



# CATTLE COUNCIL OF AUSTRALIA

17 September 2021

Department of Primary Industries  
c/o Animal Welfare  
Locked Bag 21  
Orange NSW 2800

Via email: [animalwelfare.submissions@dpi.nsw.gov.au](mailto:animalwelfare.submissions@dpi.nsw.gov.au)

Dear Animal Welfare Division,

## **Re: NSW Animal Welfare Reform**

Cattle Council of Australia (CCA) is the peak industry organisation representing Australia's grass-fed cattle producers. Established in 1979, CCA brings together all state-based farming organisations (SFOs) representing cattle producers in their jurisdiction, associate member organisations with close connections to the cattle industry, and individual cattle producers.

A priority under the red meat industry's strategic plan ([Red Meat 2030](#)) is to set the standard for world class animal health, welfare, biosecurity and production practices, achieved through:

- Ensuring whole-of-industry animal health and welfare standards and systems
- Adopting animal health, welfare, biosecurity and production best practices
- Optimising animal production for the environment and market.

To enable this, CCA develops policy and supports investment in leading science to encourage and support Australian beef producers to implement best management practice animal welfare and increase industry awareness and compliance of Animal Welfare Standards across the supply chain. Progress against these objectives is tracked through the [Australian Beef Sustainability Framework](#).

## **CCA Animal Welfare Policy**

With this background, CCA:

1. recognises cattle as being able to feel and perceive the world around them;
2. supports the *Australian Animal Welfare Standards and Guidelines for Cattle* and the incorporation of the *Standards* component into jurisdictional Regulations;
3. supports and promotes the industry's *Is it fit to load?* Guide and its periodic revision;
4. recognises the need for punitive action against any individual or organisation knowingly contravening a jurisdiction's animal-welfare legislation and/or the national *Animal Welfare Standards*;
5. is committed to the pursuit of non-invasive replacements for surgical procedures used on farm as part of responsible management practice and promotes the use of effective pain relief in the interim;



## CATTLE COUNCIL OF AUSTRALIA

6. encourages greater transparency with the community regarding through-chain animal-welfare practices; and
7. supports and advocates for the use of low-stress stock handling techniques when handling livestock.

The above points are consistent with the shared vision and direction for the Australian red meat and livestock industry over the next 10 years - Red Meat 2030.

### **NSW Animal Welfare Reform Discussion Paper**

CCA welcomes the opportunity to provide comment on the detailed policy proposals for the New South Wales (NSW) legislation as outlined in the NSW Animal Welfare Reform Discussion Paper. We provide this submission without prejudice to any additional submission from our members or individual producers.

### **National consistency**

National consistency of animal welfare regulations across jurisdictions is of the utmost importance to the cattle sector. Many grass-fed cattle producers have operations in multiple jurisdictions and find differing cross-border standards difficult to navigate, risking inadvertent non-compliance.

CCA acknowledges the regulation of animal welfare is a matter for jurisdictional governments, and therefore appreciates the steps being taken by the NSW Government to consult widely with industry.

CCA has advocated that all state governments legislate the Australian Animal Welfare Standards and Guidelines (AWS&Gs) for Cattle, noting that these are the prescribed guidelines under Section 34A of the *Prevention of Cruelty to Animals Act 1979* and will continue to be implemented throughout the reform project.

CCA understands that jurisdictional governments will also use their respective animal-welfare legislation, such as *Prevention of Cruelty to Animals Act*, to support penalties for cases of animal cruelty.

### **Proposals**

CCA supports the detailed responses included in the submission from our NSW state farming organisation (SFO) member, NSW Farmers. Policy staff within NSW Farmers consulted with CCA during the drafting of their submission. In addition, CCA provides the following comments for the specified proposals:

- **Proposal 1 – Replace the existing laws with a single, modern Act**  
While ensuring that the single, modern Act is simple and avoids duplication to improve the application of animal care law, CCA highlights the need to retain relevant, unique elements of each the *Prevention of Cruelty to Animals Act 1979* (POCTAA), *Animal Research Act 1985* (ARA), and *Exhibited Animals Protection Act 1986* (EAPA).

CCA believes the Department of Primary Industries (DPI) should retain administration of animal welfare legislation as they are the best placed agency with both technical knowledge



## CATTLE COUNCIL OF AUSTRALIA

and established relationships to ensure that positive animal health and care outcomes are delivered. Retaining responsibility for the administration of animal welfare by the jurisdictional agricultural portfolio will also remain consistent with other jurisdictions.

