



SHIRE of WYNDHAM | EAST KIMBERLEY

# DOMESTIC ANIMAL MANAGEMENT PLAN

2013

## **Domestic Animal Management Plan**

The Shire Wyndham East Kimberley recognize that companion animals play an important role in today's society and want 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 the Shire. Unfortunately, it is when animals are acquired with little forethought or for the wrong reasons or when they are left unsupervised, problems occur.

As a result of community concern the Shire is introducing a Domestic Animals Plan. The Plan will have a significant impact on the individual pet owners' responsibilities, including the manner in which cats and dogs have to be housed and controlled. The Domestic Animals Plan will also cover compulsory registration of all dogs over three (3) months of age and cats over six (6) months of age.

The Cat Act 2011 is due for implementation with all cats now required to be registered as of November 1<sup>st</sup> 2013. The Act is designed to provide for the control and management of cats, and to promote and encourage the responsible ownership of cats and for related matters.

Thankfully the image of 'the dog catcher' has gone forever and in its place we have Rangers whose task is to provide advice, education and assistance and where necessary enforcement of the Acts. Our Rangers will work towards the goal of where it will be rare to see a dog unaccompanied on our streets. Residents are urged to assist officers by confining 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 the Shire has been given the responsibility of administering the Plan it recognizes the need to promote responsible pet ownership and to provide programs that allow for changes in community standards. This plan is a base from which the Shire can take the next step by accommodating change, planning for the provision of resources and to provide animal services and programs in the future.

Most importantly the goal of this plan is to achieve a balance between meeting the needs of pet owners and the needs and expectations of others in the community.



## **Domestic Animal Management Plans**

The Shire will prepare a domestic animal management plan as followed:

In consultation the relevant Authorities and the community, prepare a domestic animal management plan and review every four years.

The Domestic Animal Management Plan will:

- a. Set out a method for evaluating whether the animal control services provided by the Shire is adequate to give effect to the requirements of this Plan;
- b. Outline programs for the training of authorized officers to ensure that they can properly administer and enforce the requirements of this Plan in the Shire's Municipal District;
- c. Outline programs, services and strategies which the Shire intends to pursue;
  - To promote and encourage the responsible ownership of dogs and cats;
  - To ensure that people comply with all Acts, Regulations and any related legislation;
  - To minimize the risk of attacks by dogs on people and animals;
  - To address any over population and high euthanasia rates for dogs and cats;
  - To encourage the registration and identification of dogs and cats;
  - To minimize the potential for dogs and cats to create a nuisance;
  - To effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in the district and to ensure that those dogs are kept in compliance with the Acts and the regulations;
  - Provide for the review of existing orders made under the Acts and local laws dealing with the management of dogs and cats are desirable;
  - Provide for the review of any other matters related to the management of dogs and cats in the Shire that it thinks necessary, e.g. dog exercise areas; and
  - Provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.

## **Statutory Compliance**

The Shire Wyndham East Kimberley is required to provide an animal management service to ensure that animals do not degrade the amenity and community safety of the municipality. The Shire 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:

1. *Dog Act 1976*
2. *Animal Welfare Act 2002*
3. *Infringements Act 2005*
4. *Local Laws Act 2003*
5. *Cat Act 2011*

Guidelines and Standards applicable to the required service include:

1. *Code of Practice for Animal Welfare*

## **Animal Management Staffing and Structure**

## Shire Structure

Chief Executive Officer

Director Infrastructure Services

Emergency and Regulatory Services Coordinator

Rangers

Animal management duties are undertaken by three (3) full time Rangers.

## Demographic and City Profile Context

The Domestic Animals Plan establishes a framework on the Shire 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. The Shire also recognises the positive health and wellbeing outcomes that arise from pet ownership.

## Demographic and City Profile

The Shire of Wyndham East Kimberley is the local government responsible for the towns of Kununurra and Wyndham.

The Shire covers 121,000 km<sup>2</sup> and is one of the four (4) local governments in the Kimberley Region. We have one of the oldest (Wyndham) and one of the newest (Kununurra) towns in Western Australia. Add to that the largest producing diamond mine in the world, some of the most culturally rich landscapes on earth along with farmers who can sow and harvest a crop without a single drop of rain falling.

The East Kimberley hosted the 'Faraway Downs' location shoot for the Baz Luhrmann film *Australia*, proudly claiming to be the real home of *Australia!*

Kununurra is the north eastern gateway to the Kimberley, which encompasses about 420,000 kilometres of timeless landscapes and diverse land uses.

