

NSW Office of Local Government- Companion Animals Act 1998 Review

AUSTRALIAN PET WELFARE FOUNDATION

Emeritus Professor Jacquie Rand, BVSc (Melb), DVSc (Guelph),
MANZCVS
Diplomate, American College of Veterinary Internal Medicine

Executive Director & Chief Scientist
Australian Pet Welfare Foundation

Improving the health and wellbeing of pets, people and their environments

Email: info@petwelfare.org.au

Website: www.petwelfare.org.au

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The Australian Pet Welfare Foundation (APWF) is a peak research body and advocate for pet welfare in Australia. As a not-for-profit organisation, APWF uses science-based research to enhance community well-being and improve the health and welfare of animals and people. APWF specialises in evidence-based solutions to prevent euthanasia of healthy and treatable companion animals in shelters and pounds and the associated mental health damage to staff and community residents. We share research knowledge with the community, shelters and pounds, state and local governments and veterinarians to create change and save animal and human lives. APWF is led by Chief Scientist Dr. Jacquie Rand, Emeritus Professor of Companion Animal Health at The University of Queensland (UQ) and a registered specialist veterinarian in small animal internal medicine. She has worked extensively in shelter research over the last 17 years, including collaborative studies with the RSPCA, Animal Welfare League and local governments. While at UQ Dr Rand taught Urban Animal Management and since 2013 has co-authored over 30 peer-reviewed articles on urban animal management including management of semi-owned and unowned cats.

You can read more about us and our vision on our website: <https://petwelfare.org.au>.

1. Strategic framework for encouraging responsible ownership of companion animals

a. Do you support the Companion Animals Act being amended to focus more on encouraging responsible pet ownership outcomes over strict compliance processes?

Punitive measures such as fines, mandatory containment, and impoundment have long been the default response to managing wandering and nuisance dogs and cats. However, these enforcement-heavy approaches are costly, rarely effective, and often fail to address the root causes of the issues, particularly in disadvantaged communities. Many pet owners in these areas lack the financial capacity to comply with desexing, registration, or containment requirements, making fines and penalties impractical and largely uncollectible. Councils spend significant time and resources pursuing enforcement actions that rarely lead to meaningful change or cost recovery.

Local governments should operate under the principle of "educate first, enforce second." Yet, decades of this approach, without providing adequate support, have not resolved the problem. The fact that we are only now questioning whether a shift in focus is needed is in itself a clear indication that the current system isn't working. If it were,

we wouldn't still be facing such persistent issues with wandering and nuisance dogs and cats.

Evidence from successful community-based programs shows that proactive, supportive strategies are far more effective and economical. Free or subsidised desexing, microchipping, targeted community engagement, and use of deterrents and complaint-source identification (e.g. cameras) help reduce the number of uncontained and nuisance animals before they reach crisis point. These programs have led to significant reductions in shelter intakes, euthanasia, and complaints—while fostering better relationships between councils and residents.

Investing in support-focused solutions also benefits community safety and animal welfare. By reducing the number of unwanted litters, nuisance behaviours like roaming, barking, spraying, or fighting decline—leading to fewer complaints, reduced enforcement demand, and ultimately less stress on local council resources. These strategies also support vulnerable community members to care for their pets responsibly, aligning with the principles of One Welfare: improving the wellbeing of people, animals, and the environment (Pinillos 2016).

In contrast, fines and enforcement without support only serve to penalise those least able to comply, increase impoundments and euthanasia, escalate public frustration and negatively impact the mental health of the staff involved. A shift toward sustainable, proactive approaches is not only more humane, but also far more cost-efficient and effective in the long term.

Recommendation-

- The NSW Government should shift from an enforcement-heavy approach to one that prioritises proactive, support-focused strategies for managing wandering and nuisance companion animals. This includes investing in free or subsidised desexing, microchipping, containment assistance, and targeted community outreach—particularly in disadvantaged areas where compliance barriers are highest.
- Councils should be resourced and mandated to adopt an “assist and support for voluntary compliance, enforce second” model that is backed by tangible support services, not just warnings or fines. Evidence from successful community-based programs for cats (Rand 2024, Cotterell 2024, Cotterell 2025b), RSPCA NSW 2023) demonstrates that such approaches are not only more effective in reducing nuisance behaviours and shelter intakes but are also significantly more cost-efficient and humane. Embedding this shift in legislation and policy would align enforcement with the principles of One Welfare and build stronger, more cooperative relationships between local governments and the communities they serve.

b. How can responsible pet ownership education be used to manage menacing or dangerous dogs?

Responsible pet ownership education and intervention plays a critical role in managing dogs that may be classified as dangerous or menacing under the law. With the Local Court having the authority to declare a dog as dangerous or menacing based on specific criteria, including the dog's behaviour, or previous classification in another jurisdiction. However, relying solely on court declarations and enforcement actions does little to prevent incidents before they occur, as the damage has already been done. Education provides a proactive alternative—equipping dog owners with the knowledge and skills needed to prevent their pets from developing or displaying aggressive behaviours in the first place.

Education initiatives focused on responsible pet ownership can cover key areas such as early socialisation, obedience training, safe management of dogs in public spaces, and recognising early warning signs of aggression. When delivered in conjunction with community engagement and accessible training resources, these programs empower owners to take responsibility for their dogs' behaviour before escalation requires legal intervention.

One effective method is through property visits by Animal Management Officers (AMOs) with wandering dog complaints, who can then provide tailored advice on containment, supervision, and behavioural management. For example, if a dog has escaped, officers can speak directly with the owner to understand how the dog got out, what challenges they are facing, and suggest realistic, cost-effective solutions, such as repairing fencing, using dog-proof gates, or adjusting routines to reduce anxiety-driven behaviours.

