Banyule City Council

# Domestic Animal Management Plan

2008-2011

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# FOREWORD

Council recognizes that companion animals play an important role in today's society and wants people to enjoy them, be it for companionship, work, entertainment or sport.

Pets that are well managed cause few problems and rarely come to the attention of council. Unfortunately, it is when animals are acquired with little forethought or for the wrong reasons or when they are left unsupervised, problems occur. Of the total amount of complaints received by council 6% relate to animals.

As a result of community concern the State Government introduced its Domestic (Feral and Nuisance) Animals Act in 1994. The Act and subsequent amendments have a significant impact on the individual pet owners' responsibilities, including the manner in which cats and dogs now have to be housed and controlled. The Act and its Regulations also cover compulsory registration of all dogs and cats over 3 months of age and control of animal businesses such as pet shops and animal breeders.

Thankfully the image of "the dog catcher" has gone forever and in its place we have Animal Management Officers whose task is to provide advice, education and assistance and where necessary enforcement of the Act. We no longer see packs of wandering dogs that were common only a few years ago, now it's rare to see a dog unaccompanied on our streets. Residents are happy to assist officers and will confine stray animals for collection, in the knowledge they will be humanely treated and wherever possible returned to their owners or rehoused to a good home.

While council has been given the responsibility of administering the Act it recognizes the need to promote responsible pet ownership and to provide programs that allow for changes in community standards. This plan is intended to be a base from which council can take the next step by accommodating change, planning for the provision of resources and to provide animal services and programs in the future.

# 1 INTRODUCTION AND CONTEXT OF THIS PLAN

## 1.1 INTRODUCTION

The Domestic (Feral and Nuisance) Animals Act 1994 establishes a legislative requirement on Local Government to prepare, implement and annually report on its Domestic Animal Management Plan.

This Plan has been prepared in consultation with Councillors, Council Officers and the community and seeks to balance the competing needs of animal owners, the broader community and the animals that share people's lives. Council also recognises the positive health and wellbeing outcomes that arise from pet ownership.

## 1.2 PURPOSE OF THIS DOMESTIC ANIMAL MANAGEMENT PLAN

The purpose of the Domestic Animal Management Plan is to set out the arrangement that the Council has in place to help manage domestic animals and work towards improved animal management in their municipality.

#### The aim of this Plan is to:

- Support and facilitate the benefits of animal ownership and companionship on the health and wellbeing of residents;
- Educate residents in ensuring that accepted standards of animal welfare are maintained including the care, feeding and physical wellbeing of domestic animals;
- Manage nuisance complaints about animals that may affect neighbouring residents;
- Ensure that the keeping of domestic animals does not compromise accepted standards of public health.

## 1.3 CONTENTS OF A DOMESTIC ANIMAL MANAGEMENT PLAN

Section 68A of the Act requires a Domestic Animal Management Plan to:

- 1. Set out a **method for evaluating** whether the animal control services provided by the Council meet the requirements of the Act;
- 2. Outline programs for the **training of authorised officers** to ensure they can properly administer and enforce the requirements of the Act;
- 3. Outline programs, services and strategies which the Council will undertake to **promote and encourage responsible pet ownership**;
- 4. Minimise the risk of dog attacks on people and animals;
- 5. Address issues of unwanted and stray animals being euthanized;
- 6. Encourage the registration and identification of dogs and cats;
- 7. Minimise the potential for dogs and cats to create a nuisance;
- 8. Effectively **identify all dangerous dogs, menacing dogs and restricted breed dogs** to ensure those dogs are kept in accordance with the requirements of the Act; and
- 9. Review Council's existing **Orders** made under the Act in relation to on lead and off lead areas throughout the municipality.

# 1.4 STATUTORY COMPLIANCE

Council is required to provide an animal management service to ensure that animals do not denigrate the amenity and community safety of the municipality. Council is required to respond to customer requests and complaints, and provide enforcement of the relevant Acts, Regulations and Local Laws. In doing so Council must comply with the following:

- Domestic (Feral & Nuisance) Animals Act 1994;
- Impounding of Livestock Act 1994;
- Prevention of Cruelty to Animals Act 1986;
- Pound Act 1958;
- Infringements Act 2005.

Guidelines and Standards applicable to the required service include:

- Code of Practice for the Management of Animals in Shelters and Pounds;
- Code of Practice for the Operation of Pet Shops;
- Code of Practice for the Operation of Breeding and Rearing Establishments;
- Code of Practice for the Operation of Boarding Establishments;
- Code of Practice for the Operation of Dog Training Establishments;
- Code of practice for the Operation of Greyhound Establishments.

## 1.5 PROCESS APPLIED IN DEVELOPING THIS PLAN

This Plan was developed by Council's Municipal Laws Unit which has responsibility for administering the provisions of the Domestic (Feral and Nuisance) Animals Act 1994. The process included consultation and input from a range of key stakeholders including:

- Experienced Council staff dealing with animal management and community planning issues;
- Conducting a random survey of residents.
- Benchmarking with other Councils.
- Consideration of submissions in relation to compulsory de-sexing of cats.

## 1.6 DEMOGRAPHICS OF BANYULE CITY COUNCIL

The 20 suburbs of Banyule City lie on 63 square kilometres between 7 and 21 kilometres north-east of central Melbourne. The municipality comprises the suburbs of Bellfield, Briar Hill, Bundoora, Eaglemont, Eltham North, Greensborough, Heidelberg, Heidelberg Heights, Heidelberg West, Ivanhoe, Ivanhoe East, Lower Plenty, Macleod, Montmorency, Rosanna, St Helena, Viewbank, Watsonia, Watsonia North and Yallambie. The municipality is almost fully developed and is mainly residential in character, however it does have pockets of industrial and commercial development. The City also contains a number of major facilities such as the Austin, Repatriation and Warringal hospitals and major shopping centres at Heidelberg, Ivanhoe and Greensborough with smaller shopping centres in Watsonia, Rosanna, Eaglemont and East Ivanhoe. This balance of land use helps maintain economic viability and employment.

Three major water courses traverse the City generally in a north to south direction, the Yarra River in the east, Plenty River in the centre and the Darebin Creek on the west boundary, each has its own unique characteristics with varying environmental significance. The lay of the land varies from relatively flat plains in Heidelberg West, Watsonia and Bundoora to steep hills around Heidelberg, Lower Plenty, Montmorency and Eltham North.

