



Hunter Bird Observers Club

Affiliated with BirdLife Australia

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The Hon. Ron Hoenig MP

Leader of the House in the NSW Legislative Assembly
Vice-President of the Executive Council
Minister for Local Government

Review of the NSW Companion Animals Laws

Dear Minister,

We applaud the NSW Government's commitment to review the Companion Animals Act 1998, and we are grateful that our organisation may make a submission.

We fully support the Key focus areas for change described in the Discussion Paper (Feb. 2025) and understand and support the range of important matters to be considered in order "to provide for the effective and appropriate care and management of companion animals".

Without any wish to diminish high priority issues such as dangerous dog management and control, pound management and rehoming etc, which are not within our expertise, we would like to focus our submission on the opportunities provided by the Review and the impact a revised Act could have on the welfare of native birds and animals, also a stated aim of the Review.

Both domestic cats and dogs currently have a significant impact on native birds and animals, and the first focus area for change as outlined: "a strategic framework for encouraging responsible ownership of companion animals" is surely key. Success there would undoubtedly reduce the burden on the compliance and enforcement role of Councils, the pressures on Pounds and rehoming and also minimise the impact on native birds and animals.

Here we outline the challenges we consider vital for the Review.

1. Domestic Cats

There is strong consensus that cats are a major threat to Australia's wildlife. Cats have played a leading role in most of Australia's 34 mammal extinctions since 1788 and are playing a major role in the on-going decline of over 230 threatened native species, and many non-threatened species. The loss of this biodiversity degrades our ecosystems and diminishes both the character

of the places we live and the natural places we value and love to visit.

While both feral and pet cats contribute to the problem, there is now a wealth of sound research, including Australian Government funded research, to indicate the extent of the problem, emphasising that domestic cats living near bushland roam further and hunt more frequently, reducing the value of natural areas that should be havens for wildlife and that are also favoured recreational places for people.

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

In the bush there is only one feral cat for every three to four square kilometres, so even though each individual feral cat kills about four times more animals per year than a domestic cat, cats inflict a much higher toll per square kilometre in suburbs than in the bush. Roaming and hunting domestic cats kill 30 – 50 times more native animals per square kilometre in suburbs than feral cats kill per square kilometre in the bush. In summary, the most recent research tells us that:

- Total domestic cat population (Australia): 4.9 to 5.3 million
- Percentage of domestic cats that roam away from home: 71 to 78%
- Kill rate per roaming and hunting cat: 186 animals per year (reptiles, birds and mammals – the majority native).

In a Media Release (2nd June 2022) the former State Environment Minister James Griffin, confirmed these statistics and that nationally, domestic cats kill approximately 390 million animals every year. Other research quotes 546 million animals in total of which 323 million animals are native species. Either number is horrific in terms of biodiversity loss and the impact on local and national extinctions.

There is more that we could submit as evidence, but we are far from alone in advocating change and while there is no doubt that domestic cats are valued companions; while roaming they are also at risk from accident, attack by dogs and disease. For the benefit of our environment and it seems the health and welfare of the cats themselves, there must be greater focus on containment and if that is best managed by empowering Local Government it is imperative that happens without further delay. Each day's delay sees an estimated 180,000 native animals killed in the Greater Sydney area alone (Legge 2023).

Local Government NSW (LGNSW) has also consistently identified the need for stronger legislation. Their policy platform advocates for “amendments to legislation to enable councils to more effectively manage the nuisance effects of cats on residents and wildlife, including...limiting the roaming of cats beyond their owner's property”. Local Government will no doubt make their own positive contributions to the Review and as indicated in the Discussion Paper, there will also be valuable input on appropriate containment strategies from the current Legislative Council Enquiry into the management of cat populations in New South Wales.

We should also mention briefly the impact of domestic cats on human health through the transmission of cat diseases such as toxoplasmosis. Perhaps a separate issue, though critically important for consideration in the debate about appropriate confinement. As an unsavoury example, unconfined cats either domestic or feral using children's sandpits and gardens as litter trays presents significant risk.

We understand that there is currently no capacity in NSW legislation to enforce cat containment. Minor amendments to the current Act could equip local government with the necessary powers to consider and enforce appropriate cat containment at a local council level. Clearly statewide legislation would be preferred. Neither cats nor wildlife understand Local

Government boundaries.

Appropriate containment may be the only way to stop domestic cats from hunting and killing native species.

2. Domestic Dogs

While there are certainly many instances of off leash dogs pursuing native animals, the major threat from dogs is to our beach-nesting birds. The NSW coast is home to several rare and threatened bird species such as the Little Tern, Hooded Plover, Australian Pied Oystercatcher and Beach Stone-curlew, amongst others.

All nest on the ground, frequently on ephemeral sand spits and dunes and most nests are merely a scrape in the ground, with well camouflaged eggs matching surrounding shell fragments, pebbles and marine debris. Both eggs and chicks are highly vulnerable to disturbance and predation. Some, such as the Little Tern may nest in colonies, and for all species, breeding success is poor and numbers are declining as threats increase.

One of the biggest threats is disturbance by domestic dogs. These vulnerable birds nest along the shore in summer, the peak season for recreational use of our beaches.

On average, off-leash dogs cover more ground than a person (owner) walking due to their exploratory movements around the beach from water and shoreline to dunes, this greater use of the upper beach and dune by dogs off leash means that there is a higher likelihood of dogs encountering and crushing and/or predating eggs and chicks. It is also a contributing factor to the higher disturbance created by dogs.

If Adult birds are disturbed from nests, eggs and chicks become vulnerable to predation and nests may be abandoned completely if disturbance is extreme.

The NSW National Parks and Wildlife Service and many dedicated volunteer organisations try very hard to identify and mark vulnerable breeding sites and to educate the public about responsible dog ownership.

Protection is difficult where owners feel an entitlement to public open area access and where off-leash exercise is considered important for their dogs. Balancing conflicting needs for the use of our beaches while protecting the environment and the native birds and animals that inhabit it is a particular challenge for the Review.

A designation of appropriate No dog, On leash and Off leash beaches may be the only solution perhaps modified by time of year. Enforcement will be necessary in combination with suitable compliance penalties.

If we wish to preserve the natural world we all enjoy and prevent further extinctions, there will unfortunately need to be appropriate constraints on our domestic animals and their owners. Responsible owners should have few objections as the welfare of their pets would also be enhanced.

Graeme Stevens

(for HBOC Conservation Sub-Committee)

7th April 2025

References:

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About the Hunter Bird Observers Club

Hunter Bird Observers Club Inc. (HBOC) was established in 1976 and is the largest bird interest group in the Hunter Region with a membership base of 400 members. HBOC is affiliated with Australia's peak bird interest organisation, BirdLife Australia, which has a membership of over 16,000 and a supporter base of over 170,000.

Aims of HBOC

1. *To encourage and further the study and conservation of Australian birds and their habitat*
2. *To educate members and the public, encouraging an interest in Australian birds & their habitat*

Activities include monthly regular outings, evening meetings, camps and field studies. HBOC promotes systematic field studies which include regular surveys by volunteers from the membership.

All data gathered from field studies are entered into the national bird record database administered by BirdLife Australia; Birddata <https://birddata.birdlife.org.au/>. Data are used to underpin conservation issues and HBOC promotes systematic surveys and data collection.

HBOC has a long history of working in collaboration with local councils, national parks and other state agencies, industry and schools.

For more information go to www.hboc.org.au