By increasing awareness of owners' legal obligations, such as proper confinement, leash use, and the consequences of aggressive behaviour, education can prevent situations that might otherwise lead to a dangerous or menacing declaration by the court. These one-on-one interactions help build trust and shift the dynamic from punitive to supportive, empowering owners to take action before enforcement becomes necessary. In doing so, councils and AMOs promote safety and wellbeing for both people and pets in the community, reduce the risk of future incidents, and avoid the financial and emotional burden of legal proceedings. Ultimately, responsible pet ownership education, when delivered through both community programs and direct officer engagement, is key to long-term, sustainable dog management before a dog is declared.

Many dogs that are later declared menacing or dangerous have had previous incidents of roaming or inadequate containment. However, these early issues often go unreported until a more serious event occurs, at which point witnesses or affected individuals demand immediate action. Had the earlier wandering behaviour been

reported and addressed as a containment issue, there may have been an opportunity to intervene and prevent escalation.

Banning specific dog breeds has proven to be an ineffective and costly approach to improving community safety (National Canine Research Council 2014). In Victoria, breed-specific legislation led to significant expenditure by councils in legal proceedings, enforcement actions, and compliance monitoring, often without delivering a measurable reduction in dog attacks (National Canine Research Council 2014, Parliament of Victoria 2016, RSPCA Australia 2015). Furthermore, this approach unfairly targets entire breeds rather than focusing on the individual behaviour of dogs and the actions of their owners. Responsible dog ownership and effective dog control should be assessed on a case-by-case basis, with attention given to the specific circumstances and behaviour of the animal involved.

RSPCA Australia's report on preventing dog attacks in the community, states they do not support Breed Specific Legislation (BSL) and these punitive actions fail to prevent further attacks as they do not address the key issues: how to ensure all dog owners are made responsible for the actions of their dogs, and how to reduce the risk of any dog within the general population exhibiting aggressive or dangerous behaviour towards people (RSPCA Australia 2015).

Every dog attack should be evaluated based on the incident itself, not on the breed of the dog. A behaviour-based, rather than breed-based, framework promotes fairness, supports better animal welfare outcomes, and allows councils to allocate resources more efficiently toward prevention, education, and early intervention strategies.

Recommendation-

- The NSW Government should invest in responsible pet ownership education as a core strategy to prevent dog-related incidents before they occur. This includes funding community-based education programs and enabling AMOs to conduct proactive property visits in response to complaints about roaming or nuisance behaviour. Shifting the focus from enforcement to early intervention, through tailored advice on containment, training, and safe management, can reduce the risk of dogs being declared dangerous or menacing, improve public safety, and support better outcomes for both pets and their owners.

c. How could the legislation be improved to motivate better dog owner behaviour and encourage owners to manage their dogs more responsibly? (For example, what does responsible dog control in public look like?)

To motivate better dog owner behaviour, legislation should place greater emphasis on **proactive education and support**, rather than relying solely on penalties after

incidents occur. Strengthening provisions for councils to implement early intervention strategies, such as free or subsidised training programs, behaviour support for dogs showing early signs of aggression, and routine property visits by AMOs, can help owners address problems before they escalate. Legislation could also mandate or incentivise participation in approved education programs following a first offence, rather than immediately issuing fines. Including a requirement for councils to offer assistance and practical advice before enforcement allows for a more constructive relationship between owners and authorities, ultimately leading to safer outcomes.

Responsible dog control in public includes walking dogs on a leash at all times (unless in a designated off-leash area), ensuring dogs are under effective voice control, picking up faeces after dogs, and actively managing interactions with other animals and people. Legislation could reinforce these expectations through clearer public education campaigns and tools like warning notices or behaviour management plans, rather than immediate punitive measures. Importantly, the law should recognise that responsible behaviour is often a result of **assistive programs and implications, not just regulation**, and empower councils to support dog owners in fulfilling their responsibilities. This should be complemented by proactive programs such as access to free training and behaviour assessments, as well as fencing advice to support responsible pet management.

Recommendation-

- The NSW Government should amend legislation to prioritise proactive education and early intervention strategies over punitive measures for dog control. This includes empowering councils to offer free or subsidised training, behavioural support, and routine property visits by Animal Management Officers (AMO), particularly after first offences. Legislation should encourage or require participation in approved support and assist programs before fines are issued, fostering a more constructive and preventative approach to public safety and responsible pet ownership.
- Information needs to be accessible on a smart phones, Facebook, through community centres and social services (Mc Donald 2019).

d. How could the legislation be improved to motivate better cat owner behaviour and encourage owners to manage their cats more responsibly? (For example, cat containment)

Legislation can be improved by shifting away from reactive enforcement toward proactive support strategies that remove barriers to responsible ownership. Current containment and registration laws have had limited effectiveness, particularly because many free-roaming cats are semi-owned or unowned, and their carers often lack the resources or legal clarity to comply. Legislative amendments should explicitly support

free or subsidised desexing, microchipping, and registration programs, especially in areas with high complaint rates and socioeconomic disadvantage. This could be strengthened through provisions that allow councils to implement incentive-based approaches—such as waiving fines for owners who voluntarily enrol their cats in support programs—rather than relying on impoundment and penalty notices.

Additionally, legislation should better define and encourage practical, enforceable standards for **cat containment and nuisance mitigation**, while recognising the unique challenges of managing semi-owned cats. Education campaigns, paired with proactive council outreach—including **property visits, direct engagement with carers, and targeted community education**, are more effective than punitive measures alone.

Case studies such as the city of Banyule, Victoria (Cotterell 2024, Cotterell 2025 a b), city of Ipswich, Queensland (Rand 2024a), and RSPCA NSW programs (RSPCA NSW Report 2023) show that when owners and semi-owners are supported with practical solutions, nuisance behaviour and intake rates drop significantly. To improve outcomes for animals, residents, and councils alike, legislation must enable flexible, supportive strategies that encourage early intervention and shared responsibility. In New South Wales, a significant challenge lies in the high proportion of households living in rental accommodation, where many **landlords still prohibit pets inside**. This makes it practically impossible for many cat owners, particularly those in disadvantaged communities, to comply with containment laws, despite their willingness to do the right thing.