In the 2006 Census (held on 8th August 2006), there were 114,866 persons usually resident in Banyule: 48.6% were males and 51.4% were females. Of the total population in Banyule: 0.5% were Indigenous persons, compared with 2.3% Indigenous persons in Australia.

## 1.7 POPULATION STATISTICS AND DATA

Below is an estimate of the households in Banyule with registered pets as at January 2008.

Suburb	Total	Total Households	Households with	% of Households
	Population		Registered Pets	with registered
				pets
Briar Hill	2963	1190	680	57%
Bundoora	8915	3309	1480	44%
Eaglemont	3865	1422	680	47%
Greensborough	14682	5600	3071	55%
Heidelberg	5902	2234	798	35%
Heidelberg Heights	6152	2468	976	39%
Heidelberg West Bellfield	6786	2751	1004	36%
Ivanhoe	10305	4141	1660	40%
Ivanhoe East	3597	1306	587	49
Lower Plenty	3587	1297	723	55%
MacLeod	7022	2829	1245	44%
Montmorency	8353	3324	1811	54%
Rosanna	7281	2935	1239	42%
St Helena Eltham North	5269	1632	977	59%
Viewbank	6582	2449	1144	46%
Watsonia	4800	1995	984	49%
Watsonia North	3797	1324	754	57%
Yallambie	3820	1258	677	53%
Total		43464	20,539	47%

BIS Shrapnel estimated in 1998 that 40% of households owned one or more dogs and 26% of households owned one or more cats.

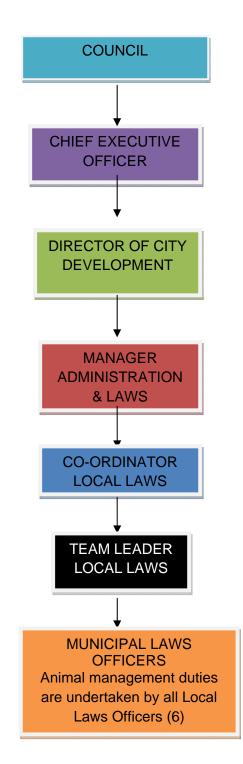
# 1.8 DOMESTIC ANIMAL STATISTICS AND DATA

The following table provides a summary of key data relating to domestic animal management in the City.

	BANYULE COUNCIL	NEIGHBOURING COUNCIL
Population	114,866	109,916
Area	63 sq/km	115 sq/km
Number of Households	43,284	40,000
No. of Authorized Officers (Local Laws Officers)	6	4
No. of Registered Dogs	15208	12730
Total sterilised dogs	12352	na
Total unsterilised dogs	2856	na
Number Declared dogs	14	13
Restricted breed dogs		
No. of Cats Registered	6770	5722
Total sterilised cats	6518	na
Total unsterilised cats	252	na
Customer requests/complaints	2026	Not available
Dogs – Attack	191	
Dogs – Barking	267	
Dogs – Dangerous	6	
Dogs – Rushing/Menacing	36	
Dogs – nuisance	12	
Dogs – at large	31	
Dogs – off lead	20	
Dogs - Surrender	25	
Dogs - Lost	493	
Dogs - Found	341	
Dogs – Guard Dogs	2	
Dogs – Restricted Breed	3	
Dogs - Droppings	12	
Dogs - Neglected	14	
Cats – Nuisance	353	
Cats - Lost	98	
Cats – Found	94	
Cats - Stray/abandoned	5	

Cats - Surrender	2	
Roosters/Chooks	21	
Impounded Animals		
No. of dogs impounded	741	401
No. of dogs returned to owner	519	354
No. of dogs rehoused	170	35
No. of dogs euthanized	52	12
No. of cats impounded	701	226
No. of cats returned to owner	33	18
No. of cats rehoused	197	27
No. of cats euthanized	471	181
No. of prosecutions 2006/2007	43	11

## 1.9 ANIMAL MANAGEMENT STAFFING AND STRUCTURE



# 2 LEGISLATION

# 2.1 THE DOMESTIC (FERAL AND NUISANCE) ANIMALS ACT 1994

Banyule City Council is responsible for the control of dogs and cats within the municipality, these powers came into effect in 1994 with the Domestic (Feral and Nuisance) Animal Act (DAA). The Act includes requirements for pet identification and registration procedures, boarding of dogs and cats, domestic animal businesses, nuisance noise, dog attacks, dangerous dogs, restricted breed and menacing dogs, procedures apply to enforcement and financial provisions.

# 2.2 LOCAL LAW

Banyule City Council General Local Law Number 1 (last amended 2005), Section 12 relates to the keeping and control of animals within the municipality. The main objectives are to control the number of animals and the type of animals kept and control animal behaviour to minimize adverse impact on other residents. It includes the following:

Dog excrement:

- a person must carry the means to pick up their dogs excrement.
- A person must pick up their dog excrement and dispose of it in an appropriate waste container.

Conditions in which animals must be kept:

- The ground surrounding the area where the animal or birds are kept is well drained to the satisfaction of the authorized officer.
- The area of land within the vicinity of the area or structure in which the animal or birds are kept is kept free from dry grass, weeds, rubbish or other materials capable of harbouring vermin.
- All food, grain and chaff is kept in vermin proof receptacles.
- The area where animals or birds are kept is thoroughly cleaned and maintained at all times in a clean and sanitary manner to the satisfaction of an authorized officer.

# 2.3 OTHER LEGISLATION

Recent amendments introduced with the *Animals Legislation Amendment (Animal Care) Bill 2007* enable Council Animal Management Officers to seize a suspected abandoned dog or cat left on private property, at the land owner or occupiers request.

New codes of Practice for the Private Keeping of Dogs and Cats have been introduced under the *Prevention of Cruelty to Animals Act 1986* and Council has been given the responsibility of enforcing these Codes. The codes have been developed to provide guidance for pet owners in relation to standards of care for both cats and dogs including nutrition, health, housing, transport, training, socialisation and exercise. Non compliance with these Codes can be used to support prosecution under the Act for cruelty offences.

Council has an Order relating to dogs off leash, on leash and restricted areas. This Order has been in place since 1996 and will be revised as part of the process of implementing the Domestic Animal Management Plan.