## Kununurra

Kununurra was formed in the early 1960's to service the construction of the Ord Irrigation Scheme. The town has seen the transformation of ancient river plains into one of the most diverse and productive agricultural areas in Australia. Harnessing the mighty Ord River opened up the area to horticulture, aquaculture, eco-tourism and agri-tourism.

From its beginnings as a service town for workers, Kununurra has grown to a population of about 6,000 people out of a total Shire Population in the vicinity of 7,300.



## Wyndham

Wyndham is the second largest town in the Shire and is the most northern town in Western Australia. The population of Wyndham stands at 800 today, but was once a bustling town, with the arrival of news of gold discoveries at Halls Creek. The Wyndham Port was first established at the base of the Bastion in the 1880's and named after Lady Broome's son, Wyndham. The Port was a boon to pastoralists in the East Kimberley and today it provides

for the state ship service MV Kimberley Rose, the importing of diesel and ammonium nitrate as well as the export of live cattle and nickel.

Wyndham, like Kununurra, is surrounded by cliff and gorge country and has five (5) rivers flowing into the Cambridge Gulf. The Cambridge Gulf is a massive waterway providing access to recreational mariners and commercial fishing operators with entry points into five (5) rivers, being the Pentecost, Forrest, and King, Durack and Ord Rivers as well as numerous creeks.



### **Purpose of the Domestic Animal Management Plan**

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



The aim of this Plan is to:

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

Program / Service	Service Level
<b>Identification and registration of dogs and cats</b>	Registration renewals sent October annually (21 days prior to 1 <sup>st</sup> November)
<b>Enforcement of registration requirements</b>	Regular reminders advertised in local newspaper; Reminder notices and doorknock inspection campaigns conducted annually
<b>Investigations of nuisance animal complaints</b>	Initial response within 48 hours; Report on nuisance type complaints per annum.
<b>Investigation of dog attached and dangerous / menacing dog complaints</b>	Within 30 minutes
<b>Dogs wandering at large</b>	Within 30 minutes if considered an emergency; Within 1 hour If in town boundary
<b>Barking dog investigations</b>	Commence within four (4) business days
<b>Collection of animals from Pound</b>	Rangers deliver to owners within 24 hours
<b>Micro chipping program for cats and dogs</b>	Micro Chipping sessions with local Veterinarians
<b>Promotion of responsible animal ownership</b>	Media releases through Council newsletter and local paper
<b>Dog Trapping</b>	Dog trap cages available after deposit fee
<b>Cat Trapping</b>	Cat trap cages available after deposit fee
<b>Customer Service</b>	Ongoing updates throughout the year and attendance to Customer Service Team Meeting to keep informed of new processes

## Section 1 – Training of Authorised Officers

The Shire of Wyndham East Kimberley recognises that people are its greatest assets and that improved performance and customer service will only occur with intensive training and development of staff. The Shire is committed to providing an ongoing development program so that staff can develop to their full potential.

It is critical that all staff involved in animal management have the knowledge and skills necessary to carry out their work and have the necessary authorisations and delegations.



### Future Plans

**Objective 1:** To ensure all staff involved in Animal Management have the knowledge and expertise to carry out their duties and functions of Council

Activity	Responsible Officer	When	Evaluation
<b>Conduct annual performance reviews and identify further training needs for individual officers</b>	Coordinator	Annually	Performance Review

**Objection 2:** To successfully induct and performance manage new staff

Activity	Responsible Officer	When	Evaluation
<b>Establish and communicate performance standards</b>	Coordinator	Ongoing	Performance Review
<b>Monitor Performance and provide guidance to employee where needed</b>	Coordinator	Ongoing	Performance Management

### Summary

Identifying and registering domestic animals is seen as the cornerstone of a successful animal management program.

Animal registration fees provide the majority of funding for animal management programs therefore registration is an important function of animal management. Identification of animals is also critical in investigating complaints.

It is planned to attempt to decrease the numbers of unregistered animals in the Shire using a variety of different available methods and attempt to focus on the new cat registrations. Different methods will be trialled to determine what activity performs best.

### Current Situation – Our current data

The Shire currently only has a register of dogs only, due to the fact that Cats will only be required to be registered from November 2013.

	<b>SWEK Data</b>
Number of registered dogs	812
De sexed dogs registered	472
Entire Dogs registered	340
Number of Registered Cats	0
De Sexed cats registered	0
Entire cats registered	0

### **Our current Orders, Shire Policies and Procedures**

Fixed reduced registration fee (de sexed and micro chipped) have been currently set for this financial year. This fee will be reviewed and adjusted accordingly in line with the Shire's future fees and charges.