To support more responsible pet ownership, legislative reform should allow and encourage councils to implement **incentive-based, assistive programs**, including free or subsidised desexing, microchipping, and community education. These programs have proven more effective than fines or impoundment, especially when delivered alongside **direct council outreach, property visits, and engagement with semi-owners**. Legislation should also address systemic issues, such as rental laws, that prevent tenants from containing or properly caring for their pets, for example prohibiting the pet from being inside the property. The focus should be on assistive programs particularly in socioeconomically disadvantaged areas, including rural towns as well within Indigenous communities (AMRRIC) and around housing on mining sites, and farms buildings,. By enabling flexible, community-driven solutions and removing systemic barriers, governments can promote early intervention, reduce nuisance behaviour and cat intake to shelters, and support better outcomes for pets, residents, and councils alike.

Recommendation-

- The NSW Government should reform legislation to enable councils to implement proactive, incentive-based strategies that promote responsible cat ownership and early intervention. This includes support for free desexing, microchipping,

and registration, particularly in high-risk and disadvantaged areas, alongside education and outreach.

- Legislation should explicitly recognise and enable Community Cat Programs, which provide humane, cost-effective solutions for managing semi-owned and unowned cats while reducing nuisance complaints and shelter intake. Case studies show that when carers are supported rather than penalised, outcomes improve for animals, residents, and local governments alike. The outcomes need to be aligned with One Welfare principal's and balance and optimise the well-being of animals, people and the environment.

e. Are there other matters that should be considered?

Councils must be required to collect and evaluate data on wandering and nuisance cat complaints, including the location and frequency of reports. Most complaints arise from low-socioeconomic areas where support, not enforcement, is most needed. If these areas are not adjacent to wildlife-sensitive zones, there is little justification for designating them as cat exclusion areas. Without accurate data, councils risk applying ineffective or unjust blanket measures instead of targeting resources where they are most needed to support both communities and conservation.

Return to owner rates for cats in NSW are less than half that of Queensland and Victoria (3% versus 7%). There are several reasons for this. One reason is a reluctance for low-income cat owners and cat carers who are getting multiple cats desexed but cannot afford the registration costs and breeder permit fee to decline to have the cat microchipped for fear that the state microchip registry can be used to identify their non-payment of registration fees. A second reason is the delay in registration of the contact details of the owner on the microchip database because of double handling of the paperwork to action this. In Queensland and Victoria?, microchip implanters are required to register the microchip within 7 days of implantation whereas in NSW veterinarians send the paperwork to the council to complete the registration of the owner's details. In some councils, this can lead to significant delays and inability to get lost cats (and dogs) home. There are similar discrepancies in return to owner rates for dogs between the states (37% NSW, 55% Vic, 49% Qld (Chua 2017)). It is recommended that the same requirement as in Victoria and Queensland be implemented – that the implanter has the responsibility to register the owner's details within 7 days and the penalties for non-compliance be substantial. Registration costs for cats should be abolished and instead the efficacy of microchips to facilitate return of lost cats and dogs to owners be enhanced by sending SMS and email reminders every 3 months for owners to remind them to update contact details if they have changed.

While cats pose limited threat to livestock, they can contribute to disease transmission (e.g., toxoplasmosis) and, in rare cases, prey on poultry. However, many cats, especially in rural or remote areas, are valued as working animals, effectively controlling rodent populations on farms and reducing the need for poisons that may harm wildlife, pets, or children. Recent findings from the Australian Pet Welfare Foundation highlight that farmers view these cats as essential to operations, with desexing shown to improve cat welfare, reduce wildlife predation, and strengthen human–animal bonds.

Effective legislation must distinguish between feral and domestic cats—particularly those in communities, around farms, or in semi-owned settings—and prioritise humane, community-based management strategies. The current legislative approach places undue burden on community members, with little council support or guidance, and fails to record or respond adequately to cat-related complaints. A proactive, cooperative model involving local governments, rescue groups, and the wider community is urgently needed to reduce overpopulation and promote both animal welfare and wildlife protection.

Recommendations:

- Legislation must address current gaps in complaint tracking, community support, and humane handling processes to promote safety, accountability, and compassion in cat management.
- Recognise and support the role of community cat programs, including on farms and in Indigenous and remote communities, as essential to both animal and environmental health.
- Provide resources such as humane traps, training materials, and clear guidelines for reporting and managing stray cats to reduce the burden on individuals.
- Mandate training for council officers and develop practical guides for community members on humane trapping and care, aligned with animal welfare laws.
- Cat registration and breeder permit fees be abolished.
- Mandate that the microchip implanter has the responsibility to register the owner’s details within 7 days on the database.
- Ensure mandatory microchip scanning and processes for reuniting cats with owners are in place to minimise unnecessary impoundments.
- Require councils to consistently log and track all cat-related complaints and their outcomes, using the data to inform better decision-making.
- Introduce mechanisms to evaluate the outcomes of legislative actions, ensuring they meet conservation and welfare goals without resorting to inhumane practices.

2. Compliance and enforcement roles of council

a. What changes to NSW laws, regulations, codes or guidelines could be provided to councils and other enforcement authorities to better support responsible pet ownership?

The misclassification of animals, particularly cats and dogs, as unsocialised or unadoptable based on behaviour exhibited shortly after capture or impoundment is a widespread and problematic practice. In highly stressful environments such as trap cages or shelters, both pet cats and dogs may initially display fear-based behaviours—including aggression, withdrawal, or frantic movement—that are often misinterpreted as signs of feral or dangerous behaviour. Research shows that frightened pet cats may appear more aggressive than truly feral cats in the first 24 hours (Slater 2013; Jacobson 2022), and similarly, dogs experiencing fear or trauma may be labelled as unfit for rehoming before they have had the opportunity to settle. This can lead to the premature euthanasia of healthy, rehomeable animals, particularly when decisions are made within the first 24 hours of admission.