# 3. EVALUATING OUR SERVICES

Council's Local Laws team deal with a range of issues associated with the keeping of animals in the community. These include:

- Fulfilling Council's legislative obligations imposed under the Domestic (Feral & Nuisance) Animals Act 1994; the Prevention of Cruelty to Animals Act 1994; and the Council's General Local Law.
- Dealing with customer requests and complaints.
- Promoting responsible animal ownership with a range of media releases and educating the community on the care and management of domestic animals in cooperation with other Animal Organisations such as local dog clubs.
- Maintaining a database of registered animals in the municipality and keeping that information as up to date as possible.
- Providing collection and impoundment of lost, stray and/or unwanted dogs and cats.
- Conducting investigations into resident's complaints about animals.
- Conducting inspections of pet shops, boarding kennels, and dangerous and restricted breed dog premises for compliance with legislation.
- Providing a 24 hour 7 day per week emergency response service for animal call-outs.

The following table shows the current service levels for many of the animal management services provided by Council:

Program/Service	Service Level
Identification & Registration of dogs and cats (at June	15208 dogs registered
30, 2008)	6770 cats registered
	22,000 registration notices sent per year
	3000 new animals registered per year
	2000 deceased & departed animals
Enforcement of Registration requirements	Regular reminders advertised in Banner and local newspapers
	<ul> <li>Reminder notices and doorknock inspection campaigns conducted annually.</li> </ul>
	<ul> <li>528 infringements for animal offences</li> </ul>
	<ul> <li>40 court prosecutions per annum</li> </ul>
Investigations of Nuisance animal complaints	Response within 24 hours
,	<ul> <li>1316 nuisance type complaints per annum</li> </ul>
Investigations of dog attacks and	Within 30 minutes business days
dangerous/menacing dog complaints	191 complaints
Dogs wandering at large	Within 30 minutes if considered an emergency.
	24 hours if not considered an emergency
	400 complaints annually
Declared Dog property inspections	Conducted twice annually
	14 premises inspected
Barking dog investigations	Commence within 2 business days
-	267 complaints investigated
Domestic Animal Business Inspections	Conducted annually
	5 businesses inspected

Pound open for collection of animals	7 days per week
	<ul> <li>1500 animals impounded per year</li> </ul>
Excess Animal Permit renewals & inspections	Annually
	<ul> <li>23 permits issued &amp; inspected annually</li> </ul>
Micro-chipping program for cats and dogs	Monthly sessions
	340 animals microchipped
Promotion of responsible animal ownership	12 media releases per year
Cat trapping	8 cages available
	<ul> <li>Approx 300 trappings per year</li> </ul>
Customer Service	812 requests for information about animal related
	matters
	<ul> <li>493 lost dogs reported</li> </ul>
	<ul> <li>341 found dogs reported</li> </ul>
	98 lost cats reported
	94 found cats reported
	<ul> <li>95 calls for information on pounds</li> </ul>

# 3.1 SCOPE OF SERVICES PROVIDED

## 3.1.1 Patrolling and Impoundment of Animals

Council Officers patrol all areas of the municipality for animals that are in contravention of the Domestic (Feral and Nuisance) Animals Act 1994, and the Council Local Law. Officers are required to impound, release, rehouse and dispose of any unwanted animals in accordance with legislation, Council policy and contractual requirements.

Banyule City Council has a Pound facility at Bellfield that consists of 4 pens and has a Pound Attendant seven days per week for one hour each day for release of animals. On a larger scale Banyule has contracted to use the pound facilities of Nillumbik Shire Council. This pound is able to house up to 40 dogs and includes 4 dangerous dog pens. The Nillumbik pound facility is open every day of the week for 3 hours so that owners may collect their dogs.

Services provided include:

- Provision of appropriate pound facilities for all cats, dogs and livestock collected by the Officers.
- Attendance at the Pound 7 days per week for a minimum of 1 hour per day for the collection of dogs by their owners.
- Where possible dogs with identification are to be housed in Bellfield and unidentified dogs are to be delivered to the Nillumbik Pound where they will be assessed for their suitability for rehousing.
- Officers are also required to impound cats at the Cat Protection Society Premises in Greensborough.

## 3.1.2 Animal Registration and Associated Issues

This involves:

- Registration of dogs and cats over the age of 3 months.
- Issuing annual reminder notices for renewal of animal registrations
- Maintaining the animal registration data base for dogs and cats to keep it as up to date as possible.
- Following up on excess animal issues to ensure that an excess animal permit is in place and all conditions for keeping excess animals are being complied with.

- Following up on unregistered animal owners to encourage payment of animal registrations, using door knock patrols or other initiatives.
- Issuing Infringement Notices where the registration checks have revealed that the unregistered animal is still resident at its owner's property.
- Processing unpaid infringements through the normal reminder and prosecution process in the Magistrates Court.
- Registering and maintaining the data base for domestic animal businesses and monitoring the operation of these businesses in accordance with legislation and Codes of Practice.
- Registering and maintaining the data base for declared animals including restricted breeds, dangerous dogs, and dogs kept in accordance with a Council initiated animal management plan.
- Registering and maintaining the database for excess animal permits.
- Investigation and resolution of any complaints.
- Regularly reviewing Procedures to ensure that the information is updated in accordance with legislative requirements and current practices.

## 3.1.3 Complaints

Council's Animal Management Officers undertake investigations into a variety of animal management complaints regulated under the Domestic (Feral & Nuisance) Animals Act 1994, The Impounding of Livestock Act 1996 and The Banyule City Council General Local Law.

There are various types of complaints that officers deal with, the most common are:

- Cat Complaints, which include:
  - Cat trappings
  - Stray cats
  - Nuisance cats
- Dog Complaints
  - Dog attacks / bites
  - Dogs rushing & menacing
  - Dogs at large (not confined)
  - Dogs at large (confined)
  - Dogs barking
  - Dogs off lead
  - Dogs nuisance
  - Excess animals

Officers also attend to after-hours emergency call-outs for animals injured or at large and/or causing a nuisance.

