





Murrumbidgee
COUNCIL

Companion Animal Management Policy

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Contents

1. Introduction	3
2. Statement and Objectives	3
Statement.....	3
Objectives	3
3. Companion Animals	4
Permanent Identification and Registration	4
4. Community	7
4.1 Public Safety	7
Straying Dogs	7
Dog Attacks	7
Dangerous/Menacing/Restricted Dogs	8
Hunting Dogs	8
Education.....	8
Secure Confinement & Environment Enrichment	9
Socialisation & Training	9
Dog Exercise Areas	9
4.2 Enforcement.....	10
5. Environment.....	11
6. Monitoring and Review of Animal Management.....	11
7. Relevant Acts and Legislation.....	12
8. Policy Review.....	12

1. Introduction

The Companion Animal Management Policy provides the framework for the provision of an effective animal management service and procedural functions under the Companion Animals Act 1998 (the Act).

The Act and the Companion Animals Regulation is the legislation that gives effect to the way local authorities manage dogs and cats. The principle object of the Act is to provide for the effective and responsible care and management of companion animals.

The term Companion Animal refers to all dogs and cats and any other animal that is prescribed by the regulations as a companion animal.

The main items relevant to the Companion Animal Management Policy are to:

- Acknowledge general duties and responsibilities for the management of domestic dogs and cat animal issues in Murrumbidgee Council.
- Ensure that Council meets its responsibilities under the Companion Animals Act 1998 and Companion Animal Regulation 2008.
- Achieve a balance between the needs of pet owners and non-pet owners.
- Provide pet owners with support, education, regulation and facilities to accommodate their pets within the broader community and environment.

2. Statement and Objectives

Statement

To balance community amenity, animal welfare and environmental preservation while promoting the benefits of responsible pet ownership alongside effective companion animal management.

Objectives

Council's main objectives include:

1. Encouraging residents and visitors to properly care for all companion animals.
2. Encouraging companion animal owners to provide appropriate physical and mental challenges for their animals, to improve animal welfare without effecting the comfort of others.
3. Identify and prioritise companion animal management issues particularly in managing dangerous, nuisance, restricted type dog breeds and cat behaviour.
4. Encouraging the permanent microchip identification and lifetime registration of all companion animals, including dogs classified as 'working dogs'.
5. Provide care and animal pound facilities that comply with the requirements of the Prevention of Cruelty to Animals Act 1979 and the requirements of New South Wales Department of Primary Industries.
6. Minimise the number of unwanted animals that are euthanised.
7. Provide adequate off leash areas for dogs to exercise throughout the LGA that are safe as possible for dogs and humans.

The statement and objective of the Policy are detailed under three key performance areas:

1. Animal matters
2. Community matters
3. Environmental matters

3. Companion Animals

Permanent Identification and Registration

Permanent identification, otherwise known as microchipping, is a method that involves a small microchip being inserted by an authorised implanter into either the dog or cat. Both registration and permanent identification is a requirement of law. This assists in the return of seized animals to their owner at the earliest opportunity.

The Companion Animals Act 1998 requires the owner to:

- Permanently identify their cat and/or dog from the age of 12 weeks of age or at the time in which the animal is sold or given away prior to the age of 12 weeks.
- Register their cat and/or dog from the age of 6 months or upon sale of the dog and/or cat by the age of 6 months (if sold prior to 12 weeks of age); and
- Advise any Council within the state of New South Wales or the NSW Pet Registry when there is a change in either the identification or registration information for the animal, or the animal has been missing for more than 72 hours and in the event the animal is deceased.

The NSW Pet Registry is maintained by the NSW Government and accessible via online. All existing Companion Animals that were recorded on the Companion Animals Registry are available via the Registry.

The intent of the Registry is to provide Councils and other authorised persons relevant information regarding a Companion Animal to ensure it is returned to its lawful owner.

In addition to the access made available to Councils, the Registry enables Companion Animal owners to:

- Update their contact details such as a telephone number or address.
- Transfer ownership of a Companion Animal.
- Report a Companion Animal missing or deceased
- Pay most lifetime registration fees online.

Exemptions

Companion Animals generally exempt from Registration under the Act, unless release from a pound are:

- Working dogs
- Greyhound racing dogs
- Assistance animals

Benefits

- Lost animals can be identified and reunited with their owner reducing stress on both the animal and owner alike.
- Expedites the return of the animal with their owners and reduces the potential to extended confinement of the animal, associated costs of collection, kennelling and the potential of euthanasia of the animal.
- The legal owner of the animal is able to be established easier in the event the animal is alleged to have been in contravention of the Act.
- Provides the opportunity for Council to educate and or take enforcement action where necessary.

