussion paper prepared by the Taskforce to provide interested stakeholders, including industry and members of the wider community with an opportunity to have input into the development of strategies to address the issues it has considered.

The discussion paper canvassed a range of priority issues identified by the Taskforce, presented key findings and set out a series of options to address them. Finally, the paper posed questions about each issue designed to promote discussion and feedback.

A copy of the discussion paper is available at Appendix 1.

Submissions were open for a period of 8 weeks, closing on 1 July 2012. The submission process was coordinated by the Division.

During the submission period, the Taskforce Chair conducted the following targeted consultation sessions on the discussion paper:

- 23 May 2012 – AWL NSW Shelter, Kemp's Creek – attended by representatives of AWL NSW, Penrith City Council, Liverpool City Council, and Hawkesbury Animal Shelter.
- 25 May 2012 - Ballina Shire Council offices – attended by Ballina Shire Council.
- 14 June 2012 - RSPCA Sydney Shelter, Yagoona – attended by representatives of RSPCA, Auburn City Council, Bankstown City Council, PIAA, Dogs NSW, the AVA, and Renbury Farm Animal Shelter.
- 15 June 2012 – DPI offices, Orange – attended by representatives of Orange City Council, Bathurst Regional Council and RSPCA.

The views expressed at consultation sessions were also taken into consideration in the drafting of this report.

### **3. OVERVIEW OF SUBMISSIONS**

1405 submissions were received by the closing date. All submissions received by the closing date have been taken into consideration. All effort has been made to incorporate into the recommendations contained in this report those suggestions which, in the opinion of the Taskforce, are practical and achievable.

Where a large number of comments were made in submissions about a particular discussion paper option, these have been outlined in the 'Discussion paper submission comments' section under each recommendation contained in this report.

A schedule of the names and organisations of those submitters who have indicated that they are happy for their submission to be made public is available at Appendix 2.

The detailed analysis of discussion paper submissions which was prepared by the Division and considered by the Taskforce in its deliberations is available at Appendix 3.

### **4. STRATEGIC OBJECTIVES**

This report contains recommendations for the consideration of the Ministers, which aim to address the following key strategic objectives identified by the Taskforce:

**SO1** - *Reduce the number of surrendered or abandoned cats and dogs*

**SO2** - *Reduce the number of cats and dogs that are unnecessarily euthanased*

**SO3** - *Improve the ability to trace ownership of cats and dogs throughout their lifecycle*

**SO4** - *Improve standards for the breeding and sale of cats and dogs*

**SO5** - *Improve public understanding of socially responsible pet ownership*

**SO6** - *Increase compliance with microchipping and registration regulations*



## 5. RECOMMENDATIONS

The recommendations contained in this section are intended to work together as a long-term strategy to achieve the objectives outlined in section 4 of this report. Relevant strategic objectives are highlighted for each recommendation.

### **RECOMMENDATION 1**

**A breeder licensing system should be established and the Companion Animals Register should be updated to capture breeder licence information for each animal record**

#### Responsible Ministers

Minister for Primary Industries (lead) with Minister for Local Government.

#### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle

SO4. Improve standards for the breeding and sale of cats and dogs

SO6. Increase compliance with microchipping and registration regulations

#### Description

The Government should establish a breeder licensing system under POCTAA. All people who breed cats and dogs for sale should be required to be licensed. It is considered essential that there be no exemptions to this requirement.

However, provision should be made for owners whose cats or dogs have a one-off litter (including cats or dogs that fall ‘accidentally’ pregnant) to obtain a temporary licence and consideration should be given to providing a discounted licence fee for such people.

Similarly, owners intending to breed their cat or dog intermittently should be required to obtain a licence only in the year they intend to breed their animal, and may choose not to renew their licence until such time that they intend to breed the animal again.

#### **Licensing requirements**

All breeders should continue to be required to comply with the standards contained in the *Animal Welfare Code of Practice – Breeding Dogs and Cats* (the Breeder Code).

Inspections to determine compliance with the Breeder Code should be undertaken by dedicated RSPCA and AWL inspectors. Inspections should be prioritised using a risk based approach. However, the varying nature and scale of breeder operations should be taken into consideration when determining compliance.

Other licensing requirements should include:

- compliance with the proposed requirement to include a breeder licence number in advertisements for cats and dogs (see recommendation 3).
- distribution of proposed mandatory point of sale information (see recommendation 6).
- the holding of a *Certificate II - Animal Studies* by at least one staff member at a breeding establishment (see recommendation 7).
- compliance of breeder premises with council development control requirements (unless they are considered ‘exempt development’ under planning regulations).

### ***Funding and costs***

It is recommended that a user-pays system be implemented, comprising an annual licence fee payable by all breeders. The fee should be set at a reasonable level, so as to ensure the system is self-funding (including administration and inspections) but does not discourage compliance. The fee should also fund the enforcement of proposed mandatory microchip/breeder licence number advertising requirements (see recommendation 3).

A sliding scale of fees should be considered, reflecting the varying nature and scale of breeder operations. A concessional licence fee should be given for eligible pensioners. Consideration should also be given to indexing the fee to the Consumer Price Index.

A key cost is expected to be the establishment of a financial receipting and licence issuing system. Use of the Government Licensing Service (GLS) to manage these processes should be considered. This may be more cost effective than establishing a stand-alone administrative system to support breeder licensing, as GLS's existing software and hardware infrastructure could be utilised.

### ***Related provisions***

It is crucial that the breeder licensing system be integrated with the CA Register to ensure breeder licence numbers are linked to the microchip numbers of individual cats and dogs. Consideration should be given to providing access to the CA Register for relevant AWL and RSPCA officers for the purpose of enforcing the licensing system.

There should also be provision for the public to search a database of breeder licences, to determine if a breeder they are dealing with is currently licensed. The possibility of using the GLS for this purpose should also be investigated.

The licensing system should include a strong emphasis on breeder education, linked to a community-wide socially responsible pet education program (see recommendation 15).

### **Rationale**

It is recognised that many responsible breeders operate within NSW. However, there are concerns that some unethical breeders contribute to the stock of unwanted cats and dogs in various ways, including: over-breeding; failure to comply with microchipping and registration requirements, resulting in more 'lost' cats and dogs; and failure to desex cats and dogs not intended for breeding.

Establishing a breeder licensing system would:

- enable better identification of breeders. Currently, the extent of 'puppy farming' in NSW is difficult to determine and enforcement action relies on complaints from the community. A breeder licensing system would ensure that more comprehensive information is recorded on the location and activities of breeders.
- ensure that all breeders comply with standards set out in the Breeder Code. Licensing should discourage less reputable/less sustainable breeders and help to distinguish them from breeders who are able to provide the required level of care for their breeding cats or dogs.
- require breeders to microchip the cats and dogs they sell, which will allow the ownership of animals to be tracked on the CA Register throughout their life, increasing the chance that impounded animals are reunited with their owner.
- bring NSW into line with Queensland and Victoria, and assist in achieving standardised breeder regulations across Australia.

It is noted that section 35(d) of POCTAA provides scope for the establishment of a licensing system for the "control of animal trades" under the relevant regulation.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this proposal. However, 355 Dogs NSW members made submissions requesting an exemption from the breeder licensing requirements to be provided to members of registered breeder bodies. While the Taskforce acknowledges that Dogs NSW members operate under a robust registration system, it is considered essential that no exemptions be made to the proposed breeder licensing system. This will ensure that all breeders who sell cats and dogs operate under the same standards, and make a reasonable financial contribution to the licensing system.

A large number of submissions called for strict licence conditions to be imposed on breeders, including a limit on the number of cats and dogs allowed to be kept per breeder and the introduction of minimum time limits between litters. However, it is considered that tying licence approval to the Breeder Code will sufficiently regulate the conditions under which licensed breeders operate.

The Taskforce has endeavoured to incorporate other common suggestions into the proposed breeder licensing system described above.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 1). For comments made in submissions regarding development control requirements for breeding establishments see option 3.

## **RECOMMENDATION 2**

**The *Animal Welfare Code of Practice – Breeding Dogs and Cats* should be revised to ensure that the existing guidelines it contains become enforceable standards**

### Responsible Minister

Minister for Primary Industries.

### Relevant strategic objectives

SO3. *Improve the ability to trace ownership of cats and dogs throughout their lifecycle*

SO4. *Improve standards for the breeding and sale of cats and dogs*

### Description

Enforceable standards of the *Animal Welfare Code of Practice – Breeding Dogs and Cats* apply to all people who breed cats and dogs for sale. The Breeder Code also indicates a number of industry 'best practices' as guidelines within the document.

