



Companion Animals
Management Plan
2010-2014

COMPANION ANIMALS MANAGEMENT PLAN 2010-2014

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1.0 Objective, Methodology & Background

Objective

The Companion Animals Management Plan addresses issues associated with companion animal ownership against the framework of Council's legislative requirements under the NSW Companion Animals Act 1998.

The Plan also details Council's initiatives and actions that are being undertaken to meet these legislative requirements and which promote responsible companion animal ownership.

Aims

The aims for the Companion Animals Management Plan are:

- To ensure Council meets its obligations under the Companion Animals Act 1998
- To promote and facilitate responsible pet ownership of dogs and cats
- To investigate the best mix of regulatory and non-regulatory approaches to achieving responsible pet ownership in the City of Ryde
- To promote the permanent microchip identification and lifetime registration of all companion animals in the City of Ryde
- To recognise the importance of animal welfare and aim to reduce euthanasia rates
- To recognise the role of companion animals within our community, and the benefits of owning a companion animal

Methodology

In 2008 City of Ryde adopted the Companion Animals Management Plan 2007-2010. A review of the document was required to update the plan and to incorporate subsequent legislative changes. The review also provided an opportunity to remove duplicated and outdated information and also to streamline and re-order the document in order to make it more reader friendly.

Initially the review of the plan was discussed with relevant internal staff, and was then included as an item at Council's Companion Animals Advisory

Committee (CAAC) Meeting. Feedback and advice was sought from Committee members for inclusion into the draft plan.

The initial draft plan was then circulated to the Committee for further consideration and comment. The feedback received was incorporated into the final draft.

The Companion Animals Management Plan is considered a "living document". It is anticipated that the document be reviewed at least every four years, or earlier in the event that legislation should substantially change.

Background

The Companion Animals Act 1998 is operative throughout New South Wales. Under this Act, a companion animal is defined as a dog or a cat. The introduction of the Act changed the way dogs are managed by local authorities and for the first time, introduced controls over domestic cats.

The City of Ryde developed a Companion Animals Management Plan in 2007 to improve outcomes in the area of companion animal management within the City of Ryde. This plan was adopted by Council on 19 February 2008.

Statistically, Australia has one of the highest levels of pet ownership in the world with approximately 63% of households owning a dog or cat. Furthermore, NSW has one of the highest levels of pet ownership in Australia with approximately 33% of households owning a companion animal. (Australians and their pets- The Facts, Australian Companion Animal Council Inc)

- 902,000 Dogs,
- 425,000 Cats
- 249, 000 other pets

The Companion Animals Database shows that City of Ryde has over 16,000 cats and dogs within the community, however it is acknowledged that there are likely to be more unregistered pets that we are unaware of. It is extremely difficult to accurately report on the number of animals residing within the

Local Government Area as companion animal owners often fail to update the register when they change address, when the animal changes ownership or when their animal is deceased.

Prior to the introduction of lifetime registration requirements under the Companion Animals Act 1998, City of Ryde had approximately 700 registered dogs on the Council register. The first year following the new requirement to lifetime register saw almost one thousand new registrations. In 2009 this number has now increased to approximately 7000 dogs and 2500 cats registered throughout City of Ryde on the NSW Companion Animals Register.

Companion Animals Registered (Total)	Cats	Dogs	Total
2000	86	890	976
2009	2575	7300	9875

City of Ryde is a ‘pet friendly’ Council and recognises the important role pets play in the daily lives of many residents. A review of the Companion Animal Database reveals that the top ten registered breeds for dogs and cats in the Ryde LGA are as follows:

Dogs	Cats
• Maltese	• Domestic
• Labrador Retriever	• Burmese
• Jack Russell Terrier	• Ragdoll
• German Shepherd	• Siamese
• Bull Terrier	• Other
• Maltese x Shi Tzu	• Domestic Cross
• Cavalier King Charles Spaniel	• Birman
• Golden Retriever	• British Shorthair
• Rottweiler	• Persian
• Pomeranian	• Himalayan

2.0 Responsible Pet Ownership

The NSW Companion Animals Act 1998 heralded a new era for Council's management of domestic cats and dogs. The days when animal control consisted largely of annual dog registrations is over, and animal management of both dogs and cats now involves a wider range of issues including:

- Provision of public facilities such as off leash exercise areas
- Dealing with lost and found animals
- Effective and safe animal handling
- Management of barking dog complaints
- Investigation of Dog Attacks

Council's Compliance Rangers investigate animal complaints and issues reported to Council, as well as undertaking routine and proactive patrols.

