

30th September 2026

NSW Department of Primary Industries and Regional Development

Email: agbioconsultations@dpird.nsw.gov.au

Proposed changes to Biosecurity (NLIS) Regulation

Animal Care Australia is a national incorporated association established to consult with government in advocating for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.

Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, companion animals, animals used for educational or entertainment purposes or kept for conservation.

Animal Care Australia recommends that the NSW Government proceed with measures that demonstrably strengthen livestock traceability and biosecurity while modifying the proposed framework to ensure that implementation remains proportionate.

In particular, Animal Care Australia recommends:

1. undertaking specific regulatory-impact analysis for small-scale and recreational livestock owners;
2. retaining or modifying low-risk livestock-movement exemptions where full regulation is disproportionate;
3. conducting a privacy and security assessment before requiring PICs to be publicly displayed in advertisements;
4. clearly defining holding yards and ensuring ordinary livestock-management arrangements are not inadvertently captured;
5. providing simple templates and guidance for new carcass recordkeeping requirements;
6. clarifying two-day reporting periods and providing reasonable exceptions;
7. ensuring correction obligations commence when a person knew or reasonably should have known of an error;
8. recognising technology and system failures as legitimate circumstances affecting compliance;
9. implementing graduated, risk-based enforcement for administrative non-compliance;
10. providing appropriate support for small operators implementing eID;
11. delivering comprehensive education before enforcement of new obligations; and

12. undertaking a formal post-implementation review within 12–24 months.

Please see attached submission for detailed responses.

Should you require further details please do not hesitate to reach out as we would be happy to meet with you, and further discuss this matter.

Kind regards,

A handwritten signature in black ink, reading "M Donnelly". The signature is fluid and cursive, with the first name "M" and last name "Donnelly" clearly visible.

Michael Donnelly

President

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About Animal Care Australia

As a nationally recognised animal welfare organisation and Australian Registered Charity, Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, animals used for educational or entertainment purposes or kept for conservation, and in particular native birds, reptiles, and mammals.

Animal Care Australia was founded in early 2018 to establish an organisation run solely by volunteers to lobby for real animal welfare. With extreme animal rights and animal liberationist ideologies influencing government legislation, regulation, and policy at our expense and to the detriment of our animals and pets, it has become necessary to provide government with a balancing voice.

By uniting the broad spectrum of animal groups, collectively we offer an experienced, sensible approach to animal welfare.

By educating our members and the public about the importance of treating animals with kindness and respect for their needs and promoting the humane treatment of animals to improve animal welfare outcomes, Animal Care Australia is in the unique position of lobbying and advocating for all animals within our care.

Animal Care Australia provides priority to the following:

- advocating for stronger welfare outcomes
- advocating to increase education of the public in animal welfare and best care techniques
- educate the public on handling their animals with kindness & respect and the importance of their needs
- educate the public in the differences between animal welfare and animal rights

Review of Proposed Amendments to the NSW Biosecurity (NLIS)





Animal Care Australia (ACA) is a national incorporated association and registered charity representing the interests of animal keepers, carers, and breeders across a broad range of species.

Animal Care Australia 's purpose is to prevent and relieve animal suffering through education and advocacy, promoting responsible animal care and improved welfare outcomes. Established by experienced animal advocates, Animal Care Australia provides a trusted, evidence-based voice to government and the community.

Animal Care Australia brings together practical experience, species-specific knowledge and contemporary animal welfare principles. We advocate for evidence-based proportionate policies that focus on achieving genuine welfare outcomes for animals. We seek to ensure that the voices and experiences of responsible animal carers are considered in the development of effective animal welfare policy.

Animal Care Australia unites hobbyists, pet owners, and major animal groups to promote high standards of husbandry and safeguard the human-animal bond.

True animal welfare is best driven by education and practical expertise rather than restrictive regulation.

*Our guiding principle is simple: **animal welfare is animal care***

Submission approved: 30th September 2026

This submission has been developed in consultation with a range of members of Animal Care Australia.

This submission provides a broad perspective across all species of pets and companion animals. Animal Care Australia supports the species specific submissions of our member organisations.