The Breeder Code should be revised so that the best practice guidelines it currently contains become enforceable standards. However, it is recognised that some existing guidelines may not be enforceable or may not be able to be worded in such a way that they become measurable standards. It is considered acceptable that these continue to be referred to as 'guidelines' in the revised Breeder Code.

It is also noted that certain legislative procedural requirements would need to be met in updating the Breeder Code, including consultation with AWAC and relevant stakeholders.

The revised standards should form the basis of approval criteria for a breeder licensing system (see Recommendation 1).

### Rationale

- This would ensure a higher standard of care for cats and dogs in the care of breeders.
- As the Breeder Code is already established under POCTAA, it would also provide an easily implemented and enforceable basis for breeder licensing criteria (see Recommendation 1).
- It is important that the current guideline, which strongly encourages the desexing of cats and dogs not intended for breeding, be updated to a standard as this may reduce unwanted litters.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this option but only a very small number of submissions commented in detail.

Submissions overwhelmingly supported making the updated standards in the Code of Practice the basis of approval requirements for a breeder licensing system.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see options 2a and 2b).

### **RECOMMENDATION 3**

**Relevant animal welfare codes of practice should be amended to require the sellers of cats and dogs to display an animal's microchip number (or the licence number of the breeder of an animal) in all advertisements, and at point of sale in the case of pet shops, markets and fairs**

### Responsible Minister

Minister for Primary Industries.

### Relevant strategic objectives

- SO1. Reduce the number of surrendered or abandoned cats and dogs
- SO2. Reduce the number of cats and dogs that are unnecessarily euthanased
- SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle
- SO4. Improve standards for the breeding and sale of cats and dogs
- SO6. Increase compliance with microchipping and registration regulations

### Description

The *Animal Welfare Code of Practice – Breeding of Dogs and Cats*, the *Animal Welfare Code of Practice – Animals in Pet Shops* and the forthcoming *Animal Welfare Code of Practice for Pounds and Shelters* should be updated to require the owners of cats and dogs to display the microchip number of an animal in advertisements, and at point of sale in the case of pet shops, markets and fairs.

However, it is recognised that this requirement may be onerous where a litter of puppies and kittens are being sold. For this reason, it should be permitted that a breeder licence number (see recommendation 1) be used as alternative in advertisements for cats and dogs.

A special category should also be created for animal welfare and rescue organisations and council pounds who advertise cats and dogs. For example, such organisations could be issued with an 'Animal Welfare Organisation advertiser number'.

It is important that this requirement applies to all sales, including those occurring through newspapers, council pounds, animal welfare and rescue organisations, displayed in notice boards, shop windows and over the internet.

To be effective, it is essential that compliance with the advertising requirements be enforced by the RSPCA and AWL. It is considered appropriate that such enforcement activities be resourced from the proposed breeder licence fees (see recommendation 1).

However, it is acknowledged that the requirement may be difficult to enforce in the case of cats and dogs being sold on the internet from locations outside of NSW. Consideration should be given to the establishment of an email address/telephone register for members of the public to report non-compliance, so that action may be undertaken by enforcement agencies.

To further ensure that this requirement is effectively implemented it should be linked to approval conditions of a breeder licensing system (see recommendation 1). If a breeder is found not to have complied with this requirement, their licence may be revoked. The requirement should also be addressed in an information sheet on the advertising and sale of cats and dogs (see recommendation 5).

It is also noted that certain legislative procedural requirements would need to be met in updating the codes, including consultation with AWAC and relevant stakeholders.

#### Rationale

- The mandatory listing of a cat or dog's microchip number or breeder licence number in all advertisements would be an effective way of ensuring compliance with microchipping requirements by the sellers of cats and dogs, and would allow for the easier identification of unethical cat and dog breeders and sellers.
- This requirement may also give purchasers confidence that they are receiving the cat or dog they have paid for, as it would strengthen the ability of purchasers to take legal action against owners in cases of false advertising.
- Concerns about potential increased numbers of surrendered or abandoned litters of cats and dogs are recognised. However, introducing the ability within the cat and dog registration system to trace pets back to their source may also provide alternative means of identifying the owners of cats and dogs. It will also increase the capacity of the Government and enforcement agencies to target education programs and enforcement activities to where they are most needed.
- The risk of the use of fabricated numbers in advertisements by unethical vendors is also acknowledged. However, such cases may be dealt with by enforcement agencies, or by individual consumers under fair trading regulations.

#### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this option. Common suggestions have been incorporated in the proposals outlined above. A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 4).

#### **RECOMMENDATION 4**

**The Companion Animals Regulation should be amended to remove the existing provision that allows recognised breeders to sell unmicrochipped cats and dogs to pet shops**

Responsible Minister

Minister for Local Government.

Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle

SO4. Improve standards for the breeding and sale of cats and dogs

SO6. Increase compliance with microchipping and registration regulations

Description

The existing exemption under clause 12(3) of the CA Regulation from the requirement to microchip cats and dogs sold by a recognised breeder to a pet shop if, at the time of the sale, it is less than 12 weeks old should be removed to ensure that all cats and dogs bred in NSW can be traced back to their breeder.

Rationale

- The current exemption under the CA Regulation represents a significant blockage to ensuring that all cats and dogs are microchipped by those who breed them, meaning that the breeder of a cat or dog may never be known.
- Without this requirement, it is impossible to ensure that the full ownership history of all cats and dogs bred in NSW can be achieved. This can limit the options available to enforcement officers to determine the existing owner of a cat or dog, as the breeder should hold records about who the animal was sold to.
- This approach would link effectively to the requirement for breeders to microchip cats and dogs under a breeder licensing system (see Recommendation 1) and the requirement to display the microchip number or breeder licence number when an cat or dog is sold (see Recommendation 3).
- It is noted that this approach is consistent with PIAA's *Dogs Lifetime Guarantee Policy on Dog Traceability & Re-homing* which commenced in October 2012, requiring PIAA members to source only microchipped dogs from breeders.

Discussion paper submission comments

This option was not canvassed in the discussion paper.

## **RECOMMENDATION 5**

**An information sheet should be issued in relation to the advertising and sale of cats and dogs**

### Responsible Minister

Minister for Primary Industries.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle

SO4. Improve standards for the breeding and sale of cats and dogs

SO5. Improve public understanding of socially responsible pet ownership

SO6. Increase compliance with microchipping and registration regulations

### Description

An information sheet should be issued to support the enforceable standards of the *Animal Welfare Code of Practice – Breeding Dogs and Cats* and the *Animal Welfare Code of Practice – Animals in Pet Shops*, which require information concerning the care of the animal to be provided at the time of purchase.

This document should identify the information that is required to be included in animal advertisements, including a cat or dog's microchip number or breeder licence number (as proposed in recommendation 3) and the information which must be given out at point of sale (see recommendation 6).

The information sheet should also provide best practice examples, including (but not limited to):

- encouraging the sale of cat and dogs sourced from licensed breeders (see recommendation 1), pounds and shelters, and rescue organisations.
- introducing an appropriate 'cooling off' period for the return of cats and dogs.
- ensuring that prospective owners are aware of the true cost of caring for a cat or dog over its lifetime.
- the importance of not giving cats and dogs away (eg: 'free to good home') as this may reduce the perceived value of the animal in the eyes of the new owner, and therefore lead to a reduce level of care for the animal.
- reinforcing mandatory point of sale information with post-purchase veterinary consultations, where practical.

This information sheet should be made available to all sellers of cats and dogs including breeders, pet shops, pounds and shelters, newspapers and internet classified advertisement hosts.

It is crucial that the release of this information sheet be supported by an appropriate level of promotion (eg: a far reaching print, radio and television advertising campaign).

This could also form part of a community-wide socially responsible pet education program (see recommendation 15).

### Rationale

The availability of an information sheet on the advertising and sale of cats and dogs could:

- improve the knowledge of potential buyers about the cat or dog being offered, including the relevant traits of the animal breed or type, which may affect its suitability as a pet and the likely cost of keeping the animal over its lifetime.
- make it easier for cat and dog purchasers to understand what qualities make a good breeder and a suitable cat or dog.
- reduce the number of cats and dogs surrendered to pounds due to incompatibility with owners' situations and lifestyles.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this option.

A large number of submissions suggested the introduction of alternative regulations on the sale of animals, including:

- a. banning the sale of pets from pet shops, markets, fairs and fetes, and
- b. introducing a pet owner licence system.