In the 2008-2009 financial years, City of Ryde's Rangers dealt with 773 customer complaints/reports regarding animal issues, and 727 in the 2009-2010 financial years.

While many of the matters reported to Council can be investigated and resolved promptly (i.e. matching up animals reported lost and found), other issues such as barking dog complaints and dog attacks, require a more detailed and thorough investigation which can often be complex and time consuming.

In many of the cases reported to Council, irresponsible pet ownership is a contributing factor, and many potential neighbourhood disputes can be resolved or improved by the pet owner taking appropriate action to resolve the problem.

City of Ryde seeks to encourage and promote responsible companion animal ownership in recognition of the community's expectation to have a safe and healthy environment for people and their pets, whilst maintaining public amenity for all residents and visitors to our City. To ensure the comfort, safety and health of the whole community the Companion Animals Act places certain legislative responsibilities on all pet owners.

Compliance with legislative requirements will always be the backbone of companion animal management. However, there is now a greater emphasis on the development of non-regulatory approaches and public education.

City of Ryde believes that there is a place for both enforcement and education to be used as tools in achieving compliance with regulations and encouraging responsible pet ownership.

Compliance Rangers enforce the provisions of the Companion Animals Act and can issue "on-the-spot" fines for certain breaches and to repeat or habitual offenders. In some cases, where pet owners repeatedly fail in their responsibilities under the law, Council may take action in the local court to ensure compliance.

However, in keeping with the education and enforcement ethos, Rangers also provide educational information in relation to allegations of nuisance dogs and cats before any enforcement action is taken. Similarly, under Council's Registration Programme, reminder letters are sent to owners of unregistered animals prior to any penalty notices being issued.

Council's Regulatory Services staff have recently reviewed the Companion Animal information provided on Council's website. The information has been updated to a more "user friendly" format and contains lots of useful information and links to relevant forms, publications and websites.

Council's Regulatory Services staff regularly participate in Council events such as the Granny Smith Festival to provide information and educational material to the community. Staff are involved in the inter-agency "Councils United for Pets" (CUPS) group, which features members from a number of metropolitan Councils, the RSPCA and various welfare organisations. The group meets regularly to address issues relating to Companion Animal Management, to problem solve and to share information.

Staff actively participated in the former SPOT School Education Programme, a State Government initiative

that involved staff attending local schools to educate Years K-6 children about animal respect, safety around animals and responsible pet ownership. The Division of Local Government, Department of Premier and Cabinet are currently seeking tenders for future school education programmes and if successful, City of Ryde will give consideration to continuing our involvement.

In keeping with its commitment to Companion Animal Management, City of Ryde in early 2009 established a Companion Animals Advisory Committee. The Committee is made up of Council staff and community members representing residents, pet owners and Animal Welfare Organisations.

The Committee discusses issues relating to pet ownership, welfare and the provision of facilities for pet owners in the City of Ryde. The members provide feedback on Council initiatives and input into the development of future programs in an advisory capacity.

2.1 Current & Ongoing Actions:

- 2.1.1 Complaint investigation
- 2.1.2 Pro-active patrols
- 2.1.3 Participation in community events, programmes and user groups
- 2.1.4 Updated information on Council's website www.ryde.nsw.gov.au/companionanimals
- 2.1.5 Community Education & information via "Ryde City View" articles
- 2.1.6 Participation in the Companion Animal Advisory Committee

2.2 Proposed Actions:

- 2.2.1 Seek further opportunities to engage in relevant community events & education programmes
- 2.2.2 Increased community education via regular relevant articles in "Ryde City View". Possible suitable topics include:
 - Responsible pet ownership (a pet is for life)
 - Suitable pet selection
 - Adopting a pet
 - Children and Dogs – Safety tips

3.0 Identification and Registration

Identification and registration are crucial components of animal management and under the Companion Animals Act 1998 all cat and dog owners must complete a “two-step” process to identify and register their pet.

The “first-step” is microchipping, which is required by legislation and provides a means of permanent identification, which cannot be lost or tampered with. Microchipping ensures that companion animals are readily able to be identified and returned to their owners should they become lost.

The Act requires that all dogs and cats are microchipped by the age of twelve weeks, or earlier if there is a change of ownership. The only exception is for cats that were owned prior to the commencement of the legislation on 01 July 1999. The owners of these cats are required to have their pet identified and can choose either a microchip or a collar and identity tag.

