

## **Agriculture and Fisheries and Other Legislation Amendment Bill 2023**

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Every Queensland  
community deserves  
to be a liveable one

# Agriculture and Fisheries and Other Legislation Amendment Bill 2023

Submission to the State Development and  
Regional Industries Committee

December 2023

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## About the Local Government Association of Queensland (LGAQ)

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

### Partners in Government Agreement

The LGAQ on behalf of all 77 Queensland local governments is a signatory to a three-year Partners in Government Agreement with the State of Queensland.

The Agreement details the key principles underlying the relationship between the state and local governments and establishes the foundation for effective negotiation and engagement between both levels of government.

The Agreement acknowledges that local government is the closest level of government to the community, affecting the lives of everyday Queenslanders and acknowledging Local Government as a genuine partner in the Australian government system.

The intent of the agreement was to continue the tradition of working in genuine partnership to improve the quality of life for all Queenslanders to enjoy. By identifying the roles and responsibilities of each party, it provides a solid foundation for effective negotiation and engagement between both levels of government.

The LGAQ is committed to working with the Queensland Government and will continue to be a passionate advocate for councils, to serve our joint jurisdiction for the people of Queensland.

### Rural and Remote Councils Compact

The Rural and Remote Councils Compact<sup>1</sup> signed on 25 June 2021, complements the existing Partnership in Partners-in-Government agreement in place between the LGAQ and the Queensland Government to provide a platform to ensure issues of priority for these communities are properly considered by the Government when developing policies, programs, and legislation.

The Rural and Remote Councils Compact, pledges to amplify the voice of and improve outcomes for the state's 45 rural and remote councils and their local communities by enhancing engagement between both levels of government.

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<sup>1</sup> A copy of the Rural and Remote Councils Compact can be found [here](#).

# Agriculture and Fisheries and Other Legislation Amendment Bill 2023

## 1.0 Executive Summary

The LGAQ welcomes the opportunity to provide feedback to the State Development and Regional Industries Committee (the Committee) on the *Agriculture and Fisheries and Other Legislation Amendment Bill 2023* (the Bill).

The LGAQ understands the Bill seeks to amend 14 Acts in total, and 6 regulations, related to agriculture, animal management and welfare, forestry, biosecurity and fisheries in Queensland.

Of particular interest and relevance to Queensland councils, are the proposed amendments to the *Animal Management (Cats and Dogs) Act 2008* and the *Biosecurity Act 2014*, and these proposed changes are therefore the focus of the LGAQ's submission.

Local governments are directly responsible for the enforcement of key animal management and biosecurity matters and have been actively advocating with the LGAQ over many years, for legislative changes to be implemented as quickly as possible to improve the regulatory framework.

Overall, the LGAQ is pleased to see the proposed amendments to the *Animal Management (Cats and Dogs) Act 2008* and the *Biosecurity Act 2014*, introduced through the Bill.

These changes will progress a number of the agreed outcomes raised through the Animal Management Taskforce and associated Technical Working Group (in 2022 and 2023) and the Local Government Biosecurity Act Reference Group in 2019, and allow for a more streamlined, financially sustainable and collaborative approach to management of these key roles for Queensland councils.

In particular, the LGAQ would like to thank the Department of Agriculture and Fisheries (the Department) for progressing legislative amendments through the Bill, that incorporate proposed changes consulted on through the *'Strong Dog Laws: Safer Communities' Discussion Paper* in July/August this year.

The changes in the Bill are a key step towards better domestic animal management and community safety, with the following proposed animal management reforms particularly welcomed by the LGAQ and Queensland councils:

- the support from the Department for community education and the development of a dedicated domestic animal responsible ownership campaign.
- the introduction of state-wide effective control measures.
- the move from 'restricted' to 'prohibited' dog breeds.
- the limitation put on appeals before the Queensland Civil and Administrative Tribunal (QCAT) to only accept appeals on 'questions of law', not 'questions of fact'.
- the increase in penalties for offences relating to dog attacks.