The Taskforce acknowledges these suggestions. However, suggestion 'a' is not supported as it is considered that the licensing of breeders (see recommendation 1), the mandatory display of a cat or dog's microchip number or breeder number when advertised (see recommendation 3), the proposed guidelines on the advertising and sale of cats and dogs, and the proposed mandatory distribution of standardised information at point of sale (see recommendation 6) will adequately address this issue.

Suggestion 'b' is not supported as it is considered to be onerous for cat and dog owners and difficult to enforce within existing resources. The introduction of annual registration (see recommendation 8) will also assist in more accurately capturing the details of cat and dog owners.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 5).

## **RECOMMENDATION 6**

**Mandatory standardised information on socially responsible pet ownership should be developed to be given out at point of sale**

### Responsible Ministers

Minister for Primary Industries (lead) with Minister for Local Government.

### Relevant strategic objectives

- SO1. Reduce the number of surrendered or abandoned cats and dogs
- SO2. Reduce the number of cats and dogs that are unnecessarily euthanased
- SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle
- SO4. Improve standards for the breeding and sale of cats and dogs
- SO5. Improve public understanding of socially responsible pet ownership
- SO6. Increase compliance with microchipping and registration regulations

### Description

Standardised information on socially responsible pet ownership should be developed and distributed to all sellers of cats and dogs, including breeders, pet stores, pounds and shelters. The cost of developing this material should be met from the CA Fund.



Such information should include (but not be limited to):

- The true cost of caring for an animal over its lifetime.
- General welfare and husbandry.
- The importance of identification and registration.
- Appropriate confinement and housing.
- The importance of exercise.
- The importance of training and socialising cats and dogs.
- The importance of early age desexing and the availability of discounted desexing services.

The standard information documentation should include a declaration for cat and dog owners to sign, attesting that they have read and understood the information provided. While cat and dog sellers should be encouraged to ensure owners sign this declaration, it is acknowledged that for practical reasons this should be a voluntary process.

The distribution of this information should be mandated under the *Animal Welfare Code of Practice – Breeding Dogs and Cats*, the *Animal Welfare Code of Practice – Animals in Pet Shops* and the forthcoming *Animal Welfare Code of Practice for Pounds and Shelters*. This would ensure that the provision of such information would also be a breeder licensing requirement (see recommendation 1). It is important that such information be provided to cat and dog sellers free of charge. It should also be made available in a range of community languages, and widely promoted.

Where practical, point of sale information should be reinforced by a post-purchase consultation with a veterinarian or vet nurse, covering issues such as the importance of desexing, socialisation and cat confinement. Information about where such services can be obtained should be included in the material.

### Rationale

- Standardised information provided at point of sale may prevent the purchase of unsuitable cats and dogs, and ultimately reduce the number of unwanted cats and dogs surrendered at pounds and shelters.
- The enforceable standards of the *Animal Welfare Code of Practice – Breeding Dogs and Cats* and the *Animal Welfare Code of Practice – Animals in Pet Shops* apply to pet shops and breeders who sell cats and dogs. The forthcoming *Animal Welfare Code of Practice for Pounds and Shelters* will include similar standards for pounds and shelters.
- These standards require that information concerning the care of animals is provided at the time of purchase. While suggested topic areas for content are contained in the codes, the actual information provided is up to the individual breeder or proprietor and there may be a variation of quality of content provided.
- The public may not be aware that they are entitled to receive this information prior to making a purchase.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this option. A large number of submissions expressed the view that full disclosure of the expected costs of pet ownership should be included in such information. Other submissions suggested requiring pet owners to sign a declaration that they have read and understood the information they have been given. These suggestions have been addressed in this recommendation.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 13a).

## **RECOMMENDATION 7**

**Relevant animal welfare codes of practice should be updated to require that at least one staff member working in a pet shop, breeding establishment, pound or animal shelter must hold a *Certificate II - Animal Studies* qualification**

### Responsible Minister

Minister for Primary Industries.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO4. Improve standards for the breeding and sale of cats and dogs

### Description

The *Animal Welfare Code of Practice – Breeding Dogs and Cats*, the *Animal Welfare Code of Practice – Animals in Pet Shops* and the forthcoming *Animal Welfare Code of Practice for Pounds and Shelters* should be updated to require at least one staff member on duty at any pet shop, breeding establishment, pound or animal shelter to hold a *Certificate II - Animal Studies*.

It is noted that certain legislative procedural requirements would need to be met in updating the codes, including consultation with AWAC and relevant stakeholders.

This should also be a compliance requirement of the proposed breeder licence system (see recommendation 1).

### Rationale

- The enforceable standards of the *Animal Welfare Codes of Practice - Breeding Dogs and Cats* and the *Animal Welfare Codes of Practice – Animals in Pet Shops* require that staff are knowledgeable and competent to manage the animals in their care.
- The *Certificate II - Animal Studies* qualification adequately meets the education requirements set out in the codes.
- Updating the codes in this way may result in better welfare outcomes for cats and dogs in such establishments.
- This should also improve compliance with the codes and provide consistency in the qualifications of staff in pet shops, pounds and shelters.
- The *Certificate II - Animal Studies* may become a minimum standard for employment in the industry, thereby providing professional development opportunities.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this option. A large number of submissions highlighted that such requirements are considered crucial for pet shops and recommended that at least one person on duty be required to have qualifications. These suggestions have been incorporated in the above proposal.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 14).

## **RECOMMENDATION 8**

**The Companion Animals Act should be amended to require cats and dogs to be registered on an annual basis**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle

SO5. Improve public understanding of socially responsible pet ownership

SO6. Increase compliance with microchipping and registration regulations

### Description

The lifetime registration requirements of the CA Act should be replaced with a requirement for owners to register their cat or dog with their local council on an annual basis. In the case of dogs, registration should continue to be required by 6 months of age. However, for cats, registration should be required by 4 months of age (see recommendation 10).

A suitable commencement date should be set, providing a reasonable transition period. This would allow for the appropriate publicising of the new registration requirements and for administrative arrangements to be put in place, including relevant updates to the CA Register and approved forms.

The annual registration requirement should not be retrospective (ie: annual registration should only apply to cats and dogs that reach the required registration age after the commencement date of the legislation).

The introduction of annual registration would also provide a timely opportunity to review existing registration fees. However, it is considered essential that registration fees continue to be utilised to encourage desexing of cats and dogs (see recommendation 9).

### Rationale

Annual registration of dogs was mandatory in NSW until 1998 under the *Dogs Act 1966*. Lifetime registration was introduced on the commencement of the CA Act as a means to encourage uptake of mandatory registration requirements. While the Taskforce acknowledges that registration numbers have increased steadily since 2001, the existing lifetime registration requirements are considered to be ineffective for the following reasons:

#### *1. Lifetime registration leads to inaccurate CA Register data*

- Annual registration would ensure greater accuracy of CA Register data about cats and dogs and their owners, by requiring owners to regularly update this data. This would:
  - allow better tracking of cat and dog owners through the animal's lifecycle, resulting in animals being more likely to be returned to their owner, which would lead to less animals being impounded and euthanased.
  - improve the ability of council officers to locate and trace dangerous dogs.
  - provide an increased opportunity for councils and the Government to contact cat and dog owners to deliver educational messages or information about animal health and welfare (eg: to notify of disease outbreaks in specific areas).
  - improve human health outcomes through better dissemination of information during outbreaks of diseases which can transfer from humans to animals (eg: rabies, Lyssavirus or Hendra virus).

- Annual registration would also mean that owners are more likely to notify when cats and dogs have died, to ensure that they do not pay an unnecessary registration fee. This would greatly improve the accuracy of deceased animal information on the CA Register, which would help to obtain a clearer picture of cat and dog populations.
- More accurate data would also support the recommended breeder licensing system (see recommendation 1) by allowing the better identification of cats and dogs bred by breeders that are subsequently surrendered to pounds and euthanased for behavioural/medical reasons.
- It is acknowledged that the CA Act requires owners to notify their local council of any changes to a cat or dog's relevant data (eg: change of address, change of owner, or if the animal has died). However, compliance is largely reliant on proactive enforcement by councils, which is not always possible in an environment of limited resources. As annual registration would provide a renewable revenue source for councils, this would encourage councils to pursue those owners who have not paid the registration fee.

*2. Lifetime registration provides a limited incentive for owners to desex their cat or dog.*

- The existing lifetime registration fee structure provides an incentive for owners to desex their cat or dog by way of a heavily discounted registration fee for desexed animals. However, the once-off nature of lifetime registration means that this incentive ceases to apply once the cat or dog is registered, as there is no financial advantage to be obtained by desexing an animal after it is registered.
- Annual registration would make it more attractive for owners to desex their cat or dog due to the cumulative cost of paying a significantly higher annual registration fee for an undesexed animal over its lifetime (also see recommendation 9).

