

# MANAGEMENT OF FERAL OR INFANT ANIMALS POLICY

**Responsible Department:** Planning and Sustainability  
**Responsible Section:** Regulatory Compliance  
**Responsible Officer:** Manager Regulatory Compliance

## Objective

The objective of this Policy is to provide a mechanism to deal with animals which are feral and a danger for staff to handle and infant animals which need constant intensive care.

## Introduction

It is a requirement of the *Companion Animals Act 1998* (NSW) (the Act), that a person who seizes a Companion Animal under the provisions of the Act, must cause the seized animal to be returned to its owner, delivered to the Council pound, or surrender the animal to an Authorised Council Officer within a reasonable time. The Act then provides for procedures in dealing with the animals including statutory holding periods.

In some case the animals which have been seized are feral, and in other cases an infant animal is of such a young age that it cannot support its own life. In these cases, the Act requires Council to have a Policy which provides a clear direction on how these animals are to be dealt with, including alternatives to euthanasia, and euthanasia where alternatives are not available, or where it is considered cruel to keep the animal caged for any nominated statutory period as defined in the Act.

The standard holding period currently stands at seven (7) days for unidentified animals and 14 days for identified animals.

## Policy

### 1. Definitions

Term	Meaning
<b>Council pound facility</b>	Includes any pound facility operated by Council or Council’s contracted service provider.
<b>Feral animal:</b>	Means a dog or cat whose owner is unidentified and has been living as a wild animal in undomesticated circumstances and, demonstrates such wild behavior that handling the animal would pose a risk to staff and be seen as cruel to keep the animal caged for a longer length of time than deemed necessary.
<b>Infant animal:</b>	Means a dog or cat that has not yet reached physical maturity and refers to an animal that is not able to feed and fend for itself or is of such age that keeping it within a pound facility would place the animal’s welfare at risk.
<b>Unidentified animal:</b>	Means a dog or cat that has no form of identification contained on or in its body being a microchip or collar and tag containing owner’s details.

## 2. Feral Companion Animals

### Assessment of suspected feral animals

- 2.1. Council, or a veterinarian engaged by Council, will assess animals accepted into its pound facility suspected of being feral to validate whether the animal is feral.
- 2.2. The results of that assessment will be document and signed by the General Manager or their delegate, who may declare the animal feral.

### Euthanasia

- 2.3. Council may euthanise feral animals before the expiry of holding periods specified in Section 64 of the *Companion Animals Act 1998* (NSW) where:
  - (a) Reasonable investigations into its identification have been made;
  - (b) It is considered cruel to keep the animal caged for the statutory holding period; and
  - (c) The provisions of Section 64B have been complied with.

## 3. Infant Companion Animals

### Assessment of suspected infant animals

- 3.1. Council, or a veterinarian engaged by Council, will assess animals accepted into its pound facility suspected of being infant animals.
- 3.2. The assessment will consider:
  - (a) Whether the animal is in fact an infant animal;
  - (b) Whether the animal is of such an age and size that survival in the long term is remote.
- 3.3. The result of that assessment will be documented and presented to the General Manager or their delegate, who may declare the animal infant.

### Early Release

- 3.4. Infant animals may be subject to early release in accordance with the early release provisions of this policy where:
  - (a) Survival in the long term is reasonably possible through care external of the pound; or
  - (b) It is otherwise in the animal's best interests to release it early.
- 3.5. Clause 3.4 does not apply where, following reasonable enquiries, no care external to the pound is available.

### Euthanasia

- 3.6. Council may euthanise infant animals before the expiry of holding periods specified in Sections 64 and 64A of the *Companion Animals Act 1998* (NSW) where:
  - (a) A registered veterinarian considers that the animal's survival in the long term is remote; and
  - (b) The provisions of Section 64B have been complied with.

## 4. Early release as an alternative to euthanasia

- 4.1. Companion animals identified as being an infant may be released on a permanent basis prior to the expiration of the statutory holding period set out in sections 64 and 64A of the Act as an alternative to euthanasia, or on the basis that such action is in the best interests of the animal's welfare.
- 4.2. Early release is subject to the animal only being released to the following organisations:
  - (a) Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA)
  - (b) Animal Welfare League; or
  - (c) Any other reputable rehoming organisation.

## References

- *Companion Animals Act 1998 (NSW)*

## History

<b>Minute Number</b>	<b>Meeting Date</b>	<b>Description of Change</b>
17/2017	February 21, 2017	Adoption
164/2017	August 15, 2017	Reviewed
336/2022	October 18, 2022	Adopted