Animals, especially those trapped due to nuisance complaints, should be presumed domestic, as these complaints imply the animals are living in or near human environments. For both cats and dogs, accurate assessments of sociability require time and a low-stress environment. A minimum observation period of 3 to 5 days, and ideally up to 14 days or longer, allows animals to begin to habituate and reveal their true behaviour and potential for rehoming. Councils and shelters must be equipped with evidence-based protocols and trained staff to ensure these animals are fairly assessed, rather than condemned based on their initial stress response. Establishing consistent standards for behavioural assessment that reflect best practice would significantly reduce unnecessary euthanasia and improve outcomes for both cats and dogs entering the pound system.

Recommendation-

- **Current laws must be reformed to ensure the fair and accurate classification of cats**, according to how and where they live and recognising that behaviour displayed after capture is often a stress response, not an indicator of temperament or sociability, nor an indicator whether it is feral or domestic.

b. How could NSW laws, regulations, codes or guidelines be improved to support councils to better manage dangerous and restricted dogs?

To better support councils in managing dangerous and restricted dogs, NSW laws, regulations, and codes should be updated to provide clearer, evidence-based guidance and greater flexibility for risk-based decision-making. Current frameworks often place a heavy burden on councils, particularly around enforcement, legal processes, and housing requirements for declared dogs. One major gap is the lack of provisions that support behaviourally informed, tiered responses, such as early intervention and behaviour modification programs, before or alongside enforcement actions. Strengthening statewide coordination, giving councils access to qualified behavioural assessors, and allowing discretion for tailored management plans would result in more proportionate, humane, and effective outcomes.

Additionally, there are significant animal welfare concerns arising from dogs being held for prolonged periods while court proceedings are underway. In some cases, dogs are kept in pounds or kennels for months, sometimes over a year, without adequate environmental enrichment, exercise, or socialisation. This can lead to severe psychological decline, including anxiety, or increased aggression, particularly in high-stress pound environments. In situations where the court ultimately does not declare the dog dangerous, the animal may still be left with long-term behavioural damage due to the confinement. To address this, legislative amendments should mandate minimum welfare standards for dogs held pending court outcomes and require time limits or fast-tracked proceedings to prevent unnecessary harm. Ensuring appropriate mental stimulation, social contact, and welfare monitoring during confinement is essential, not only from an animal welfare standpoint but also to support successful outcomes should the dog return to the community.

Recommendations-

- Where dogs are seized by an authorised Officer, they need to have an independent advocate whose role is to oversee the dogs' welfare. Australian Pet Welfare Foundation is aware that some councils use owner visitation to the dog as a lever to force owner compliance. This is often at the cost of the well-being of the dog and damaging to the bond they have with owners.
- Many impounded dogs are seen as "Dangerous" and are handled with protected contact despite not showing any aggressive behaviour. Dogs may have had their health and physical and mental well-being compromised by these handling procedures. These dogs may not have anyone to check on them and advocate for their well-being.
- This advocate and assessor of these dogs should be done by veterinary psychiatrists or postgraduate with training/qualifications in dog behaviour as they are uniquely qualified to understand how normal dogs develop, how this is affected by genetics and deficits in their natal and early life environments, how psychopathology presents in dogs and how to diagnose it. The veterinary psychiatrist or postgraduate with training/qualifications in dog behaviour is also uniquely qualified to provide management advice to minimise the risk of further



incidents. Council officers and pound staff are not appropriately qualified to conduct assessments of dangerous dogs, as these evaluations require specialized training in animal behaviour, risk assessment, and legal implications. To ensure fairness and accuracy, such assessments should be carried out by independent professionals with relevant expertise.

- For many cases, the Dangerous Dog laws do not result in justice and repatriation for victims commensurate with the injuries experienced in the incident. In some cases, the punishment does not fit the crime. For many cases, suitable solutions could be found at a local level. This would allow more rapid resolution of cases and management plans to be put in place. Where the injuries are minor, an investigation at the local council level involving a veterinary psychiatrist or postgraduate with training/qualifications in dog behaviour would allow understanding of the causes of incidents, suitable risk management strategies to be put in place with follow up to check for compliance. This avoids lengthy, and costly, impoundment of the dog which results in poor welfare for many dogs.
- All dogs involved in an alleged aggressive encounter should receive a regular veterinary health assessment by a registered veterinarian to rule out any physical health conditions which may affect behaviour such as for e.g., a painful physical condition.
- Legislation should ensure there are clearly differentiated outcomes for minor versus serious dog attacks, allowing for proportionate, case-by-case responses that reflect the severity and circumstances of each incident.

c. Are the current enforcement provisions under the Act (including penalties for offences appropriate? If not, what enforcement provisions should be changed?

Cat Registration

In New South Wales, the financial requirements for cat ownership can pose significant barriers, particularly for individuals caring for multiple cats or those who adopt older, undesexed animals. A standard lifetime registration fee for a cat is \$68, or \$34 for eligible pensioners. However, if a cat is not desexed by four months of age, owners must also pay an annual permit fee of \$96, regardless of the cat's age at adoption. Additionally, a late payment fee of \$22 applies if the registration is not completed within 28 days. These cumulative costs can be prohibitive, leading some owners to delay or forgo microchipping and registration altogether. This non-compliance undermines efforts to ensure responsible pet ownership and hampers the effectiveness of animal welfare initiatives. To promote better compliance and animal welfare outcomes, it is crucial to reassess these financial obligations and consider

more accessible alternatives for cat registration and desexing. A survey conducted with councils across Australia revealed that two-thirds required cat registration. However, an analysis of the data provided by these councils estimated that only one-third of pet cats were registered (NESP Threatened Species Recovery Hub). Registration and breeder permit fees should be abolished for cats. Local governments spend 7-10 times the money on cat management in NSW than is gained in these fees for cats. Instead enhance the efficacy of microchipping to get cats returned to owners by regular reminders to update contact details.

