



BATHURST  
REGIONAL  
COUNCIL

# Companion Animal Management Plan 2018

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# Introduction

The Companion Animal Management Plan provides the framework for the provision of an effective animal management service and procedural functions under the Companion Animals Act 1998 (the Act) and the Companion Animals Regulation 2018.

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

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

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

- acknowledge the duties and responsibilities for the management of domestic dogs and cat animal issues in the

Bathurst Region .

- ensure that Council meets its responsibilities under the Companion Animals Act 1998 and Companion Animal Regulation 2018.
- achieve a balance between the needs of pet owners and non-pet owners.
- provide pet owners with support, education, regulation and facilities to accommodate their pets within the broader community and environment.



# Statement and Objectives

## 1.1 Statement

The purpose of this Plan is to balance community amenity, animal welfare and environmental preservation while promoting the benefits of responsible pet ownership alongside effective companion animal management.

## 1.2 Objectives

Our main objectives include:

- encourage residents and visitors to properly care for all dogs and cats.
- encourage companion animal owners to provide appropriate physical and mental challenges for their animals, to improve animal welfare without affecting the comfort of others.
- encourage the permanent microchip identification and lifetime registration of all dogs and cats.
- identify and prioritise dog and cat management issues particularly in managing menacing and dangerous dogs, restricted breeds and nuisance dog and cat behaviour.
- educating the community about the rights and responsibilities of dog and cat ownership.

- maintaining best practice care and pound facilities and minimise the number of unwanted animals that are euthanased .
- providing adequate off leash areas for dog exercise within the Bathurst region that are as safe as possible for dogs and people.

The statement and objectives of the Plan are detailed under four key areas:

- Companion Animals
- Community
- Environment
- Monitoring and review.

## 1.3 Community Strategic Plan Bathurst 2040

The Community Strategic Plan Bathurst 2040 (CSP) describes a vision of “Bathurst: A vibrant and innovative region that values our heritage, culture, diversity and strong economy”. This companion animal management plan contributes to achieving objective 5 (Community health, safety and well-being) and 6 (Community leadership and collaboration).







# Companion Animals

## 2.1 Microchipping and registration

Microchipping and registration is required by law and enables the return of stray animals to their owner.

The Companion Animals Act 1998 (Sections 8-9) require owners to:

- have their cats and dogs microchipped from 12 weeks of age or at the time in which they are sold or given away prior to 12 weeks of age;
- register their cats and dogs on the NSW Companion Animals Register by 6 months of age, or upon sale of the cat or dog (if sold prior to 12 weeks of age); and advise the Council or the Pet Registry when there is a change in either the registration or identification information for the animal, if the animal has been missing for more than 72 hours and also if found after the missing notification or the animal has died.
- The NSW Pet Registry is an online database of microchipped and registered cats and dogs in NSW. All existing cats and dogs that have previously been contained within the Companion Animals Register are available via the Pet Registry.

The Pet Registry enables owners to:

- update their contact details such as a change of address
- transfer ownership
- report pets as missing or deceased; and
- pay most lifetime registration fees online

### Benefits

- lost pets can be identified and reunited with their owner reducing stress on lost pets.
- faster reunion with pet owners reducing the likelihood of extended confinement in the pound facility and associated costs of collection, kennelling, impounding and possible destruction of pets
- ownership of pets can be legally established in the event where liability has been incurred as a result of animal behaviour
- allows an opportunity for Council to educate and/or take enforcement action where necessary.

### Goals

- encourage microchipping and lifetime registration of dogs and cats in the Bathurst region
- to improve rehoming rates for lost and stray dogs and cats.

## Exemptions

Dogs generally exempt from registration under the Act are:

- Working dogs
- Greyhound racing dogs
- Assistance animals

(Note. However, these animals are required to be registered if they become impounded.)

A working dog is defined as a dog used primarily for the purpose of droving, tending, working or protecting stock, and includes a dog being trained as a working dog. A working dog must be ordinarily kept on land categorised as farmland for the purpose of Part 3 of Chapter 15 of the Local Government Act 1993. The owner of the dog claiming working dog status should be engaged in commercial primary production.

Greyhound racing dogs are those dogs registered and controlled under the Greyhound Racing Act 2017.

An assistance animal in NSW is a dog or other animal that is either:

- accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of that disability; OR
- accredited by an animal training organisation prescribed by the

Commonwealth; OR

- trained to assist a person with a disability to alleviate the effect of that disability, and, to meet standards of hygiene and behaviour appropriate for an animal in a public place.

This is based on how assistance animals are defined in Commonwealth law (Disability Discrimination Act 1992). Currently neither the Commonwealth nor NSW laws provide for the accreditation of assistance animals. A working dog cannot also be an assistance animal.

## 2.2 Impounding

Bathurst Regional Council has a Small Animal Pound (Pound) established on the corner of Lloyds Rd and Vale Road Bathurst. This facility is open Monday to Friday from 12.30 pm till 2.00pm and is closed weekends and public holidays.

There are 22 dog and 10 cat pens at the pound. All dogs are exercised daily in covered dog runs. Dogs and cats are fed daily with food supplied by Mars Petcare Australia.

