

DRAFT SECOND READING SPEECH

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Cat Management Amendment Bill 2019

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Madam Speaker, I move that the Bill now be read a second time.

Introduction

Madam Speaker, in 2009 Parliament passed the *Cat Management Act 2009* and it was proclaimed and commenced in 2012.

However, when the Hodgman-Liberal Government was formed, it was quickly realised that the Act was deficient in a number of areas, limiting the capacity of State and local governments to enforce the Act, and creating confusion in the community.

One of the first initiatives introduced by the Government to improve cat management was the development of the Tasmanian Cat Management Plan. The Plan was developed by Biosecurity Tasmania, with input from the Tasmanian Cat Management Reference Group, consisting of key stakeholder organisations with a direct interest in cat management.

It specified a range of outcomes and actions covering responsible pet ownership, community awareness, best practice management, protection of Tasmania's environment, roles and responsibilities and recommendations for legislative change. Prior to the Plan, there was no clear strategy in place to address the complex issue of managing cats.

The Plan was released for public consultation over two months in mid-2016. A large number of submissions (102) were received from the community, various organisations and local government, the majority of which expressed support for the Plan.

The Plan recognises that cats are an important and valued part of our lives, providing companionship to owners and families across the State. The Plan also recognises that cats, if not cared for in a responsible manner, can become a nuisance, and in worst cases, destructive to our native wildlife and vectors for diseases such as toxoplasmosis.

It is important to recognise that the management of cats is a shared responsibility, across the different levels of government and the broader Tasmanian community. Owners of cats should recognise their obligations as responsible cat owners. The State Government alone cannot effectively manage cats, and involvement of local government is key to being able to manage cats at the local level.

Madam Speaker, whilst the amendments to the Cat Management Act that I am introducing today were first recommended in the Plan, it is important to note that the Plan promotes a much broader set of priorities than just legislation. A key objective of the Plan is to improve levels of responsible cat ownership across Tasmania. The Plan also recognises there are gaps in our knowledge about the behaviour of cats in relation to predation of native wildlife. For example, monitoring feral cat behaviour on Bruny Island over the past three years has helped refine our knowledge of both the methods for trapping, as well as the best time to trap.

To support the delivery of the Plan, the Government has provided \$1.44 million over four years to employ three regional cat management coordinators. The coordinators are working closely with local government and the community in their regions.

The work of the regional coordinators provides a resource to councils that has previously not existed. Each coordinator has established a regional working group, and those groups have been strongly supported by local government and other key stakeholders. The TassieCat website has been developed, and contains a broad range of information that is useful to both councils and the community.

It is important to recognise that managing cats is complex. As mentioned, there are strong social ties to cats, but equally there are many problems caused by irresponsible cat owners. For example, there are owners who allow their cats to breed promiscuously, and then end up with unwanted litters of kittens which may be abandoned or given away. This can lead to domestic cats contributing to the urban stray cat population, becoming a nuisance, taking wildlife and spreading disease.

Changing people's attitudes and behaviours in relation to cats is key to reducing the problems cats may cause.

Madam Speaker I will now briefly summarise the key amendments to the Cat Management Act, including:

- Compulsory microchipping and desexing of cats
- Removal of care agreements
- Limits on the number of cats that can be kept without a permit
- Changes to protection of private property from cats
- Reclaiming cats from cat management facilities
- Registration of cat breeders.

Not all of these amendments will be enacted immediately, but I will briefly discuss arrangements for phasing in certain amendments.

Compulsory microchipping and desexing; and removal of care agreements

Under the current Act, owners of cats are not required to desex or microchip their cat unless they are selling or giving it away. These amendments recognise that desexing and microchipping cats are two of the most important aspects of responsible cat ownership. The amendments will make it compulsory for all cats to be desexed and microchipped from four months of age. Some exemptions will occur, for example if a vet determines that such actions would be detrimental to the health of a cat. Registered breeders will also be exempt from desexing cats that are kept for the purpose of breeding.

Compulsory desexing of owned cats also means that the existing care agreement provisions, which allows the seller of a cat to pass on the responsibility of microchipping and desexing the cat to the purchaser, are no longer required, and will be removed.

Limiting the number of cats to be kept without a permit

Another important amendment is the limit to the number of cats allowed to be kept at an owner's property. Allowing people to keep unlimited numbers of cats at a property can result in animal welfare concerns for the cats, health issues for the owners, nuisance issues for neighbours, and potentially increases the number of cats roaming or contributing to the stray and/or feral cat population.

Many of the complaints that both State and local government receive relate to people who have multiple cats at a property and do not look after them properly. The cat management facilities - Ten Lives, Just Cats and RSPCA - are regularly called upon to deal with hoarding problems where

people have 20 plus cats living on the property with them, often in very poor conditions. This amendment will limit the number of cats allowed to be kept at the owner's property to four. A permit will be required to keep more than four cats, and registered breeders will be exempted.

Changes to the protection of private property provisions

The current Act has in it provisions to protect property from straying and feral cats; however they are very limited in where they apply. For example, only graziers are allowed to trap, seize or euthanise cats found on their property.

All other landowners, including those engaging in different types of agricultural activity, are currently not permitted to trap, seize or euthanise a cat unless their land is more than one kilometre from the nearest residence.

The amendments will allow all landowners involved in primary production to trap, seize or euthanise a cat found on their property. Where the cat is clearly owned by someone, then the person should endeavour to return the cat to the owner, or take it to a cat management facility. Persons undertaking lethal cat management action would need to comply with other relevant legislation, such as the *Animal Welfare Act 1993* and the *Firearms Act 1996*.