Human Behaviour Change

While enforcement has an important role to play in deterring serious offences and deliberate acts of animal cruelty, the current provisions under the Act rely almost exclusively on financial penalties, with little to no scope for supportive or rehabilitative interventions. Many instances of non-compliance stem from underlying issues such as mental health challenges, lack of understanding, or financial hardship, rather than intentional neglect. Without addressing these root causes, penalties alone are unlikely to create lasting behaviour change. Incorporating behaviour change programs that focus on education, support, and prevention—rather than punishment alone—would lead to better outcomes for both animals and their owners.

There is currently no formal mechanism within the Act for psychological counselling, behaviour modification programs, or mandatory education as part of enforcement actions. This represents a missed opportunity to intervene meaningfully in cases where offending behaviour is linked to trauma, hoarding disorder, or other complex factors. A more effective and compassionate system would complement financial penalties with targeted interventions, such as court-mandated counselling, mental health support, or enrolment in structured animal care education programs. Embedding these options within the enforcement framework would improve compliance, reduce recidivism, and promote long-term animal welfare.

Recommendation-

- The Act should be amended to allow courts to mandate behaviour change interventions, such as psychological counselling, structured education programs, and animal care training, in cases where non-compliance stems from complex personal or social factors. Recognising demonstrated behaviour change through sentencing outcomes would promote rehabilitation, reduce recidivism, and deliver better long-term animal welfare outcomes (Glanville 2020).
- Remove the requirements of cat registration and the annual permit fee associated with registration requirements, to assist semi-owners to take full ownership of cats they care for.

d. Are there other compliance and enforcement matters that should be considered?

There is a belief that free-roaming cats are mainly the result of irresponsible cat owners, and therefore the issue needs to be managed by legislation and its enforcement. However, for enforcement to be effective, there must be an identifiable owner, and the reality is that most free-roaming cats in urban areas live in low socioeconomic areas where the costs of registration, microchipping and cat-proof fencing are often too prohibitive for cat owners and semi-owners to comply with. A study conducted with 4482 people across NSW, 65% indicated they keep their cats currently contained to their property and 21% of these keep their cats contained at night (Ma 2023).

Mandating containment is not effective in increasing cat containment of those cats not currently contained. It also leads to unrealistic expectations in the community that they will not see a wandering cat, resulting in increased cat-related complaints. Many councils in Victoria have implemented containment mandates, but there is no peer reviewed research to show this is effective. When implemented, mandated containment increases cat-related complaints, cat impoundments, cat euthanasia, and costs to local governments and shelters (Yarra Ranges, Hobsons Bay, Hume, Casey Council, APWF 2023). The number of free-roaming cats is greatest in low socioeconomic areas (Cotterell 2024, Cotterell 2025a b). Incomes in these areas are below the Australian average, a larger proportion of residents live in rental accommodation and a higher proportion of households have rent repayments greater than 30% of household income (Rand 2024a b; Dutton-Register 2024, Cotterell 2024).

Cat containment systems often cost between \$700 and \$2000 or higher, making it highly unlikely a low-income household can afford one if it is needed. For example, in a suburb with a cat intake into the local shelters of in excess of 20 cats/1000 residents (average for Queensland is 7 cats/1000 residents), individual median weekly income was approximately A\$636/week (Rand 2024b). Because of lack of affordability, mandated containment is a barrier to semi-owners taking ownership of a domestic cat and effectively makes cat ownership illegal for many low-income owners, perpetuating the “it’s not my cat” response.

Cat containment should be encouraged and facilitated but not mandated. Owners can be messaged to provide their cats with a last “bed-time” meal indoors (APWF 2023). At little or no cost to the owner, this method trains the cat to come inside at night when the door out-side can then be closed. Night-time containment is effective in protecting wildlife of conservation concern susceptible to cat predation because most are nocturnal in urban areas of Australia (NSW Govt 2023). Other options where species of conservation concern are located include assisting cat owners with the construction or costs of cat-proof fencing or enclosures. **Electronic fencing (hidden fencing) may be less expensive for some properties and should be legislated that it is legal in NSW.** It is not subject to restrictions for modifying rental properties, and key components can be relocated to another property. It can also be used around doors or

windows to stop “door dasher” cats escaping. If used correctly, **electronic fencing is not associated with welfare issues** [Kasbaoui 2016].

The **APWF strongly opposes councils introducing enforceable cat containment** or curfew policies in their local government areas in NSW; for the following reasons listed:

- **Lack of Evidence for Effectiveness:**
 - No scientific evidence supports mandated cat containment laws as a successful model for reducing wandering cats or associated issues such as nuisance complaints or wildlife predation [APWF 2023 Key Issues Mandated Cat Containment](#)
 - Local and international data demonstrate that these laws fail in both the short and long term to reduce the free-roaming cat population and complaints.
- **Ineffectiveness in Addressing the Core Issue:**
 - The majority of free-roaming cats are unowned or semi-owned, making containment laws unenforceable and impractical (Cotterell 2025a).
 - Most impounded cats are not traceable to an owner, preventing enforcement of penalties and leading to increased euthanasia rates.
 - In NSW 65% of cat owners state, they already contain their cats to their property, with 21% of these cats contained at night (Ma 2023).
- **Increased Costs and Burden on Local Governments:**
 - Mandated containment leads to higher costs for trapping, impoundment, and euthanasia, averaging \$500 per cat.
 - Enforcement requires significant resources, including staff time and equipment, with trapping taking weeks per cat (Cotterell 2024).
- **Negative Consequences:**
 - Increased euthanasia: Cat containment and curfews laws result in higher impoundments and owner surrenders, leading to an increase in euthanasia of healthy cats and kittens. This not only affects animal welfare but also has significant emotional and mental health impacts on shelter staff, including veterinarians and the broader community (Chua 2023, Scotney 2015).
 - Higher nuisance complaints: Unrealistic community expectations lead to more complaints, trapping, and impoundments (APWF 2023).
 - Reduced cat adoptions: Containment laws discourage adoption and semi-owner involvement, increasing the roaming cat population.