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Opening statement

Animal Care Australia welcomes the opportunity to comment on the NSW Department of Primary Industries and Regional Development's proposed remake of the Biosecurity (National Livestock Identification System) Regulation 2017.

Animal Care Australia recognises the important role the NLIS plays in enabling livestock to be identified and traced through the supply chain and in supporting rapid responses to animal disease outbreaks, biosecurity emergencies, public health risks and chemical residue incidents. The NSW Government similarly identifies these as central purposes of the NLIS framework.

Animal Care Australia therefore supports the objectives of:

- strengthening livestock traceability;
- improving biosecurity outcomes;
- maintaining confidence in livestock industries;
- supporting rapid and effective emergency responses;
- aligning NSW requirements with appropriate national traceability standards; and
- modernising regulatory requirements where existing provisions are unclear or outdated.

However, Animal Care Australia considers that effective biosecurity regulation must also be risk-based, proportionate, practical and accessible.

While many of the proposed amendments are administrative or clarify existing obligations, several constitute substantive changes that may create additional obligations and costs for livestock owners.

These impacts may be particularly significant for small-scale producers, recreational livestock owners, hobby farmers, breed conservationists, exhibitors and small breeders, for whom regulatory costs cannot necessarily be absorbed in the same way as they can by larger commercial enterprises.

Animal Care Australia therefore recommends that several aspects of the proposed Regulation be reconsidered or accompanied by appropriate safeguards, transitional arrangements, education and guidance.

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Overview

The proposal is not simply an administrative remake of the existing Regulation. While a large number of provisions are unchanged or modernised without changing policy, there are several substantive changes.

The most significant are:

Proposed change	Potential consequence	Significance
Full electronic identification of sheep and goats	Additional identification, equipment, handling, and compliance requirements	High
Removal of several existing identification exemptions	Animals/movements previously exempt may now require identification	High
New holding-yard traceability rules	New records and NLIS reporting for operators/users	High
PIC required in livestock sale/disposal advertisements	New obligation on sellers, including online advertising	High
New carcass movement records	Additional two-year recordkeeping	Medium
Changes to goat depot arrangements	Increased reporting and administrative requirements	Medium–High
Reduced goat depot relocation notice from 21 to 7 days	More flexibility for operators	Positive
New offences and \$1,000 penalty notices	Greater direct enforcement exposure	Medium–High
Some offences moved away from mandatory-measure structure	Lower maximum penalties in relevant circumstances	Potentially positive
Reporting generally standardised to two days/48 hours	Greater consistency but potentially stricter compliance	Medium
Requirement to correct inaccurate NLIS information within 2 days	Creates a specific compliance time limit	Medium

The paper itself acknowledges that the amendments will create additional costs for some industry participants, although the Department characterises those costs overall as “*marginal and largely transitional.*”

This conclusion deserves scrutiny because the impact will not necessarily be evenly distributed across different producers and businesses.

Response to the proposed amendments

Electronic identification of sheep and goats

Animal Care Australia acknowledges that NSW is progressing toward full implementation of individual electronic identification (eID) for sheep and goats.

Under the proposed arrangements, transitional provisions will be removed and sheep and goats, other than applicable exclusions such as harvested rangeland goats, will generally be required to be electronically identified. From 1 January 2027, all sheep and goats must have an eID device applied before leaving a property, regardless of age.

Animal Care Australia recognises the biosecurity benefits associated with improved individual animal traceability. However, the financial and administrative impact should not be considered solely at an industry-wide level.

For smaller livestock owners, costs associated with electronic identifiers, equipment, animal handling, access to scanning technology, training and administration may represent a substantially greater per-animal regulatory burden than for large commercial operations.

Animal Care Australia recommends:

The NSW Government:

1. undertake specific assessment of the financial and administrative impact of eID requirements on small-scale and recreational livestock owners;
2. continue or expand financial assistance, subsidies and practical support where appropriate;
3. ensure owners are not unnecessarily required to purchase expensive equipment where practical alternatives are available; and
4. provide clear, accessible guidance specifically designed for small-scale and occasional livestock owners.