The Act requires microchipped animal’s details to be entered onto the Companion Animals Register within seven days of implantation. Any subsequent change in ownership can then be forwarded to any council for data entry onto the Register.

The Register is used as a database for returning lost pets and identifying offending animals. It is therefore important that owner’s details are kept up to date. City of Ryde has a commitment to having all microchip data entered onto the Register in line with the requirements of the Act. Council also has a commitment to update all notified information changes in a timely fashion. This ensures that any lost pet in the City of Ryde has a greater chance of being successfully re-united with its owner.

The “second-step” is lifetime registration. Under the Companion Animals Act, all dogs and cats must be registered for life by six months of age. All cats born, bought or sold after 1 July 1999 must be microchipped and lifetime registered.

Lifetime registration incurs a once only fee that can be paid at any Local Council. The animal owner must be 18 years of age or over.

The fees for lifetime registration are set by the

Department of Premier and Cabinet and are as follows:

Undesexed (“entire”) dog/cat	\$150
Desexed dog/cat	\$40
Desexed dog/cat owned by pensioner	\$15
Undesexed animal kept by Recognised Breeder for breeding purposes (Proof Required)	\$40
Assistance Animal	No Fee
Working Dogs	No Fee
Cats born prior to 1 July 1999	No Fee
Greyhounds registered under the Greyhound and Harness Racing Administration Act 2004	No Fee

The Department of Premier and Cabinet, holds the Companion Animals Register under statutory control and Local Councils act as agents for the State Government. City of Ryde accepts payments for lifetime registrations on behalf of the State Government and enters identification and registration details onto the Register in accordance with the Regulations contained in the Companion Animals Act.

A monthly reconciliation of fees is undertaken and payment forwarded to the Department of Premier and Cabinet. Every quarter, the State Government returns to Council a portion of the money collected. Fees for the management of the register and other administration costs are withheld. Legislation does not stipulate the amount councils receive from the Government; however, it is usually about 80%. This provides a source of funding for City of Ryde to undertake a range of education and enforcement activities and assists with the administrative costs of maintaining the Companion Animals Register. Income from on-the-spot penalties rendered under the Companion Animals Act is taken up in Council’s general revenue.

Identification & registration facilitates the return of lost animals to their owners and helps to reduce the number of animals impounded and potentially euthanised.

Over the last several years, City of Ryde has run a number of “Free Microchipping Days” for the pets of Ryde residents. Additionally, any unchipped animals

seized or collected by City of Ryde are microchipped and must be registered before being returned to their owners.

City of Ryde runs a regular “Registration Programme” in which letters are sent to the owners of animals that are identified and over six months of age, but not registered. A report is run from the database, which lists all animals within the Ryde LGA that were identified within a particular date range. The report excludes any animals that are registered, or that have been updated on the database as deceased or missing.

A reminder letter is sent to the owners, providing thirty (30) days in which they can register their animal without penalty, and warning that failure to do so is an offence under the Companion Animals Act 1998. No enforcement action is taken until after the specified period has lapsed and a second report run, to exclude any animals that have been registered or updated during this timeframe.

As well as increasing compliance with the legislative requirement to register companion animals, the programme has also proven to be an effective tool in maintaining the Companion Animals Register. Many people simply forget to advise Council when they change address, when their contact details change or if their animal is deceased. Similarly when an animal is sold or given away, the Act states that it is the responsibility of the “old owner” to advise of any change of ownership. Many owners who have sold or given away their pet are surprised to find, often years later, that the animal has never been transferred out of their ownership.

Receiving a Registration Programme letter often serves as a prompt for owners to rectify out of date information and a statutory declaration is included, which allows owners to advise of any necessary changes.

While occasional Registration Programmes had been run over the last five years, a concerted effort has been made to run the Programme on a regular, on-going basis since late 2008.

The following table shows the number of new identifications and registrations each year for the last five calendar years. The success of the Registration Programme is reflected in these figures, which show that

since its regular implementation in 2008 there has been a noticeable increase in the number of new registrations, culminating in new registrations exceeding new identifications for the first time in 2009.

Companion Animals Identified (Microchipped)		Companion Animals Registered	
2005	1315	2005	586
2006	1208	2006	915
2007	1447	2007	890
2008	1292	2008	1187
2009	1344	2009	1649

3.1 Current & Ongoing Actions:

- 3.1.1 Continuation of regular Registration Programmes.
- 3.1.2 Promotion of identification and microchip requirements in educational material & via “Ryde City View” articles.
- 3.1.3 Continuation of Microchipping Days as funding and staffing permits.
- 3.1.4 Microchipping and registration of unidentified seized/collected animals before releasing to owners.
- 3.1.5 Continued maintenance of Companion Animals Register in a timely manner.