- Social justice concerns: Low-income households and renters face financial and practical barriers to compliance, disproportionately criminalizing vulnerable populations.

- **Impact on Public Welfare:**

- The laws increase stress and mental health risks for staff involved in euthanizing animals (Scotney 2015, Lezon 2025, Paul 2023, Dunn 2019, Rohlf 2018).
- Contained cats may experience welfare issues such as obesity, behavioural problems, and urinary tract diseases these increase the risk of surrender (Amat 2015, Horwitz 2018).
- Places the burden of unowned and semi-owned cats on the community, impacting them mentally and financially.

Recommendation:

➤ **Alternative Solutions:**

- **Community Cat Programs**, involving free desexing and microchipping in high-complaint areas, are proven to reduce unwanted litters and roaming cat populations effectively (Cotterell 2024, Rand 2024a, RSPCA NSW 2023).
- **Encouraging semi-owners** to take full ownership through support programs addresses the core issue without the negative consequences of mandated containment.
- **By investing in proactive measures** such as containment fencing in areas where species of conservation concern are present, governments can achieve dual benefits, enhancing conservation efforts while promoting social equity. To effectively protect threatened species, it is essential to compile citizen science data and existing databases, supplemented by camera trap data for confirmation (Lasky 2021), to develop detailed maps identifying key native species at the street and property level. Targeted protection strategies can then be implemented, including support for cat owners with containment enclosures, community education through mail drops, SMS messaging, and door-knocking campaigns to encourage responsible pet management, as well as initiatives such as providing native plants for residential gardens and considering reduced speed limits in areas where vehicle strikes are a known threat. Protecting threatened and endangered species is a shared community responsibility, and the financial burden should not fall solely on individuals.

Governments should focus on evidence-based strategies like Community Cat Programs, which effectively reduce wandering cats and associated issues while

supporting animal welfare and minimizing enforcement costs and community burdens. Mandated 24/7 cat containment laws should not be implemented due to their proven ineffectiveness and significant negative consequences.

3. Companion animal population and rehoming

a. What more could be done to reduce stray and homeless cats and dogs in NSW?

Implementing innovative desexing programs is essential to effectively manage cat populations and reduce impoundments and euthanasia rates. Expanding targeted initiatives, such as the successful model employed by Banyule City Council (Cotterell 2024) and in the city of Ipswich, Queensland (Rand 2024a) and the RSPCA NSW program (RSPCA NSW 2023) with 11 councils, can significantly mitigate these issues. These programs should establish clear, measurable objectives over a 3–5-year period, concentrating efforts on areas with high complaint and intake rates. Utilizing microtargeting strategies allows for the efficient allocation of resources to locations where cats are most at risk. The intensity of these efforts is crucial; broader targeting may require desexing 30 cats per 1,000 residents annually, while microtargeted approaches might focus on 10 cats per 1,000 residents each year (Cotterell 2024).

Ensuring accessibility and equity for disadvantaged residents within these programs is vital. Eliminating barriers, such as the necessity for government-issued cards to access services, is important because many individuals in disadvantaged areas may not qualify for such documentation yet still cannot afford desexing procedures. Providing subsidized or free desexing services is particularly essential in low-income and regional areas where veterinary access is limited.

Support for regional high-volume desexing efforts is also necessary because these areas are on average lower income and have cost and accessible barriers. Prioritizing and free high-volume desexing clinics and mobile veterinary services can ensure coverage in underserved areas, including farming communities. Allocating council resources for transporting cats to desexing clinics is a more effective use of AMO time compared to transporting cats for euthanasia.

Current management practices, such as trap–adopt/kill methods, often lead to the unnecessary euthanasia of healthy cats, imposing psychological and emotional burdens on AMOs, shelter staff, and carers. Data indicates that only about 3%–7% of cats entering pounds or shelters are reclaimed, with approximately 33% euthanized in the 2018–2019 period (Chua 2023), highlighting the inefficiencies and emotional toll of existing approaches.

These practices contribute to compassion fatigue and mental health challenges among those involved in euthanizing healthy cats and managing cat overpopulation (Scotney 2015, Paul 2023, Dunn 2019, Rohlf 2018). To alleviate these issues of negative human mental health impacts, it is recommended to remove legislative barriers to desexing and practices like Return to Field (RTF) (Humane World for Animals 2025), particularly in areas without wildlife conservation concerns. The current legislative framework often oversimplifies cat management by assuming that free-roaming cats result primarily from irresponsible ownership.

Adopting evidence-based solutions is crucial. Legislation should accurately reflect the underlying causes of free-roaming cat populations and support proven interventions, such as microtargeted desexing programs and community engagement initiatives. Public messaging should avoid demonizing cats, as this can lead to ineffective measures like mandated containment and cat limits. Instead, the focus should be on providing practical and targeted information and collaboration to develop humane and effective cat management strategies.

Free desexing Programs Vs Subsidised Desexing Programs

While subsidised desexing programs can reduce financial barriers, they often fall short in reaching the most vulnerable pet owners, particularly in low-income or marginalised communities. For these groups, even a reduced fee may remain out of reach, leading to continued overpopulation and poor animal welfare outcomes. Free desexing, by contrast, removes the cost barrier entirely and has been shown to significantly increase uptake, especially in high-need areas. Importantly, subsidised desexing, offered across the community, often functions as a substitution source (Frank 2007), attracting individuals who would have paid full price anyway, whereas free programs targeted to areas of greatest need and those who would not otherwise participate, delivering greater impact where it's needed most.