## 3.1.4 Dangerous and Menacing Dogs

The Domestic (Feral and Nuisance) Animals *Act* 1994 has provisions for the control of dangerous or menacing dogs. The *Act* details the definition, circumstances and processes used to declare a dog Dangerous or Menacing. All dogs that are Declared Dangerous and/or Menacing are inspected annually to ensure that their owners are complying with the requirements of the Act and any specific requirements put in place by the Animal Management Officers. Animals that are being kept in accordance with requirements receive a certificate of compliance. Complaints received about

dangerous dogs are a high priority for animal management officers and are attended as soon as practicable, within 30 minutes.

## 3.1.5 Restricted Dog Breeds

The State Government has legislated in the Domestic Animals Act to restrict certain breeds of dog. Restricted breed means any dog, the importation of which is regulated by the Customs (Prohibited Imports) Regulations 1956 of the Commonwealth. Dogs currently on the list are:

- Dogo Argentinio
- Fila Brasileiro
- Japanese Tosa
- American Pit Bull or Pit Bull Terrier

The Council Officers undertake annual inspections of declared and restricted animals pemises and inspections are recorded with council on a register for declared dogs and the owners are sent a certificate of compliance by the inspecting authorized officer.

## 3.1.6 Micro Chipping

Council Animal Management Officers, in conjunction with the Lost Dogs Home, run monthly microchip days every second Sunday of the month at the council offices. These days have been run for over a year and have attracted up to 70 animals and owners per session. There are also biannual microchip days with the dog obedience clubs in Banyule Council area, which have proved to be successful. The Animal Management Officers have also promoted micro chipping pets through media articles and local vets.

## 3.1.7 Non Legislative Tasks Undertaken by Animal Management

- Being available to give advice and information to members of the community.
- Design and publication of animal management brochures.
- Preparation of media releases and articles for the local media and council newsletter.
- School information sessions on responsible pet ownership.
- Routine street patrols particularly in areas with high numbers of complaints about animals at large.
- Provide an emergency out of hours service for animal management.
- Organise microchipping sessions in conjunction with the Lost Dogs Home.
- Compiling statistical data requirements for the Bureau of Animal Welfare.
- Participation in Responsible Dog Ownership Programs with local dog clubs.
- Managing Surrendered animals.

# 4 COMMUNITY CONSULTATION

The purpose of conducting community consultation was to seek information on the major issues of concern in relation to the keeping of dogs and cats in Banyule. Consultation consisted of a random survey sent to approximately 1000 households in Banyule as well as discussions with key officers and Councillors on issues relating to animal Management. The survey is attached as appendix 2.

## 4.1 Customer Complaints

An analysis of customer complaints show that resident's major concerns related to:

- Barking dogs
- Dogs at large and dogs off leash
- Dog poo
- Dogs rushing and menacing.
- Roosters
- Nuisance cats.
- The number of stray and unwanted animals

## 4.2 Survey Results

There were 297 respondents to the survey which equates to a 30% response rate. This is sufficient to provide a relevant measure of all residents.

1	During the past 6 months have you been bothered by a dog wandering in the street?	Never - 69%
		1 or 2 - 17%
		3 or 4 - 6%
		4 or more - 7%
2	During the past 6 months have you been bothered by cats in your neighbourhood?	Never 59%
		1 or 2 – 10%
		3 or 4 – 6%
		4 or more – 24%
3	Do you own a dog?	Yes 33%
		No 67%
4	Do you own a cat?	Yes 15%
		No 85%
5	Are you aware that all new dogs and cats now have to be microchipped?	Yes 83%
		No 17%
6	Are you concerned about dogs being off leash in public parks?	Yes 62%
		No 38%
7	Do you think Council should require dogs to be on leash in all areas?	Yes 53%
		No 47%
8	Have you used Council's animal management services in the last 12 months?	Yes 7%
		No 93%
9	If yes how satisfied were you with the service	Happy or very
		happy 93%
		Not happy 7%
11	Do you think it should be compulsory for dogs & cats to be de-sexed	Yes 72%
	,, ,	No 28%

# 5 THE STRATEGY

## 5.1 OUR STRATEGY

- To inform and educate the community about companion animals and promote responsible pet ownership.
- To ensure that the needs of the community are reflected through Council's domestic animal management policies, procedures and practices.
- Provide a service to residents that responds to concerns, mediates nuisance and monitors activities.

## 5.2 KEY OBJECTIVES

- To improve compliance with registration requirements for dogs and cats.
- To encourage owners of dogs and cats to have their pets de-sexed and microchipped.
- To respond to residents complaints about the keeping of dogs and cats in Banyule in a proactive manner
- To promote responsible pet ownership.

# 5.3 ACTION PLAN

## 5.3.1 Promotion of Responsible Pet Ownership

Why is pet ownership so popular? For many people the most obvious reason for obtaining a pet is for companionship. People can derive great satisfaction and joy from the relationships they have with their pets. These benefits are easy to understand, however there are important social benefits that are not as well understood.

For children, experience with pets contributes to their development. Pets help them learn responsibility and how to share. Pets show that if affection is given, it will be returned. They also encourage children to exercise. Another reason why people obtain a dog is for security. Housebreakers will tend to steer clear of houses with dogs. People also tend to feel safer with a dog in the house and when they are walking or jogging in the street.

Another benefit of owning pets is their use in therapy. Pets can reduce the heart rate and lower blood pressure. Pets are often suggested as a drug-free way of coping with stress. A recent study by the prestigious Baker Medical Research Institute, Melbourne, showed that pet owners had significantly lower risk factors for cardiovascular disease than did non-owners.

Most problems of pet ownership can be solved. At the forefront of work by all parties interested in pets is the promotion of socially responsible pet ownership. This concept has two components:

- The recognition by the owner of his or her responsibilities; and
- His or her efforts to meet these responsibilities.

Council's aim is to promote responsible pet ownership primarily through education activities and programs. This is done consistently with a philosophy of "reasonable laws reasonably enforced".

Council Officers will continue education activities and programs aimed at promoting responsible pet ownership. This will include:

- Regular articles in Council's monthly newspaper the "Banner" promoting responsible pet ownership.
- Press releases to the local media relating to topical issues such as dog attacks, registration renewals, microchipping.
- Printing of "Postcards" with an explanation of Council's orders relating to the restraint of dogs in public places. These postcards will be used extensively by officers during their park patrols.
- Dissemination of information about the benefits of dog obedience and puppy training.
- Production of "Responsible Pet Ownership" brochures for inclusion in "new" resident's packs.
- Relevant information about responsible pet ownership accessible on Council's website.
- Advertise to the community when Council is planning animal registration door-knocks to encourage voluntary animal registration.

