

Strategic Companion Animals Management Policy (SCAMP)



Acknowledgement of Country

Glen Innes Severn Council acknowledges and pays respect to the Ngarabul people as the traditional custodians of this land, their elders past, present and emerging and to Torres Strait Islander people and all First Nations people.

Purpose

The purpose of this policy is to:

- Facilitate a higher level of responsible companion animal ownership. It is aimed at providing guidance to residents and Council Staff about responsible pet ownership requirements under the Companion Animals Act 1998 and its Regulations.

Applicability

This policy applies to:

- Council Officers undertaking enforcement action if required under the Companion Animals Act 1998 and applies to the whole of the Glen Innes Severn Local Government Area.

Outcomes

Glen Innes Severn Council's SCAMP aims to facilitate a higher level of responsible companion animal ownership and create an environment of co-operation and mutual benefit between companion animal owners, other residents and Council.

Roles and Responsibilities

All companion animal owners are responsible for the control and management of their animals as required under the Companion Animals Act 1998. Residents also have a responsibility to ensure they act within that legislation along with Council Officers who have a regulatory responsibility.

Definitions

Expressions used in the Policy are defined in the Dictionary at the end of the Local Government Act 1993 and Section 5 of the Companion Animals Act 1998.

Policy Statement

The Companion Animals Act 1998 details the requirements surrounding the below matters, these matters are legislated state-wide in NSW and will not be re-created within this Policy.

- Identification (Microchipping) and Life-time Registration,
- Nuisance Dogs and Cats,
- Menacing Dogs, and
- Dangerous Dogs.

Beyond the above, this Policy will detail additional requirements of companion animal owners, the responsibilities of the wider community and the actions that Council Officers are undertaking to try and mitigate areas of non-compliance with the legislation.

The aim of the SCAMP is to:

- Ensure companion animals remain a valued part of the Glen Innes Severn community,
- Create harmony between the needs of companion animals, their owners, and other residents,
- Facilitate responsible companion animal ownership through a balance of education and enforcement, and
- Ensure compliance with the requirements of the Companion Animals Act 1998 and its Regulations through the proper exercise of the functions of Council under the Act.

Identification and Registration

Council Officers encourage permanent identification (microchipping) and registration of companion animals as required by the *Companion Animals Act 1998*, they also facilitate the return of seized companion animals back to their owners, and undertake enforcement action as required.

Action	Priority	Performance Indicator	Time Frame
Implement discounted or free microchipping days in conjunction with other Animal Rescue Organisations.	Medium	Increase in permanently identified animals; increase in registered animals.	Ongoing
Educate the community on requirements of Companion Animals Act 1998.	Medium	Increased awareness of identification and registration requirements.	Ongoing
Continued enforcement of overdue registrations and non-microchipped animals.	Medium	Decrease in overdue registrations, reduction in processing time and labour.	Monthly, ongoing

Nuisance Animal Management

Nuisance dogs include those that are habitually at large, that make noise (barking, howling) persistently in a manner that interferes with other residents' peace, comfort,

or convenience and those that cause damage outside their property. Nuisance cats are those that make noise persistently in a manner that interferes with other residents' peace, comfort, or convenience and those that cause damage outside their property.

Action	Priority	Performance Indicator	Time Frame
Provide anti-barking collars for hire to the public	Medium	Decrease in complaints of nuisance barking.	Ongoing
Compliance checks with owner and complainant.	Medium	Decrease in continued nuisance behaviour.	Ongoing
Provide cat traps for hire to the public.	Medium	Decrease in complaints of nuisance cats.	Ongoing

Menacing Dog Management

Menacing Dogs that display aggressive behaviour should be objectively judged to determine if the aggression was either reasonable or unreasonable in the circumstances where the aggression was shown. In other words, an authorised officer should consider whether an ordinary dog placed in the same circumstances of the allegedly menacing dog would have behaved in such a manner. These provisions recognise situations where a dog may have come to the attention of an authorised officer because it has displayed unreasonable aggression towards a person or animal – to the extent that it causes fear or apprehension of an attack. Such a dog poses a threat to people and other animals.

Action	Priority	Performance Indicator	Time Frame
Educate the community about the legislation, especially on the severity of the consequences of Menacing Dog attacks, and the causes of behaviour problems which lead to this.	High	Decrease in dog attacks.	Ongoing
Pursue dog attacks to enforcement stage where possible.	High	Continued enforcement of dog attacks.	As required
Inspect premises of Menacing Dogs to ensure compliance with Companion Animals Act 1998.	High	Increase in compliance with control requirements.	Annual compliance check

Dangerous and Restricted Dog Management

Dangerous dogs are those dogs that have been declared dangerous by Council or the Court. Restricted dogs are those of a breed stated in the Act. Council Officers undertake the following actions to try and limit the impact on the community caused by dangerous dogs.