*3. The one-off payment of a lifetime registration fee does not reinforce that owning an animal is an ongoing commitment.*

Requiring cat and dog owners to pay an annual registration fee reinforces the message that owning an animal is a life-long commitment. Highlighting this in mandatory point of sale information (see recommendation 6) may reduce impulse buying of pets by unsuitable owners, which may ultimately result in fewer animals being surrendered to pounds.

*4. Lifetime registration limits the funding available to councils and the Government for cat and dog management purposes.*

Annual registration would have the additional benefit of increasing income to councils for their cat and dog management activities. This would also increase the ability of the Government to fund cat and dog initiatives (including recommendations 13 to 20 of this report), which would be resourced largely from the CA Fund.

*5. Lifetime registration is not required in other jurisdictions.*

Introducing annual registration would bring NSW into line with all other Australian jurisdictions where the registration of cats and dogs is mandatory.

*Discussion paper submission comments*

The option of introducing annual registration was not canvassed in the discussion paper. However, it is acknowledged that submissions were overwhelmingly unsupportive of any suggestion to change existing registration fee levels. It is also recognised that the introduction of annual registration for cats and dogs would generally be unpopular. However, it is considered necessary that annual registration fees should be introduced for the reasons set out in the 'Rationale' section of this recommendation.

A number of submissions suggested alternative measures be introduced to increase cat and dog management related funding, including the introduction of: a surrender tax on breeders who leave cats and dogs at pounds; a State-wide levy on all revenue generating members of the pet industry; and a mandatory animal welfare related council rate.

While these suggestions are acknowledged, they are not supported as the Taskforce considers that the cat and dog registration system should continue to form the basis of the funding model for cat and dog management initiatives.

A summary of comments made in submissions relevant to this recommendation can be found in Appendix 3 (see option 8a).

## **RECOMMENDATION 9**

**Cat and dog registration fees should be reviewed and set at such a level to provide an additional incentive for owners to desex their animals**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO6. Increase compliance with microchipping and registration regulations

### Description

The recommended introduction of mandatory annual registration for cats and dogs (see recommendation 8) would require registration fees to be reviewed across all categories (desexed, undesexed, breeder, pensioner). A key outcome of this review should be to ensure that the registration fee structure encourages greater desexing of cats and dogs.

This could be achieved by setting the undesexed cat and dog registration fee significantly higher than other categories. However, a pensioner concession fee for desexed animals should be maintained at a reasonable level.

The revised registration fee structure would work in tandem with the proposed discounted registration category to encourage the purchase of desexed animals from council pounds and shelters (see recommendation 12).

### Rationale

- Desexing is widely regarded as a key mechanism available to control over-supply in cats and dogs as it prevents future unwanted litters.
- Since 2005, almost half of the new animals recorded on the CA Register have been desexed, which indicates that the scaled registration fees have been a successful mechanism to promote desexing.
- The existing undesexed animal lifetime registration fee of \$150 provides little incentive to animal owners to desex their animals, as the fee is usually substantially lower than veterinary fees for the desexing operation. However, the recommended introduction of mandatory annual registration, including a registration fee for undesexed animals set at significantly a higher rate than that for desexed animals, would make it more attractive for owners to desex their animal due to the cumulative cost impact over time.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly unsupportive of this option. This was in-line with general negative responses observed in relation to proposed changes to the registration fee structure. The high level of dissatisfaction expressed from animal owners on the raising of fees is acknowledged. However, it is considered necessary that the registration fee structure be strengthened to further promote desexing of cats and dogs.

The primary concern expressed in a large number of submissions was that any increase to registration fees may discourage compliance of certain owners with registration requirements, particularly those in low socio-economic areas. This concern is also acknowledged. However, under an annual registration system, owners would have an additional incentive to desex their animals, as they would be eligible for the lower 'desexed' registration fee every year after they have had their animal desexed.

The Taskforce also considers that the introduction of a grant funding scheme for councils and partner organisations to deliver targeted microchipping, registration and desexing programs (see recommendation 13) could significantly negate this risk, as such a scheme would prioritise the delivery of subsidised desexing in areas of need. It is also noted that councils are able to penalise the owners of unregistered animals under the CA Act.

A summary of comments made in submissions relevant to this recommendation can be found in Appendix 3 (see option 8a).

### **RECOMMENDATION 10**

**The Companion Animals Regulation should be amended to require a cat to be registered from the time it is 4 months of age**

#### Responsible Minister

Minister for Local Government.

#### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO6. Increase compliance with microchipping and registration regulations

#### Description

Amending the CA Regulation to require cats to be registered from 4 months of age may significantly assist in reducing the number of unplanned litters of kittens and the development of unwanted behaviours in cats by increasing the number of cats desexed before they reach full sexual maturity.

Registration requirements for cats and dogs are prescribed under section 9 of the CA Act. However, section 9(2) allows the age from which a cat or dog is required to be registered to be changed by way of an update to the CA Regulation. This means that an Act amendment is not necessary to enable this recommendation.

It is acknowledged that, like the recommended introduction of mandatory annual registration for cats and dogs (see recommendation 8), this change would require that councils, registration agents, authorised identifiers and animal owners be educated about the differing registration requirements for cats and dogs. Targeted education for councils, registration agents and authorised identifiers would need to be prioritised by the Division. However, the education of owners could be incorporated into a whole of community socially responsible pet education program (see Recommendation 15).

### Rationale

- The overwhelming majority (98%) of registered cats are desexed<sup>1</sup>. While the registration fee schedule of the CA Regulation provides a financial incentive for owners to desex their cats, the 6 months of age registration requirement is often associated with a view that a cat or dog should not be desexed until it reaches 6 months of age. This means that many cats and dogs are not desexed until they reach that age.
- Unlike dogs, cats can become pregnant as young as 4 months of age and can even become pregnant with a second litter by 6 months of age. However, community awareness of this fact is low and, as a result, many well-meaning cat owners find themselves with unplanned litters of kittens<sup>2</sup>.
- As the CA Act does not require cats to be confined, and because there are many semi-owned, undesexed cats in the community, female cats are at high risk of pregnancy.
- Unplanned litters of kittens feature highly in reasons for surrender or abandonment to pounds and shelters. As the majority of kittens are born between October and March/April there is often a sharp population peak at this time, leading to higher rates of euthanasia. However, it is not possible to quantify how many these kittens are abandoned or ‘given away’.
- By 6 months of age, undesexed male cats will usually have developed a number of behaviours associated with sexual maturity such as spraying, aggression and wandering. These behaviours may cause a cat to be surrendered to a pound or shelter.
- Early-age desexing in cats (from approximately 2 months of age) has been safely practised since the 1980s and is standard practice for animal welfare agencies. Studies have found that there are no significant health concerns associated with early-age desexing in kittens and that there are significant health and behavioural benefits<sup>3</sup>.
- Opportunities for unplanned pregnancies in dogs are limited as they are required to be confined to their property or under the control of a responsible person when outside of their property. Furthermore, there is less consensus in the companion animal industry about the potential health effects of desexing dogs before 6 months of age. Therefore it is proposed the 4 months of age registration requirement apply only to cats.

### Discussion paper submission comments

The discussion paper did not propose a registration requirement for cats by 4 months of age. Instead, a registration rebate for owners who desex their animals within 3 months of registration was proposed (option 7), which was overwhelmingly supported in submissions.

However, the Taskforce accepts concerns expressed by a number of councils about the resource intensive nature of administering such a program. It is also considered that the cumulative cost impact of annual registration for undesexed cats and dogs (see recommendations 8 and 9) will provide an additional incentive for owners to desex their animals (see section 6 of this report ‘Discussion paper options not supported’, and Appendix 3 (option 7) for further information).

<sup>1</sup> Companion Animals Taskforce discussion paper (2012) – Appendix 1 – Companion Animals Register and Impounding Data -

<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Companion%20Animals%20Taskforce%20Discussion%20Paper%20May%202012.pdf>

<sup>2</sup> *Veterinarians role in private practice and shelter medicine* (2010) – UC-Davis Koret Shelter Medicine Program <http://www.sheltermedicine.com/node/54>

<sup>3</sup> *Report on the validity and usefulness of early age desexing in dogs and cats* – Rand and Hanlon (2008) <http://www.uq.edu.au/ccah/docs/15309finalreport.pdf>

## **RECOMMENDATION 11**

**The Companion Animals Regulation should be amended to allow cat and dog registration fees to be indexed to the Consumer Price Index**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO6. Increase compliance with microchipping and registration regulations

### Description

To ensure that registration fees continue to reflect fair value the CA Regulation should be amended to allow fees to be indexed to the Consumer Price Index.