### **Current Activities**

1. Provide for online registration / renewal
2. Promote the benefits of registration and identification, being able to reunite a lost animal with its owner and other services provided
3. Use the Shire's website to provide information to residents on registration
4. In conjunction with local vets provide subsidized de-sexing to appropriate owners, and to encourage appropriate de-sexing by other owners
5. Conduct random door knocking across the municipality each year to check for unregistered and unidentified cats and dogs
6. To conduct a door knock for pet owners that failed to renew registrations
7. Conduct micro chipping days in conjunction with the local Veterinarian
8. Distribute registration and identification brochures, fact sheets and other material to pet owners
9. Issue registration renewal notices annually and perform follow up to nonrenewal with additional letter, contact owner, face to face visit (targeted door knocking)
10. Ensure that animal complaints are checked for registration and identification compliance as part of the process of dealing with the complaint. Often people know where the animal they are complaining about resides
11. Ensure all authorized offices have access to microchip scanners
12. Keep records of animals found injured or dead and notify owners of identifiable animals to enable them to seek veterinary treatment for injured animals and help provide 'closure' to owners of animals that have died. Retain dead animals for a period of time to enable owners to collect them if desired.
13. Regularly update / audit registration database to ensure information is current (e.g. amend data to reflect notifications of deceased animals, change of address, change of owner) to ensure owners are not distressed or annoyed by receiving unnecessary or incorrect renewal notices or not receiving a renewal notice at all
14. Ensure all seized and impounded animals are identified as required by the Shire and registered to their owner prior to their release

15. Ensure that owners are charged for each dog registration for the Shire's determined fees
16. Promote registration and the wearing of registration tags through the Shire's publications and other media. This can be done by using "good news" stories about pets being returned to their owners because they were micro chipped and registered.

### Current Situation

Activity	Responsible Officer	When	Evaluation
<b>Ensure that all renewal of registrations are followed up each year and that failing to renew infringements are issued where necessary</b>	Coordinator / Rangers	Yearly	By 1 September of each year, all owners have received a renewal, a final reminder and the property received a targeted doorknock to determine if the animal is still on the property
<b>Ensure that all animals are identified from a complaint are registered</b>	Rangers	Ongoing	Recorded on Customer Service Requests when Rangers dealt with the new complaint
<b>Hold numerous registration door knocks randomly around the municipality which will include all full time Local Law Officers at Council</b>	Rangers	Ongoing	Determine how many new registrations by keeping statistics
<b>Ensure a 5% increase in dogs and cats are entered on the system each year</b>	Coordinator	Yearly	Check database and compare statistics on system each calendar year (a 5% increase)

### Objective 1: To decrease the number of unregistered animals in the Shire

Activity	Responsible Officer	When	Evaluation
<b>Continue to supply de-sexing vouchers to low income earners</b>	Coordinator	Ongoing	Number of vouchers redeemed
<b>Include registration, identification and renewal information in rates notices. The Shires' newsletters, in Shire displays and Shire's on hold message</b>	Coordinator	Ongoing	Provide information where necessary

<b>Include registration forms, registration and identification requirements, brochures and factsheets in kits for new residents</b>	Customer Service	Ongoing	Ensure all new resident kits contain this information by regularly making sure those responsible for new resident kits have the relevant
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**Objective 2:** To increase registration rates by 5% each year for both dog and cats using improvements in technology

Activity	Responsible Officer	When	Evaluation
<b>Introduction of text messaging owners who have not renewed their registration</b>	Rangers	2014	Owners able to apply over internet & make payment at time of application. Determine amount of customers using this service

## Section 2 – Nuisance Complaints

The most common nuisance complaints received by the Shire are stray and barking dogs and stray cats (please note that dog at large and dog attacks are dealt with under Section 3 of this plan and are not considered nuisance complaints).

The majority of time spent by Ranger's is dealing with customer complaints contained in this section. Therefore, it is seen that education and compliance activities combined with future objectives and activities is critical in reducing complaints and issues raised by the community. It is important that an emphasis is placed on reducing barking dog complaints. Barking dogs complaints require far more time for the Ranger to resolve the complaint given the need to be able to substantiate a nuisance which can often lead to some frustration to the affected parties.

### Current Situation – Our Current Data

Between 1 January 2012 to 31 December 2012, the following numbers of complaints were lodged with the Shire on the Customer Request System.

Complaint Type	Total
Stray Cats (including trapped cats)	90
Barking Dogs	8
Responsible Pet Ownership	65
Excess Animals	5

The major issue of concern about cats are the 'unowned' 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.

Throughout the kitten season, which is usually during the dry season and can go longer depending on the weather, the Shire 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

Rangers currently collect a large number of cats and kittens every year knowing that most of these animals will be euthanized due to nearly all not being micro chipped. Cats are a large issue for the Shire and there certainly needs to be more awareness / education with cats in our municipality.