There are, however, several additional matters identified by the Animal Management Taskforce and Technical Working Group, that have not been addressed through the current Bill. These include key matters regarding councils' ability to deal with dog registration issues, breeding and ownership of puppies and other matters highlighted in **Appendix 1** of this submission.

It is of paramount importance that these matters continue to be progressed by the State Government, in consultation with the LGAQ and Queensland councils, following passage of the current Bill. The LGAQ is committed to continue working through the Animal Management Taskforce and with the Minister responsible for the *Animal Management (Cats and Dogs) Act 2008* to further progress outstanding amendments and strengthen collaboration between councils and the State Government. We welcome the Minister's previous public comments that the Taskforce will continue to work through these issues.

Finally, it is also positive to see the Bill incorporates proposed changes to the *Biosecurity Act 2014* that were agreed upon as part of the Local Government Biosecurity Act Reference Group, which concluded in late 2019.

In particular, the LGAQ and Queensland councils welcome the proposed biosecurity related amendments to:

- remove certain restrictions for the disposal of category 3 restricted matter in specific circumstances,
- enable local government to undertake compliance activities for locally declared pests through the Act,
- transfer Schedule 1 (Prohibited matter) and Schedule 2 (Restricted matter) from the Act to the regulation.

## 1.1 Recommendations

In total, the LGAQ makes the following 6 recommendations in relation to the Bill:

**Recommendation 1:** The LGAQ recommends the State Development and Regional Industries Committee accept all proposed amendments to the *Animal Management (Cats and Dogs) Act 2008* as outlined in the Bill, including the proposed commencement dates as outlined in the Bill.

**Recommendation 2:** The LGAQ recommends the State Government ensures all relevant changes to the State Penalties Enforcement Regulation 2014 are made and in effect, to align with the commencement of amendments to the *Animal Management (Cats and Dogs) Act 2008*.

**Recommendation 3:** The LGAQ recommends the Bill be amended to provide the ability for authorised officers to use verbal compliance directions before issuing a PIN relating to section 192 and 193 of the *Animal Management (Cats and Dogs) Act 2008*.

**Recommendation 4:** The LGAQ recommends the State Government ensures the proposed specialised investigators team within the Department of Agriculture and Fisheries does not erode local government decision-making powers but rather provides an advice and capacity building role, where needed, to support councils in administering their roles and responsibilities under the *Animal Management (Cats and Dogs) Act 2008*.

**Recommendation 5:** The LGAQ recommends the State Government continues working with the Animal Management Taskforce and the Technical Working Group, as committed to by Minister Furner, to progress further legislative amendments that address all issues identified in **Appendix 1** of this submission.

**Recommendation 6:** The LGAQ recommends that the Committee accept all proposed amendments to the *Biosecurity Act 2014*, as outlined in the Bill.

Please do not hesitate to contact Rudolf Pretzler, Lead – Public Health and Waste in the first instance, via email at [REDACTED] or phone on [REDACTED], should you wish to discuss any aspect of this submission.

## 2.0 Introduction

The LGAQ welcomes the opportunity to provide feedback on the *Agriculture and Fisheries and Other Legislation Amendment Bill 2023* (the Bill), which includes amendments to each of the following Acts:

- *Agricultural Chemicals Distribution Control Act 1966,*
- *Animal Care and Protection Act 2001,*
- *Animal Management (Cats and Dogs) Act 2008,*
- *Biosecurity Act 2014,*
- *Chemical Usage (Agricultural and Veterinary) Control Act 1988,*
- *Drugs Misuse Act 1986,*
- *Exhibited Animals Act 2015,*
- *Farm Business Debt Mediation Act 2017,*
- *Fisheries Act 1994,*
- *Forestry Act 1959,*
- *Nature Conservation Act 1992,*
- *Sugar Industry Act 1999,*
- *Veterinary Surgeons Act 1936.*

Local government, as the level of government closest to the community, and having accepted delegated responsibility under some of the Acts listed above, is a key stakeholder and keenly interested in an effective regulatory framework for all relevant Acts proposed for amendment under the Bill.