Cat Desexing

Free cat desexing is a critical and evidence-based solution for reducing cat overpopulation, improving animal welfare, and relieving pressure on shelters and local councils. Research shows that financial barriers are the primary reason many owned and semi-owned cats remain undesexed, particularly in low-income communities, where residents often care for multiple cats but cannot afford sterilization, microchipping, or registration fees (Cotterell 2024, 2025a b). Without intervention, these cats contribute to unplanned litters and persistent nuisance complaints, leading to impoundment and high euthanasia rates. Free desexing programs directly address this root cause by preventing unwanted kittens, empowering carers to take ownership, and building trust between councils and communities. For cats, however, free desexing

is not just an animal welfare strategy; it is a public health, economic, and social justice intervention necessary to break a cycle that punitive laws alone cannot fix.

Dog Desexing

Although kittens comprise over half the cats entering shelters and pounds, most dogs are typically older with a small proportion of shelter intake being puppies, except in a few locations (Hemy 2017). In contrast to cats, the Impact of subsidized desexing programs for dogs is varied with some programs reducing shelter intake and others not (White 2010, Scarlett 2012). Because of concerns about increased incidence of some neoplasia and orthopaedic issues, particularly in larger breeds of dogs, desexing is now being frequently advised by veterinarians to be delayed until the dog is older than 12 to 18 months (Hart 2020). A recent study found a greater proportion of cats were desexed (91%) than dogs (73%) (Rand 2024). Although many female dogs are already desexed before reaching sexual maturity many male dogs are not desexed, although substantially higher registration fees for intact animals and stricter enforcement of registration does encourage desexing. Owner reclaim rates for impounded dogs are significantly higher than for cats, meaning that dogs entering shelters are more likely to return home and less likely to be euthanized. Moreover, dog-related laws and services have received far greater historical investment and community compliance than those targeting cats. While subsidized dog desexing is still important, particularly for low-income households, there is not the same widespread need for *free* desexing programs to control an unmanaged, reproducing population.

Recommendations:

- To **effectively address cat overpopulation** and its associated challenges, the APWF recommends a multifaceted approach. This includes supporting targeted desexing initiatives by funding high-intensity programs in high-risk areas, establishing free or subsidised high-volume desexing clinics, and deploying mobile services in collaboration with veterinarians and welfare agencies (Cotterell 2024, Rand 2024).
- Additionally, **removing legislative barriers** is essential; this involves permitting the sterilization of cats cared for by semi-owners without requiring formal ownership, with cats microchipped and the secondary contact and phone numbers are for an organisation (welfare or rescue group) or business (for farm and factory cat's)(Crawford 2025) and allowing Return to Field (RTF) programs in areas without conservation concerns. Addressing affordability and accessibility is also crucial, which can be achieved by providing subsidies for low-income cat owners and semi-owners to access free or affordable desexing services without restrictive eligibility criteria, and supporting transport initiatives, especially in regional and underserved areas.
- **Improving messaging** and community information is vital to promote understanding of the root causes of free-roaming cats and advocate for evidence-based solutions, while avoiding stigmatizing cat ownership or

implementing punitive measures like containment laws that disproportionately affect disadvantaged populations. Implementing these recommendations can lead to humane, effective, and equitable policies that mitigate cat overpopulation, thereby reducing the financial and emotional burdens on communities and stakeholders.

- **Targeted messaging** should utilize methods such as direct mail, SMS, community outreach programs, and local support networks to reach socially isolated residents, ensuring they are aware of available assistance for cat management and welfare (McDonald 2019). Providing clear, practical information on affordable containment solutions, including subsidies for enclosures, DIY options, and local support services, can empower residents to make informed decisions while protecting both their pets and native wildlife.

b. What changes can be made to NSW laws, regulations, codes and guidelines to reduce the number of companion animals entering the pound and rehoming system in the first place?

To reduce the number of companion animals entering the pound and rehoming system in New South Wales, **laws and regulations must shift from punitive enforcement to proactive, assistive approaches** that address the root causes of intake. Traditional compliance-driven models for cats, such as mandatory containment, registration fines, and enforcement of ownership limits, have proven ineffective and often counterproductive. Evidence from NSW, Victoria, and Queensland (RSPCA NSW 2023, Rand 2024, Cotterell 2024, Cotterell 2025a b) shows that such policies disproportionately impact low-income communities, increase impoundments, and lead to the premature euthanasia of healthy but frightened animals.

Assistive programs should also be implemented to return and keep dogs with their owners and prevent problematic behaviours from escalating. A fundamental shift from traditional enforcement-based strategies to a community-centred, assistive approach is essential. It is vital that council employees and AMOs engage with communities through targeted support and updated training in best practices (Cotterell 2025b). An assistive approach is aligned with the One Welfare philosophy (Pinillos 2016), based on the interconnectedness of human, animal, and environmental well-being, and research demonstrating that improving animal well-being will benefit humans and their physical and social environments. An assistive approach is characterised by targeted interventions that address the underlying factors contributing to issues. For example, the Pets for Life concept is focused on assisting disadvantaged and marginalised pet owners with the resources, services and information to care for their pet and support maintaining the bond and keeping the pet with its family (HSUS 2022). By addressing the root causes and empowering the community, officers can allocate their time more proactively to an assistive approach based on community engagement, rather than reactive enforcement, maximizing the efficiency and outcomes for all stakeholders

(Cotterell 2025b). Understanding community needs requires effective communication and trust. Focusing on an assistive approach to resolving complaint issues is very important and, in most cases, is successful, without having to resort to enforcement.

State governments should also take the lead in developing certification programs for current and future Animal Management Officers (AMOs). A strong example can be found in the training provided by the National Animal Care and Control Association (NACA) in Florida, USA. NACA's programs offer qualifications tailored to animal control, including education in animal behaviour, mental health first aid, and strategies for engaging communities through initiatives like community-focused programming (NACA a.). These courses help AMOs navigate the practical realities of fieldwork and build essential skills for interacting effectively with the public. By prioritising this type of training, governments can support a more inclusive and effective model of service delivery—one that strengthens trust and cooperation between AMOs and the communities they work with (NACA b.)