With the Cat Act 2011 being introduced as from November 1 2013 this will provide for the control and management of cats and help to promote and encourage the responsible ownership of cats.

The things we will do:

1. Strongly encourage cat owners to confine their cats to the property to enhance animal welfare and reduce the incidence of nuisance
2. Actively encourage cat owners to confine their cats to the property to enhance animal welfare and reduce the incidence of nuisance
3. Provide cat cages for a small deposit fee to local residents for trapping cats that are trespassing on their property in order to reduce the impact of stray / unowned cats and advise residents about requirements in relation to trapping of stray cats
4. Implement the need for excess animal permits to reduce the possibility of nuisance complaints
5. Investigate nuisance cat complaints to mitigate ongoing complaints
6. Set cat traps at residents properties and collect any trapped cats within as short a time as possible to minimize 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 Shire Offices:

1. Assist the resident to take formal ownership of the cat by advising on the requirements of micro chipping and de-sexing.

### **Barking Dog Complaints (see 'All Nuisance' and the following)**

1. Constantly review current processes regarding neighborhood complaints about nuisance barking
2. Provide information on the causes of excessive barking, including separation, anxiety, boredom, external stimuli, territorialism, communication with other dogs etc.
3. Encourage owners of barking dogs to seek advice from the Shire / Professional dog trainer / animal behaviorist on how to reduce their dogs barking
4. Encourage any complainant to contact owner of a barking dog and advise them of their concerns as first step to resolving issue prior to commencing investigation process

### **Local Law for Dog Excrement**

1. Investigate the prospect of introducing a local law to having it a mandatory requirement of a bag attached to the dogs lead for the collection and disposal of any excrement
2. Encourage persons to carry the means to pick up their dogs excrement
3. Encourage a person to pick up their dog excrement and dispose of it in an appropriate waste container.

**What we will do:**

1. Advise dog owners of the legal requirements relating to cleaning up of dog litter, by distributing education material (see “All nuisance” section for methods), providing owner / person in charge of dog in parks and other public places with information during patrols
2. Enforce Local Law (if approved) regarding the compulsory collection and disposal of dog litter by owner / person in charge of the dog including the need to carry a suitable device for collection

**Object 1:** Reduce number of nuisance complaints using education

Activity	Responsible Officer	When	Evaluation
<b>Provide further information to residents about the Dispute Settlement Centre</b>	Coordinator	2014	Provide figures as to how many residents use the Dispute Settlement Centre
<b>Provide an Animal Management Bulletin with renewal notices each year about either cat / dog confinement, barking, dogs at large, dog litter, dog attacks, etc.</b>	Coordinator / Administration Personnel / Rangers	Annually by October 2014	Prepared for October to go out with pet registration renewals
<b>Shire purchase and Officers to hand out dog poo bag holders to tie on leads for complying with requirements e.g. walking dog on lead, collecting dog litter, having dog under effective control, registering and micro chipping animals</b>	Coordinator / Rangers	Ongoing	Increase compliance and awareness
<b>Review enforcement policies and procedures</b>	Coordinator / Rangers	July 2014	Review undertaken

**Objective 2:** Reduce the number of nuisance complaints using compliance

Activity	Responsible Officer	When	Evaluation
<b>Report owners who fail to collect their dog litter</b>	Rangers	Ongoing	Increase compliance through CRM statistics
<b>Implement nuisance abatement activities to ensure that people who are feeding cats but not taking the full ownership responsibility realise that the cat could be a nuisance to the rest of the community – assist semi owners in taking full ownership of cats</b>	Rangers	Ongoing	Increase in the number of trapped cats
<b>Attempt to trap feral cats in response to complaints / implement a cat trapping program (in specific areas where there are identified problems such as blocks of units or lane ways)</b>	Rangers	Ongoing	Increase in the number of trapped cats
<b>Ensure complaints are dealt with effectively, efficiently and satisfactorily</b>	Rangers	Ongoing	Use Customer Requests to track complaints



### Section 3 – Dog Attacks and Dog Confinement

A critical role for the Shire is to minimise the number of dog attacks in the community due to the potential damage that can occur in the event of an attack.

It is important that the Shire raise awareness in the community on how to reduce the risk of a dog attack.

The identification of animals including declared dogs is important as well as ensuring dogs are contained to their property at all times given that most dog attacks occur in the direct vicinity of the property or on the premises where the dog resides.

