



ROYAL NEW SOUTH WALES CANINE COUNCIL (trading as DOGS NSW)

Submission to Hilltops Council – Draft Keeping of Domestic Animals Policy.

Dear Sir/Madam

DOGS NSW appreciates the opportunity to make a submission regarding the Hilltops Council Draft Keeping of Domestic Animals Policy.

Our primary aim is the welfare of all dogs, and we support any initiatives that work for the betterment of health and welfare- issues related to dogs.

We would appreciate the opportunity to personally meet with Councillors of the Hilltops Council and extend an invitation to those Councillors and Council Officers to visit our DOGS NSW facility, The Bill Spilstead Complex for Canine Affairs to gain an understanding of the scope and self-regulatory nature of our organisation.

1. WHO IS DOGS NSW?

- DOGS NSW is the trading name of The Royal NSW Canine Council Limited.
- Established by the NSW Minister for Agriculture in 1947, operating under the umbrella of the Royal Agricultural Society of NSW as the RAS Kennel Club.
- Incorporated as a company limited by guarantee (NSW Canine Council Ltd) in 1988, was granted Royal Assent in 1993.
- An organisation that operates as a self-regulating, licensing and registration body at no cost to the NSW Government.
- A member body of the Australian National Kennel Council Ltd (ANKC Ltd) who have in excess of 36,000 members and a registration database which currently holds the details of well over 100,000 dogs. DOGS NSW has approximately 10,000 members.
- Dogs NSW is a nationally recognised body and is recognised stakeholder with the NSW Department of Primary Industries, in the areas of preserving animal welfare in the housing and breeding of companion animals (dogs).

2. WHAT DOES DOGS NSW DO?

- Promotes the health and welfare of dogs.
- Is the only NSW canine organisation recognised both Australia-wide and worldwide as the peak body that promotes the health and welfare of ANKC Ltd registered dogs.
- Maintains the NSW purebred register of all breeds.
- Promotes health improvement schemes and maintains registers for these schemes.



- Certifies breeder licences, monitors and regulates its members as responsible breeders of dogs through educational programs and examinations.
- All DOGS NSW licensed breeders must comply with our Code of Ethics. Failure to comply with the Code of Ethics and welfare requirements, as outlined in the Prevention of Cruelty to Animals Act, 1979/2015 (POCTA), is subject to investigation and the application of penalties.
- Dogs NSW requires all dogs to be microchipped at the time of registration providing ownership and traceability of the breeder/owner.
- Promotes all aspects of good canine socialisation and education. Many of these activities are also open to non-pedigree dogs.
- Provides social activities for both owners and dogs through a range of recreational events such as obedience and agility.
- Supports rescue groups and clubs and currently has in excess of 70 breed rescue groups.

3. CONTRIBUTION OF DOGS NSW AND ITS MEMBERS TO THE HILLTOPS COUNCIL LGA ECONOMY AND COMMUNITY

- RSPCA research¹ shows that Australia has one of the highest rates of pet ownership in the world. 62% of Australian Households own a pet with dogs being the most popular pet with 38% of households owning a dog. Further, the RSPCA estimates that there are 20 dogs per 100 people in Australia.
- Council will need to seriously consider the impact of its proposed actions of limiting dog numbers on the local community of the Hilltops LGA.
- Dog owners support local veterinary practices, food and service suppliers.
- DOGS NSW recommends that Council consider the impact of their proposed plan to limit the number of dogs in the Hilltops LGA on the businesses located in the council area.
- We also feel that some locals may be forced to leave the LGA to comply with the strict limited numbers, further impacting the Hilltops community.

4. WHAT IS THE PROBLEM WITH THE “DRAFT KEEPING OF DOMESTIC ANIMALS POLICY”?

The current *Companion Animals Act 1998* No.87 already grants the power to a council to make an order restricting the number of dogs kept on a property on a “case by case basis”.