Removal of identification exemptions

Animal Care Australia notes the proposal to remove several existing exemptions from livestock identification requirements, including certain movements:

- between contiguous properties;
- onto neighbouring property for short periods;
- associated with particular exhibitions or displays;
- involving certain goat movements; and
- involving carcasses being transported to specified facilities.

Animal Care Australia understands the objective of improving consistency and closing potential traceability gaps. However, not all livestock movements present an equivalent biosecurity risk. Of particular concern is the removal of exemptions relating to short-term movements between adjoining or neighbouring properties.

Routine livestock management may require animals to temporarily access neighbouring land for grazing or other legitimate husbandry purposes. Imposing full regulatory requirements applicable to substantial livestock movements on minor, temporary movements may create an administrative burden disproportionate to the actual biosecurity risk.

Animal Care Australia recommends:

The Department undertake a specific risk assessment of each exemption proposed for removal.

Where an existing exemption presents no material traceability or biosecurity deficiency, Animal Care Australia recommends it be retained.

Alternatively, a simplified notification or recordkeeping mechanism should be considered for low-risk temporary movements rather than imposing full identification and reporting requirements.

Property Identification Codes in livestock advertisements

Animal Care Australia has particular concerns regarding the proposed requirement that advertisements for the sale or disposal of identifiable livestock include the Property Identification Code (PIC) of the property on which the livestock are held.

Animal Care Australia understands the Department's objective of improving traceability and consistency between jurisdictions. The consultation paper identifies this as a

measure intended to improve traceability and compliance with existing PIC requirements. However, requiring a PIC to be published in publicly accessible advertisements raises questions extending beyond livestock traceability. Online advertisements may remain publicly searchable or archived long after a transaction has occurred.

For small livestock owners, the property on which animals are kept is very likely to also be the person's private residence.

Animal Care Australia recommends:

Before introducing this requirement, the NSW Government undertake and publish a privacy, safety and security assessment considering:

- whether publicly displaying a PIC could assist in identifying the location of livestock;
- whether the requirement creates any increased stock theft or property-security risk;
- whether PIC information can be linked with other publicly available information;
- implications for people keeping livestock at their private residence;
- retention and indexing of online advertisements;
- whether public disclosure is necessary to achieve the traceability objective; and
- whether the same objective could be achieved by requiring the PIC to be provided to the purchaser, sales platform or NLIS system rather than displayed publicly.

Animal Care Australia supports traceability but considers that any requirement to publicly disclose identifying information should be demonstrated to be necessary and proportionate.

Holding-yard requirements

Animal Care Australia notes the introduction of specific movement-information and recordkeeping requirements for livestock moving through holding yards. These include obligations concerning movement information, records retained for two years and reporting transactions to the NLIS administrator.

Animal Care Australia acknowledges that commercial holding yards, assembly yards and transit facilities may represent important points within livestock traceability

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systems. However, the definition and application of these provisions must be sufficiently clear to ensure that ordinary temporary livestock-holding arrangements are not unintentionally captured.

Animal Care Australia recommends

That the Regulation and accompanying guidance:

- clearly define the facilities and activities constituting a "holding yard";
- distinguish commercial/industry holding facilities from ordinary on-property animal management;
- provide worked examples demonstrating when the requirements apply; and
- establish simplified compliance processes for smaller operations where appropriate.

Carcass movement recordkeeping

The proposed Regulation introduces recordkeeping requirements where the carcass of identifiable livestock is moved from the property on which the animal died, including retaining relevant movement information for two years.

Animal Care Australia acknowledges the potential biosecurity rationale, particularly during disease investigations. However, occasional livestock owners may have limited familiarity with NLIS recordkeeping requirements associated with deceased animals.

Animal Care Australia recommends

The Department provide:

- a simple carcass movement record template;
- clear guidance regarding when the requirement applies;
- guidance concerning emergency disposal;
- exemptions or alternative arrangements during natural disasters and biosecurity emergencies; and
- accessible information for small-scale livestock owners.