### Rationale

- A significant period has passed since registration fees were last raised (January 2006) and they are significantly lower than those in other jurisdictions.
- It is considered essential that registration fees continue to increase in-line with inflation, so as to ensure the ongoing viability of the CA Fund.
- It is also noted that this approach was recommended in the 2004 review of the CA Act<sup>4</sup>.

### Discussion paper submission comments

While discussion paper submissions were largely unsupportive of this option, very few specific comments were made.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 8b).

## **RECOMMENDATION 12**

**A new discounted registration category 'Desexed animal – purchased from a pound or shelter' should be established to further encourage the purchase of desexed cats and dogs**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO6. Increase compliance with microchipping and registration regulations

### Description

To further encourage desexing, the CA Regulation should be amended to include a *Desexed animal - purchased from a pound or shelter* registration category. This should attract a discounted fee which is less than the standard desexed animal fee.

The discounted fee should be accessible for those owners who purchase a desexed cat or dog from a council pound, the AWL, RSPCA, CPS or from an animal rescue organisation which holds an exemption from registration under clause 16(d) of the CA Regulation.

The annual discounted fee should be applicable for the lifetime of such cats and dogs.

<sup>4</sup> Companion Animals Act Review Report (2004), p31.



### Rationale

- Desexing is widely regarded as a key mechanism available to control over-supply in cats and dogs as it prevents future unwanted litters.
- Registration fees reinforce the concept of socially responsible pet ownership and encourage desexing by way of a discounted fee for desexed cats and dogs.
- Clause 16(d) of the CA Regulation provides an incentive for animal rescue groups to rehome impounded cats and dogs as a means to reduce the number euthanased in pounds. However, there is a need to provide additional incentives for people to adopt impounded cats and dogs.
- It is important to encourage the desexing of impounded cats and dogs. However, mandatory desexing of impounded cats and dogs is not supported as some councils may find such a requirement difficult to resource.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this option. A large number of submissions requested that desexed cats and dogs purchased from animal rescue groups also be eligible for the discounted registration fee. This is supported, in the case of such organisations that hold a clause 16(d) exemption, and has been incorporated into the above recommendation.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 9a).

### **RECOMMENDATION 13**

**A grant funding program should be established for councils and partner organisations to deliver targeted microchipping, registration and desexing programs**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

*SO1. Reduce the number of surrendered or abandoned cats and dogs*

*SO2. Reduce the number of cats and dogs that are unnecessarily euthanased*

*SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle*

*SO5. Improve public understanding of socially responsible pet ownership*

*SO6. Increase compliance with microchipping and registration regulations*

### Description

A portion of the CA Fund should be used to provide grants to councils for the delivery of:

- targeted desexing programs in identified areas of need, in the general cat and dog population and in relation to in-pound desexing before release.
- targeted microchipping and registration programs (eg. free microchipping when paying to register a cat or dog, or in conjunction with subsidised desexing).

Councils should be required to comply with grant application guidelines developed by the Division, which should also manage the program. However, it is noted that additional resources will be required to manage this program, including following-up successful applicants to ensure that outcomes are being achieved. The guidelines should also set out specific reporting requirements to assist the Division in monitoring projects.

Partnership style arrangements should be encouraged, with preference being given to proposals focussing on:

- regional approaches.
- specific programs for remote and rural communities.
- partnerships with veterinarians, and animal welfare and rescue organisations.
- targeting socio-economically disadvantaged areas.

Animal welfare organisations should be advised of the proposed program and encouraged to contact local councils to develop and participate in joint projects. However, such organisations should not be eligible to apply directly for funding.

It is considered vital that the guidelines require that such programs also include a strong educative component to increase the likelihood that information about socially responsible pet ownership is reinforced to the owners of cats and dogs taking part in the programs.

#### Rationale

- Microchipping significantly increases the likelihood of a cat or dog being returned to its owner and registered animals are significantly more likely to be desexed than unregistered animals.
- Such programs allow councils and animal welfare and rescue organisation partners to identify and target high-need areas, and build important relationships with the local community and key stakeholders including veterinarians.
- The availability of adequate funding to support an effective ongoing program may be contingent on the introduction of annual registration and the indexing of registration fees to inflation (see recommendations 8 and 11).

#### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this proposal. A large number of submissions suggested that similar programs run by the UK Dogs Trust be investigated as a model. The Taskforce suggests that this be noted, if the recommendation is supported.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 11).

### **RECOMMENDATION 14**

**Measures should be introduced to improve compliance with companion animal legislation data entry requirements**

#### Responsible Minister

Minister for Local Government.

#### Relevant strategic objectives

*SO1. Reduce the number of surrendered or abandoned cats and dogs*

*SO2. Reduce the number of cats and dogs that are unnecessarily euthanased*

*SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle*

*SO6. Increase compliance with microchipping and registration regulations*

### Description

The following initiatives should be considered to improve compliance with CA Register data entry requirements:

1. Updating the CA Register to:
  - a. streamline data entry processes, particularly through better use of the internet and emerging technologies (eg: smart-phones and tablets), and
  - b. introduce 'self-service' data entry options for cat and dog owners to update their contact details.
2. Encouraging breeder groups and animal welfare organisations listed in the CA Act to become 'registration agents', allowing them to process registration fees and change animal details. It is noted that AWL NSW is currently appointed as a registration agent for this purpose.
3. Establishing a fee for service model for such registration agents to encourage uptake of this role, whereby a small percentage of the registration fee for each cat and dog they process is remitted to them from the CA Fund. However, the majority of the registration fee should continue to be remitted from the CA Fund to the council where the animal resides.
4. Undertaking a campaign to increase compliance with the registration requirements of the CA Act, by targeting the owners of cats and dogs of registration age that are listed on the CA Register as 'microchipped only' (ie: not registered).

It is recognised that suggestion 1 may incur significant costs from the CA Fund and it is suggested that it should be prioritised accordingly. It may be appropriate for this to be undertaken as part of a broader review and update of the CA Register (see 'Matters for further consideration' in section 7 of this report).

Privacy issues would also need to be considered to ensure that access to the CA Register by external parties is limited and only for the purposes of the CA Act.

### Rationale

- Data entry is resource intensive and opportunities exist to streamline arrangements.
- Increased compliance with data entry requirements would mean that cat and dog records on the CA Register are more likely to be up to date, increasing the chance that lost and stray animals are returned to their owners instead of transferred to a pound.
- More registered cats and dogs would increase funds to councils and the CA Fund and improve accuracy of data on the CA Register.
- Increased data entry by registration agents, veterinarians, authorised identifiers, breeders and cat and dog owners should reduce the administrative burden on councils.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of the proposal to encourage breeder groups and animal welfare organisations listed in the CA Act to become 'registration agents'. However, no clear support was expressed for the proposal to establish a fee for service model to encourage uptake by such registration agents.

The proposal to introduce owner self-service data entry for change of owner details was strongly supported in submissions. A number of submissions noted that such a system could operate in a similar way to the existing motor vehicle registration renewal system.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see options 10a, 10b and 10c).

## **RECOMMENDATION 15**

### **A community-wide socially responsible pet ownership education campaign should be developed**

#### Responsible Ministers

Minister for Local Government (lead) with Minister for Primary Industries.

#### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle

SO4. Improve standards for the breeding and sale of cats and dogs

SO5. Improve public understanding of socially responsible pet ownership

SO6. Increase compliance with microchipping and registration regulations

#### Description

Existing research on community awareness programs and attitudes to cat and dog welfare should be reviewed with a view to devising a holistic, community-wide education program on socially responsible pet ownership.

The campaign should focus on issues including (but not limited to):

- the benefits of owning cats and dogs.
- choosing an appropriate cat or dog.
- general welfare and husbandry.
- the importance of identification and registration.
- appropriate confinement and housing (also see recommendations 17 and 21).
- the importance of exercise.
- training and socialising cats and dogs.
- the importance of early-age desexing and the availability of discounted desexing services.
- breeder education (also see recommendation 1).

The campaign should be named in such a way to improve recognition and be supported by advertising, including a comprehensive multi-media component. A register of veterinary practices where community languages are spoken should also be developed to support the campaign.

The campaign should run in tandem with the existing socially responsible pet ownership schools-based education program. This program provides important relevant messages to children aged 5 to 7 years but should also be expanded to cover preschool aged children (see recommendation 16).

