



BENALLA RURAL CITY

DOMESTIC ANIMAL MANAGEMENT PLAN

2017-2021

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1. EXECUTIVE SUMMARY

Benalla Rural City Council's Domestic Animal Management Plan (DAMP) had been developed in accordance with the State Government's requirements that all Councils have an adopted DAMP in place.

The DAMP has been developed through consultation with the community, key stakeholders and the Domestic Animal Management Planning Committee made up of key Council staff members, the RSPCA and the Australian Veterinary Association.

The 2017-2021 DAMP objectives are to provide a safe, harmonious environment by promoting responsible pet ownership to residents and the community throughout Benalla Rural City. It focuses on key issues such as effective control of dogs in public places (such as parks and streets), registration levels, education programs and enforcement.

Other key compulsory information in the 2017-2021 DAMP includes staffing levels, training standards, key workload performance indicators, current programs and other services available.

The 2017-2021 DAMP outlines planned programs and initiatives including training and development, community education, responsible pet ownership strategies and identification and registration of animals that assist with key objectives of reuniting lost and found animals with their owners.

Compliance is required with legislative provisions including the *Domestic Animals Act 1994* (the Act) and the Council's *Community Local Law 2017*. Both documents are available on Council's website.

The Compliance team, on behalf of Benalla Rural City Council, is responsible for administering the legislative framework. The evaluation and monitoring of the team's performance is detailed in the DAMP including key performance indicators and the year by year life cycle objectives for this plan.

The first stage of the community consultation in relation to the development of this plan was conducted in 2017 and focused on identifying broad overarching community issues associated with domestic animal management. This was achieved through social media posts and the use of A-Frame board to encourage

registration. A survey was conducted to encourage input on the following five key issues:

- Enforcement of the legislation
- Further education for the public
- Animal registration
- Cat curfew
- Off/on lead areas. Suggestions for more? If yes, where?

These issues along with other related matters form part of the Action Plan (Appendix 4) in the DAMP.

"The 2017-2021 DAMP objectives are to provide a safe, harmonious environment by promoting responsible pet ownership to residents and the community throughout Benalla Rural City."

Through the life of the DAMP there will be further community engagement and consultation on those issues identified in the Action Plan and any identified emerging issues.

A key component of Council's domestic animal strategy, the membership of the Domestic Animal Management Planning Committee will also be reviewed with increased representation from community and key stakeholders.

The DAMP 2017-2021 will be reviewed annually and implemented over a four year period.



2. INTRODUCTION

Benalla Rural City Council's Domestic Animal Management Plan (DAMP) has been developed as a fluid document designed to identify and manage emerging domestic animal issues. The Domestic Animal Management Planning Committee (the committee) includes representatives from the RSPCA and the Australian Veterinary Association, as well as Councillors and key staff. The committee develop and facilitate the creation of the DAMP. The committee have examined emerging domestic animal issues and considered appropriate management strategies.

The committee monitors previous commitments to animal management and ensures the plan not only reflects current community issues but enhances responsible pet ownership and the services we deliver now and in the future.

Benalla Rural City Council's DAMP balances the competing needs of animal owners, the broader community and the animals that share people's lives. The Council recognises the positive health and wellbeing outcomes that arise from pet ownership.

The programs and activities set out in the action plan have been developed with the aim to encourage more people to enjoy the pleasure derived from animal companionship, within a framework of responsible ownership that is adaptable to community needs and expectations.