Goals

- Encouragement of microchipping and lifetime registration of all dogs and cats in the Murrumbidgee Council LGA.
- Improve rehoming rates for lost and/or stray dogs or cats.

Companion Animal Holding Facility

The Companion Animals holding facilities (the pound) are managed by Council and are located at Darlington Point and Jerilderie.

Council will take the required measures to establish and maintain all requirements as per NSW Department of Primary Industries, Prevention of Cruelty to Animals Act 1979 and the expectations of the community.

Seizure and Impounding

Where a Companion Animal has been seized by Council or a member of the community, all reasonable attempts to establish contact with the owner will take place. In circumstances where the owner is not able to be identified, the animal will be housed at the pound in accordance with the Act.

The Act provides that an identified Companion Animal should be held for a period of no less than 14 days, whereas a non-identified animal should be kept for a period no less than 7 days, unless claimed by its owner prior to the expiry of the required time period.

At the expiration of the prescribed periods any unclaimed animal may be sold, rehomed or euthanised.

Rehoming

Council will maintain agreements with at least two approved rehoming organisations to aid in rehoming unclaimed animals that exceed the prescribed holding period.

Release of Companion Animal

Where a Companion Animal is being held by Council, Council may charge the owner upon collection of the animal for expenses, such as: accommodation, sustenance, veterinary services. Companion Animal/s not permanently identified or registered as

required by the Act, must be done so prior to the animal's release including Working, Assistance and Racing Greyhounds.

Goals

- Facilitate the prompt return of a seized Companion Animal to its owner and reduce the number of animals that need to be housed at the pound.
- Establish and maintain broader links with professional bodies such as Animal Welfare League, RSPCA, NSW Police and veterinary practices to promptly manage incidents, health issues, and increase the rehousing of animals.
- Minimise the number of animals euthanised.

Management of Injured animals

Council retains the right to euthanise injured or wounded companion animals requiring urgent veterinary treatment should the animal either not be registered, or if registered the owner is uncontactable, or if the owner cannot be identified and contacted, where it is an animal welfare issue to delay veterinary treatment.

Management of Infant or Feral Animals

Pursuant to Section 64(2) of the Companion Animals Act 1998, infant and feral companion animals seized or surrendered to Murrumbidgee Council Pounds may be able to be destroyed prior to the standard holding period as set out in Section 64(1) of the Act.

Such destruction may occur if it is the opinion of Council compliance staff that such animals are unsuitable or unlikely to be re-homed.

Infant animals may be suitable for fostering arrangements, which will be coordinated by compliance staff. This process will be in accordance with a Memorandum of Understanding between Council and foster caring groups or individuals.

In this instance, infant Companion Animal relates to puppies and kittens less than 12 weeks of age, and a feral animal is a domestic animal in a wild state.

Animal Welfare and Responsible Pet Ownership

The health and social benefits of owning pets are well understood. Pet ownership comes with responsibility to manage the welfare of animals. Both the owner and person in charge of an animal has an obligation to take reasonable care of the animal and to prevent any adverse impacts on the community from improper or negligent control.

Potential problems may be addressed by:

- Attending to pet health and welfare including exercise, training and socialising as appropriate to the breed and age of the animal.
- Ensuring dogs are confined to the perimeter of the property it is ordinary kept at or the property in which it is visiting.

- Minimising any adverse effects towards neighbours, such as excessive barking.
- Complying with relevant legislation, in particular leashed dogs, removal of faeces from public places and maintaining dog under effective control.

4. Community

Conflict between people, dogs and cats are increasing due to population growth and the tolerance levels of community members lessening towards one another. This is more prevalent in urban areas as the proximity to neighbouring properties is reduced in comparison to large rural holdings. Frequent issues experienced include barking, roaming dogs/cats, animal numbers, straying animals and dog attacks on both humans and livestock.

4.1 Public Safety

Members of the community and their visitors should be able to move freely throughout public areas without loss of amenity due to dogs and cats not being under effective control, and furthermore dog owners have access to a suitable off leash area for their pets.

Dogs and cats are important companions to their owners and the rights of owners to enter public places with their pets needs to be protected. It is equally important that the general rights to enjoy community and open spaces, free of dog and cat nuisances, are enforced.