#### Current Situation

The Customer Requests for dog attacks are all in one category and include all minor injury to serious injury reports, a rating may need to be developed to distinguish between types

Activity	Responsible Officer	When	Evaluation
<b>Raise awareness of risk of dog attacks in the home, in the street and in parks and how to reduce these risks through</b> -distribution of brochures, fact sheets and other material regarding dog attacks - information with registration renewals - new resident packs	Rangers Coordinator /	Ongoing	Monitor number of dog attacks and complaints
<b>Promote effective confinement and control of dogs</b>	Rangers Coordinator /	Ongoing	Monitor number of dog attacks and complaints
<b>Promote de-sexing of dogs to reduce aggressive tendencies and wandering at large</b>	Rangers Coordinator /	Ongoing	Monitor number of dog attacks and complaints
<b>Respond to dog attack reports within 30 minutes, as the top priority for Rangers</b>	Rangers Coordinator /	Ongoing	Monitor number of dog attacks and complaints
<b>Ensure all reported dog attacks are recorded &amp; investigated to meet all points of proof provided in the Act. Seize dogs and prosecute owners in accordance with the Animal Act 1994</b>	Rangers Coordinator /	Ongoing	Monitor number of dog attacks and complaints

## Section 4 – Dangerous, Menacing and Restricted Breed Dogs

### Dangerous Dogs & Restricted Breeds

This is the current legislation and regulations in Western Australia relating to 'Dangerous Dogs' and 'Restricted Breeds of dogs'.

If you are contemplating obtaining a dog that may be a restricted breed or disposing of a dog you may already own, contact our rangers for advice and assistance in the matter.

### Restricted Breeds

The Government of Western Australia has introduced regulations relating to restricted dog breeds. The following information is published to assist Rangers and Animal Control Officers, identify these breeds and to assist the general public with enquiries about restricted breeds and provisions regarding the keeping of these dogs.

The keeping of these dogs is not prohibited, however special requirements to apply.

Below is a profile on each dog and part of the Regulations 2002.

#### RESTRICTED (Dogo Argentino – Argentinian Fighting Dog)



##### Breed History

One of the few breeds developed in Southern America, the Dogo Argentino is the result of a breeding programme undertaken in the 1920's by an Argentinian breeder, Dr Antonio Nores Martinez, to produce a Puma and Jaguar hunter.



##### Key Facts

First use: Game hunting, dog fighting  
Use today: Companion  
Life Expectancy: 10 – 11 years  
Weight Ranger: 36 – 45kg  
Height Ranger: 61 – 69 cm

#### RESTRICTED (Filo Brasileiro – Brazilian Mastiff / Brazilian Fighting Dog)



**Breed History**

One of Brazil's two native breeds (the other one being the rare Brazilian Tracker), this powerful mastiff was developed from Spanish and Portuguese mastiffs and Bloodhounds in order to track and control livestock and large game.



**Key Facts**

First use: Tracking, large game hunting  
Use today: Companion, security  
Life Expectancy: 9-11 years  
Weight Range: 41-50kg  
Height Range: 61-76cm

**RESTRICTED (Tosa Inu – Tosa Fighting Dog / Japanese Fighting Dog)**



**Breed History**

Initially bred in Japan's Kochi Prefecture, from crosses between native Shikoku fighting dogs and imported mastiffs, Great Danes, bulldogs and bull terriers, this breed was once called the Japanese Mastiff.



**Key Facts**

First use: Dog Fighting  
Use today: Companion  
Life Expectancy: 9 – 11 years  
Weight Range: 89.5 – 90.5kg  
Height Range: 62 – 65cm

**RESTRICTED (American Pit Bull Terrier – Pit Bull Terrier / American Pit Bull)**



### **Breed History**

Throughout the World Dogs have, at one time or another, been bred to fight. This breed descends from the Staffordshire Bull Terrier crossed with other fighting dogs, including the extinct fighting Bulldog.



### **Key Facts**

First use: Dog Fighting  
Use Today: Companion  
Life Expectancy: 12 years  
Weight Range: 14-36kg  
Height Range: 46-56cm

## **RESTRICTED (Perro de Presa Canario)**



### **Breed History**

The Canario has recently been reborn, although once near extinction. The Canary Islands belonging to Spain were actually named for the fierce dogs found there, not for its little yellow singing birds. From the Latin came the "Island of the Dogs". These tough, smooth coated, livestock and farm dogs, called Bardino Majero, were probably similar to the Perro de Pastor Mallorquin and the Cao de Castro Labor-eiro and were present before Hispanic Times.



### **Key Facts**

Country: Spain  
Weight: 84 – 110 pounds maximum  
Height: 21 1/2-25 1/2 inches  
Coat: Short, smooth, but coarse  
Colour: brindles, fawn, some white permissible  
Other Names: Canary Dog Group: Mastiff

## **Dog (Restricted Breeds) Regulations**

The Dog (Restricted Breeds) Regulations 2002 were gazetted on 22 March 2002. The legislation is provided for under Section 53 of the *Dog Act 1976* and came to commence operation in 22 April 2002.