## 5.3.2 Compliance with the Act

The *Domestic (Feral & Nuisance) Animals Act 1994* requires Council to administer and enforce the provisions of the Act within the municipal boundaries. Council does this and more.

The approach used by Council in the first and preferred instance, is to inform, educate and encourage pet owners to accept responsibility for their pet, thereby complying with the provisions and intent of the Act in a voluntary way. The more successful Council is in this "educative" approach, the less actual enforcement is required. This approach is consistent with the general philosophy of "reasonable laws reasonably enforced".

#### 5.2.3.1 Dogs at Large

Council receives a large number of complaints about dogs not confined to their property or wandering the neighbourhood at large. In addition to this, we also respond to a lot of requests from residents who want a dog collected from their property which they have found and confined to prevent injury.

Council officers will:

- Respond to dog at large complaints within 30 minutes as they can become a public safety issue if allowed to wander onto roads.
- Dogs that have been confined will be picked up as soon as possible.
- If the dog is wearing identification that can be checked against the Council's database, Council Officers will endeavour to put the dog owner in contact with the person holding the dog and enable the owner to collect the dog without it being impounded.
- Provide an after hours emergency service in case of dog attack or dogs at large presenting a danger to the public.
- Impound the animal in one of the Council pounds and try and locate the owner. This is made easier if the animal is microchipped or wearing identification. If the animal remains uncollected after 10 days in the pound it will be assessed for its suitability for rehousing. If considered unsuitable it will be euthanized.

## 5.3.2.2 Dogs off Leash & Dog Poo

Council has an existing order prepared in 1998 that requires dogs to be kept on leash when on a Council road or footpath and within 5 metres of a shared footway, childrens' playground or barbeque area. In some environmentally sensitive areas dogs are banned completely.

The Local Law also requires dog owners to dispose of their dog's faeces if it defecates in a public place. The majority of dog owners are very responsible people and walk their dogs on a leash with a plastic bag to pick up their animal waste. However, there is always a small minority that pay no heed to these requirements and allow their dogs to walk without any control at all and don't pick up after their animal.

Council Officers will:

- Conduct random patrols of park areas and inform dog owners of the on-leash requirements, this may involve positive reinforcement to encourage compliance, rather than enforcement for non compliance.
- Continue to promote responsible animal ownership and animal behavioural training through Banner articles and in conjunction with local obedience clubs.
- Continue the placement of "dog poo" signs in Council Parks to advise owners to pick up after their dog.
- Review the existing Council Order to ensure that it continues to reflect the attitude of the community towards dogs in public places.
- Continue the schools education program to encourage school children to understand the responsibilities associated with owning a pet.

## 5.3.2.3 Rushing and Menacing Dogs

The Domestic (Feral & Nuisance) Animals Act stipulates that the owner of a dog that rushes at or chases any person is guilty of an offence that can incur court imposed penalties of up to \$400. Council receives many complaints about dogs that rush at people barking or appear menacing to pedestrians passing by. This is a symptom of a dog that is very territorial and has not been trained or socialised properly. Surprisingly not all of these animals are roaming loose; some of them are confined to their property by a gate or fence, but will still rush and bark at people walking on the footpath. The Postman is particularly susceptible to these attacks as they ride their scooter on the footpath. This behaviour can cause people a great deal of distress, particularly young children who may develop a fear of animals because of a frightening episode.

Council Officers will:

- Respond to all complaints about rushing and menacing dogs pro-actively;
- Officers will visit the property and contact the owner to discuss their responsibilities in
  preventing such behaviour. In serious cases of multiple offences, infringements will
  be issued and the owners may be prosecuted in the Magistrates Court. Serial
  offenders risk having their dogs declared dangerous and having to comply with very
  strict requirements regarding confinement and control of the animals.

## 5.3.3 Minimising Dog Attacks

The majority of dog attacks occur when dogs are allowed to wander at large or are not kept under effective control, although there have been several incidences reported to Council where a dog has managed to get through a fence on to another property and an attack has occurred as a result. Dog attacks are a critical animal management issue as people can be severely injured and traumatised as a result of an attack.

Council has adopted an Order that requires dogs to be on a leash when on a road or footpath, but allows dogs off leash except within 5 metres of a shared pathway, children's playground or barbeque area. There are some environmentally sensitive areas where dogs are not permitted at all. Unfortunately not all pet owners are responsible, and attacks do occur.

Council Officers will:

- Respond to complaints relating to a dog attack as a high priority;
- Disseminate information relating to dangerous and restricted breed dogs in the Banner and other council brochures;
- Prosecute offenders in the Magistrates Court;
- Seize offending dogs and in the most serious cases, seek a court order for the destruction of a dog.

## 5.3.4 Over-Population and High Euthanasia rates

There is current debate in the community about compulsory de-sexing of animals, in particular cats; this point of view is being actively promoted by the "Cat Crisis Coalition" a coalition of eleven animal welfare organisations. The Coalition has written to Council to support the introduction of compulsory de-sexing of cats and dogs. A meeting was also held with Carole Webb and Alan Craig of the "Cat Coalition Crisis" to enable them to put their views to Council. There is an equally strong view amongst other Veterinarian bodies that early de-sexing of dogs and cats can be harmful to the animal and lead to greater disease propensity as the animal ages.

Currently, cats and dogs are not required to be de-sexed unless they are a restricted breed dog or a specified type of dog. However, the State Government in its amendment to the Domestic (Feral & Nuisance) Animals Act introduced a new provision that enables Councils to make an order requiring all dogs and cats in the municipality to be de-sexed. Section 10A(1) of the Act now states "A Council may resolve that it will not, after a specified future date, register or renew the registration of a dog or cat unless the dog or cat is de-sexed or is exempted under the Act from any requirement to be de-sexed".

Exemptions include if the dogs and cats are:

- Used as part of a registered domestic animal breeding establishment;
- If the owner is a current member of a recognised organisation and the animal is registered with that applicable organisation, i.e. Victorian Canine Association, Feline Control Council (Victoria);
- A guard dog that is a declared dangerous dog; or
- On medical grounds.

