

New rules for animals

left in public or trespassing
onto private land

Why are the new laws necessary?

The NSW Government wants our public spaces to be safe, accessible and enjoyable for all. Animals, such as stock animals, that have been left or have become unattended can be a safety risk to road users and our agricultural industry and can impact the enjoyment of public spaces.

The NSW Government has introduced new laws – the *Public Spaces (Unattended Property) Act 2021* and regulations – that put accountability firmly on those responsible to do the right thing by quickly collecting their animals that may have strayed from their property or otherwise become unattended, and taking steps to prevent them from becoming unattended on public land.



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How does it work?

Councils and other public land authorities may take possession of an animal when it is unattended in a public place or when it has trespassed onto private land without the permission of the occupier of that land.

An authorised officer must prioritise the welfare and safety of the animal, biosecurity requirements and safety of the community.

An authorised officer may:

- return an unattended animal to the owner (if known), or
- immediately take possession of an unattended animal without providing prior notice and take it to a place of care.

Fines for leaving an animal unattended or allowing an animal to trespass will apply from **1 May 2023** of **\$660 per animal**. Higher fines may apply for a cluster of animals. Higher court-imposed penalties may also apply.

Authorities have also been given powers to act outside of their areas of operation to ensure the appropriate care for animals can be provided in a timely manner.

Animals may be unattended in a public place with the permission of the public land authority or a law, for example, animals permitted on a traveling stock reserve.

Have an issue with an animal wandering onto a public road?

Always contact the animal's owner (if known) in the first instance to notify them of their animal wandering.

If unsuccessful, contact the public land authority to notify them of a wandering animal.

Authorities have strong powers to require owners of animals to remove their unattended animal from public land immediately, if required.

Have an issue with an animal trespassing onto your private land?

The new laws provide owners of private land the ability to manage stock that has strayed onto their private land.

Always contact the animal's owner (if known) in the first instance to notify them of their animal trespassing onto your private land.

The landowner may take possession of the animal and must:

- inform the animal's owner of the animal's location with **24 hours**, and
- return the animal to the owner within **4 days**, or
- contact the public land authority within **4 days** and arrange for it to be taken to a place of care.

Where to get more information

Office of Local Government

W: www.dpie.nsw.gov.au/unattendedproperty

T: (02) 4428 4100

E: olg@olg.nsw.gov.au