These Regulations apply provisions similar to those currently imposed on dogs declared dangerous to those breeds of dog prohibited from importation under Commonwealth legislation.

Under the legislation, a 'restricted breed dog' is defined as a breed whose importation into Australia is prohibited under the *Commonwealth Customs (Prohibited Imports) Regulations 1956*. At present this includes either pure or cross breeds of the following dogs:

- Dogo Argentino (Argentinian Fighting Dog)
- Fila Brasileiro (Brazilian Fighting Dog)
- Japanese Tosa
- American Pit Bull Terrier
- Pit Bull Terrier breeds and
- Perro de Presa Canario

The regulations also provide for a restricted breed dog to include any dog of a mixed breed that visibly contains any of the above prohibited breeds.

The Regulations include provisions relating to:

1. Dogs to wear specified collars indicating a dangerous dog and property access points to display signs indicating a dangerous dog;
2. Escape Proof and Child Proof Fencing;
3. A requirement for the Owner to leash and muzzle the dog while in public places;
4. Persons in charge in public places must not be under 18;
5. A maximum of two (2) restricted dogs per person without a permit from the Council;
6. Owners must be 18 or over;
7. Compulsory notification of a prospective owner that the dog is a restricted breed dog;
8. Compulsory notification to local government if the dog escapes, dies or there is a change of ownership;
9. Greater powers for seizure and destruction; and
10. Compulsory sterilization.

The regulation provides that the owner of a restricted breed dog is to provide an enclosure in which a restricted breed dog is to be kept that is capable of preventing a young child from entering the enclosure and which prevents the dog from escaping from the premises. This provision applies whether or not the enclosure is at the premises at which the dog is ordinarily kept.

The regulation also provides that the owner of a restricted breed dog must display a sign confirming to that provided in the Third Schedule Part 3 of the *Dog Regulations 1976* at all entrances to the premises where the dog is ordinarily kept. That is, a sign must conform to the same specifications as applying to dangerous dog signs.

Where there is any breach of the Dog (Restricted Breeds) Regulations 2002 section 53 of the *Dog Act 1976*, there are provisions for a maximum penalty of \$5000. It also provides for the Chief Veterinary Officer of the Department of Agriculture to certify that a dog is of a restricted breed for prosecution purposes.

## **Dangerous Dogs**

Dangerous Dog Legislation is not the same as restricted breed regulations. Any dog may be declared dangerous (from a Poodle to a Great Dane) under Section 33E of the *Dog Act 1976*. The dog's size or breed is not the issue; it is the dog's behaviour. We have published two (2) sections of the dangerous dog legislation below to assist in understanding the difference between 'Restricted Breed Regulations' and 'Dangerous Dog Legislation'.

### **Section 33E - A dog may be declared to be a dangerous dog**

- 1) A local government, or on behalf of the local government an authorized person or person specifically authorized by the local government for the purposes of this section either generally or in a particular case, may, by a notice in writing given in accordance with section 33F, declare a dog to be a dangerous dog if, in the opinion of the local government or that person;
  - (a) The dog has caused injury or damage by an attack on, or chasing, a person, animal or vehicle;
  - (b) The dog has, repeatedly, shown a tendency
    - (i) To attack, or chase, a person, animal or vehicle even though no injury has been caused by that behavior; or
    - (ii) To threaten to attack;Or
  - (c) The behavior of the dog meets other criteria prescribed for the purpose of this section.
- 2) For the purpose of subsection (1) (b), a dog to which section 30(3) applies shall not be taken to show a tendency to attack, or chase, in carrying out the activities referred to in section 30(3) in relation to a dog of that kind.
- 3) The owner of a dog declared to be a dangerous dog, or detained under this Division, shall have the rights of objection and appeal referred to in this Division.

### **33F – Owner to be notified of making of declaration, and as to control requirements**

- 1) The local government, or the person by whom the declaration was made on behalf of the local government, must give written notice declaring a dog to be a dangerous dog to the owner of that dog, and may by that notice impose an order as to control requirements in respect of the dog.
- 2) A notice to be given under subsection (1)
  - (a) Shall give reasons for the making of the declaration;
  - (b) Shall specify that the owner has a right under this Division, to be exercised within not more than seven (7) days after the giving of the notice, either
    - (i) To lodge a written objection with the local government, with a subsequent right of appeal to a Local Court in the manner prescribed by regulations against any decision made by the local government; or
    - (ii) To appeal, directly to a Local Court, in the manner prescribed by regulations, as to the declaration or as to any control requirement imposed, or as to both; and
- (c) If an order as to any control requirements is to be imposed on the owner, shall set out

