



Public Spaces (Unattended Property) Act 2021 Proposed regulatory framework and regulatory impact statement

Submission of the
Australian Veterinary Association Ltd

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The Australian Veterinary Association (AVA)

The Australian Veterinary Association (AVA) is the national organisation representing veterinarians in Australia. The AVA consists of over 8500 members who come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, and wildlife. Government veterinarians work with our animal health, public health and quarantine systems while other members work in industry for pharmaceutical and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

Discussion

The AVA welcomes and values the opportunity to provide feedback to the NSW Office of Local Government (OLG) on the proposed regulatory framework to support the new *Public Spaces (Unattended Property) Act 2021* (PSUP Act).

We thank the OLG for involving the AVA as a key stakeholder in the various development stages for this proposed regulatory framework and incorporating most of AVA's feedback. The following provides AVA comment on the recently released [Regulatory Impact Statement \(RIS\)](#)

The AVA key request is for the PSUP Act and Regulations to include clear guidance that veterinary services provided for the care of the animal in possession of an authority is reimbursed by the authority at the time of service and not contingent on the recouping the costs from the owner either directly or through the authority.

The AVA are supportive of the RIS proposed option 4 to 'change regulatory framework to focus on outcomes and create regulation and guidance about unattended property, as required' and to reframe to focus on outcomes the community expects. In particular, the AVA are supportive of the following inclusions:

Owners

- Making the owners more responsible for unattended animals and the associated costs for the care of the animal are recuperated.

Authorities

- Providing increased powers to authorities to track down owners, issue Penalty Infringement Notices (PIN), seek reimbursement costs for the care of the animal, and recoup costs from the owner or through sale of the animal.
- Expanding the concept of a 'pound' to a range of temporary and shared arrangements for storage and care of animals with agreements entered into with the property owner/occupier. Including arrangements that could be entered into with a veterinary practice or rehoming organisation to care for the animal while in the possession of the authority (noting the authority will still retain responsibility for all animals).
- Powers for authorities in emergency situations to temporarily place animals on any practicable premises in the vicinity of the place where the animal was left unattended (including private land with reasonable steps taken to obtain consent from the owner/occupier of the private land).

Animals

- The definition of Animal (excluding feral animals, non-farmed native animals, and companion animals as defined in the companion animals act).



- That authorised officers and property owners choosing to take possession of animals that trespass on their land under the Act must care for animals in accordance with animal welfare laws.
- That animals may only be destroyed in strictly limited circumstances where there is no viable alternative, done in line with animal welfare standards, and by a veterinarian wherever possible.

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