Reporting within two days

Animal Care Australia notes that a number of reporting provisions are proposed to be standardised around a two-day/48-hour reporting period. Standardisation provides

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greater regulatory certainty. However, Animal Care Australia recommends that the Department clearly establish whether "two days" means calendar days or business days and provide appropriate guidance regarding weekends, public holidays, system outages and other circumstances outside an owner's reasonable control.

The Regulation should avoid situations in which a person becomes technically non-compliant despite having taken all reasonable steps to fulfil their obligation.

Correction of inaccurate NLIS information

The proposed Regulation would require inaccurate information provided to the NLIS administrator to be corrected within two days.

Animal Care Australia supports accurate traceability information. However, liability should recognise that errors may arise from:

- information provided by another participant;
- technology or database failures;
- incorrect electronic scanning;
- circumstances in which the person could not reasonably have identified the error within the prescribed period; or
- events outside the person's control.

Animal Care Australia recommends:

The obligation operate from the time the person knew or reasonably ought to have known that the information was inaccurate, rather than potentially penalising a person for failing to correct an error of which they could not reasonably have been aware.

The Regulation should also recognise reasonable excuses including verified technology and system failures.

Penalties and enforcement

Animal Care Australia notes the proposed creation of clearer regulatory offences for failures including providing required information and maintaining required records.

The proposed framework includes maximum penalties of \$11,000, with penalty notices of \$1,000 for specified offences.

Animal Care Australia recognises that enforceable obligations are necessary for an effective traceability system. However, Animal Care Australia is concerned that

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relatively minor administrative errors could result in significant financial penalties, particularly for small-scale livestock owners unfamiliar with the regulatory system.

There should be a clear distinction between:

- deliberate avoidance of traceability requirements and
- inadvertent administrative non-compliance that creates little or no actual biosecurity risk.

Animal Care Australia recommends:

NSW adopt a graduated, risk-based compliance approach involving:

Education → Warning/Direction → Opportunity to rectify → Penalty

(except where the conduct is deliberate, repeated or creates a significant biosecurity risk.)

A \$1,000 infringement should not ordinarily be the first interaction a responsible livestock owner has with the new regulatory framework because of an inadvertent administrative error.

Impact on small-scale and recreational livestock owners

This is a broader concern across the proposed amendments.

The consultation paper concludes that additional costs to industry are expected to be *"marginal and largely transitional"*.

Animal Care Australia considers that this conclusion requires further examination.

An industry-wide assessment may mask substantially different impacts between:

- major commercial livestock enterprises;
- small commercial producers;
- small breeders;
- hobby farmers;
- rare and heritage breed custodians;
- exhibitors;
- recreational livestock owners; and
- people keeping relatively small numbers of livestock on lifestyle properties.

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The cost of compliance per animal can be considerably greater for a person who keeps five animals than for an enterprise managing several thousand.

Similarly, a business employing dedicated administrative staff is better positioned to absorb additional reporting requirements than a small producer.

Animal Care Australia recommends:

The Department undertake a Small Operator Regulatory Impact Assessment examining the cumulative effect of:

- electronic identification;
- movement reporting;
- recordkeeping;
- advertising requirements;
- system access;
- staff/owner training;
- equipment; and
- penalties.

Technology and system failure

The proposed regulatory framework increasingly depends upon electronic identification, electronic reporting and accurate database operation. This improves traceability but also means compliance increasingly depends upon technology.

Animal Care Australia considers it essential that the Regulation and associated compliance policy recognise circumstances involving:

- NLIS outages;
- internet outages in rural and regional areas;
- scanner malfunction;
- software failures;
- telecommunications disruption;
- power outages; and
- natural disasters.

Animal Care Australia recommends:

A clear reasonable excuse/safe-harbour mechanism should apply where a person can demonstrate reasonable attempts to comply but was prevented from doing so by circumstances beyond their control.

Alternative reporting mechanisms should also be available during significant system outages.

Goat depot changes

Animal Care Australia notes that some amendments may reduce regulatory burden. In particular, the proposal to reduce the period for notifying the Secretary of a proposed new goat depot location from 21 days to seven days provides greater operational flexibility.