- (i) The terms and conditions of that order; and
  - (ii) The date, or respective dates, by which the owner must comply with any such requirement.
- 3) Whether or not any objection is lodged or appeal made, the declaration of a dog as a dangerous dog has, subject to subsection (4) and to the terms and conditions of the order as to control requirements imposed by that notice, effect upon the giving of a notice under subsection (1) and thereafter
  - (a) The owner is required, in accordance with section 33K (1), to ensure that any other person liable for the control of the dog is made aware of the declaration;
  - (b) Any person liable for the control of the dog shall cause the dog to be muzzled, in such a manner as will prevent it from biting a person or animal, at all times
    - (i) In any public place; and
    - (ii) In such other circumstances as may be specified in the order as to control requirements; and
  - (c) If so required by the order, a person liable for the control of the dog shall ensure that the dog is kept
    - (i) On a leash or chain, by a person physically able to control the dog, when in a dog exercise area and in such other circumstances as may be specified; and
    - (ii) Under continuous supervision, by a person physically able to control the dog, in such circumstances as may be specified.
- 4) The terms and conditions of an order as to control requirements, other than such as have effect under subsection (3), shall have effect on such date, or respective dates, as are specified in the notice given under subsection (1) imposing the order unless an objection is lodged or an appeal is made, in which case any such term or condition of the order to which the objection or appeal relates shall not have effect until the objection, and any relevant appeal, has been determined.
- 5) In making any order imposing control requirements in respect of a dog the local government or the person giving the notice on behalf of the local government may set out any term or condition, of any kind, which is considered necessary to prevent, or reduce the likelihood of, that dog attacking, including any requirement referred to in subsection (3)(b)(ii) or (3)(c) or a requirement
  - (a) That the dog be confined in, or excluded from, any area specified;
  - (b) That any enclosure within which the dog is kept be constructed
    - (i) So as to restrict access by young children;
    - (ii) So that the dog cannot escape from it; and
    - (iii) So that it complies with any prescribed requirement;
  - (c) That the owner ensure that at all times, or at such times as may be specified in the order, the dog wears a distinctive collar or device, of a kind prescribed or as approved by the local government, to warn people that the dog is dangerous; or
  - (d) That the owner ensure that at any entrance to premises where the dog is kept signs, of a kind prescribed or as approved by the local government, are displayed to warn people that a dangerous dog is kept there.
- 6) Where an objection is lodged with a local government in accordance with subsection (2)(b)(i) the local government shall consider it and

- (a) If the local government dismisses the objection, the owner may appeal to a Local Court in the manner prescribed by regulations within seven (7) days after the giving of a notice by the local government as to the dismissal of the objection; or
  - (b) If the local government has not given notice to the owner that the objection has been considered, and either upheld, varied or dismissed, within 35 days after the giving under subsection (1) of the notice of the making of the declaration the owner may appeal to a Local Court in the manner prescribed by regulations, within not more than 42 days after the giving of the notice under subsection (1).
- 7) Where a local government gives notice of the dismissal of an objection under this section, that notice must set out the reason for the dismissal of the objection.
- 8) The local government of a district in which the dog is at that time ordinarily kept may, by written notice to the owner of the dog, vary the terms and conditions of any order as to control requirements which has been imposed, and any such notice of variation shall be dealt with as though it were, and is subject to the same provisions as to objection and appeal as, a notice given under subsection (1).
- 9) Where a dog is declared to be a dangerous dog an authorized person may, at any reasonable time, enter any premises other than a building or part of a building that is used for residential purposes, being premises
- (a) Where the dog is ordinarily kept; or
  - (b) Which he has reasonable grounds to believe that it is necessary to enter for the purpose of this section, to ascertain whether or not the owner has complied with the requirements imposed by or under this section.

## Current Situation – Dangerous, Menacing and Restricted Breed Dogs

### Our Current Data

The Shire currently has 5 Dangerous and no Menacing or Restricted dogs registered.