In addition, the amendments will enable landowners not involved in primary production, and those living in an urban or peri-urban area, to trap or seize a roaming cat that is found on their property. They will not be allowed to destroy the cat and will be required to return it to its owner, or take it to a cat management facility.

Reclaiming cats from cat management facilities

The existing Act fails to provide cat management facilities with clear direction in relation to whether they are obligated to microchip and desex a cat before returning it the owner.

Section 24 of the current Act requires the operator of a cat management facility to ensure that a cat that is microchipped and desexed before being reclaimed from the facility; however this section was not enabled when the Act was proclaimed in 2012.

The proposed Amendments will commence this section, requiring the operator of a cat management facility to microchip and/or desex a cat that is in its custody before being reclaimed,

if the cat is not already microchipped and/or desexed. Cat management facilities will be able to claim reasonable costs from the owner of the cat. The facility will be required to notify the owner that the cat is to be microchipped and/or desexed before it will be released. Exemptions would apply in specific circumstances as previously mentioned.

Registration of cat breeders

The Cat Management Act created a situation where a person can register with the State Government as a cat breeder. This capacity also exists for gazetted cat organisations. The duplication is cause for confusion for breeders.

The amended Act will continue to recognise a person who is a member of a cat organisation as a registered breeder, but will cease State Government registration of breeders. Instead, it will allow for State Government to provide a conditional permit to people for one-off breeding purposes, or in cases where their cat has an unplanned pregnancy. This supports an important objective of the Act: to reduce the numbers of kittens being born and at the same time encourage cat owners to desex their cats.

Phasing-in of compulsory provisions

Compulsory provisions of desexing and microchipping of owned cats, limiting the number of cats at a property, and changes to the State Government registration of breeders will be phased-in over a twelve-month period.

To help facilitate a smooth transition, the Government will have in place a range of public awareness and communication initiatives to inform cat owners of their responsibilities under the Act. The regional cat coordinators will also work with their communities and local councils to raise awareness about the amendments.

This will allow for the public, and in particular affected cat owners, to become familiar with the changes and their responsibilities. It will also allow for veterinary practices to adjust to the new requirements and avoid a sudden demand on their services for microchipping and desexing.

The amendments relating to microchipping, desexing, limiting the number of cats at a property, and changes to breeder registrations will therefore commence on a day or days to be proclaimed, which is the standard means of allowing for a staggered commencement.

Feral Cats

The problem of feral cats is often raised with me. The amendments seek to clarify the differences between domestic, stray and feral cats. This is important for a number of reasons. Firstly, the Cat Management Act focuses on owned domestic cats, as well as stray cats which exist in human environments, even though they are not owned by anyone. Feral cats, on the other hand live in the wild and have little or no reliance on the presence of humans.

Feral cats, unfortunately, are established and widespread across Tasmania. Consequently, we need to be wise and strategic in how we tackle them.

Biosecurity Tasmania is involved in a number of projects focusing on the impacts of feral cats with other partners, including the Australian Government, local government and regional natural resource management organisations. These projects are focused on the different aspects of cat management including responsible cat ownership, protection of native wildlife, and importantly, developing a better understanding of the behaviour of feral cats.

The Biosecurity Act, which the Government recently introduced, has provisions for establishing biosecurity programs that either State or local governments, or community groups can use to manage feral cats. Those programs provide a statutory basis for undertaking control and management actions. The biosecurity programs are also a means of promoting the important notion of shared responsibility.

Local Government

Madam Speaker, these amendments take a balanced approach in relation to cat management. If we are to manage cats effectively, at both State and local levels, there needs to be strong partnerships developed between State and local governments.

As mentioned earlier, the Government has put in place initiatives to help achieve this, including significant funding commitments to employ the regional cat management coordinators. Local government has been actively involved in the regional workshops established by the coordinators and the Local Government Association of Tasmania is a member of the project steering committee.

It is important to note that individual councils, not State Government, determine their priorities under the Cat Management Act. Councils can choose to enforce, all, some, or none of the Act, and at the end of the day, are responsive to their local communities and industry stakeholders. Council under the current legislation have the powers to put in place by-laws covering issues such as registration and ensuring cats do not roam from the owners' property. These powers of Council will be retained under the proposed amendments.

Staff from the Department of Primary Industries, Parks, Water and Environment provide support to local government upon request and recognise the valuable role that local government plays. Biosecurity Tasmania has run initial training on the Cat Management Act, and once the amendments are proclaimed will extend that training to local government.

Conclusion

In concluding Madam Speaker, these amendments to the Cat Management Act are very important to improving the effectiveness of the Act. Whilst there may be arguments that the amendments don't go far enough, it is important to note that over the past four years the Government has consulted widely on cat management, and believes these amendments reflect the balance of community views.

The amendments support the principle of shared responsibility and at the same time allow statutory authorities such as local government to allocate effort and resources to areas that reflect the individual councils and their communities' priorities.

While the Cat Management Act is an important part of managing domestic and stray cats in Tasmania, the legislation should not be seen in isolation.

The Government has in place a broad range of initiatives which have been established through the Tasmanian Cat Management Plan. The Government has developed partnerships with both government and non-government organisations across a range of projects; Tasmania's new Biosecurity Act extends the regulatory framework to include feral cats; and, Government investment, such as the regional cat coordinators project, has created opportunity for the community, local government and industry to work together.

These initiatives, covering all areas of cat management, seek to deliver positive outcomes that will significantly improve how we manage cats.

Madam Speaker, the Government fully supports the introduction of this Amendment Bill.

I commend this Amendment Bill to the House.