A key legislative reform would be the widespread adoption and funding of **free, council-supported cat sterilisation and microchipping programs**, particularly in areas with high complaint rates or socioeconomic disadvantage. These programs empower semi-owners to assume ownership, prevent unplanned litters, and reduce roaming cat populations before they reach crisis levels. By removing financial and regulatory barriers, these reforms would reduce intake pressure on shelters and significantly improve outcomes for animals and communities ([Cotterell 2024](#), [Cotterell 2025a](#), [Cotterell 2025b](#)).

Cat Definitions

Appropriate and evidence-based definitions of cats is foundational to ensure the management of cats is focused appropriately. It is imperative that these definitions be revised in NSW legislation to ensure effective policy responses and management approaches which can be delivered efficiently. The following definitions are adapted from the RSPCA's Best Practice Domestic Cat Management (2018):

- **Domestic cats** have some dependence on people (direct or indirect) and live in the vicinity of where people live or frequent, which includes around farm buildings, mining sites and in indigenous communities, and are subcategorised as owned, semi-owned and unowned. **Domestic cats may be:**
 - **owned**, live in a domestic household, are usually named, have a form of identification, and depend on humans for their food.
 - **semi-owned**, are directly dependent on humans and are intentionally fed by people who do not consider they own them. These cats are more abundant in disadvantaged areas and where food resources are available. They are sometimes called stray cats. Recent research documented strong emotional bonds of semi-owners with the cats they care for, and almost identical to the bonds reported by cat

owners with their pet cats (Scotney 2023; Neal 2023; Ma 2023; Crawford 2023). These cats are also frequently named:

- **unowned**, are indirectly dependent on humans and receive food from people unintentionally, such as via food waste bins. They are more abundant in areas where food resources are available. These cats are of varying sociability and are sometimes called stray cats. Unowned cats are fairly rare because once they start to hang around people someone starts to feed them.
- **Feral cats** have no relationship with or dependence on humans (neither direct nor indirect), survive by hunting or scavenging for food, and live and reproduce in the wild (e.g., forests, woodlands, grasslands, deserts). Feral cats do not live in the vicinity of where people live, and they do not receive food from humans intentionally (direct feeding) or unintentionally (e.g. via food waste bins, rubbish dumps). Feral cats are not found or trapped in the vicinity of where people live or frequent and are **not the subject of nuisance complaints relating to behaviour around humans**.

Misclassifying domestic cats, including semi-owned cats, as feral cats creates barriers to effective management and resolution of the issue of free-roaming cats in urban and peri-urban areas. To allow for successful, community-based management strategies, domestic cats should be excluded from the legal definition of feral cats. This distinction would enable targeted programs that humanely and scientifically reduce the number of urban free-roaming cats over time and reduce the negative psychological impact on shelter and pound staff as well as community members who support and care for them when inhumane, and ineffective methods are used to manage these cats.

Importantly, **behaviour towards humans is an invalid test of whether a cat is feral or domestic**. Despite this, many local governments and some shelters misclassify cats as feral based on behaviour in the trap cage or shortly after admission and euthanise them immediately or within the first 24 hours. **Cats trapped as a result of a complaint about nuisance behaviours are, by definition, domestic cats** because a complaint implies the cat is living around where humans live or frequent. Sociability and adoptability cannot be judged in a highly stressful environment, such as in a trap cage; frightened pet cats may display more aggressive behaviours towards humans than truly feral cats (Slater 2013; Jacobson 2022). A minimum of 3 to 5 days, and up to 14 days and longer, are required for many pet cats to habituate to a new environment and for accurate assessment of sociability,

c. For companion animals needing to enter the “pound system”, what could be done to increase rehoming?

To increase rehoming rates for companion animals entering the pound system, a multi-pronged approach is needed that addresses both systemic barriers and

community engagement. While many community members are stepping up to manage multi cat sites (colonies) or take cats and dogs from the pound into their homes or through rescue groups, they are doing so at their own personal expense. This volunteer-driven safety net is not sustainable without formal recognition and support. Councils should be required to contribute financially for each animal transferred to a rescue group or rehoming organisation, helping to cover the costs of veterinary care, rehabilitation, and rehoming. Simultaneously, pounds and shelters must be resourced to implement proactive, evidence-based strategies such as open adoption policies, streamlined adoption processes, and targeted marketing campaigns. Funding for behavioural support, desexing, and fostering networks will also improve adoption outcomes and reduce time spent in care.

Improving public awareness and accessibility is equally critical. Many potential adopters remain unaware of the breadth of animals available in local shelters. Municipalities could invest in user-friendly online platforms and inclusive community outreach initiatives to better match animals with suitable homes. Incentivising adoption through fee waivers, trial periods, and post-adoption support services like training and veterinary care can help overcome financial or emotional barriers to adoption. Importantly, policies must also acknowledge the presence of semi-owned or loosely owned cats and support carers to keep these animals in the community where possible, rather than defaulting to impoundment. Empowering communities with education, access to pet-friendly housing, and support services will reduce intake, increase rehoming, and contribute to a more humane and sustainable animal welfare system.

Recommendation

- The NSW Government should consider implementing a localised version of the successful ***Pets for Life*** program from the United States (Humane World for Animals 2025), which supports pet retention in underserved communities by providing access to essential veterinary services, desexing, pet supplies, and education. This preventative, community-based model has been shown to reduce intake into shelters and improve animal and human wellbeing, particularly in areas with high rates of disadvantage. By funding mobile outreach teams and partnering with local councils, animal welfare organisations, and community health providers, NSW can improve equity in pet ownership, reduce pressure on the pound system, and strengthen the human–animal bond in vulnerable households.

For further information on this submission please contact info@petwelfare.org.au

Best wishes,

Jacquie

Emeritus Professor Jacquie Rand, BVSc (Melb), DVSc (Guelph), MANZCVS
Diplomate, American College of Veterinary Internal Medicine

Executive Director & Chief Scientist
Australian Pet Welfare Foundation

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