It is essential that owners keep their pets under effective control when they exercise their rights to enter the public domain, and immediately pick up and dispose of faeces in an appropriate manner.

Straying Dogs

Section 13 of the Act requires all dogs to be restrained at all times unless the dog is involved in the droving of stock, within the boundaries of a property which the animal has lawful access to, or is within the confines of an area declared to be an “off leash” by the Council.

Council continues to receive complaints of straying dogs, with an increase in the warmer seasons such as spring and summer. It is essential that Council, in the interest of public education and safety, enforces the requirements of the Act. It is envisioned that by doing so it will reduce the potential of attacks on both livestock and humans, as dogs that are confined or under effective control are less likely to contravene the Act.

Further information may be found under the heading of “Secure Confinement and Environmental Enrichment”.

Dog Attacks

Dog attacks in the Murrumbidgee Council LGA generally relate to attacks on livestock such as grazing sheep, however, due to increasing growth in population, Council and NSW Police continue to receive complaints regarding dog attacks involving humans,

predominately through the warmer seasons such as spring and summer.

Offences relating to dog attacks are broadly defined under the Act. The Act defines an attack to occur if a dog rushes at, bites, harasses or chases any person or animal (other than vermin), whether or not injury is caused. There are significant penalties associated with dog attack incidents, clearly reflective of broader community concern across NSW.

It is important to understand that it is not an offence under Clause 16 (2) of the Companion Animals Act if the attack occurred when a dog is provoked by teasing, is mistreated or attacked, or as a result of the person or animal trespassing on the property on which the dog was being kept, or as a result of the dog acting in the reasonable defence of a person or person's property or in the course of legitimate hunting or in the course of the dog working stock.

All confirmed dog attacks will be reported to the Office of Local Government within 72 hours, as prescribed.

Dangerous/Menacing/Restricted Dogs

The Act (Part 5) includes provisions that impose stringent controls on dogs that pose a threat to the safety of humans and other animals through attacks or menacing behaviours. Where it is brought to the attention of Council that a dangerous/restricted or menacing dog is within the community, Council will undertake enquires in accordance with the law to substantiate those claims. Where it is determined that a dog should be classified as dangerous, restricted or menacing, Council will communicate any requirements that the owner of such dog is to comply with, including any appeal mechanisms available to them.

In the interest of public safety, Council will enforce, in accordance with law, any conditions set out by the Act or Regulation concerning declared dangerous, restricted or menacing dogs.

There are significant penalties for owners of dogs declared as dangerous, restricted or menacing for breaches of the Act.

Hunting Dogs

Dogs identified for the use of hunting will be dealt with as per the requirements of the Act. Abandoned or lost hunting dog/s cause considerable risk to livestock and have been known to cause expense to stock owners where dogs have attacked or killed livestock. Whilst Council does not have a position on the use of dogs in the course of hunting, it does require owners or person/s in charge of the animal to comply with the requirements of the Act. Council takes a proactive approach in educating and enforcing the Act in relation to the use of dogs when hunting. This includes liaison with NSW Police where enforcement actions are required.

Education

Council staff will engage with various community members on a regular basis covering topics such as: legislation, general animal husbandry and personal responsibilities of pet ownership. In addition to this, Council provides press releases

that are distributed throughout social media and local newspapers.

Information surrounding Companion Animals will also focus on:

- Appropriate per selection. Problems that can be avoided by selecting the type of animal, breed, and sex to suit the owner's lifestyle and circumstances.
- Basic health and welfare principles. Regular exercise, proper nutrition, water and shelter are crucial to the maintenance of animal health. Health care practices, such as worming and vet check-ups must be maintained.
- Permanent identification (microchipping) and registration.

Secure Confinement & Environment Enrichment

Confining an animal reduces its risk of causing harm. For example, almost all dog attack incidents are as a consequence of a dog having escaped its owner's property.

In addition, effective confinement reduces the risk of the animal suffering serious harm or death by misadventure (e.g. struck by vehicle). Cat owners must endeavour to keep their cat confined to their property.

While for dogs there is a legal requirement for confinement, there is the consideration of combating the boredom and frustrations that animals may feel while their owner is absent.

Environmental enrichment is the inclusion of cognitive, dietary, physical, sensory and social stimuli to relieve boredom and frustration. If an animal is kept busy, it is less frustrated, less reactive and less of a potential nuisance (barking, roaming and attacking).