Purpose of the Domestic Animal Management Plan

The purpose of the DAMP is to balance differing community expectations, keep up-to-date with trends and improve animal management in Benalla Rural City. The DAMP supports the development and implementation of a range of strategies that:

- Encourage responsible pet ownership of cats and dogs through education and enforcement approaches
- Ensure that officers are adequately trained to fulfil Council legislative, educational and enforcement functions
- Review the Council's animal management services, programs, procedures and policies which include Local Law provisions and existing order made under the act
- Enhance community safety by reducing the number of dogs not under effective control

throughout the Rural City

- Minimise the number of dog attacks
- Improve the community's understanding of the importance of effective animal management
- Address the overpopulation of unwanted cats and dogs while minimising euthanasia rates
- Address domestic animal welfare issues that are specific to Benalla Rural City's community
- Identify, register and ensure domestic animal businesses (as defined under the Act) comply with legislation
- Ensure Declared Animals (as defined in the Act) are managed according to relevant legislation
- Continue to reunite lost animals with their owners, reducing pound costs and euthanasia rates
- Promote the benefits of desexing dogs and cats
- Continue to raise awareness of and monitor responsible pet ownership in off-lead areas
- Ensure plans and contingencies are in place in case of an emergency

2.1. PROCESS APPLIED WHEN DEVELOPING THIS PLAN

This plan is developed in consultation with Council Officers, key industry and welfare groups, the community and Councillors. The committee considered the many ideas and contributions made from industry experts and community members who contributed to surveys or provided feedback. Previous plans and general community expectations were also considered in the drafting of the Domestic Animal Management Plan.

2.2. BENALLA RURAL CITY'S DEMOGRAPHICS AND COUNCIL PROFILE

Benalla Rural City Council is located 214 kilometres north east of the City of Melbourne.

The municipality comprises 235,059 hectares. It is predominantly a rural area but has substantial residential areas in and around the urban city of Benalla.

In 2017, Benalla Rural City had a population of

approximately 14,000 people with 9,000 people living in the urban area of Benalla.

There is some industrial land use to the north-east and east of Benalla. Most of the rural area is used for agricultural purposes, including wool and meat production, dairying and cropping.

3. THE LEGISLATION

Section 68A of the *Domestic Animals Act 1994*, requires every Victorian Council to prepare a DAMP, Section 68A of the Act states:

- (1) "Every Council must, in consultation with the Secretary of Department of Economic Development, Jobs, Transport and Resources (DEDJTR), prepare at four year intervals a domestic animal management plan.
- (2) A Domestic Animal Management Plan prepared by Council must-
 - a) set out a method for evaluating whether the animal control services provided by Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and
 - b) outline programs for the training of authorised officer to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and
 - c) outline programs, services and strategies which the Council intends to pursue in its municipal district-
 - i) to promote and encourage the responsible ownership of dogs and cats; and
 - ii) to ensure that people comply with this Act, the regulations and any related legislation; and
 - iii) to minimise the risk of attacks by dogs on people and animals; and
 - iv) to address any over-population and high euthanasia rates for dogs and cats; and
 - v) to encourage the registration and identification of dogs and cats; and
 - vi) to minimise the potential for dogs and cats to create a nuisance; and

vii) to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and Regulations; and

- d) provide for review of existing orders made under this Act and Local Laws that relate to Council's municipal district with a view to determining whether further orders or Local Laws dealing with the management of dogs and cats in the municipal district are desirable; and
 - e) provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
 - f) provide for the periodic evaluation of any program, service, strategy or review outlined under the plan
- (3) Every Council must-
- a) review its domestic animal management plan annually and, if appropriate, amend the plan; and
 - b) provide the Secretary with a copy of the plan; and
 - c) publish an evaluation of its implementation the plan in its annual report."

We've developed the 2017-2021 DAMP in consultation with the community, ensuring the legislative framework forms the basis of our domestic animal management strategy, which acknowledges the importance of community expectations.



"The plan not only reflects current community issues but enhances responsible pet ownership and the services we deliver now and in the future."

