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Draft Tasmanian Cat Management Plan
Biosecurity Tasmania, DPIPW
GPO Box 44
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By email: catmanagementplan@dpiuwe.tas.gov.au

Dear Madam / Sir,

Draft Tasmanian Cat Management Plan

EDO Tasmania is a non-profit, community legal service specialising in environmental and planning law. We deliver a range of legal services aimed at improving environmental regulation and securing sustainable outcomes. We welcome the opportunity to comment on the Draft Tasmanian Cat Management Plan (the **Draft Plan**).

EDO Tasmania recognises the significant biodiversity threats posed by domestic and feral cat populations, and congratulates the government for its efforts to manage these threats. We are supportive of the management actions proposed in the draft Plan, particularly:

- Introduction of penalties for failing to de-sex or microchip cats (and reducing the maximum age for de-sexing);
- Strong requirements to confine cats to the owner's premises;
- Removing the 'care agreement' provisions;
- Allowing officers to issue notices requiring a person to undertake cat management actions;
- Allowing verbal notification (rather than written notice) to be given to an owner where a cat is held at a cat management facility – this reduces the burden on facility staff, but also maximises the time available to owners to collect their pets;
- Requiring cats to be de-sexed and micro-chipped before collection from a management facility – this service should be undertaken on a cost-recovery basis, with some allowances for financial hardship;
- Funding education and awareness activities to assist the community to appreciate the need for controls and to understand their obligations. Compliance incentives should be considered, such as offering free or discounted micro-chipping events (e.g. one weekend annually).

We welcome the more rigorous approach to cat management outlined in the draft Plan, and acknowledge the stakeholder consultation that has been involved in formulating the draft Plan. Our brief comments below propose a number of additional amendments to the draft Plan and the *Cat Management Act 2009* to strengthen management outcomes.

Local government responsibility

With some notable exceptions, including Kingborough, Clarence and Latrobe Councils, local governments have not taken strong action to promote cat management within their municipalities. Section 43 of the *Cat Management Act 2009* empowers councils to make by-laws to address cat management, however only Latrobe Council has developed such a by-law to date.

The draft Plan seeks to encourage and support Councils to utilise the option to develop by-laws and implement associated compliance programs (see actions 4.1.4, 4.6.3 and 4.6.4). We recommend that Councils be more formally required to develop and implement management plans, rather than simply encouraged to do so.

Section 7 of the *Dog Control Act 2000*, which obligates councils to develop a dog management policy, provides a good model for requiring action by local government while still allowing the local council to determine the content of its policy. The State Government can assist by developing a model policy or by-law.

Confining cats

Mandatory confinement

We support the proposed introduction of compulsory confinement provisions to require cat owners to prevent their pets leaving the property. It is important for the *Cat Management Act 2009* to include explicit requirements to confine cats to homes, and sufficient penalties to act as a deterrent against non-compliance.

Sections 23 and 25 of the *Domestic Animals Act 1994* (Vic) provide a reasonable model for dealing with cats found outside the owner's property. Local council experiences with the 'dog at large' provisions under the *Dog Control Act 2000* will also provide useful guidance. Introducing new compliance notice provisions will allow authorised officers to achieve a practical balance in enforcing the confinement requirements.

As highlighted in the draft Plan, confinement will require "a shift in community attitude". The government can assist by educating the community regarding cost-effective methods to confine cats and providing a phase-in period while that education campaign occurs. Any phase-in period should be limited to 1-2 years, with an education campaign continuing for a further period to improve compliance. Monitoring of compliance should also be undertaken to identify where further education or support is necessary.

Scope of 'property'

In rural or semi-rural environments, confining a cat to the owner's "property" would still allow considerable scope for cats to roam and kill native wildlife. Any confinement provisions should make clear that cats are to be confined, at least from dusk to dawn, to a dwelling or enclosure.

Cat management actions

Feral cat eradication

We acknowledge the difficulties in achieving eradication of feral cat populations on mainland Tasmania, but encourage the government to consider eradication programmes on identified islands where eradication would be achievable and deliver key biodiversity improvements. The draft Plan should identify appropriate locations and outline management actions and performance indicators for eradication.

We recommend that all State land management agencies (such as Forestry Tasmania and the Parks and Wildlife Service) be required to develop and implement feral cat control plans for land under their control.

Cat management in rural areas

We support the proposed extension of management actions available to all primary producers, however a clear definition of "primary production" will be required. We recommend that any definition be consistent with definitions proposed for use under the State Planning Provisions.

We also support the removal of the 1 kilometre restriction, subject to private landowners (other than primary producers) being restricted to trapping and seizing. This will not prevent owners of covenanted land from taking necessary control actions, as such land is a "prohibited area" under the Act. If local residents other than primary producers or owners of covenanted properties consider that they need broader control options (e.g. for owners of Land for Wildlife properties to be able to humanely destroy cats that are taking wildlife), they can lobby their local council for their property to be declared a cat prohibited area.

As an aside, cat management issues frequently arise where residential uses are situated close to agricultural uses. To some extent, this and other land use conflicts can be managed through effective planning. The current planning reform process provides opportunities to limit the introduction of new residential uses in Rural and Agricultural Zones. Part 5 agreements under the *Land Use Planning and Approvals Act 1993* can also be used to restrict pet ownership on new subdivisions.

Support for control actions on conservation covenants

The draft Plan and *Cat Management Act 2009* appropriately recognise the need for cat management in areas of high conservation value, including reserves and land covered by a conservation covenant. Private landowners subject to conservation covenants are obliged to control cats and other threats to biodiversity, and should be provided with technical and financial support to fulfil those obligations.

For example, owners of covenanted land could be provided with traps and baits at no charge, or be given training or access to other resources regarding cat management options when purchasing a covenanted property.

Research

Research into the impacts of domestic, stray and feral cats on biodiversity, agriculture and human health, and into the effectiveness of management actions is critical. However, limited research resources in Tasmania should be directed to Tasmanian specific issues, rather than seeking to duplicate research work already undertaken elsewhere.

Examples of Tasmanian-specific research that could inform management strategies include identifying areas of high-risk threatened species populations, identifying islands likely to benefit from eradication programmes, and investigating whether Tasmanian devils can be effective in controlling cats.

Thank you for the opportunity to make these comments.

Kind regards,

EDO Tasmania



Jess Feehely
Principal Lawyer

EDO Tasmania thanks Professor Ben Richardson for his contribution to this submission.