Socialisation & Training

Early socialisation and training of animals is important to allow exposure to different stimuli in the local environment (children/elderly people, other animals, noise, movement etc). Dog training is encouraged to ensure that owners have control of their pets in public or private places.

Goals

- To improve community awareness of the importance of safety around animals.
- To encourage further education regarding responsible pet ownership.
- Improve community awareness of the value of microchipping and registration.
- To promote the de-sexing of animals.
- To encourage animal owners to provide mental and physical challenges for their animals, improving the welfare of their animals and reducing negative impacts on the community.

Dog Exercise Areas

There are a number of locations where the Act (sections 13 and 30) prohibit cats and dogs, including:

- In or within 10 meters of a children's play area

- Food preparation or consumption areas (unless it is in a public thoroughfare such as a road, footpath or pathway)
- Recreation and public bathing area where dogs are declared to be prohibited
- School grounds and childcare centres (unless with the permission of the controlling school/centre)
- Shopping centres (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a veterinary practice or pet shop)
- Wildlife protection area.

Dogs and cats are prohibited in all National Parks and from some recreational areas such as sporting fields or other public places.

Council is required to provide at least 1 off leash area in each town and notify the locations of each off leash area on its website. All the areas will be accessible 24 hours per day.

Goals

- To promote and provide opportunities for dogs to socialise with other dogs and humans.
- Increase exercise opportunities for the benefit and health of dogs and dog owners.
- Increase the awareness of dog training and keeping dogs under effective control.
- To monitor dangerous, restricted and menacing dogs throughout the Murrumbidgee Council.

4.2 Enforcement

Council has an active role in ensuring animal owners comply with the Act. Council staff values the opportunity to engage and educate Companion Animal owners in relation to their responsibility as pet owners. Council resources are prioritised by severity, especially in cases of public safety e.g. aggressive dog behaviour and dog attacks.

Whilst education and voluntary compliance is a high priority, some things should be taken as common practice. These should include, microchipping and registering your dog or cat, walking your dog on a leash when in a public area that is an off leash area and not letting your dog stray. Failure to comply with these basic requirements will result in the high probability of a penalty infringement notice/s being issued.

The community is consistently reminded through various forms of communication including social media, word of mouth and press releases of these basic laws surrounding pet ownership and responsibility that comes with the honour of owning a pet.

Goals

- To promote the responsibilities of being an owner of a Companion Animal.
- To promote and enforce appropriate usage of dog exercise areas and responsible pet ownership.
- To maintain links with professional animal industries and to organise activities.

5. Environment

Noise

The predominant form of noise complaints relating to Companion Animals is from barking dogs. While all dogs bark, it is those dogs that excessively bark that require management. Barking dogs account for a large percentage of noise complaints received by Council.

Barking dogs are a significant community problem and dog owners are responsible for ensuring that their dog does not create a nuisance by barking. However, an animal barking may be due to: territorial behaviour, boredom, separation anxiety, illness, visual stimuli or teasing.

The noise of cats fighting during the night is reported less frequently, but is still a limited source of complaints. Confining cats inside their residence at night to prevent cat fights, noise roaming and hunting is recommended.

Noise complaints, if not addressed by owners of animals, can be dealt with by Council through the declaration of an Animal Nuisance Order. Under the Protection of the Environment Operations Act 1997 (for more serious matters) or the Companion Animals Act 1998, penalties may be issued for non-compliance.

Council will investigate any animal noise complaint after the complainant has made efforts to speak with the owner/s of the alleged offending animal or sought mediation through the Community Justice Centre. This approach of seeking mediation between the affected parties reduces the requirement of formal regulatory intervention by Council and dramatically reduces vexatious complaints being made where a neighbour dispute is occurring.

Goals

- To educate the community in an endeavour to reduce incidents of nuisance barking.
- To raise awareness of the strategies to reduce dog and cat noise pollution.
- To address community dog and cat noise complaints
- To encourage improvement to neighbourhood relationships

6. Monitoring and Review of Animal Management

Ongoing monitoring and review of animal management is required. This will ensure strategies and focus will remain relevant, sustainable and in-line with statutory obligations and community expectations.

Goals

- To analyse, to indicate performance and consider alternative or future strategies.
- To seek feedback, via customer service surveys, from animal owners.
- To network with other Local Government areas and animal welfare organisations.

7. Relevant Acts and Legislation

- Companion Animals Act 1998
- Companion Animals Regulations
- 2017 POCTA Act 1979

8. Policy Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).