Relevant agencies should be approached to assist in identifying strategies to refine the campaign for people from culturally and linguistically diverse backgrounds. This should include identifying community workers and 'ambassadors' in local communities and promotion through community language publications and radio.

It is recognised that such a campaign would be costly to implement. However, costs may be off-set by increased funds arising from the introduction of mandatory annual registration for cats and dogs (see recommendation 8). Consideration should also be given to seeking support from the private sector, including media organisations.

### Rationale

- Comprehensive community education is considered essential to reducing the number of unwanted cats and dogs as it can improve understanding of the consequences of irresponsible pet ownership.
- Providing relevant messages to the community over the long-term may lead to:
  - a reduction in the number of people purchasing unsuitable cats and dogs, meaning they are less likely to be surrendered to council pounds.
  - increased microchipping, registration and desexing, thereby reducing the number of unwanted litters and increasing the number of pets returned to owners.
  - a deeper awareness of the importance of pets to people and increased respect for animals.

### Discussion paper submission comments

Discussion paper submissions were almost unanimous in their support for this proposal. A large number of submissions indicated that the campaign should emphasise the importance of desexing and the full disclosure of expected costs of owning a cat or dog over its lifetime. This is supported.

A large number of submissions also suggested overhauling current education priorities in this area to change the emphasis from dangerous dogs to socially responsible pet ownership. However, the Taskforce notes that while a key focus of the existing school-based education program is on dog bite prevention, it also contains key messages relating to socially responsible pet ownership, including choosing an appropriate pet, the importance of identification and registration, confinement and housing, and exercise and training.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 12a).

## **RECOMMENDATION 16**

**The socially responsible pet ownership school-based education program should be expanded to include the preschool age group**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO5. Improve public understanding of socially responsible pet ownership

SO6. Increase compliance with microchipping and registration regulations

### Description

In conjunction with the community-wide socially responsible pet ownership campaign (see recommendation 15), school-based education programs should be expanded to cover preschool age children.

### Rationale

- The existing socially responsible pet ownership schools-based education program contains important messages about dog bite prevention and responsible pet ownership. The program also provides material for children to take home to engage other members of the family in learning about these issues.
- Expanding such programs to preschool aged children would mean key socially responsible pet ownership messages are introduced to children and their families as early as possible and reinforced across their early school life.

### Discussion paper comments

Discussion paper submissions were almost unanimous in their support for this proposal. A large number of submissions suggested that the program include statistics on the number of cats and dogs killed in pounds each year. While it is considered important to inform the public of the severity of cat and dog euthanasia, it is not considered appropriate to target this information at preschool and school aged children. However, consideration may be given to including such information in take home material provided to parents.

Other submissions suggested that the program target high school children. However, it is noted that the existing program is tailored for the understanding levels of younger children. Consideration may be given to providing incentives for companion animal industry groups to target relevant education programs to senior primary and high school students.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 12b).

## **RECOMMENDATION 17**

**Comprehensive education material about the importance of confining cats to their owner's property should be developed**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

*SO1. Reduce the number of surrendered or abandoned cats and dogs*

*SO2. Reduce the number of cats and dogs that are unnecessarily euthanased*

*SO5. Improve public understanding of socially responsible pet ownership*

### Description

Funding from the CA Fund should be allocated to the development of initiatives to encourage owners to confine cats to their property, such as:

- providing specific educational material to cat owners at point of purchase on the benefits of confining cats, particularly at night (also see recommendation 6). This issue could also be addressed in a whole of community socially responsible pet ownership education campaign (see recommendation 15).
- providing guidance for cat owners on the construction of cat shelters and runs.
- providing funding to councils to implement cat management programs as part of a grant funding program (see recommendation 13).

### Rationale

- The confinement of cats, particularly at night, is considered to be central to responsible cat ownership as it can reduce the number of unwanted litters of kittens and the impact of cats on wildlife and social amenity.
- Mandatory confinement is considered to be an inappropriate regulatory response as it is difficult to enforce, particularly as councils already face competing demands for limited resources.
- There is a general lack of education material available to cat owners, to advise them on key cat management issues.
- Improved education material and resources for cat owners may:
  - reduce the number of unwanted cat litters, thereby reducing the number of impounded cats who are subsequently euthanased.
  - reduce the impact of cats on wildlife.
  - result in general improvements in feline health and social amenity.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this proposal. Submission comments focussed on the need to address cat issues in the CA Act, including; semi-owned, un-owned and undesexed cats; strengthening wildlife protection zone provisions, and encouraging trap-neuter-return programs.

These suggestions are noted. The Taskforce has flagged the development of further cat management options as a matter for further consideration (see section 7 of this report).

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see options 19a and 19b).

## **RECOMMENDATION 18**

### **Funding should be provided for research into key cat and dog issues**

#### Responsible Minister

Minister for Local Government.

#### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO5. Improve public understanding of socially responsible pet ownership

#### Description

A portion of the CA Fund should be set aside annually for the purpose of funding a grant program for research on key cat and dog issues. Such funding should be open for applications, which would be assessed on merit against relevant guidelines.

#### Rationale

- Quality research around key cat and dog issues is often undertaken by interested people from within the community or by students and academics. However, there is potential for a wider scope of cat and dog issues to be identified and researched.
- Funding for research into cat and dog issues is limited and does not always address factors which may assist the development of good policy for industry, welfare agencies and Government.
- This would be a positive use of the CA Fund which would benefit the whole community and guide policy development.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of the proposal to set aside money for cat and dog related research. A large number of submissions emphasised that funded research should be focussed on practical solutions to the euthanasia of impounded cats and dogs, and pet over population issues. It is suggested that this be addressed in relevant criteria set out in the guidelines.

Other submissions suggested that a portion of such funding should instead be set aside to cover the veterinary bills of people who rescue injured wildlife. While this view is acknowledged, it is not supported in the face of other resourcing priorities.

Submissions were mixed on the question of whether research funding should be limited to key organisations or individuals.

Other submissions indicated that funding should not be made available to the RSPCA NSW, ACAC, PIAA, Dogs NSW or “other organisations with a vested interest in money making”. The Taskforce contests the veracity of this allegation in relation to the listed organisations. However, the suggestion of limiting funding to research which demonstrates a clear outcome on key cat and dog issues is supported and criteria should be articulated in relevant guidelines.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see options 15a and 15b).

## **RECOMMENDATION 19**

**Better practice guidelines should be issued to councils with a view to standardising impounding practices**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

### Description

The Division should issue a better practice guideline to councils in an effort to standardise council impounding practices. Such guidelines should highlight key practices including (but not limited to):

- encouraging councils to enter into arrangements with animal welfare and rescue organisations for the purposes of re-homing impounded cats and dogs.
- focussing on regional approaches to impounding through partnerships with nearby councils and animal welfare organisations.
- implementing foster care programs, where appropriate.
- the humane euthanasia of cats and dogs.
- assessing the suitability of cats and dogs for re-homing.
- advertising cats and dogs available for rehoming (including online advertising).
- utilising appropriately qualified volunteers.
- the importance of regular training for staff and volunteers.
- ensuring that pounds are accessible to members of the public, especially through appropriate opening hours.



It will be important to ensure that such guidelines are consistent with the requirements of the forthcoming *Animal Welfare Code of Practices for Pounds and Shelters*.

### Rationale

- Under the CA Act, councils are obliged to seek alternatives to euthanasia for impounded cats and dogs. However, as councils are independent statutory bodies, it is a matter for each council to determine its approach to impounding in consultation with local communities.
- It is also recognised that council cat and dog impounding and re-homing services are funded from a limited pool of resources and councils have varying abilities to fund their impounding facilities in light of other resourcing demands.
- The Division's Promoting Better Practice program may be able to identify good practice examples of council impounding services, which should be passed on to councils in a consolidated format.
- The production of such material would be consistent with similar guidance to councils issued by the Division on other issues (eg: council meeting practice).
- The introduction of standardised impounding practices may result in increased re-homing rates and better welfare outcomes for impounded cats and dogs, including a reduction in the number of cats and dogs euthanased in pounds.
- Practices such as entering into partnership arrangements with animal welfare organisations may free up council resources to be re-directed to services such as the collection of stray and injured cats and dogs, which can sometimes fall to veterinarians and animal welfare organisations.
- Encouraging regional approaches to impounding may also allow councils to take advantage of cost-efficiencies.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of the proposal to encourage greater collaboration between councils and animal welfare organisations on the delivery of impounding and re-homing services to reduce euthanasia rates. However, numerous submissions suggested that a number of conditions should be placed on councils with regard to the operating of their pounds, such as the mandatory adoption of 'Getting to Zero' or 'No-kill' policies by pounds.