Where an animal has identification i.e. microchipped and registered, every effort is made to return the animal to the owner. This requires that the place of residence is current and has suitable containment for the animal.

In circumstances where the owner of an animal cannot be located or is



unknown, the dog or cat will be transported to the impound facility for collection by the owner within the prescribed time limits.

The Act provides that identified animals can be held for a minimum of 14 days and unidentified animals for 7 days.

Fees may apply for accommodation, sustenance, registration, microchipping and veterinary costs if required, upon collection of the animal. Details of fees payable are included in Councils Revenue Policy which is updated annually and published on Council's website. At the expiration of the prescribed periods the unclaimed animal may be sold.

One of Council's primary goals is the re-homing of animals. Council will use social media and other avenues to advertise animals for sale. Residents are encouraged to purchase animals from the Small Animal Pound and all animals sold are micro-chipped, wormed for intestinal worms and given the first vaccination.

Dogs are vaccinated against hepatitis, distemper and parvovirus whilst cats are vaccinated against cat flu and feline enteritis.

No animal may leave the Pound until it has been registered and microchipped.

### Goals

- To facilitate the prompt return of seized animals to their owners and

reduce the number of animals that need to be impounded

- To maintain and broaden links with professional bodies, animal welfare agencies, Animal Welfare League(AWL)/Royal Society for the Prevention of Cruelty to Animals (RSPCA)/Police/Vets, to promptly manage incidents, health issues and increase re-homing opportunities
- To minimise the number of animals euthanased.

## 2.3 Animal welfare and responsible pet ownership

The health and social benefits of owning pets are well understood. With pet ownership comes a responsibility to manage the welfare of animals. Owners have an obligation to take reasonable care of their animals and to prevent any adverse impacts on the community from improper or negligent control.

Problems can be addressed by:

- attending to pet health and welfare including exercise, training and socialising as appropriate to the breed of animal
- confining dogs within the perimeter of the home to prevent straying
- minimising any adverse effects toward neighbours, such as excessive barking
- complying with relevant legislation (leash laws, removal of faeces from public places, and maintaining dogs under effective control).







# Community

Conflict between people, dogs and cats does occur, particularly when there is close proximity to neighbouring dwellings. Issues include barking dogs, roaming cats/dogs, cat/dog faeces exposure, number of animals per household and serious issues such as dog attacks.

## 3.1 Public safety

People should be able to move freely throughout the public areas without loss of amenity due to dogs and cats not being under effective control and furthermore that dog owners have access to safe off leash and on leash exercise areas for their pets.

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

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

### Dog attacks

Offences relating to dog attacks are broadly defined under the Act. An

offence occurs if a dog rushes at, bites, harasses or chases any person or animal (other than vermin), whether or not any injury is caused. There are significant penalties associated with dog attack incidents clearly reflective of broader community concern across NSW.

It is not an offence if the dog is provoked by teasing, is being mistreated or attacked, or as a result of the person or animal trespassing on the property on which the dog was being kept, or as a result of the dog acting in reasonable defence of a person or property.

Victim and witness statements received by Council on alleged dog attacks will be assessed on their individual merits to determine the nature of any enforcement action.

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

### Dangerous and menacing dogs

The Act (Part 5) includes provisions that impose stringent controls on dogs that pose a threat to the safety of humans and other animals through attacks or menacing behaviours. Council has adopted policy regarding the process for performing a risk assessment on all dogs responsible for an attack on a person or animal as well as appeal procedures prior to exercising its authority to declare a dog as menacing

or dangerous under the Act.

Restricted dog breeds are defined in the Act also and are required to comply with special conditions including stringent control and enclosure requirements.

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

### **Education**

Council Rangers engage with various community and school groups on topics as, legislation, general care and personal responsibilities of pet ownership.

The annual Pet Expo provides a platform for education and coupled with social media is a valuable resource for the transmission of information. An opportunity exists for pet owners to provide feedback to Council on issues associated with animal management.

In conjunction with the RSPCA NSW and members of the Australian Veterinary Association in Bathurst, de-sexing and micro-chipping initiatives are held twice a year.

This initiative targets low-income earners where the full cost of undertaking this procedure would otherwise be too prohibitive. This initiative encourages responsible pet ownership and ultimately benefits

the broader community with the result being fewer stray cats and dogs through unwanted litters.

General information on responsible pet ownership is also available on Council's website.

Education programs will continue to focus on:

- appropriate pet selection. Problems can be avoided by selecting the type of animal, breed and sex to suit the owner's lifestyle and circumstances
- basic health and welfare principles. Regular exercise, proper nutrition, water and shelter are crucial to the maintenance of animal health. Health care practices, such as worming and vet check-ups, must be maintained
- permanent identification (microchipping) and registration
- desexing, which has the capacity to reduce several unwanted animal behaviours, such as: unwanted litters; roaming by male animals; territorial aggression and noise complaints.
- obedience training, which can allow for better control over your animal, a better understanding of your pet, develop a stronger bond, provide a rewarding and challenging environment.