Area of responsibility	Strategy	Measurable Performance Indicators (including statutory and performance reporting)
<ul style="list-style-type: none"> • Provide animal management education and enforcement for the community by: • Administering relevant Acts, Local Laws, Policies and Codes of Practice • Managing customer service requests • Provide educative information to groups and individuals • Manage key contracts including the Domestic Animal Pound Contract and Veterinary services contract 	<ul style="list-style-type: none"> • Develop and Implement the animal education strategy • Provide access to Acts, Regulations, Local Laws and Codes of Practice • Prepare information to inform the community about domestic animal management issues (e.g. online, print articles and media) • Administer within operating procedures programs to educate and assist the community with these issues • Preparation of legal briefs if required • Receive and investigate complaints • Undertake inspections, issue notices where required, follow up inspections, issue infringements • Undertake regular patrols • Pound service is operational and managed • Investigate Section 84Y agreements (agreements between local vets and the Council under the Act) 	<ul style="list-style-type: none"> • Compliance with Council standards • Reporting of: • Customer requests • Completion rates • Number of dogs and cats impounded • Number of lost dogs and cats reunited with owners • Performance reporting • Infringements issued • Prosecutions completed and relevant persons advised of outcomes • Successful roll out of any new processes and/or initiatives

4. OUR PLAN

The 2017-2021 DAMP has established a series of key objectives that ensures our capability and capacity to deliver the Action Plan (detailed in Appendix 4).

The objectives are designed to ensure we address the pillars of the legislation by:

- Ensuring staff are appropriately trained and skilled
- Promoting responsible pet ownership
- Evaluating and monitoring activities undertaken
- Sharing knowledge and creating an environment of continuous improvement
- Community education strategies to promote responsible pet ownership

The Compliance Department delivers the following business as usual activities in administering both the Act and the Council's Community Local Law 2017.

The Action Plan detailed in Appendix 4 complements and enhances this operational strategy. It addresses the legislative review requirements and considerations. The following is an overview of the business-as-usual service provision delivered by our Compliance team.

4.1. CONTEXT

The Compliance Department is made up of Compliance Coordinator, two Compliance Officers, one Compliance Administration Officer and three after-hours Animal Control Officers. In addition to day-to-day service delivery, the team also provides an out of hours response service for animal complaints 52 weeks of the year.

Given the diverse roles and activities undertaken by the team, it is critical that all staff involved in animal management have the knowledge and skills necessary to carry out their work and that they have the necessary legislative authorisations and delegations.

4.2. TRAINING OF AUTHORISED OFFICERS

Section 68(A)(2)(b) of the Act states: "Outline programs for the training of authorised officer to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district."

As part of the annual staff performance and development review, training programs are developed with each individual staff member to ensure they receive opportunities to develop the skills and techniques required to perform their duties.

Benalla Rural City Council has a strong commitment to the safety and development of staff. A variety of training is offered and provided for all Authorised Officers. Training options are annually reviewed to ensure relevant and up-to-date material is provided.

Training options include animal handling courses and industry related seminars, as well

as conferences and briefings from relevant associations.

The following table outlines the routine and targeted training for staff and how it is evaluated. The training is designed improve organisational good governance practices and improve operational skills and knowledge.

Activity	When	Evaluation
<ul style="list-style-type: none"> Record of each officer's name, completed training, and proposed additional training opportunities 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Annually review, to ensure accuracy and to determine whether proposed training goals have been met by each Officer
<ul style="list-style-type: none"> Staff attendance at industry related seminars and training, such as; Breed Identification Information Seminars 	<ul style="list-style-type: none"> As offered 	<ul style="list-style-type: none"> Annual review attendance with training register
<ul style="list-style-type: none"> Identified training requirements (induction, manual handling etc) 	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> Attendance and successful completion of training in accordance with Benalla Rural City Council
<ul style="list-style-type: none"> Animal handling 	<ul style="list-style-type: none"> Every two years (minimum) 	<ul style="list-style-type: none"> Training completed
<ul style="list-style-type: none"> Staff Induction of pound 	<ul style="list-style-type: none"> On commencement 	<ul style="list-style-type: none"> Induction completed with two months of engagement
<ul style="list-style-type: none"> In-house training opportunities 	<ul style="list-style-type: none"> As they arise 	<ul style="list-style-type: none"> Training opportunities provided
<ul style="list-style-type: none"> Performance reviews 	<ul style="list-style-type: none"> Quarterly 	<ul style="list-style-type: none"> All staff to achieve 'meets requirements' as a minimum