Compulsory de-sexing of dogs and cats is a complex issue and is not supported by the Australian Veterinary Association (AVA). The AVA argues that the cost is unjustified and that compulsory desexing is largely ineffective as un-owned or semi-owned cats are responsible for most unwanted offspring.

There are a number of various issues that impact on compulsory cat de-sexing:

- The availability of animals from pet shops and markets that are not de-sexed.
- People passing unwanted kittens and puppies around their neighbourhood.
- The level of attachment to the animal by the householders in which it resides.
- The ability to enforce compulsory de-sexing.

In Banyule the number of registered cats that have not been de-sexed is very small, approximately 252 cats out of a total registration number of 6,770. This means that the vast majority of cats which are not de-sexed are also not registered with Council and as such Council Officers have little knowledge of their whereabouts.

However, the Council Officers are kept extremely busy with cat trapping in response to complaints, particularly during kitten season. The number of cats impounded every year remains significant and the unfortunate reality is that many will be put down.

Very few Council's have taken the compulsory approach to de-sexing of animals, with Cardinia, Mornington Peninsula, Greater Shepparton, LaTrobe and Wangaratta being the only councils to have introduced mandatory cat de-sexing so far. None of Council's neighbouring councils are planning to introduce compulsory de-sexing, with the preferred option being education, encouragement and incentives.

Officers acknowledge the benefits of de-sexing which includes less unwanted dogs and cats, less aggressive behaviour and animals that are less prone to wander and fight over territory.

The contentious issue is mainly the high numbers of un-owned and unwanted cats that are creating the overpopulation of cats that need to be euthanized.

Cats in the community can be divided roughly into three categories:

**Owned cats** – These are cats whose owners recognise them as "their cats", these owners are in the main responsible and have their cats registered, microchipped and de-sexed and generally care for their cats.

**Semi-owned cats** – These are cats that have found their way to "caring" families, who feed and care for them to a certain degree because they "want to help", but cannot or will not take full responsibility for them. This category of cat appears to be a major problem since they are frequently not de-sexed and being fed and cared for assists in bringing them up to breeding condition with the result of unwanted litters of kittens. These are the cats that are generally being trapped by Council Animal Management Officers and taken to the Cat Protection Society where they are assessed to determine whether they have a chance of being adopted. If not they are euthanized.

*True feral cats* – this group of cats is believed to be quite small in Banyule and more likely to be found in the industrial and commercial areas where rats, mice and food scraps are prevalent rather than in the more sensitive environmental areas that one would expect. These cats are usually euthanized.

Advantages & Disadvantage of compulsory cat de-sexing:

#### Advantages:

- De-sexed cats make better pets, they are less likely to be territorial and involved in cat fights, and are easier to manage as pets.
- Over time it may reduce the number of unwanted and un-owned cats in the community.

#### Disadvantages:

- The majority of cats impounded at the CPS are un-owned and unwanted cats and 75% of these cats will be euthanised. Compulsory de-sexing will not alter this number.
- The majority of registered cats are de-sexed, 97% in Banyule, and council officers will be
  encouraging cat owners who have their cats registered but not recorded as de-sexed to have
  their cat de-sexed using the de-sexing voucher scheme which reduces the cost to the cat owner.
- Turning people away when they come to register their cat for the first time because it is not desexed may result in the cat not being registered at all.
- Compulsory de-sexing may lead to an increase in the number of cats being dumped or surrendered to council officers.
- Cats and dogs have to be registered at 3 months of age so would need to be de-sexed early which some vets in Banyule refuse to do.
- The Cat Protection Society itself has a 6 month waiting list for Banyule residents who want to have their cats de-sexed at the much cheaper rate offered by the Society.

The Act, allows Council to refuse to register a dog or cat if it is not de-sexed, with the correlation being that the resident is then fined for having an unregistered pet. This approach may lead to an increase in the number of surrendered animals, or owners not claiming their impounded animal from the pound with the result that the majority will ultimately be euthanised. Over time this will also reduce the number of un-desexed animals that are allowed to indiscriminately breed.

Council could give further consideration to making an order to refuse the registration of cats that are not desexed. Given the current high level of compliance with voluntary de-sexing of cats (97%), if is recommended that any such requirement should only apply to newly registered cats.

The recommended option for Council to consider is to make an order applicable only for newly registered cats and to offer a financial incentive by allowing the first registration with Council for free. In conjunction with this, council officers can continue the current educative approach.

Cat owners need to be encouraged to be responsible cat owners rather than semi owners who feed "their" cats but take no further responsibility for the cat in terms of registration, de-sexing and microchipping. This practice escalates the overpopulation of cats and cats becoming feral. The State Government currently has an advertising program to encourage people to stop feeding these cats and or take ownership of them. Council officers are actively working to help encourage these semi-owners to take ownership of the cat by assisting them to have the cat de-sexed and microchipped.

Council officers will continue to actively encourage people to have their pets desexed using the AVA de-sexing voucher which provides half cost de-sexing for centrelink card holders. The de-sexing fee schedule under the reduced fee de-sexing voucher scheme is as follows:

		Discounted Fee offered by Vet	Owner pays	Council pays
Dogs				
Female	Mature >7 months	\$210	\$140	\$70
	Under 7 months	\$168	\$112	\$56
Male		\$168	\$112	\$56
Cats				
Female	Mature >7 months	\$168	\$112	\$56
	Under 7 months	\$144	\$96	\$48
Male		\$96	\$64	\$32

In Banyule a strong emphasis will be placed on encouraging people to take "ownership of the cats that they feed in their backyard". To do this Council Officers will:

- Write to all existing owners of animals registered as not de-sexed to confirm that this is correct and provide information about the availability of the "De-sexing Voucher" which provides half price de-sexing. Council provides a subsidy for this service.
- Promote the Australian Veterinarians Association "De-sexing Voucher" which entitles Centrelink beneficiaries to a reduced rate de-sexing service.
- Encourage local veterinarians to open up the "De-sexing Voucher" to all residents as part of a special promotion for "De-sexing Month"
- Explore the options of partnering with the University of Melbourne to establish a mobile desexing service within the municipality to provide veterinary students the opportunity to gain practical experience. This will require the conversion of the Council's CyberVan to a mobile surgery.
- Continue to promote cat ownership in the local Banner publication.
- Write to the State Government requesting that the issue be addressed through legislation to prevent the sale of dogs and cats that are not de-sexed except for registered animal breeders.