¹ <https://kb.rspca.org.au/knowledge-base/how-many-pets-are-there-in-australia/>



The proposed draft policy has the potential to:-

- Add an unnecessary layer of complexity to the current Act.
- Be seen as a regulation rather than a guideline by both residents and council officers.
- Result in panic dumping and euthanasia of dogs in excess of the proposed guidelines.
- Result in vexatious complaints.
- Act as a deterrent to individuals registering dogs with Council in order to hide them, resulting in loss of revenue to Hilltops Council and a loss of control of dog numbers and dog management.
- Drive the ownership of dogs underground, thereby resulting in the opposite outcome of what Council is trying to achieve.
- Dramatically increase compliance cost to Council at the same time as causing a loss of revenue.
- Significantly impact on the economy of the Hilltops LGA, particularly with regards to small businesses providing pet services.
- Of major concern is significant community anxiety that is already evident. DOGS NSW has been contacted by members and the general public seeking assurances that their dogs will be safe. In particular, DOGS NSW has been contacted by distressed pensioners and other dog owners who are fearful that they will be forced to surrender any dogs in excess of the proposed guidelines.

5. SPECIFIC PROBLEMS WITH THE “DRAFT KEEPING OF DOMESTIC ANIMALS POLICY”

Restriction of the number of dogs able to be kept in regards to the Companion Animals Act 1998

- The *Companion Animals Act 1998* No.87 already gives the Council the power to resolve issues on a case by case basis, where dog owners fail to comply with community amenity expectations.
- Provisions already exist for a council to issue a local order concerning the number of dogs that can be kept on an individual property. An arbitrary restriction of numbers in itself is not a guarantee of compliance.
- The Companion Animals Act – General Information – Frequently Asked Questions document, issued to councils as circular 98/72 in September 1998, states that:

There is no limit on the number of animals which a person can own provided that the animals are properly cared for and do not pose a nuisance, health or safety risk to other members of the community.



However, councils can develop policies either through their Local Companion Animal Management Plans or as Local Orders Policies, which provide guidance as to the number of animals considered acceptable in your area. These policies are subject to public consultation and **will only be applied where health, safety, amenity or animal welfare problems are identified.**

- As discussed above, under the *Companion Animals Act 1998* (CAA) Council does not have the power to limit the number of pets a resident can keep, this is also the case under the *Local Government Act 1993*. Nor do councils have powers to require a person to apply for approval to keep more than the number of animals specified in a local orders policy. This was provided to LGAs in a Local Government Circular (01/39) which has not altered on pet numbers since then.

Potential surrendering of animals due to breaching number restrictions

- DOGS NSW breeders may be forced to rehome some of their treasured dogs because they have more than the number allowed. They may have several dogs for breeding and showing purposes and may also be “running on” puppies from a litter to assess their potential for showing. They may also have older dogs that have retired from breeding and showing that they have chosen to keep as family pets rather than rehome. DOGS NSW breeders often invest large amounts of money, time and effort into their hobby and it would be unfair to expect these breeders to rehome some of their much-loved dogs when they are well-cared for and part of their hobby.
- DOGS NSW advises that owners may be forced to euthanise their pets out of fear from intervention by Hilltops Council should it proceed with this policy. Past experience of DOGS NSW shows this to be a genuine possibility and is inconsistent with NSW Government Animal Welfare Policies.
- Should dog owners be forced to surrender their dogs’ due numbers exceeding this policy, the outcome may result in further overloading of animal shelters and Council pounds. These are already publicly known to be at capacity in NSW and long waiting lists are currently in place for pounds to accept any further surrenders².
- Further, DOGS NSW breeders are bound by a strict code of ethics that sets down stringent health and welfare requirements for the dogs. This aligns with which members are obliged to follow, this also aligns with The NSW Animal Welfare Code of Practice Breeding of Dogs and Cats. It would not only be unfair, but unnecessary to expect DOGS NSW breeders to submit to yet another level of inspections.

² <https://www.9news.com.au/national/animals-surrendered-sydney-influx-post-covid-and-cost-of-living/ed10bcd5-5613-4ac3-a1e2-192910476371>



RECOMMENDATION:

In consideration of the issues raised in our submission, DOGS NSW strongly recommends that Hilltops Council defer any decision-making regarding the “Draft Keeping of Domestic Animals Policy” until such time as the review of the Companion Animals Act 1998 is completed.

We request that Hilltops Council consult with DOGS NSW before finalising any Keeping of Domestic Animals Policy.”

For further information, please contact this Office via email at info@dogsnsw.org.au or by telephone on 02 9834 3022.