The proposed changes to the *Animal Management (Cats and Dogs) Act 2008* and the *Biosecurity Act 2014* are of high interest and relevance to Queensland councils and their communities and the LGAQ would like to thank the State Government for progressing these Act amendments. They respond to detailed, ongoing consultation with relevant local government stakeholders through the 'Local Government Biosecurity Reference Group' and the 'Animal Management Taskforce'.

Although the Bill does not address all changes proposed and asked for by local government, the amendments incorporated in the Bill are an essential step forward.

In preparing this submission, the LGAQ has consulted with Queensland councils and has prepared detailed feedback on the proposed changes to the *Animal Management (Cats and Dogs) Act 2008* and the *Biosecurity Act 2014*, in section 3.0 below.

**Appendix 1** to this submission also outlines the additional regulatory reforms identified by the Animal Management Taskforce, that the LGAQ and Queensland councils would like to see progressed.

Many of the other proposed changes contained in the Bill are minor in nature or have no direct relationship to local government operations, and therefore have not been referenced in this submission.



## 2.1 LGAQ Policy Statement

The LGAQ Policy Statement<sup>2</sup> is a definitive statement of the collective voice of local government in Queensland. The relevant policy positions of local government in the context of animal management and biosecurity are as follows:

### 5.3.9 Biosecurity

- 5.3.9.2 Local government seeks to work cooperatively with the Federal and State governments to control the impacts of listed and non-listed pest animals and pest plants in the state.

### 5.5.3 Dog Control

- 5.5.3.1 Local government acknowledges the importance of protecting the community against dangerous dog attacks and supports the review of animal management legislation to ensure it remains both current and appropriate for Queensland councils and their compliance activities.
- 5.5.3.2 The aim of the State Government regulatory framework for regulated dogs and council local laws should be to ensure that people who keep dogs do so in a responsible manner and that all persons are adequately protected from wandering dogs.
- 5.5.3.3 Penalties for non-compliance with local laws for dog control should be set at high levels to act as an effective deterrent.
- 5.5.3.4 To ensure effective implementation and efficient use of resources, State legislation for compulsory microchipping of cats and dogs should provide local governments with the ability to designate areas where the provisions apply as well as areas that are exempt.

## 2.2 LGAQ Annual Conference Resolutions

The LGAQ is committed to member driven advocacy and working with members to build stronger local government and more resilient local communities. In the context of the Bill, the following resolutions passed at LGAQ Annual Conferences since 2020, are relevant:

- Resolution No. 16 (2020) – Endorsement and Implementation of the Recommendations of the Biosecurity Act 2014 Review  
*“That the LGAQ lobby for the State Government to endorse and implement the recommendations of the Biosecurity Act 2014 review.”*
- Resolution No. 87 (2020) – Increased Fines for Dangerous Dogs  
*“That the LGAQ lobby the State Government for provision of a Penalty Infringement Notice (PIN) for offences under s194 1(b), (c) and (d) and s195 1(b), (c) and (d) of the Animal Management (Cats and Dogs) Act 2008.”*
- Resolution No. 89 (2020) – Regulated Dog Management Review  
*“That the LGAQ lobby the State Government to:*
  1. *Coordinate a legislative review of the Animal Management (Cats and Dogs) Act 2008, Chapter 4 – Regulated Dogs to strengthen the ability of local governments to investigate and effectively manage serious dog attacks and regulated dog offences to improve community safety outcomes;*
  2. *Coordinate a review of the Queensland Civil and Administrative Tribunal Act and Regulation 2009, and QCAT Practice Directions to identify methods to reduce*

<sup>2</sup> LGAQ Policy Statement (2023) – available online [here](#).