## 5.3.5 Registration and Identification

The registration of dogs and cats within Banyule will be pursued as a key element of responsible pet ownership. Registration reminder notices are sent each year to pet owners who have previously registered their pet. Where the animal remains unregistered after several reminders, council officers carry out "door knock' patrols to check if the animal still resides at the property.

To encourage registration of cats and dogs Council Officers will:

- Conduct random street patrols and door knocks to ensure that pets are registered in compliance with the Act. Municipal Laws Officers will undertake random patrols of various streets where there are complaints about nuisance animals. "Ranger on Patrol" signs will be displayed predominately on streets where such activity is occurring.
- Promote registration and the wearing of registration tags through council publications and other media. This can be done by using "good news" stories about pets being returned to their owners because they were microchipped and registered.
- Send Registration forms and animal brochures to all new animal owners when notified by Animal Shelters and Pet Shops of the sale of animals to Banyule Residents. This will be followed up with visits to the property if registration is not received.
- Enter into an agreement with the Cat Protection Society to register cats sold to Banyule residents. Explore opportunities for a similar arrangement with other Animal Shelters.

- Actively promote and encourage registration by offering incentives and rewards beyond legislative requirements.
- Ensure that animal complaints are checked for registration compliance as part of the process in dealing with the complaint. People usually know where the animal they are complaining about resides.
- Hold monthly microchipping sessions in conjunction with the Lost Dogs Home to offer Banyule residents a microchipping service at a reduced rate of \$20.
- Ensure that all impounded animals are microchipped within 7 days of release from the Pound. This will be reinforced with enforcement where necessary.
- Ensure that households with more than 2 dogs or 2 cats apply for an excess animal permit so that Council has some control over the local amenity and the manner in which the animals are kept.

## 5.3.6 Minimising Nuisance

To ensure compliance with the Act, Council Officers conduct regular patrols and respond to residents complaints and requests. The greatest areas of concern are addressed individually below.

#### 5.3.6.1 Barking Dogs

The greatest number of complaints received in Banyule are about Barking dogs. Common reasons for dogs barking are:

- Lack of exercise
- Boredom, loneliness and frustration
- Feeling under threat (another dog, or loud noise such as thunder or fireworks)
- Poor living conditions
- Ill health

Complainants who contact Council about a barking dog are usually asked to speak to their neighbour in the first instance to see what can be done to stop the dog barking. Failing any alleviation of the problem

Council Officers will:

- Speak to the complainant to ascertain the extent of the problem, eg times at which barking is excessive, other issues etc.
- Undertake an investigation of the site to determine the existence and extent of the problem.
- Contact the dog owners and suggest a range of measures that can be undertaken to stop the dog from barking. Council has purchased "Barking dog" collars which can measure the frequency and volume of the barking to demonstrate to the owner that the problem is "real".
- Recommend professionals who can train animals not to bark.
- If the dog owner does nothing to alleviate a real problem, Council officers can prosecute the owner in the Magistrate's Court. Our approach is always that this is a last resort, the preference is to work with the people affected to find an acceptable resolution to the problem.

#### 5.3.6.2 Nuisance Cats

The major issue of concern about cats are the "un-owned" or "stray" cats that roam the neighbourhood, fight with owned cats over territory, and generally create a nuisance with spraying, and defecating on private property. In the spring Council receives many

complaints about cats with kittens that take up residence on private property. In many cases the residents feel sorry for the animals and start leaving food outside for them, which can exacerbate the problem. Council impounds approximately 700 cats with the Cat Protection Society each year knowing that most of these animals will be euthanized. It is extremely demoralising for Council Officers to trap cats knowing what their ultimate fate will be.

Council Officers will:

- set cat traps at residents properties and collect any trapped cats within as short a time as possible to minimise distress to the animal.
- Where the resident has been feeding a stray cat they wish to keep, Officers will check the animal for any identification to make sure it does not match a "Lost Cat" reported to the office; and
- assist the resident to take formal ownership of the cat by organising microchipping and De-sexing vouchers.

## 5.3.7 Identification of Dangerous, Menacing and Restricted Breed dogs

Council Officers have delegated power under the Domestic (Feral & Nuisance) Act 1994 to declare a dog as dangerous or menacing. This option is not taken lightly and will only happen where the owner has been found guilty in court of a dog attack where serious injury has occurred.

The State Government has also identified certain breeds of dog as restricted breeds because of the aggressive nature of the breed and their propensity to attack. The only restricted breed dog that exists in Australia is the Pit Bull Terrier. American Staffordshire Pit Bull Terriers and other similar cross breed dogs are not restricted. The Act does not permit Council to register a restricted breed dog unless the animal has previously been registered with the Council as another breed of dog, or the dog was resident in Victoria prior to 2005 when the restricted breed legislation was introduced. A Council Officer may determine a dog is a restricted breed animal but the owner retains the right to appeal against that decision and have the matter determined by a panel of experts. In the event that the panel disagrees with the Council Officer the dog must be registered. Industry experience is that the Panel has to date overturned most Council Officer determinations that the dog is a restricted breed, which has led to a great deal of frustration amongst officers trying to enforce the legislation.

Council currently has:

- 5 Declared Dangerous Dogs,
- 3 Animal Management Plans;
- 9 Restricted Breed Dogs, (Pit Bull Terriers)

In managing these declared animals, Council Officers will:

- Inspect all premises at which declared dangerous dogs are kept to ensure compliance with the Act every year. Owners that comply with all requirements are issued a Certificate of Compliance each year.
- Check the animal registration data-base for breed type to ensure that there are no restricted breed dogs registered. If they have been registered inadvertently, the Council will follow the requirements of the Act in relation to restricted breed dogs.

## 5.3.8 Review of existing Council Orders

In 1997 Council made an Order under section 26 of the Domestic (Feral & Nuisance) Act 1994, which required all dogs to be on a leash when on a public road, car park or within shopping areas. The Order also prohibited dogs from being within 5 metres of a children's playground, public barbeque, or a shared footway. In certain environmentally sensitive areas, dogs were not permitted at all, whether on a leash or not.