Action	Priority	Performance Indicator	Time Frame
Pursue dog attacks to enforcement stage where possible.	High	Inspect premises of Dangerous and Restricted breed dogs to ensure compliance with the Companion Animals Act 1998.	As required
Inspect premises of Dangerous and Restricted breed dogs to ensure compliance with the Companion Animals Act 1998.	High		Annual compliance check

Dogs in Public Places

Management of dogs in public places is generally concerned with owners not keeping their dogs under effective control (by means of an adequate chain, cord or leash) and dogs roaming. Dog faeces is a public health concern and it degrades the local amenity. Under NSW Legislation it is an offence to not pick up animal faeces, Council's Rangers can issue Penalty Infringement Notices in instances where they witness, or have sufficient proof of, non-compliance. Council is required to provide sufficient rubbish receptacles in areas commonly used for the exercising of dogs, including off-leash areas.

Council has three designated off-leash areas in Glen Innes: Lynch Oval, Lions Park, and the north-east section of the Centennial Parklands. Off-Leash Areas are also at Bicentennial Park Glencoe, Recreation Reserve Park Street Emmaville and Recreation Reserve Corner of Short and Fraser Streets Deepwater.

The provision of off-leash areas and enforcement of leash requirements under the Companion Animals Act 1998 are essential to reduce conflicts between animal owners and other persons using the public open space.

Action	Priority	Performance Indicator	Time Frame
Provide a free leash to first time offenders breaching the leash requirement.	Low	Increased compliance with leash requirements of the Companion Animals Act 1998.	Ongoing
Enforce leash requirements through Penalty Infringement Notices.	Medium	Increased compliance with the leash requirements of the Companion Animals Act 1998.	Ongoing
Advertise leash-free areas and promote their benefits.	Low	Continued use of leash-free areas and the facilities provided.	Ongoing

Seizure of Animals

The identification of ownership, by way of microchip scanning of seized animals, is

important to reunite lost animals with their owners. Companion Animal owners have a responsibility to ensure all information is up to date on the NSW Companion Animals Registry (through Council) and/or the NSW Pet Registry (online).

In the 2022/2023 financial year Council's Rangers rehomed 100% of cats and dogs that were unclaimed/surrendered. In comparison, in the 2021/2022 financial year, only 90% of cats and dogs were re-homed.

Roaming dogs and stray cats create problems for residents including fighting, defecating and mess created when rummaging for food in rubbish bins. These animals often end up in Council's Pound facility with a large number not being claimed.

Action	Priority	Performance Indicator	Time Frame
Continue to re-home animals through Animal Rescue Organisations.	Medium	Decrease in euthanasia of companion animals.	Ongoing
Advertise unidentified seized animals on Council's Pound Facebook page.	Medium	Increase in claimed / rehomed animals.	Ongoing

Animal Welfare and Safety

The most important action an animal owner can take to manage the welfare of their animal/s is through desexing. This helps to reduce the number of unwanted animals, surrendered, or dumped, and may assist in decreasing their desire to roam. Education on the needs of animals should be used to stop problem behaviours such as wandering, aggression and excessive barking.

In 2022/2023 only 53% of dogs registered were desexed, while 54% of cats were desexed. 52% of non-desexed dogs were registered as being used for breeding purposes.

A large proportion of Council's animal management problems are caused by inadequate animal handling and welfare. Unwanted litters are often given away without being microchipped or vaccinated and investigations into barking dogs usually shows that dogs bark when not given attention, are bored or are not sufficiently mentally stimulated. Non desexed animals are often given away by owners to others who aren't able to adequately take care of an animal. This is done in preference to seeing the animal euthanised. Council utilises a number of re-homing organisations and makes an effort to rehome all animals in the first instance.

Action	Priority	Performance Indicator	Time Frame
Undertake education on the benefits of de-sexing animals.	Medium	Increased number of desexed animals being registered.	Ongoing

Cat Management

The management of Cats in NSW is difficult for Council's as there is limited legislative framework for regulating cats in comparison to dogs. Cats can only be declared a 'Nuisance' if it repeatedly damages anything outside the property which it is ordinarily

kept and persistently makes a noise that interferes with a person's peace and comfort in any other premises.

Feral cats are a major concern for all of Australia, not just NSW. Dumped domestic non-desexed cats increase this issue as they breed quickly and can have large litters. Council has cat traps available for hire to aid property owners try and diminish the numbers of roaming and feral cats they encounter. If a cat is caught in a trap the cat is to be brought to the Council Rangers, additional traps can be hired out again if the problem is ongoing.

Action	Priority	Performance Indicator	Time Frame
Educate cat owners of the benefits of keeping cats contained at night.	Medium	Reduced complaints of nuisance cats.	Ongoing
Actively trap / destroy feral cats at known problem areas.	Medium	Decrease in the number of feral cat complaints.	Ongoing

Community Education

Enforcement alone cannot solve all animal management issues. It is necessary to educate and inform residents of their responsibilities and rights regarding companion animals. Education is the best way to provide lasting changes in the community, as enforcement alone cannot solve all animal management issues. The education of children regarding safety around dogs and general animal welfare is important in bringing about a positive change in the community.