- **Proposal 2 – Update the objects of the Act**

CCA supports the NSW Farmers' position on a science-based approach to animal welfare and the suggestion to consider the Queensland approach, which recognises the importance of balancing the welfare of animals and the interests of people whose livelihood depends on animals.

- **Proposal 4 – Introduce a minimum care requirement**

CCA supports the proposed minimum care requirements, noting the minimum care requirements appear to fall short of the Principles for cattle welfare under the AWS&Gs for cattle, and requests the inclusion of an additional minimum care requirement that reflects a producer obligation to implement/undertake preventative measures. This may be in the form of husbandry practices or treatments, to minimise any resulting poor welfare outcomes from not undertaking the preventative measure(s). CCA believes the inclusion of this requirement reflects a more proactive approach to ensuring good animal welfare outcomes.

- **Proposal 5 – Update the definition of cruelty**

CCA seeks clarification of how the meaning of 'psychological suffering' will be acknowledged in the definition of cruelty and requests the inclusion of a definition of the term as what may be deemed as 'psychological suffering' is open to subjective interpretation and by extension what constitutes unacceptable conduct.

- **Proposal 7 – Clarify prohibited and restricted procedures**

CCA welcomes this inclusion, noting that some procedures are considered 'normal husbandry procedures' as this provides certainty to our members that it is not an offence to undertake normal animal husbandry activities in a way that causes no unnecessary pain to animals. Should the prohibited and restricted lists be reviewed, CCA would appreciate consultation to advise of any changes and/or additions, prior to finalisation of the Act.

- **Proposal 8 – Providing certainty for lawful activities**

CCA highlights that further clarity may be required regarding the defence for *destroying or preparing an animal for destruction in accordance with the Jewish (or other prescribed) religion*, particularly how this aligns with existing standards and guidelines regarding the preparation of meat for human consumption. This defence does not feature as a principle in the National Animal Welfare Standards for Livestock Processing Establishments and may be perceived as contradictory.

CCA also notes the administering of poisons is proposed to capture instances where poisons or harmful substances are administered to domestic animals, or intentionally held or



## CATTLE COUNCIL OF AUSTRALIA

administered with the purpose of killing or harming domestic animals. Circumstances where such substances are the method of poisoning the animal without causing unnecessary harm in accordance with the general biosecurity duty outlines in the *Biosecurity Act 2015* (e.g. using appropriate means of baiting to manage pest animals). CCA seeks clarity on the appropriate standard operating procedures (SOP) referenced, specifically whether that is a national or jurisdictional SOPs.

- **Proposal 10 – Provide authorised officers with new powers to administer sedatives and/or pain relief to animals**

CCA supports the provision for authorised officers to administer sedatives and/or pain relief to animals. Many of our producer members are located in remote regions where veterinary treatment may not be immediately available. As such, allowing authorised and appropriately trained officers to administer sedatives and/or pain relief to alleviate suboptimal animal welfare outcomes is positive. CCA queries the training arrangements intended, particularly whether it will be consistent with other jurisdictions, noting that authorised trained officers will be approved by the Ministry of Health.

- **Proposal 12 – Provide Local Land Services and council officers with powers in critical situations**

As noted with Proposal 10 (above), CCA supports the proposed change to allow certain appropriately trained LLS officers to humanely euthanise livestock and native animals in critical situations and queries the training to be provided (particularly that pertaining to the humane euthanasia of livestock) and the consistency with other jurisdictions. We also query whether the trained LLS officers will also be approved by the Ministry of Health.

- **Proposal 16 – Standardise statutory limitation periods and authority to prosecute provisions**

CCA does not support a three-year statutory limitation period and believes that alleged adverse welfare situations should be addressed quickly. The current proposed timeframe hinders the change of conviction in instances of clear violations and would increase industry reputational risk.

- **Proposal 17 – Broaden the application of Stock Welfare Panels and improve their functioning**

CCA supports the proposal to broaden the application of Stock Welfare Panels (SWP) and improve their functioning, provided that NSW Farmers retains a representative.

CCA would also support changes to the proposal to empower SWPs to act when an animal is in distress or at risk of becoming distressed because of a failure to care for an animal. We believe this would increase overall welfare outcomes.



## CATTLE COUNCIL OF AUSTRALIA

CCA appreciates the opportunity to provide comment on the NSW Animal Welfare Reform proposals and looks forward to making additional comment in the future if warranted.

Please do not hesitate to contact the CCA office on 1300 653 038, or via [cca@cattlecouncil.com.au](mailto:cca@cattlecouncil.com.au) if you would like to discuss this submission further.

Your sincerely

Travis Tobin  
Chief Executive Officer