*extended delays in hearing and determining matters, reduce complexity associated with the process of review surrounding local government decision making and imminent risks to community safety; and*

3. *Undertake broad consultation with local governments and key stakeholders on the legislative review."*
- Resolution No. 72 (2021) – Restricted Dogs  
*"That the LGAQ calls on the State Government to amend the Animal Management (Cats and Dogs) Act 2008 (Qld) to prohibit the ownership of restricted dogs in Queensland."*
  - Resolution No. 73 (2021) – Unregistered Dogs - Increasing Enforcement Powers  
*"That the LGAQ calls on the State Government to:*
    1. *Amend the Animal Management (Cats and Dogs) Act 2008 to provide powers for authorised persons to seize, impound and make an application to a Magistrates Court for the forfeiture of unregistered dogs.*
    2. *Amend the Animal Management (Cats and Dogs) Act 2008 to provide for a Magistrate to make an order for the prohibition of the keeping of animals for persons guilty of offences against the Act.*
    3. *Amend the Animal Management (Cats and Dogs) Act 2008 to provide an additional and greater maximum penalty for the failure to register a regulated dog under section 44(2) and 44(3)."*
  - Resolution No. 70 (2022) – Better Regulation of the Breeding and Sale of Dogs and Cats  
*"The LGAQ calls on the State Government to undertake a full review of the Animal Care and Protection Act 2001 and the Animal Management (Cats and Dogs) Act 2008, together with their interaction with the Planning Act 2016, to achieve a more effective regulatory framework for the breeding and sale of cats and dogs and the assessment of development applications relating to such uses."*
  - Resolution No. 103 (2022) – Cat Management in Queensland  
*"The LGAQ calls on the State Government to:*
    1. *Amend the Animal Management (Cats and Dog) Act 2008 to include the option to mandate de-sexing and containment of cats in Queensland.*
    2. *That the State Government provide financial assistance to councils to meet the legislative changes."*
  - Resolution No.132 (2022) – Review of the Animal Management (Cats and Dogs) Act 2008  
*"The LGAQ calls on the Queensland Government to undertake a full review of the Animal Management (Cats and Dogs) Act 2008 (the Act)."*

## 3.0 Response to relevant aspects of the Bill

In considering the proposed amendments included in the Bill, Chapters 4 and 5 relating to the *Animal Management (Cats and Dogs) Act 2008* and the *Biosecurity Act 2014*, are of most relevance to Queensland councils. Detailed feedback regarding these amendments is provided in this section.

### 3.1 *Animal Management (Cats and Dogs) Act 2008*

Overall, the LGAQ welcomes the proposed amendments to the *Animal Management (Cats and Dogs) Act 2008* as a positive step forward in progressing reforms to strengthen the regulatory framework related to dangerous dogs and improve community safety outcomes.

The proposed changes in the Bill demonstrate the effectiveness that collaboration and in-depth consultation with local government can have. These changes have not only been proposed by councils through the Animal Management Taskforce, but were also overwhelmingly supported by the community, as seen in the responses to previous consultation related to the 'Strong Dog Laws: Safer Communities' Discussion Paper.

As such, the LGAQ can confirm local government support for changes proposed to the *Animal Management (Cats and Dogs) Act 2008*. In particular, the following amendments to the Act as contained in Chapter 4 of the Bill, are of key importance to Queensland councils:

1. Increase of potential penalties under section 81, 93, 97, 98, 134, 103B, 103C.
2. Clarification of when destruction orders must be made under section 127AA.
3. Introduction of a new chapter 8, part 3 (section 190) to limit appeals against QCAT decisions relating to destruction orders.
4. Introduction of state-wide effective control regulation and associated penalties under section 192 and 193 (noting this should be further enhanced – see **Recommendation 3** below).
5. Clearer distinction and increase in maximum penalties under section 194 and 195.
6. Introduction of powers for the chief executive to make guidelines under section 209B.
7. All relevant changes commencing in August 2024 to provide for the prohibition of restricted dog breeds in Queensland.