3.2 Proposed Actions:

- 3.2.1 Increased community education via regular articles in “Ryde City View”. Possible suitable topics include:
 - Further promotion of “two stage” identification & registration system (particular focus on cats)
 - Promoting the importance of keeping information current and up to date to assist with returning lost pets.

4.0 Animals in Public Areas

In accordance with Section 14 of the Companion Animals Act 1998, there are a number of public areas where dogs are prohibited including:

- Children's play areas (within ten metres of any children's playing apparatus)
- Food preparation or consumption areas (unless it is a public thoroughfare such as a road, footpath or pathway)
- Recreation areas where dogs are declared prohibited
- Public bathing areas (including beaches) in which the local authority has ordered that dogs are prohibited and in which, or near the boundaries of which, there are conspicuously exhibited by the local authority at reasonable intervals notices to the effect that dogs are prohibited
- School grounds (unless with the permission of the person controlling the grounds)
- Childcare centres (unless with the permission of the person controlling the centre)
- Shopping areas where dogs are prohibited (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop) and;
- Wildlife protection areas (where signposted in the City of Ryde)
- Any area designated by a local authority where dogs are prohibited

These restrictions do not apply to Police or Corrective Services dogs, or to assistance animals being used by a person with a disability.

Recent amendments to the legislation now allow Café and restaurant operators to make the decision whether or not to allow dogs to enter their outdoor dining area.

Where café and restaurant operators decide to allow dogs in their outdoor dining area, the following conditions must be complied with:

- The outdoor dining area must not be enclosed and must be able to be entered by the public without

passing through an enclosed area

- Dogs must be on a leash at all times
- Dogs must be on the ground at all times
- Dogs can be provided with drink but not food
- Dangerous and restricted dogs are prohibited.

Dogs are permitted in most Council parks and reserves provided they are on a leash and under the effective control of a person over the age of sixteen. A dog is not considered to be under effective control of a person if the person has more than four dogs under his or her control. Owners must remove their dog's faeces and dispose of them in a responsible manner. Where dog owners fail to remove their pet's faeces, Compliance Rangers can issue infringement notices in line with the provisions of the Companion Animals Act 1998.

City of Ryde's Compliance Rangers patrol seven days a week on a rostered basis and enforce all provisions of the Companion Animals Act. Business and after hours patrols are conducted both on a random basis and in response to specific complaints.

Designated off-leash areas are recognised as providing important benefits in allowing dogs space to exercise and socialise with other dogs and humans.

There are also benefits for humans including exercise, socialising with other dog owners and allowing owners to engage in social activity with their pets.

The provision of off-leash facilities and allowing dogs to exercise and interact in an off-leash environment can also assist in alleviating boredom and its associated anti-social behaviours such as excessive barking. It can also be considered important as a compliance tool - by providing reasonable off-leash opportunities, Council can expect and appeal for compliance with leash requirements in other areas where animals are prohibited, such as Wildlife Protection Areas.

Under the Companion Animals Act 1998 all Councils are required to provide at least one off-leash facility. While dogs are permitted to be off leash in these areas, the Act specifies that they must still be under the effective control of a competent person.

Council currently provides two designated off-leash facilities. These facilities are located at Blenheim Park, on Blenheim Road North Ryde and Meadowbank Park, between James Street and MacIntosh Street. Blenheim Park is off-leash at all times. The facilities at Meadowbank Park are at the western end near the Hockey Fields, and are available for use between the hours of 6.00am-8.00am & 5.00pm-7.00pm Monday to Friday. Owners are encouraged to use these areas in a responsible manner.



City of Ryde recognises the benefits of off-leash areas and the need for more equitable access to these facilities. Council's Open Space Planner recently undertook a comprehensive review of recreation opportunities within all of the City's parks and reserves. Opportunities for dog recreation, including off-leash locations, formed part of this review and a report was presented at Council's Committee of the Whole meeting on 20 July 2010. At this meeting it was resolved to conduct a six month off-leash trial in a number of parks across the Local Government Area, with a report to be presented back to Council at the completion of the trial.