Animal Care Australia supports amendments that achieve regulatory objectives while reducing unnecessary administrative delays.

This risk-based approach should be applied consistently throughout the Regulation.

Education and transition

The effectiveness of these reforms will depend heavily upon livestock owners understanding their new responsibilities. This is particularly important because many people affected by the Regulation will not necessarily regard themselves as part of the "livestock industry". They may simply own a small number of sheep, goats or other livestock.

Animal Care Australia therefore strongly recommends a comprehensive education campaign before enforcement of new obligations.

This should include:

- ✓ plain-English fact sheets;
- ✓ species-specific guidance;
- ✓ online webinars;
- ✓ worked examples;
- ✓ decision trees;
- ✓ information distributed through breed and agricultural organisations;
- ✓ social-media communication;

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- ✓ information for private sellers;
- ✓ guidance for online sales platforms; and
- ✓ dedicated resources for small-scale livestock owners.

Review following implementation

Animal Care Australia recommends that the NSW Government commit to a formal review 12–24 months after implementation.

The review should consider:

- actual compliance costs;
- infringement numbers;
- types of non-compliance identified;
- effects on small producers;
- effects on recreational owners and breeders;
- system reliability;
- privacy/security concerns associated with PIC publication;
- whether removed exemptions have materially improved traceability; and
- whether the reforms have delivered measurable biosecurity benefits.

Industry and animal-owner organisations should be directly involved in that review.

Summary of Animal Care Australia recommendations

Animal Care Australia recommends that the NSW Government proceed with measures that demonstrably strengthen livestock traceability and biosecurity while modifying the proposed framework to ensure that implementation remains proportionate.

In particular, Animal Care Australia recommends:

1. undertaking specific regulatory-impact analysis for small-scale and recreational livestock owners;
2. retaining or modifying low-risk livestock-movement exemptions where full regulation is disproportionate;

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3. conducting a privacy and security assessment before requiring PICs to be publicly displayed in advertisements;
4. clearly defining holding yards and ensuring ordinary livestock-management arrangements are not inadvertently captured;
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7. ensuring correction obligations commence when a person knew or reasonably should have known of an error;
8. recognising technology and system failures as legitimate circumstances affecting compliance;
9. implementing graduated, risk-based enforcement for administrative non-compliance;
10. providing appropriate support for small operators implementing eID;
11. delivering comprehensive education before enforcement of new obligations; and
12. undertaking a formal post-implementation review within 12–24 months.

Conclusion

Animal Care Australia supports strong and effective biosecurity measures and recognises that accurate livestock identification and traceability are essential components of Australia's biosecurity framework.

Animal Care Australia also acknowledges the NSW Government's objective of achieving full implementation of electronic identification for sheep and goats and improving alignment with national livestock traceability standards. However, effective biosecurity regulation should not be measured solely by the number of obligations imposed. Regulation is most effective when those obligations are targeted to genuine risk, understood by the people required to comply with them, practically achievable and proportionate to the risk being managed.

Animal Care Australia is particularly concerned that the cumulative effect of electronic identification, expanded movement requirements, public PIC disclosure, additional recordkeeping, shorter reporting periods and significant infringement penalties may fall disproportionately upon small-scale producers, breeders, exhibitors, hobby farmers and recreational livestock owners.

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These participants should not inadvertently be regulated as though they possess the resources and administrative capacity of large commercial livestock enterprises.

Animal Care Australia therefore supports the broad objectives of the proposed Regulation but recommends that the final Regulation incorporate stronger safeguards around proportionality, privacy, reasonable excuse, education, transitional support and graduated enforcement.

A well-designed livestock traceability framework should achieve strong biosecurity outcomes while maintaining the confidence and cooperation of the people whose participation ultimately makes that system effective

Animal Care Australia welcomes any questions you may have as you continue to finalise this review. We welcome the opportunity to meet with the department, and the Minister in order to ensure appropriate Regulations are introduced.

This submission can be published in full on the website including the signatory's name.

On behalf of the Animal Care Australia Committee,



Michael Donnelly
President
Animal Care Australia