It is a requirement of the legislation that the order be reviewed every 10 years to ensure that it reflects current attitudes towards dogs in public places. Council Officers will undertake public consultation as part of the review.

# 5.3.9 Training of Animal Management Officers.

Council employs multi-skilled Municipal Laws Officers who are required to undertake a range of duties including Domestic Animal Management. Council's objective is to ensure that all staff involved in animal management have the knowledge and skills necessary to carry out their work.

Council's current training and development activities include:

- Certificate 1V in Animal control and Regulation;
- Certificate 1V in Local Government Statutory Compliance;
- Training in Investigation and Court Procedures
- Animal Handling training
- Training in identification of breeds;
- Dealing with aggressive customers;
- Handling aggressive dogs;
- Manual Handling and personal safety;
- Training in Legislative changes to the relevant Acts;
- Attendance at seminars conducted by the Bureau of Animal Welfare;
- Attendance at METCAM meetings.

Council will continue the training program that is already in place to:

- Encourage officers to undertake and complete Certificate 1V training;
- Continue training in Animal Handling and Breed Identification;
- Provide further training in Investigation, and Court Procedures;
- Continue training in personal safety; handling difficult and aggressive people and animals; and Manual Handling.

# 6 PERFORMANCE MONITORING AND EVALUATION

Council will monitor the performance of animal management services detailed in this plan by reporting through Council's established reporting systems.

Specific outcomes will be reported in Council's Annual Review of the Domestic Animal Management Plan.

Туре	Description	Current	Target
Dog Registrations	Number of dogs registered as a percentage of residential properties	35%	37%
Cat Registrations	Number of cats registered as a percentage of residential properties	15%	17%
Prosecutions	Number of successful prosecution outcomes as a percentage of total prosecutions	90%	100%
Animal Business Inspections	Number of annual inspections as a percentage of total animal businesses	100%	100%
Declared Dog Inspections	Number of annual inspections as a percentage of total number of declared dogs.	100%	100%
Door Knock Patrols	Number of households checked for compliance as a percentage of total number of animals not re-registered.	Not available	50%

# 6.1 Key Performance Indicators

# 7. ACTION PLAN

The activities and initiatives of the Domestic Animal Management Plan will be delivered through action plans implemented each year. Some activities and initiatives will become ongoing across the life of the plan; others will be aimed at achieving specific objectives.

Action plans will be reviewed each year as part of service delivery planning and will also be incorporated into the service delivery plans of the relevant teams, to ensure they are acted upon.`

# Animal Management Action Plan

# Appendix 1

Objective	Proposed Action	Responsible Officer	Timeframe	Resources required
Promotion of Responsible Pet Ownership	Regular articles in the Banyule Banner promoting responsible pet ownership;	Coordinator	Monthly	Within existing budget
	<ul> <li>Press releases to the local media relating to topical issues such as dog attacks, registration renewals, microchipping;</li> </ul>			
	<ul> <li>Printing of "Postcards" with an explanation of Council's order relating to the restraint of dogs in public places. These postcards will be used extensively by officers during their park patrols;</li> </ul>			
	<ul> <li>Production of "Responsible Pet Ownership" brochures for inclusion in "new" resident's packs.</li> </ul>			
	<ul> <li>Relevant information about responsible pet ownership accessible on Council's website;</li> </ul>			
	<ul> <li>Advertise to the community when Council is planning animal registration door-knocks to encourage voluntary animal registration;</li> </ul>			
	<ul> <li>Ongoing microchipping sessions in conjunction with the Lost Dogs Home;</li> </ul>			
	Promotion of responsible pet ownership to Primary     Schools in the municipality;			
Animal Registration	Officers will conduct doorknock campaigns to maximise the number of registered animals.	AMO's	Annually (September)	Within existing budget
	Compulsory registration of impounded animals before release to the owner.			
	• Agency agreement with Cat Protection Society for the registration of cats adopted by Banyule residents.			
	Utilise the State Governments incentive scheme to encourage registration of animals			

Objective	Proposed Action	Responsible Officer	Timeframe	Resources required
Nuisance Animal complaints	Officers will utilise the "Barking Dog" collars to measure the frequency and volume of barking complaints to demonstrate to the owner that the problem is real;	AMO's	Ongoing	Within existing budget
	Officers will recommend professionals who can train animals not to bark;			
	• Officers will continue to set cat traps at residents properties where nuisance cats are a problem;			
	<ul> <li>Officers have purchased several sonic cat deterrent devices which can be trialled at properties where cats are a problem;</li> </ul>			
	Assist residents to take formal ownership of stray cats by organising microchipping and de-sexing vouchers.			
Overpopulation of unwanted animals	Trapped cats will be impounded with the Cat Protection Society where the animal will be assessed for its suitability for adoption or will be euthanized.	AMO's	Ongoing	Within existing budget
	• Dogs without identification will be impounded at Nillumbik where the animal can be assessed for its suitability for rehousing;			
	• Encourage formal adoption of un-owned or semi- owned cats by assisting the "carer" to have the cat microchipped and de-sexed under the AVA "De- sexing Voucher" scheme			
	• Encourage de-sexing of dogs and cats by offering free registration for new animals that are microchipped and de-sexed.			
	• promoting the availability of de-sexing vouchers.			
	• Explore the options of partnering with Melbourne University to establish a mobile de-sexing service			

Objective	<ul> <li>within the municipality.</li> <li>Reduce dumping of unwanted animals by accepting surrendered animals.</li> </ul>	Beeren ikke Officer	<b>T</b> '	December
Objective	Proposed Action	Responsible Officer	Timeframe	Resources required
Dogs off leash	Council will review its Order relating to dogs off lead and on lead areas within 12 months of the new Council being elected.	Coordinator		Within existing budget
	<ul> <li>Continue the placement of 'dog poo' signs in Council parks to advise owners to pick up after their dogs;</li> </ul>			
	Review existing signage for on-leash areas and organise replacement where necessary.			



Animal Management at Banyule



Banyule Council's Animal Management Service helps regulate, support, and care responsibly for animals in our community. We are currently seeking your feedback on issues relating to dogs and cats, and your assistance in completing this short survey is greatly appreciated.

(FOR EACH QUESTION, PLEASE TICK AS REQUIRED)

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