4.1 Current & Ongoing Actions:

- 4.1.1 Complaint investigation
- 4.1.2 Random patrols of public areas where dogs and/or off-leash activity is prohibited
- 4.1.3 Provision of off-leash areas in accordance with legislative requirements.
- 4.1.4 Provision of "Doggy Bins" in off-leash and popular walking areas

4.2 Proposed Actions:

- 4.2.1 Six month off-leash trial in the following parks:
 - Kotara Park, North Ryde
 - Carara Reserve, West Ryde
 - North Ryde Common, North Ryde
 - Cudal Reserve, Ryde
 - Waterloo Park, Marsfield
 - Denistone Park, Denistone East
 - ELS Hall Park, North Ryde
 - Olympic Park, Ryde
 - Putney Park, Putney
 - Brush Farm Park, Eastwood
 - Darvall Park, Denistone West
 - Forrester Park, Eastwood
 - Santa Rosa Park, North Ryde
 - Fontenoy Park, Macquarie Park
 - Pidding Park, Ryde
 - Peel Park, Gladesville
- 4.2.2 Increased community education via regular articles in "Ryde City View". Possible suitable topics include:
 - Faeces Management
 - Promotion of off-leash facilities

5.0 Dangerous & Restricted Dogs

Changes to the Companion Animals Act means that there are now increased control provisions for restricted and declared dangerous dogs with higher penalties for non-compliance.

The Act places restrictions upon certain breeds of dogs.

Restricted breeds are:

- Pit Bull Terriers
- American Pit Bull Terriers
- Japanese Tosas
- Dogo Argentino (Argentinian Fighting dog)
- Fila Brasileiro (Brazilian fighting dog)
- Any dog declared by a Council under Division 6 of the Act to be a restricted dog.

The owners of restricted dogs must comply with all the requirements of the dangerous dog section of the Act. In addition, new laws introduced by the State Government in 2006 give NSW Councils the power to declare dogs that are cross-bred with the abovementioned restricted breeds to also be restricted. It is now an offence within New South Wales to sell, acquire or breed dogs on the restricted dog list. In accordance with recommendations from the Department of Premier & Cabinet, Council has written to local newspapers within the Council LGA to advise that advertising of restricted breeds in the classifieds section is an offence.

A “Notice of Intention to declare a dog to be a restricted dog” under Division 6, may be served where Council is of the opinion that a dog is of a restricted breed or cross breed. Upon receipt of such a Notice, there is an appeal mechanism for owners of crossbred dogs, which provides 28 days in which they can elect to have the animal’s breed and temperament assessed.

Council can declare a dog kept in its area to be dangerous in accordance with strict legislative framework. In accordance with Section 16 of the Companion Animals Act 1998, a dog can be declared dangerous if it rushes at, attacks, bites, harasses or

chases any person or animal (other than vermin), whether or not any injury is caused to the person or animal.

If an Authorised Officer is satisfied that a dog fulfils the above requirements, a ‘Notice of Intention to Declare a Dog to be Dangerous’ is sent to the dog’s owner. The owner has seven days in which to lodge an appeal. After consideration of all the facts, Council may determine that there are insufficient grounds to declare the dog dangerous or may proceed with the declaration. Upon receipt of a declaration, the owner of the dog has a period of 28 days to appeal the decision to the local court.

Once a dog is declared dangerous, the owner must comply with specified conditions. These animals must be desexed and kept in a suitable childproof enclosure. They must be muzzled and on a lead when out of their enclosure and must wear a distinctive red and yellow dangerous/restricted dog identification collar at all times. The owner must erect a sign clearly visible from the boundary of the property that says “Warning, Dangerous Dog” and appropriate signage must be displayed at vets and boarding kennels when the dog is on the property. The declaration is in force for the whole of the State and not limited to the area in which the dog lives. These animals may not be sold to or left in the care of anyone under eighteen years of age.

Council conducts regular inspections of properties where declared dangerous dogs are held to ascertain that all provisions of the legislation are being complied with. On-the-spot fines are issued for any breaches of the Act.

The owner of a restricted or dangerous dog must notify the Local Council within 24 hours when the dog:

- has without provocation attacked or injured a person or another animal
- is missing and cannot be found
- has died (as soon as practicable after the death)
- is being kept in a different location within the council area

Dog Attacks

Alleged dog attacks are thoroughly investigated by Council Rangers.

Council Rangers may, within seventy two hours of a reported attack, seize a dog. This action is only taken when a dog cannot be secured on the property on which it is ordinarily kept. Rangers may enter any land (but not premises) for the purposes of exercising their powers under the law.