**Recommendation 1:** The LGAQ recommends the State Development and Regional Industries Committee accept all proposed amendments to the *Animal Management (Cats and Dogs) Act 2008* as outlined in the Bill, including the proposed commencement dates as outlined in the Bill.

The LGAQ understands the updated and new penalty provisions under the Bill, will need to be supported by amendments to the State Penalties Enforcement Regulation 2014 (SPER). These details are not currently outlined in the Bill, however, to ensure clarity for local government enforcement officers, the LGAQ seeks amendment of the SPER to align with the commencement of reforms to the *Animal Management (Cats and Dogs) Act 2008*.

**Recommendation 2:** The LGAQ recommends the State Government ensure all relevant changes to the State Penalties Enforcement Regulation 2014 are made and in effect, to

align with the commencement of amendments to the *Animal Management (Cats and Dogs) Act 2008*.

In considering the Bill, the Animal Management Technical Working Group has also noted that the current proposed additions under section 193 would effectively limit regulatory powers of animal management officers in councils that have local laws relating to animal management that go beyond the model law. This is due to a lack of powers provided within this section on the use of non-regulatory measures such as verbal compliance directions, as well as the introduction of broad terminology that is not defined with section 191.

Further amendments to the Bill (relating to section 192 and 193 of the *Animal Management (Cats and Dogs) Act 2008*) should be made, to enable authorised officers to give verbal compliance directions prior to issuing of a penalty infringement notice (PIN).

**Recommendation 3:** The LGAQ recommends the Bill be amended to provide the ability for authorised officers to use verbal compliance directions before issuing a PIN relating to section 192 and 193 of the *Animal Management (Cats and Dogs) Act 2008*.

Furthermore, local governments have raised concerns with the Department and the LGAQ about the lack of clarity regarding the role of the newly funded 'specialised investigators within the Department of Agriculture and Fisheries' (i.e. a State Government Animal Management Office), as announced by Minister Furner during his introductory speech for the Bill. This role has yet to be defined and the interrelationship between the proposed specialist investigator and a local government, remains unclear.

The LGAQ seeks greater certainty regarding the role of a specialist investigator prior to passage of the Bill. Councils depend on regulatory clarity and are not supportive of a new State Government Animal Management Office that could erode local government decision making powers, especially in relation to the issuing of PINs. Rather, we propose that the role of specialised investigators should be to support local government in its roles and responsibilities under the *Animal Management (Cats and Dogs) Act 2008* for example, through providing advice and capacity building where this is needed, and that this clarification is made clear within the legislation.

**Recommendation 4:** The LGAQ recommends the State Government ensure the proposed specialised investigators team within the Department of Agriculture and Fisheries, does not erode local government decision making powers but rather provides an advice and capacity building role where needed, to support councils in administering their roles and responsibilities under the *Animal Management (Cats and Dogs) Act 2008*.

#### Additional regulatory reforms identified by the Animal Management Taskforce

In addition to the proposed amendments contained in the Bill, there remain a number of additional regulatory reforms identified the Animal Management Taskforce and Technical Working Group that should continue to be progressed by the State Government to ensure the most robust and effective regulatory framework for animal management in Queensland.

The changes are detailed in **Appendix 1** of this submission and include:

- Clarification of 'Foster' and 'Shelter' definitions to help combat covert excessive pet ownership.
- Introduction of the 'Dunbar bite scale' to simplify and streamline decision making on dog attacks, as well as provide for a 'provisional declaration' for less serious offences.
- Permit the seizure by relevant officers of offspring of seized dogs to help combat illicit breeding and excessive pet ownership.
- Providing for the use of body-worn cameras by relevant officers when exercising powers under the Act to assist in legal proceedings and protect relevant officers.
- Further powers to councils to deal with unregistered animals and introduction of a state-wide registration data base to allow for detailed registration and management of domestic animals in Queensland.
- Thorough review of breeder regulation and registration to help combat puppy and kitten farms.
- Domestic cat containment and de-sexing to empower councils to deal with a key invasive species.