Action	Priority	Performance Indicator	Time Frame
Provision of pamphlets and brochures at Council offices.	Medium	Increased compliance with Companion Animals Act 1998 and greater understanding of the need for enforcement.	Ongoing
Educate and encourage the community regarding the basic needs of animals	Medium	Decrease in animal welfare complaints.	Ongoing

Co-ordination with other Companion Animal Stakeholders

To fully enable Council to manage companion animals, it needs to be involved in a co-ordinated approach involving all stakeholders. These stakeholders include but are not limited to:

- RSPCA,
- Animal Welfare League,
- Animal Rehoming Organisations,
- Veterinarians,
- W.I.R.E.S,
- Dogs NSW,
- Cat Fanciers Association,

- NSW Police Force,
- National Parks and Wildlife Service,
- Local Community Groups, and
- Local Land Services.

Action	Priority	Performance Indicator	Time Frame
Continue to build on the relationship with these groups to re-home unclaimed Companion Animals at Council's Pound.	Medium	Continued Re-homing program implemented.	Ongoing

Legislation And Supporting Documents

Relevant Legislation, Regulations and Industry Standards include:

- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Noise Control) Regulation 2017
- Local Government Act 1993
- Local Government (General) Regulation 2021
- Companion Animals Act 1998

Relevant Council Policies and Procedures include:

- Enforcement Policy
- Local Orders Policy No 1 - Guidelines for Keeping of Animals for Domestic Purposes

Variation And Review

The Strategic Companion Animals Management Policy will be reviewed every four (4) years, or earlier if deemed necessary, to ensure that it meets the requirements of legislation and the needs of Council. The term of the Policy does not expire on the review date, but will continue in force until superseded, rescinded or varied either by legislation or a new resolution of Council.

Prior to Council adopting the final document it will be placed on public exhibition for 28 days for public comment. The draft document will be available on Council's website and made available for viewing at Council's Grey and Church Street offices and the Post Offices at Emmaville, Deepwater and Glencoe. On adoption the SCAMP will be promoted on Council's Facebook page and Council's website.

Appendix A

Assessment for Requests to Revoke Dangerous or Menacing Dog Declarations

Section 9.8.5 of the Guidelines on the 'Exercise of Functions under the Companion Animals Act' recommends that Council have a policy in place to assess requests to revoke a dangerous or menacing dog declaration.

Dangerous dog declarations and menacing dog declarations, made under Section 34 of the *Companion Animals Act 1998*, have one principal difference significant to Council. A dangerous dog declaration made by a Council Officer may be appealed at the Local Court. A menacing dog declaration made by a Council Officer cannot be appealed at the Local Court. However, either declaration can be revoked by resolution of Council – sections 39 and 41 of the *Companion Animals Act 1998*.

Council will not accept a request to revoke a declaration until after a period of 12 months since the declaration was made. When a request by the owner of a dog subject to either declaration is received by Council, Council officers will assess the evidence supporting their request and prepare a report for the Council.

Evidence considered that will affect the report's recommendation will include:

- The circumstances under which the dangerous or menacing dog declaration was issued. If the Council, considering the request to revoke is not the Council that made the original dangerous or menacing dog declaration, it should contact the issuing Council for more information about the circumstances surrounding the making of the declaration.
- The dog's current circumstances and behaviour in relation to the original declaration, including any behavioural modification training that may have been undertaken; and
- Any behavioural assessment obtained by the owner from an animal behaviour specialist or other qualified professional (whether or not required by the Council under section 39(2)(b) of the *Companion Animals Act 1998*).

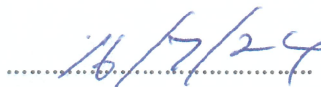
Council **must** have regard to the nature and extent of any behavioural training that the dog has undergone when considering an application to revoke a menacing dog declaration, and the Council **must**, as soon as practicable, inform the owner of the dog that the declaration has been revoked or that Council has refused to revoke it.

Council must notify the Chief Executive, Local Government within **seven (7) days** of revoking a dangerous or menacing dog declaration. This responsibility is fulfilled by way of an authorised officer, with a level 3 clearance, reporting it on the Companion Animals Register.

Document Control/Authorisation

Responsible Officer		Ranger			
Reviewed By		DIRECTOR OF PLACE AND GROWTH			
Review Due Date		February 2028			
Version Number		4			
Versions	Date	Resolution Number	Description of Amendments	Author / Editor	Approved / Adopted By
4	27/06/2024	12.06/24	Policy has been updated to put into new template format. Other updates include the removal of the exerts from the <i>Companion Animals Act 1998</i> , the consolidation of the two main parts of the policy into a single statement with applicable headings and updated statistics. Council's Policy "Assessment for Request to Revoke Dangerous and Menacing Dog Declarations" has been incorporated into this Policy as an Appendix. There have been no significant changes to the Policy that in any way changes the meaning of the Policy.	Ranger	Council
3	26/10/2017	20.10/17	Review	Ranger	Council
2	27/02/2014	22.02/14	Review	Ranger	Council
1	17/05/2012	16.05/12	Review	Ranger	Council


 General Manager


 Date