### **Secure confinement and environmental enrichment**

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



escaped its owner's property. In addition, effective confinement reduces the risk of the animal suffering serious harm or death by misadventure (e.g struck by a vehicle) . While for dogs there is a legal requirement for confinement, there is the consideration of combating the boredom and frustrations that animals may feel while their owner is absent.

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

### **Socialisation and training**

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

### **Goals**

- to improve community awareness of the importance of safety around animals
- to encourage further education regarding responsible pet ownership
- improve community awareness of the value of microchipping and registration

- to promote the desexing of animals
- to encourage animal owners to provide mental and physical challenges for their animals improving the welfare of their animals and reducing negative impacts on the community.

### **Dog Exercise Areas**

There are a number of locations where the Act (sections 14, 30) prohibits cats and dogs including:

- in or within 10 metres of a children's play areas
- food preparation or consumption areas (unless it is in a public thoroughfare such as a road, footpath or pathway)
- recreation and public bathing areas where dogs are declared to be prohibited
- school grounds and child care centres (unless with the permission of the person controlling the school/centre)
- shopping areas (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop)
- wildlife protection areas

Whilst in public dogs should generally always be on a leash and under the effective control of a competent person.

## Fenced dog exercise areas

Council has two fully fenced designated leash-free areas located in Kefford Street between Peel and Stewart Streets. There is a large general area for dogs of all sizes and a smaller dog area for dogs under 10kg in weight.

## Other dog exercise areas

In addition, the following sites have been designated for use as off-leash dog exercise areas:

Site 1	Eglinton Showground at the rear of Cottonwood Drive
Site 2	Russell Street, opposite Police Paddock and bounded by Vale Creek and the flood levee
Site 3	The reserve between McMenamin Place, Rivett Place and Bell Place, Kelso
Site 4	The Vale Creek side of the Brian Booth Oval, Perthville
Site 5	Lavis Park and the reserve between Napoleon Street and Adrienne Street, Raglan
Site 6	Drainage reserve on the corner of Bradwardine Road and Evernden Road, Windradyne
Site 7	Hector Park and the Rocket Street Reserve adjacent to the Basketball Stadium, West Bathurst
Site 8	Between Evans Bridge and the George Street Bridge, subject to operating hours before 8 am and after 5 pm
Site 9	Centennial Park, subject to exclusion of playground area and operating hours before 8 am and after 5 pm
Site 10	Jaques Park, South Bathurst

## Goals

- to promote and provide opportunities for dogs to socialise with other dogs and humans
- increase exercise opportunities for the benefit and health of dogs and dog owners.
- increase the awareness of dog training and keeping dogs under effective control.

## 3.2 Enforcement

Council has an active role to ensure animal owners comply with the Act. Rangers are responsible for enforcing the regulations in accordance with the Bathurst Regional Council Enforcement Policy.

Community safety is always paramount and responses are prioritised by severity in particular in regard to cases of aggressive dogs and dog attacks.

Generally Council relies in the main on voluntary compliance and encourages responsible animal ownership. It will continue to deliver community education on regulatory aspects such as :

- public safety, dog attacks, menacing and dangerous dogs and restricted breeds
- nuisance and barking dogs
- microchipping and registration
- responsibilities for confinement and effective control in public
- general responsibilities (change of ownership/address etc)





# Environment

Animals can create adverse impacts on the environment in a number of ways such as noise, pollution, water and faecal pollution as well as impacting on native fauna.

Education of dog and cat owners to understand the potential negative impacts of their animals will help the owner manage their animal's activities to minimise their impact on the surrounding environment.

## 4.1 Noise

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

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

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

recommended.

Noise complaints if not addressed by owners of animals can be dealt with by Council through the declaration of an animal as a nuisance (with subsequent penalty notice action then possible) under the Companion Animals Act or for more serious matters, under the Protection of the Environment Operations Act 1997 as noise pollution.

## Goals

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

## 4.2 Water and faeces pollution

Companion animal faeces are a significant environmental and public health issue. The pollution of backyards, footpaths, parks, reserves and beaches by animal faeces and the resulting pollution of waterways are of concern.



The failure of animal owners to properly dispose of their animal faeces is an offence and on the spot fines may be issued.

#### Goals

- educating and enforce pet owners to clean up after their pets and to dispose of the waste appropriately
- raise animal owners' awareness of the health and amenity issues of uncollected animal faeces.

### 4.3 Impacts on biodiversity

The Bathurst Biodiversity Management Plan has identified several species of threatened and endangered native fauna including the Common Bandicoot, Spotted-tailed Quoll, the Feather-tailed Glider and many migratory birds including the Japanese Snipe, Sharp-tailed Sandpiper and others. It is vital that animal management strategies be implemented to assist with the protection of these and other species.

Cats in particular are very efficient hunters. The impacts of dogs and cats on our natural areas also go beyond direct predation on native animals.

#### Goals

- encourage cat confinement
- maintain a working relationship with stakeholders to ensure the

protection of threatened species

- mitigate impacts in environmental sensitive areas through education and improving companion animal owners understanding of the impacts of dogs and cats in these areas
- provide information and install appropriate signage to identify protected areas/nesting sites.





# *Monitoring and review*

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

## **Goals**

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