The Taskforce acknowledges these suggestions but considers that better practice guidelines would be a more appropriate initiative. However, many of the suggestions made in submissions have been incorporated into the above recommendation.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 16).

## **RECOMMENDATION 20**

**The Companion Animals Register should be updated to provide a centralised impounded animal management tool for use by all relevant councils, State agencies and animal welfare organisations**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

### Description

A centralised impounded animal management tool, available to all councils, relevant State agencies and animal welfare organisations should be developed. This would provide for consistent data collection across all agencies, meaning that all relevant data could be considered in the policy development process. Such a tool would also streamline work practices for some impounding facilities, particularly those reliant on paper-based record keeping systems.

Consideration should be given to expanding the CA Register's capability to include this tool and to integrate with third party data collection systems currently used by pounds (for example, for the processing of impounded cats and dogs and the collection of impounding data). However, it would be crucial that an integrated impounded animal management tool provides a generic interface for all front-end users to reduce duplication in work practices and to streamline training requirements.

Any such system would need to ensure that it avoids creating additional work for pound/shelter staff. It is also important that such a system be supported by relevant user education, including the development of a data dictionary to ensure users consistently apply the system.

### Rationale

- The collection of detailed data on impounded cat and dogs by all councils and animal welfare organisations is essential to understanding the scope and reasons for unwanted cats and dogs, and for developing appropriate policy responses.
- A centralised impounding management tool would provide for consistency in data collection across all impounding agencies and allow for standardised data entry and analysis of impounding data. This could allow more targeted and effective policy responses to be developed to reduce impounding and euthanasia rates.
- The CA Register may be a suitable platform for this purpose as it has the structural capacity to incorporate additional modules (such as the existing dog attack reporting module). The CA Register may also be easier and less costly to adapt than the development of a new collection tool. However, if this option is pursued, it may be appropriate for such a tool to be developed as part of a broader review and update of the CA Register (see 'Matters for further consideration' in section 7 of this report).
- It is recognised that the existing provisions of the CA Act may restrict the development of the CA Register in this way, particularly with regard to access for non-council staff due to privacy legislation requirements. However, in recognition of the benefits of such a system, it is recommended that consideration be given to amending the legislation to allow use of the CA Register for this purpose.

Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of this proposal. Numerous submissions suggested that it be made compulsory for pounds to keep records of why they euthanase cats and dogs. However, it is noted that the Division's existing mandatory council pound data survey requires councils to identify the number of cats and dogs they euthanase each month, based on the following categories: restricted dogs; dangerous dogs; euthanased at owners request; euthanased (unsuitable for rehoming); euthanased (unable to rehome), and: euthanased due to illness/disease or injury.

This data is reported on a State-wide and regional basis as part of the Division's annual *Analysis of Council Data Collection System for Seizures of Cats and Dogs* report.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 17).

**RECOMMENDATION 21**

**The Ministers should write to the Minister for Fair Trading to request that barriers to cat and dog ownership in relation to residential tenancy laws be reviewed**

Responsible Ministers

Minister for Local Government and Minister for Primary Industries.

Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO5. Improve public understanding of socially responsible pet ownership

Description

The Ministers should write to the Minister for Fair Trading to request that the *Residential Tenancies Act 2010* and *Strata Schemes Management Act 1996* be reviewed to remove existing barriers to cat and dog ownership in rental and strata accommodation.

The review should include:

- prohibiting the ability of strata schemes to introduce by-laws to ban pets.
- introducing a pet bond system, similar to that operating in Western Australia, to provide a financial incentive to counter landlord concerns about pet-owning tenants.
- the Office for Fair Trading promoting any changes to existing requirements in a campaign which targets all relevant groups including landlords, tenants and real estate agents.
- engaging relevant industry bodies to develop and implement education, as part of a community-wide socially responsible pet ownership education campaign (see recommendation 15), which address issues such as:
  - assisting cat and dog owners living in units and rental accommodation to become better neighbours/tenants by ensuring they provide appropriate environmental enrichment and care for their cats and dogs.
  - the advantages of preparing a pet resume that shows their cat or dog will be a good tenant.
  - emphasising to landlords and real estate agents that by excluding cat and dog owners they are limiting the potential pool of good tenants.

### Rationale

- Pet-unfriendly rental accommodation and strata-titled housing (whether owned or rented) contributes to the surrender of owned pets, and appears to be a significant factor inhibiting the adoption of cats and dogs from pounds and shelters.
- Removing cat and dog ownership barriers for renters could increase overall demand for animals and reduce the number of animals surrendered to pounds where they were previously unable to be kept by their owners.
- A pet bond scheme may allay some landlord concerns about cat and dog owning tenants.
- It is acknowledged that there may be ongoing resistance from strata/owner bodies to adopt such schemes. However, appropriate education may assist.
- Other factors will also need to be considered, including:
  - ensuring the cost of pet bonds does not act as a barrier for cat and dog owners.
  - the cost and/or administrative burden of pursuing damages from tenants where they are over and above the bond amount may be prohibitive, and thus some landlords may support the continuation of a 'no pets' policy.
  - the management of noise from pets being kept in units.
- The relevant legislation falls within portfolio responsibilities of the Minister for Fair Trading.

### Discussion paper submission comments

Discussion paper submissions were overwhelmingly supportive of these proposals. The Taskforce has attempted to address the specific concerns raised in a small number of submissions in the 'Rationale' section of this recommendation.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see options 18a, 18b and 18c).

## **RECOMMENDATION 22**

**An ongoing reference group on cat and dog management issues should be established**

### Responsible Minister

Minister for Local Government.

### Relevant strategic objectives

SO1. Reduce the number of surrendered or abandoned cats and dogs

SO2. Reduce the number of cats and dogs that are unnecessarily euthanased

SO3. Improve the ability to trace ownership of cats and dogs throughout their lifecycle

SO5. Improve public understanding of socially responsible pet ownership

SO6. Increase compliance with microchipping and registration regulations

### Description

An ongoing reference group on cat and dog management issues should be established to aid future policy and legislative development and review. However, it would be important to ensure that the group does not duplicate the work of AWAC, which advises the Minister for Primary Industries on animal welfare issues.

The terms of reference of the group could include providing advice and information on the implementation of relevant recommendations arising from the Taskforce process, the ongoing monitoring of cat and dog legislation, and advocacy on cat and dog management issues which fall under federal legislation (eg: transport of pets on aircraft).

As well as relevant government agencies, such a group should include representation from across all sectors of the companion animal industry. While it is recognised that the group's membership may need to be limited to ensure its effectiveness, it should be able to call on relevant experts as necessary.

### Rationale

- The welfare of cats and dogs, their relationship to human wellbeing and social amenity relate to a number of Ministerial portfolios, including Planning and Infrastructure, Primary Industries, Local Government, Fair Trading, Housing, Health, Transport and Police.
- Such a group would provide the industry with the opportunity for an ongoing dialogue with Government about cat and dog management and welfare issues. It would also inform a whole-of-government approach to cat and dog issues.

### Discussion paper submission comments

Submissions were overwhelmingly supportive of this proposal. However, a large number of submissions expressed the view that animal rescue group representatives should be included on such a group. Other submissions criticised the Companion Animals Taskforce as not representative of the range of views in the industries.

It is suggested that the Minister for Local Government take these comments into consideration in determining the make up of such a group, if this recommendation is supported.

A summary of comments made in submissions regarding this recommendation can be found in Appendix 3 (see option 20).

## 6. DISCUSSION PAPER OPTIONS NOT SUPPORTED

This section explains why certain options raised in the discussion paper were ultimately not supported by the Taskforce. A summary of comments made in submissions regarding individual options referred to below can be found in Appendix 3.

### **Option 3 – Issue guidance on planning legislation requirements relating to the approval of commercial breeder, boarding and shelter premises**

Further consultation has been undertaken with the NSW Department of Planning and Infrastructure (DP&I) regarding concerns raised in section 2.1.2 of the Taskforce discussion paper about a NSW Land and Environment Court judgement which implied that, under certain circumstances, particular animal housing developments may not need council development approval.

DP&I advises that the State-wide 'Standard Instrument' used by councils in the drafting of new local environment plans (LEPs) includes the following definition of an **animal boarding or training establishment**:

*a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.*

DP&I also advises that animal shelters of a certain size and standard in certain zones are considered 'exempt development' under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Division 1, Subdivision 3A), meaning that such premises are not required to obtain development approval from councils.

