



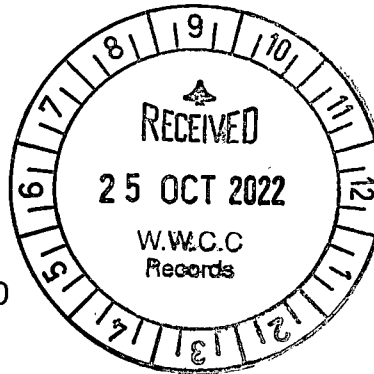
## Office of Local Government

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Ms Janice Summerhayes  
Acting General Manager  
Wagga Wagga City Council  
PO Box 20  
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17 October 2022

Dear Ms Summerhayes

Thank you for your letter of 13 September 2022 to the Deputy Secretary, Crown Lands and Local Government, Ms Melanie Hawyes, seeking amendments to the *Companion Animals Act 1998* (CA Act) to introduce cat containment in NSW. Ms Hawyes has asked that I respond on her behalf.

The NSW Government is aware of the problem of nuisance, stray and feral cats and the impact of predation on native wildlife and communities across NSW. The Government is committed to promoting responsible pet ownership and improving animal welfare standards, while also recognising that the issues of roaming cats, cat predation and cat management are complex matters.

As you have noted, there are no provisions under the CA Act that require an owner to prevent a cat from roaming beyond the owner's property and the CA Act is not established for the purpose of pest animal management. At this time, it would be unreasonable for the NSW Government to make amendments that would impose an additional administrative and financial burden on councils by mandating that cats are confined to an owner's property, or to impose 'cat curfews'. Before initiating any legislative changes, the effectiveness of the current education initiatives and reforms needs to be considered along with consultation with councils and their communities.

However, your suggestion, and those of other interested stakeholders and community members, will be considered during any future review of the policy and legislative framework in relation to improving the management of cats in our communities.

I do note that councils have some existing powers that may help to reduce the impact of stray cats, including the power to issue a nuisance order. However, to impose a nuisance order a council must be satisfied that a cat:

- makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises; or
- repeatedly damages anything outside the property where it is ordinarily kept.



Nuisance orders remain in force for six months and specify the behaviour of the cat that must be prevented. The owner can be issued with a fine each time the nuisance order is not complied with.

Action may also be taken by neighbours. The CA Act permits two circumstances in which persons, other than authorised officers, may seize cats. These are:

- where the cat is in a public place prohibited under the Act (food preparation/consumption areas or wildlife protection areas) (section 30); or
- where it is reasonable and necessary for the protection of any person or animal (except for vermin) from injury or death (section 32).

These seizures must be consistent with animal welfare laws and a seized animal must be delivered to its owner, a council pound or other approved premises, such as the RSPCA or Animal Welfare League, as soon as possible.


The Government continues to encourage pet cat owners to take steps to confine cats to their property to reduce potential risks to the cat and any negative impacts on neighbours and the environment. Councils and their communities are encouraged to work collaboratively to promote responsible pet ownership and to address specific cat issues in their area.

The NSW Government recently provided a \$2.5 million grant to the Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA NSW) to help reduce the impact of pet cats on native wildlife. 'Keeping Cats Safe at Home' is a 4-year program that will deliver targeted education and behaviour change campaigns in 11 local government areas, designed to shift community attitudes towards keeping pet cats contained safely at home. More information about the program is available at [www.rspcansw.org.au/keeping-cats-safe](http://www.rspcansw.org.au/keeping-cats-safe).

Initial research conducted as part of this project indicates that at least 50 per cent of people already contain their cats, either indoors or through outdoor enclosures. However, it is vital that we continue to increase this figure and improve the lives of our pets and wildlife.

Alongside education, the Government has also implemented a range of regulatory and non-regulatory reforms in recent years aimed at cat management in NSW. This includes the introduction of annual permits for undesexed cats. It is expected that increasing the proportion of cats that are desexed by encouraging early-age desexing and creating a disincentive to keep an entire cat will help to control and reduce the population of stray cats, reduce attacks on native wildlife and the number of unwanted litters of kittens surrendered to pounds and shelters.

Yours sincerely



**Wendy Forrester**  
**A/Manager, Policy**