At the final meeting of the Animal Management Taskforce, prior to the publication of the 'Strong Dog Laws: Safer Communities' Discussion Paper in May 2023, Minister Furner committed to continuing work with local government on these additional priorities following the finalisation of the current Bill.

**Recommendation 5:** The LGAQ recommends the State Government continues working with the Animal Management Taskforce and the Technical Working Group, as committed to by Minister Furner, to progress further legislative amendments that address all issues identified in **Appendix 1** of this submission.

The LGAQ looks forward to continuing work with the Department on implementation of the current animal management reforms, as well as identifying workable solutions to address the additional matters identified by the Animal Management Taskforce and as outlined in Appendix 1.

### 3.2 *Biosecurity Act 2014*

The LGAQ and Queensland councils thank the State Government for progressing the agreed outcomes from the Local Government Biosecurity Act Reference Group, through the current Bill. The proposed changes to the *Biosecurity Act 2014* are strongly supported by local government and include:

- removing restrictions for the disposal of category 3 restricted matter, only if it relates to the management of the restricted matter – for example, transporting parthenium plants to a waste management facility for deep burial (Clause 86).
- enabling local government to undertake compliance activities for locally declared pests through the Act, instead of the current practice of delivering compliance through Local Law No. 3 (Community and Environmental Management) (Clause 87, 117).
- amendments to biosecurity programs (Clause 99, 100, 101), which includes the removal of the requirement for an authorised officer to attempt to receive consent to enter a place, and instead replaces with the requirement for an authorised officer to attempt to notify the occupier to undertake a biosecurity program (Clause 102).

- the transferal of Schedule 1 (Prohibited matter) and Schedule 2 (Restricted matter) from the Act to the Regulation (Clause 107), enabling a more efficient administrative process for updates to the respective lists.

**Recommendation 7:** The LGAQ recommends that the Committee accept all proposed amendments to the *Biosecurity Act 2014*, as outlined in the Bill.

## 4.0 Conclusion

Overall, the LGAQ is strongly supportive of the proposed changes to the *Animal Management (Cats and Dogs) Act 2008* and the *Biosecurity Act 2014* contained in the Bill but seeks further clarity regarding the on-ground implementation of certain amendments as outlined in this submission.

The proposed amendments to these Acts, progress long standing advocacy priorities of Queensland councils and the LGAQ and are an essential step to allow councils to protect their communities efficiently and effectively from dangerous dog attacks as well as protecting the environment from biosecurity threats.

The LGAQ and Queensland councils look forward to continuing work with the State Government on further necessary legislative amendments and guidelines, including through ongoing representation on the Animal Management Taskforce.

## Appendix 1: Additional regulatory changes requested - Animal Management Taskforce

### Definition of rescue/ breeders/ foster carers

- There is currently a lack of legal definition for the terms of 'rescue', 'breeder' and 'foster carer' around domestic cats and dogs, and the connected lack of need for registration for pets by short term owners. This has created a loophole for individuals to self-label as 'foster carer' or 'shelter'.
- Additional amendments are required to create registration obligations on individuals and facilities operating as domestic cat or dog 'foster' or 'shelter'.
- This should include provisions for recognised organisations and provide free-of-cost registration for short-term 'foster' carers to provide these essential services, or for cases including DAF or RSPCA investigation.
- This would improve animal welfare by further impeding undue breeding and excessive pet ownership.