Activity	Responsible Officer	When	Evaluation
<b>Ensure that all owners of declared dogs are aware of their obligations under the Act regarding identification and keeping these dogs by providing them with relevant sections of the Act, brochures and factsheets, development of an information kit</b>	Coordinator / Rangers	At registration of all dogs	Report yearly to determine number of declared animals
<b>Examine registrations on Council database to identify and follow up on suspected (non-declared) restricted breed dogs such as Amstaffs and other Staffordshire Cross Breeds</b>	Administration	Ongoing	
<b>Follow up any non-compliance issues until owner complies</b>	Rangers	As they become aware of the issues	Ranger Reports
<b>Respond to complaints regarding declared dogs within 30 minutes</b>	Rangers	When Called	Incident reports
<b>Review Council policies and procedures for non-compliance, warning, infringements, notices and prosecutions</b>	Coordinator	July 2014	Compile Report
<b>Ensure problem dogs are declared where necessary to minimise the risk of future occurrences</b>	Coordinator	As Required	Declaration achieved
<b>Report outcomes of all prosecutions (and regular updates on number of infringements) regarding non-compliance with declared dog identification &amp; keeping requirements to local media to raise awareness in the community about declared dogs</b>	Coordinator	Ongoing	Increase in compliance

## Section 5 – Over Population and High Euthanasia

### Current Situation – Our current Data

The following impound data from Pound for the period 1 January 2012 – 31 December 2012.

	Dogs	Cats
Impounded	198	4
Released to Owner	67	0
Rehoused	12	0
Euthanised	119	105



There are significant problems of high euthanasia in the Shire; there is a need to lower the euthanasia rate of cats and dogs. Most cats impounded tend to be semi owned strays or semi feral cats with no microchip details. It is also very likely that these cats are not de-sexed.

Most dogs euthanized seem to be surrendered or not reclaimed by owners with no identification and have not met a temperament assessment for rehoming eligibility.

### Future Plans

**Objective 1:** Reduce the amount of euthanasia rates at Council Pound (Feral/Unowned cat excepted) and increase the percentage of de-sexed animals on database through education

Activity	Responsible Officer	When	Evaluation
<b>Promote the benefits of de-sexing animals</b> <ul style="list-style-type: none"> <li>- No surprise litters</li> <li>- Fewer unwanted animals in the community</li> <li>- Fewer animals euthanased</li> <li>- Reduced aggression</li> <li>- Reduced wandering</li> </ul>	Coordinator / Rangers	Ongoing	Reduced number of animals euthanised
<b>Continue registration &amp; micro chipping programs to ensure pet cats and dogs can be returned to their owners to reduce euthanasia rates</b>	Coordinator / Rangers	Ongoing	Larger amount of animals returned to owners
<b>Promote confinements of animal to Owners premises to prevent straying &amp; possible euthanasia, if not registered</b>	Rangers	Ongoing	Reduced number of animals euthanized
<b>Investigate reports of animal hoarding</b>	Rangers	As reports received	Reports to be prepared
<b>Provide cat cages to local residents for trapping cats trespassing on their property</b>	Rangers	Ongoing	Cat Trap Register
<b>Trapped cats will be impounded at the Cat Pound where the animal will be assessed for its suitability for adoption or will be euthanized</b>	Rangers	Ongoing	Reports to be prepared
<b>Dogs without identification will be impounded at Pound where the animal can be assessed for its suitability for rehousing</b>	Rangers	Ongoing	Reports to be prepared
<b>Encourage formal adoption of unwanted cats by assisting the 'carer' to have the cat micro chipped and de-sexed under the AVA 'de-sexing voucher' scheme and providing free registration for newly registered cats</b>	Rangers	Ongoing	Unwanted cats registered by 'carers' number of vouchers issued

## **Section 6 – Other Matters**

### **Summary**

This section also looks at the benefits of pet ownership and animal welfare issues.

### **Benefits of Pet Ownership**

There is a wealth of scientific evidence to support the benefits of owning pets and their use in therapy. Evidence of a link between pet ownership and better health has been demonstrated by a range of different studies.

Dogs encourage people to enjoy outdoors, they have been shown to stimulate conversations between strangers and also improve a person's sense of security both in the home and in public places.



Pets are also wonderful companions and in some cases help combat loneliness and social alienation. Pet ownership also teaches children responsibility, and helps them develop their social and nurturing skills. Companion animals play an irreplaceable part in the enrichment of people's lives and have a positive influence on the social, emotional and physical wellbeing of people.

There is also much evidence to support dogs being used in therapy in hospitals, nursing and care homes or for where people may be disadvantaged through age, illness, disability or isolation.

### **Animal Welfare Issues**

Animal Welfare issues including cruelty to animals and the care of pets in emergency situations will also be addressed in this section. The Shire has an Emergency Plan that deals with emergency situations; a section of this plan considers the impact of domestic pets in an emergency. Animal Welfare and cruelty issues will be investigated by the Shire and if necessary will be passed on to the RSPCA if required.

Roaming cats and dogs can get hit by cars, injured in fights, catch fatal diseases (e.g. feline AIDS) or become lost. Roaming cats and dogs can annoy neighbours too, spraying, fighting, howling and digging in gardens. Importantly, cats and dogs kept on their owner's property tend to live much longer and healthier lives than cats and dogs that are allowed to roam.