After investigating the attack, Council may declare the dog to be dangerous or it can be declared dangerous by the Court. In extreme cases, Council may seek a destruction order. Destruction orders can only be imposed by the Court, and it should be noted that Council does not have the power to destroy a dog, but may recommend this course of action to the owner or the Court.

A person who sets on or urges a dog to attack, bite, harass or chase any person or animal (other than vermin) is guilty of an offence, whether or not actual injury is caused.

5.1 Current & Ongoing Actions:

- 5.1.1. Complaint investigation
- 5.1.2 Initial & ongoing annual compliance checks for declared dangerous dogs.

5.2 Proposed Actions:

- 5.2.1 Increased community education via regular articles in “Ryde City View”. Possible suitable topics include:
 - What to do if a dog attacks
 - Restricted breeds

6.0 Nuisance Dogs

Under Section 21 of the Companion Animals Act 1998, a dog is a nuisance if it:

- Is habitually at large
- makes a noise by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises
- repeatedly defecates on another person's property
- repeatedly chases any person, animal or vehicle
- endangers the health of any person or animal or
- repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept

Nuisance Orders can be applied when companion animal owners allow their pet to continually breach the Act and remain in force for a period of six months.

Barking Dogs

Persistently barking dogs are one of City of Ryde's most reported companion animal issues. Barking dogs can negatively impact on neighbourhood amenity and cause neighbourhood disputes.

Barking dog complaints can be difficult and time consuming to resolve. Whilst the complaint appears straightforward, in practice it can be difficult to enforce, as nuisance problems are often difficult to define and measure. The words 'repeatedly' and 'habitually' are important in determining if a nuisance exists.

Dogs bark for many reasons

- Boredom
- Separation anxiety
- Lack of exercise
- Fleas/skin conditions
- Provocation
- Lack of food/water
- Lack of shelter from the sun and inclement weather
- Lack of companionship

- Lack of proper veterinary care

Responsible pet ownership is a major factor in resolving many barking dog complaints. Upon receipt of such a complaint, Council's Compliance Rangers make contact with the owner of the dog to make them aware of the problem, to attempt to establish the underlying cause of the behaviour and to provide educational material to help address the problem.

The investigating Ranger also notifies the complainant in writing of the proposed action and seeks feedback to establish if initial contact with the owner has resolved the problem. If the problem persists the Ranger monitors the complaint and obtains further evidence by surveying surrounding properties to confirm the alleged complaint.

The complainant must provide sufficient evidence and a completed survey for Council to assist in the determination of the nuisance complaint. Council relies heavily on the evidence provided by the complainant and surrounding residents in determining whether an animal should be declared a nuisance.

In cases where the evidence is inconclusive Council can arrange referral to the Community Justice Centre for mediation if both parties are mutually agreeable.

In the event of a "Nuisance" dog being identified Council will commence the statutory process by issuing a Notice of Intent against the dog owner.

A dog owner who has been issued a Notice of Intent may appeal this order in writing to Council within 7 days.

In the event no appeal has been lodged Council will issue a Nuisance Dog Order against the owner of the animal, which will be in place for a period of 6 months from the date of issue. Should the nuisance behaviour continue whilst the order is in place penalties can be imposed, and court action may be taken

In cases where Council cannot prove beyond reasonable doubt that a dog is causing a nuisance the affected party can elect to take civil action by seeking a Noise Abatement Order.

Faeces Management

Uncollected dog faeces are a problem for health, the environment and for amenity reasons. Under the Companion Animals Act, owners are required to remove their dogs' faeces and properly dispose of them. In practice, this is extremely difficult to enforce. Some irresponsible dog owners allow their pets to roam off their property early in the morning and late at night to avoid ranger patrols. The animals then defecate and the owner does not take responsibility for the collection of the faeces. If complaints are received regarding "known dogs", warning letters can be issued by Council to the owner of the animal. On the Spot penalty notices can also be issued for offences observed by Council's Rangers, or where evidence is provided to support a formal action by a third party.

Roaming/Straying Dogs

Animals that are persistently roaming or straying should be reported to Council. A dog owner must take all reasonable precautions to prevent a dog escaping from the property on which it is kept. Any animal collected by Council will be scanned for a microchip and where possible, arrangements made for it to be returned to its owner. Penalties will apply for breaches under the Companion Animals Act 1998. Any unidentified animal will be impounded and taken to Council's Animal Holding Facility.