Many councils provide specific guidelines on the keeping of domestic animals through their Development Control Plans or other local policies. DP&I advises that councils with Standard Instrument LEPs in place have not raised any issues about the definition to date.

DP&I considers that this sufficiently clarifies the applicability of development control processes to breeding establishments. The Taskforce is satisfied that this adequately addresses the concerns raised in the discussion paper.

However, the Taskforce recognises that the ability of councils to regulate commercial breeding, boarding and shelter premises through the development approval process, in accordance with their powers under the *Environmental Planning and Assessment Act 1979* is a crucial component in the overall regulation of such businesses. Therefore, it is considered essential that proof of compliance with council development control requirements for a breeder's premises (unless the premise is 'exempt development') should be a breeder licence condition (see recommendation 1).

### **Option 6 - Remove existing two-step registration process to require microchipping and registration of cats and dogs by 3 months of age**

The purpose of this option was to work in conjunction with option 7 (see below) to provide an additional incentive for owners to desex their cats and dogs, and by extension prevent unwanted litters through early-age desexing. The Taskforce did not support this option as the cumulative cost of annual registration for undesexed cats and dogs is considered to provide a more effective incentive for owners to desex their animals (see recommendations 8, 9 and 11).

Concerns raised in some submissions that this option may confuse members of the public who have recently begun to understand the two-step registration process are also acknowledged. However, any confusion arising from the recommended lowering of the mandatory registration age for cats to 4 months of age (see recommendation 10) could be effectively addressed by community education (see recommendation 15).

### **Option 7 – Provide a registration fee rebate for owners who desex their animals within 3 months of registration**

While this option was overwhelmingly supported in submissions, the Taskforce did not support this option primarily for the reasons outlined under option 6 (above). However, concerns expressed by a number of councils about the potentially significant administrative burden such a system may impose on councils, especially with regard to financial receipting, are also acknowledged.

A large number of submissions suggested alternatives to this proposal; primarily that mandatory desexing should be introduced for all impounded cats and dogs. While the Taskforce acknowledges the intent of this suggestion, it is not considered practical as councils face varying resourcing demands and therefore may not be able to meet this requirement.

Calls made in submissions for the introduction of general mandatory desexing are also not supported. As noted in section 4.1.3 of the discussion paper, there is debate on the effectiveness of mandatory desexing as a regulatory tool. Targeted desexing programs and other recommendations raised in this report are considered to be a more effective way to increase desexing rates.

Other common suggestions included introducing high-volume, low-cost desexing programs similar to those run in the USA and NZ, and providing more funding for subsidised desexing. These issues are considered to be adequately addressed by the recommendation to establish a grant funding program councils to deliver targeted microchipping, registration and desexing programs (see recommendation 13).

### **Option 9b – Introduce a ‘Desexed animal – post-purchase consultation by owner’ discounted lifetime registration category to encourage desexing**

Discussion paper submissions strongly supported this option. However, the Taskforce did not support this option as its delivery would be resource intensive and it may be difficult for councils to be satisfied that owners claiming they have attended such a consultation have genuinely done so.

It is also considered that the publication of an information sheet on the advertising and sale of cats and dogs (see recommendation 5) and the mandatory standardised information for distribution at point of sale (see recommendation 6) would adequately address this issue within available resources.

### **Option 13b – Introduce post-purchase consultations as a means to reinforce mandatory socially responsible pet ownership information provided at point of sale**

While there was a large amount of support expressed for this option in submissions, a number of submissions also expressed concern that this may be difficult to enforce due to the high numbers of animals sold.

The Taskforce considers that it would be more effective for the recommended information sheet on animal advertising and sale (see recommendation 5) to suggest that pet shops encourage post-purchase consultation as a means to reinforce socially responsible pet ownership message, where practical. The recommended mandatory standardised information for distribution at point of sale (see recommendation 6) should also contain information about where such services can be obtained.

**Option 19a – Amend the CA Act to provide councils with the option to impose local orders on cat owners to confine their cats, where this approach is considered appropriate and enforceable**

It is recognised that such an initiative may provide councils with the option to implement cat management strategies where communities identify roaming cats as a problem. However, the Taskforce noted views expressed in a number of submissions and by numerous councils that such orders would be difficult to enforce.

The Taskforce was also concerned that implementing such an initiative would result in inconsistent laws for cats across council areas, potentially leading to community confusion on local requirements. However, the Taskforce has flagged the development of further cat management options as a matter for ongoing consideration in section 7 of this report.

## **7. MATTERS FOR FURTHER CONSIDERATION**

The Taskforce identified the following issues as requiring further consideration.

**a. Allowing cats and dogs to be kept in retirement villages and nursing homes**

Support for this issue was raised in numerous submissions. At present there are a variety of barriers to the keeping of cats and dogs in retirement villages and nursing homes, including the presence of local by-laws prohibiting pets. This may mean that people moving into such accommodation are required to relinquish ownership of their pets. As well as the obvious distress this may cause, it can also lead to increases in the number of cats and dogs that are impounded.

It is acknowledged that allowing cats and dogs in such establishments may have particular benefits for some residents, particularly with regard to general and mental health. However, concerns about equity of access to cats and dogs for residents, and relevant health and safety regulations would also need to be taken into consideration.

*It is suggested that this issue be given further consideration by the recommended ongoing companion animal management reference group (see recommendation 22).*

**b. Release of the *Animal Welfare Code of Practice for Pounds and Shelters***

A number of submissions recommended that the *Animal Welfare Code of Practice for Pounds and Shelters* be finalised to assist in clarifying requirements for such establishments.

It is also noted that the introduction of annual registration for cats and dogs (see recommendation 8) may assist councils in meeting the standards of the new Code, as there is scope for councils to apply cat and dog registration revenue for this purpose.

*It is suggested that the Minister for Primary Industries consider prioritising the release of the Code. However, as recommendations in this report impact on the Code (see recommendations 3, 6 and 7), it is suggested that the Minister also refers the draft Code to AWAC for urgent review prior to release.*



### **c. Developing further options for the management of cats**

A variety of opinions were expressed in discussion paper submissions with regard to cat management options. The Taskforce considers that lowering the mandatory registration age for cats to 4 months of age (see recommendation 10) will encourage early desexing of cats, and providing education material to cat owners on the importance of cat confinement (see recommendation 17) will assist in preventing unwanted litters of kittens.

It is acknowledged that there remains scope to address cat management issues, particularly with regard to limiting the impact of cats on wildlife. However, it is recognised that any substantial changes to existing cat management regulations would require a significant update of the CA Act and CA Regulation.

*It is suggested that the recommended ongoing cat and dog management reference group (see recommendation 22) give further consideration to this issue, including undertaking consultation with relevant stakeholders including councils, wild-life protection groups and animal welfare and rescue groups.*

### **d. Comprehensive review and update of the CA Register**

Since its introduction in 1999, the CA Register has grown from being purely a database of microchipped and registered cats and dogs (in-line with the requirements of the CA Act), to a more comprehensive cat and dog management and enforcement tool for authorised users. Examples of recent modifications which have significantly enhanced the functionality of the CA Register include providing access to veterinarians and other approved persons to search the microchip details of lost cats and dogs, and the dog attack incident reporting and pound data reporting modules for councils.

This report makes a number of recommendations which include updates to the CA Register (see recommendations 1, 8, 10, 12, 14 and 20). However, the Taskforce also suggests that it may be appropriate for a more wide-ranging review and update of the functionality and structure of the CA Register to be undertaken to ensure it remains effective into the future.

The Taskforce highlights that the CA Register is built around an aging software platform. To ensure that it can integrate with current and emerging technology used by councils for cat and dog management and enforcement purposes, the CA Register may need to be updated. This technology includes devices such as smart phones, tablets and other mobile computing technology. It will also be important to ensure that the CA Register interface is current and supports authorised user needs, particularly as they grow increasingly accustomed to more dynamic software applications in their work and personal lives.

*It is suggested that the Minister for Local Government consider prioritising a comprehensive review and update of the CA Register. This process should be led by the Division and be undertaken in consultation with the relevant stakeholders including councils, veterinarians, authorised identifiers and registration agents.*

## **8. DANGEROUS DOG MANAGEMENT**

The Taskforce has identified the issue of dangerous dog management as one requiring further consideration. However, due to the complexity of this issue, the Taskforce has determined that it will deal with this as a separate issue. The Taskforce has commenced deliberations on this issue and advice is expected to be provided to the Minister for Local Government by the end of 2012.