### Dunbar-bite scale

- While the Bill amends section 89 to provide a definition of 'serious attack', it does not have clear criteria or recognised methodology in the provision to inform councils how to make a regulated dangerous or menacing dog declaration.
- The proposed amendment includes the addition of the 'Dunbar Bite Scale' through regulatory amendments, which classifies the severity of a dog attack into 6 categories. This would allow for lower severity incidences to be declared 'provisionary menacing', which could be rescinded if the owner shows appropriate behaviour, as well as align with amendments made to how destruction orders must be made in the most serious offences.
- The proposed system allows for an approach that is both educational yet protects the community and council officers from severely dangerous animals.
- The LGAQ sees potential for these changes to be introduced through a guideline as per section 209B of the Bill.

### Seizure of offspring of seized dogs

- Under current legislation, the offspring of a seized dog remains the property of the previous owner, providing council little alternative than to provide neonates back to often non-compliant animal welfare conditions.
- Additional amendments are required to provide clear pathways for local government to manage when animals should be returned to owners who are either unable to control their dogs or have a history of rearing dogs that can be a danger to the community.

### Body-worn cameras

- The objective is to include authorisation which provides clarity and consistency to local governments on their powers to use body-worn cameras in the performance of their duties, while also protecting officers from breaches of the privacy act.
- The Act currently does not authorise the use of body-worn cameras, and the LGAQ is concerned that as proposed through recent Civil Surveillance Reforms, a specific mention in the Act is necessary.
- The provision of specific authorisation would encourage the use of body-worn cameras within local governments to detect, investigate and prosecute offences and to keep proper records of interactions between local government officers and members of the public.
- This increases safety and provides clarity when directly confronted by individuals on the use of recording equipment.

### Dog registration

- The Act provides only for financial penalty in relation to the failure to register dogs. The Act does not provide sufficient additional enforcement powers to ensure compliance with the purpose of the Act

such as the seizure and forfeiture of the dog. This issue has been highlighted by the Animal Management Taskforce but has not been addressed in the Bill.

- Additional amendments are necessary to equip councils with the power to seize/impound and seek forfeiture orders (in escalating order) for unregistered dogs.
- Council registration is not only a revenue stream, but ensures individuals keep dogs in a responsible manner, desex them appropriately and that the community is protected from wandering dogs.

#### Breeders – review of the dog breeder legislation provisions

- Currently there is a lack of control over the breeding of dogs and cats. The current system is too permitting, and previous draft amendments as per the previous 'breeders working group' should be considered, including the implementation of an enforcement escalation process.
- A clear definition and distinction between 'commercial breeder', 'accidental breeder' and 'back-yard breeder' would provide more rigour to a potential enforcement system.
- Councils are struggling with the prevalence of puppy farms, sometimes large scale, which do not operate with animal welfare as their prime concern.
- A stricter registration (i.e. stricter controls over supplier numbers to only 'responsible persons') and enforcement regime (e.g. forfeiture of litters where inappropriate breeding has been identified) would add deterrents to back-yard breeding, reduce the amount of in-breeding related disease in domestic cats and dogs.

#### Cat management

- Domestic cats, as non-native predator animals, are a key concern for biodiversity protection in Australia. Australian native fauna is not adapted to the hunting mechanisms of cats and often easily fall to prey. This is evident in the growing number of feral cats across Australia and the associated costs to biodiversity. Owned and semi-owned cats in the urban and rural context add to this issue, as roaming behaviour often is indistinguishable.
- Under the *Biosecurity Act 2014*, the feral cat is a class 3, 4 and 6 restricted animal. This means it is illegal to move, keep, feed, give away, release or sell these animals, under threat of penalty.
- This creates a key concern for local governments, as there is no regulatory power to enforce registration for domestic cats, making it nearly impossible to distinguish between the two in daily operations.
- Considering the high public interest in this matter, it should be regulated to allow councils to enforce cat registrations within their council limits.
- This would create clarity that any apprehended cat without registration falls under the *Biosecurity Act 2014* regulation and provide security for the general population that their pet is not accidentally destroyed as a pest.