6.1 Current & Ongoing Actions:

- 6.1.1 Complaint investigation
- 6.1.2 Compliance checks for declared nuisance dogs.
- 6.1.3 Providing education & information regarding nuisance behaviour & prevention strategies
- 6.1.4 Organising of mediation sessions via Community Justice Centre referrals

6.2 Proposed Actions:

- 6.2.1 Increased community education via regular articles in "Ryde City View". Possible suitable topics include:
 - Solutions and tips for dealing with barking dogs
 - Faeces Management
 - What to do if you see a straying dog

7.0 Lost, Found, Unwanted & Impounded Animals

Council maintains a register for any animals reported lost or found. This is used to cross reference found animals with those reported lost and can assist in reuniting animals with their owners, particularly those animals which are not microchipped or otherwise identified.

Residents who no longer want, or who can no longer care for their cat or dog can surrender their pets to Council. While there is no fee for this service, animals must be microchipped and registered prior to them being surrendered to Council and proof of ownership is required. A surrender form and a change of owner form must be completed at the time of removal and cats must be secured in a cage or well-ventilated box.

Council Rangers will seize stray dogs from either public or private property but will impound stray cats only if the cat is secured in a cage or container and the owner of the cat is unknown.

Council Officer's respond to complaints and also carry out random patrols for straying animals. Any dogs that appear to be injured are assessed and veterinary assistance rendered. Medication will only be administered by a qualified Veterinarian, and Council Rangers will not medically treat any animal. The medical costs associated with the medical treatment of any animal referred by council to a veterinarian will be borne by the owner of any animal that can be identified.

Wherever possible, animals that have been run over and killed on the Council's non-arterial roads are scanned for a microchip and in the event that the animal is an identified companion animal, the owner is notified.

Animals that are seized under the Act must be returned home if they can be identified (i.e. by microchip or identity tag/collar) but only if the owner or a responsible person is at the property. An exception to this is for a dangerous dog seized where the owner has failed to comply with a dangerous dog declaration.

When an animal is seized, the Officer will scan the animal for a microchip. If a chip is identified, the owner's details will be obtained from the Companion Animal Register, contact will be established and arrangements made to return the animal.

Where the owner cannot be contacted or if there is no identification, the animal is impounded and taken to Blacktown Animal Holding Facility which is located on the corner of Flushcombe Road & the Great Western Highway, Prospect. Ph: (02) 9839 6160 or (02) 9839 6161.

To assist people who have lost or wish to adopt a pet, Blacktown Animal Holding Facility maintains an online database allowing searches to be conducted by animal type, breed, sex, age, hair, and colour. City of Ryde also provides a link to this database on our website.

Every effort is made to contact owners, however, when the relevant statutory periods have expired, animals may be offered for sale, given to any welfare organisation or euthanised.

The Companion Animals Act 1998 requires holding periods of:

- Fourteen (14) days for identified animals seized and held in a council pound,
- Seven (7) days for unidentified animals seized and held in a council pound,

Animals surrendered by their owners are permitted to be re homed straight away. Council Officers occasionally seize or receive feral or infant companion animals that are difficult to handle or care for. Section 64 (2) of the Companion Animals Act 1998 makes provision for the management of feral and infant companion animals in that "the council may, in accordance with any policy that has been adopted by the Council in relation to the management of feral or infant companion animals, destroy the seized or surrendered animal concerned before the end of any such period" outlined above.

The Companion Animals Management Plan provides for the humane destruction of animals which have little or no prospect of re-homing, or where it would be inhumane to keep the animal confined for the statutory period.

For the above purposes the following definitions would apply:

Feral - means wild, or existing in a state of nature and showing no signs of domestication. Animals which appear domesticated and/or are microchipped or wearing a collar

or identification tag are not deemed feral.

Infant - refers to a very young animal which is unable to feed or fend for itself.

In the case of infant companion animals, euthanasia would only be used as a humane last resort where other agencies or organisations are unable to take over the care of the animal.

Due to a Council resolution, City of Ryde now holds the majority of animals in excess of the required statutory period. On the 9 February 2010, Council resolved to introduce a “Low Kill” policy, which restricts the use of euthanasia to lost animals that are injured and/or dangerous. This allows all lost animals to be held for a period of fourteen (14) days which provides a greater likelihood of them being found by their owner or adopted.

It is anticipated that adoption of this resolution, coupled with a continued focus on maintaining an up to date Companion Animal Register, via Registration Programmes and targeted educational campaigns, will result in a reduction in euthanasia rates.

The City of Ryde has developed close ties with local veterinarians and pet shops. Council also supports the work of various Animal Welfare Organisations by providing information and support to the community. Additionally, Council assists Animal Welfare Groups by providing letters of support for applications made for exemption under clause 16D of the Companion Animals Regulation 2008.

The intent of clause 16(d) is to provide financial relief to animal rescue organisations by exempting them from the requirement to register animals which are in their temporary care for the purposes of re-housing. To obtain this exemption, Organisations require written confirmation that Council supports them sourcing animals from their pound facility. City of Ryde would encourage any eligible Organisation to seek Council’s support.

If Council Rangers or anyone in the community has concerns about the welfare of an animal, they may report it to the RSPCA or the Animal Welfare League NSW to investigate. Council does not have authority to enter premises to seize animals that may be the subject of neglect or cruelty. The RSPCA or the Animal Welfare

League NSW are the appropriate authorities to contact in those instances. They will ensure the welfare of the animal is checked and any necessary action taken.

Council’s website provides relevant contact numbers and a link to the RSPCA website.

7.1 Current & Ongoing Actions:

- 7.1.1 Collection of Found and surrendered animals
- 7.1.2 Reuniting found/seized animals with owners where possible
- 7.1.3 Transportation of unowned/claimed animals to Animal Holding Facility
- 7.1.4 Stray dog investigation/capture
- 7.1.5 Microchipping and registration of unidentified seized/collected animals before releasing to owners.
- 7.1.6 Microchip scanning of deceased animals on local Council roads
- 7.1.7 Maintenance of CAR register to report/update status of missing animals
- 7.1.8 Assisting Animal Welfare Organisations by provision of 16D supporting letters
- 7.1.9 Commitment to reducing euthanasia rates by adopting resolution to hold animals beyond statutory requirements
- 7.1.10 Provision of educational and informative material on Council website

7.2 Proposed Actions:

- 7.2.1 Strengthening of ties with welfare groups & low cost desexing agencies by providing links via City of Ryde website
- 7.2.2 Increased community education via regular articles in “Ryde City View”. Possible suitable topics include:
 - What to do if you have lost or found an animal
 - Profiles of local rescue groups
 - What to do if you see a straying dog

8.0 Cat Management

The introduction of the Companion Animals Act 1998 introduced controls over domestic cats and for the first time placed certain responsibilities upon the owners of cats including the need for identification and lifetime registration.

Cats born before the commencement of the legislation on 01 July 1999 are exempt and cats do not require registration. The owner is required however, to have their cat identified by either a microchip or a collar and identification tag. Cats born before 1999 lose their exemption if they are impounded by the local Council, or if they are found in breach of the Act. They also lose their exemption if they are sold or given away. This means they then must be microchipped and lifetime registered.

Similarly to dogs, cats can be declared a nuisance if they engage in certain activities. Under Section 31 of the Companion Animals Act 1998

A cat is a nuisance if it:

- Repeatedly damages anything outside the property on which it is ordinarily kept
- Makes a persistent noise

The legislation makes provision for the issuing of 'Nuisance Orders' when the owners of cats are guilty of preventing the above nuisance behaviours. Nuisance Orders are in effect for six months and may require the owner to keep the cat on its own premises.

In accordance with Section 30 of the Companion Animals Act 1998, there are some public places where cats are prohibited including:

- Food preparation or consumption areas and
- Wildlife protection areas

Under the current provisions of the Act, Council has no obligation to impound stray or roaming cats. Unlike dogs, cats may move about freely as it is not an offence for them to be on properties other than where they are ordinarily kept, except for the above "prohibited areas". Council currently liaises with strata bodies, landowners and cat protection organisations to assist in the impounding of stray/feral cats on private

properties and council controlled lands.

Whilst the legislation does not prohibit cats from being outside and there is no official "cat curfew", Council recommends that all cats be kept indoors, especially at night when they are more likely to fight and predate on wildlife. In order to warn wildlife, cat owners are also encouraged to put a collar with two bells on their cat.

The problem of unwanted kittens from over-breeding is a perennial one and City of Ryde encourages responsible pet owners to consider desexing their cats.

8.1 Current & Ongoing Actions:

- 8.1.1 Complaint investigation
- 8.1.2 Microchipping and Registration of seized & collected cats before releasing to owners
- 8.1.3 Liaison with Animal Welfare Organisations such as Cat Rescue

8.2 Proposed Actions:

- 8.2.1 Provide links to low cost desexing agencies on City of Ryde website
- 8.2.2 Increased community education via regular articles in "Ryde City View". Possible suitable topics include:
 - Responsible cat ownership
 - Prevention of wildlife predation
 - Feral cats