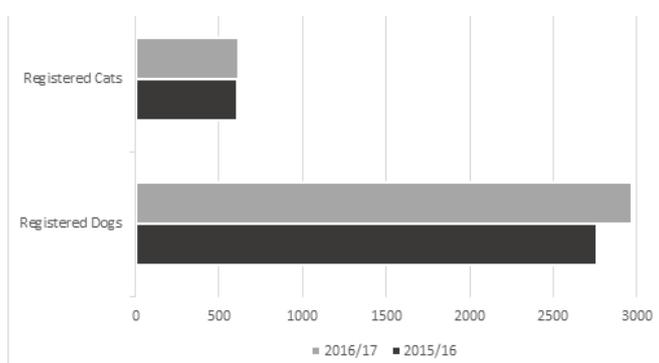
4.3. REGISTRATION AND IDENTIFICATION

Section 68 (2)(c)(v) of the Act states: "Outline programs, services and strategies to encourage the registration and identification of dogs and cats"

This section also addresses sections 68A (2) (a), (c)(i), (c)(ii), (d), (f) of the Act.

Identifying and registering domestic animals is

REGISTERED DOMESTIC ANIMALS WITHIN BENALLA RURAL CITY



seen as the backbone of a successful animal management program enabling lost and found animals to be reunited with their owners. For example, in 2016, we found a microchipped cat that we were able to match with previous registration data. We reunited the cat with its owner, who reported a two year separation.

From the funds we receive for animal registration fees, the Council is required to pay the Victorian Government \$4 per registered dog or cat and \$20 for each registered Domestic Animal business. The remainder of the fee is used to fund our animal management program and activities including:

- Promoting responsible cat and dog ownership
- Promoting animal welfare
- Staying on the forefront of best practice domestic animal management
- Administering the Act and other relevant legislation

In 2017 Benalla Rural City Council had 2,970 registered dogs, 614 cats and five Domestic Animal Businesses registered.

We attribute growth of registrations to the work we do to increase awareness of the benefits of registration. We will continue to undertake programs designed to increase the number of registered animals using a variety of methods including:

- Targeted door knocking programs
- Promoting the benefits of pet registration
- Placement of A-Frame signs reminding people when pet registrations are due
- Educational programs and information about responsible pet ownership

5. CURRENT SITUATION

In accordance with the Act and the *Local Government Act 1989*, we've established a series of local requirements that support and promote responsible pet ownership. These local standards include Orders made under the Act and Local Law provisions made in accordance with *Local Government Act 1989*.

The number of animals you can keep on your property is restricted by where you live (either residential or rural). If you're not sure whether your property is classified as rural or residential, contact the Council and ask. If you live in a residential zone, the following applies:

- Local Law 52 (1) – Keeping of Animals in Residential Areas

1. An owner or occupier of land must not, without a permit, keep, allow to be kept or remain on any land, any more animals or birds that is stated in the following table:

Type of animal	Maximum allowed in residential areas
Dogs	2
Cats	2
Poultry	8 fowls or 2 turkeys or 2 geese or 2 ducks
Pigs	None allowed
Large Birds	None allowed
Ferrets	6
Guinea Pigs	6
Domestic Birds	10
Pigeons	Permit required
Domestic Rabbits	2
Other animal types	None allowed except where otherwise determined by the Council in each individual application for a permit
Roosters	None allowed.

2. sub clause (1) does not apply where a planning permit has been obtained for **land** used for the purposes of animal boarding or breeding.

3. For the purpose of calculating the maximum number of dogs or cats kept on any **land**, any progeny may be lawfully kept, without a **permit**, for 12 weeks after birth.

4. An **owner** or **occupier** of **land** in a **residential area** may apply to **Council** for a **permit** to keep more than the maximum number of **animals** referred to in sub clause (1).

- Local Law 58 - Keeping of Dogs and Cats on Rural Land

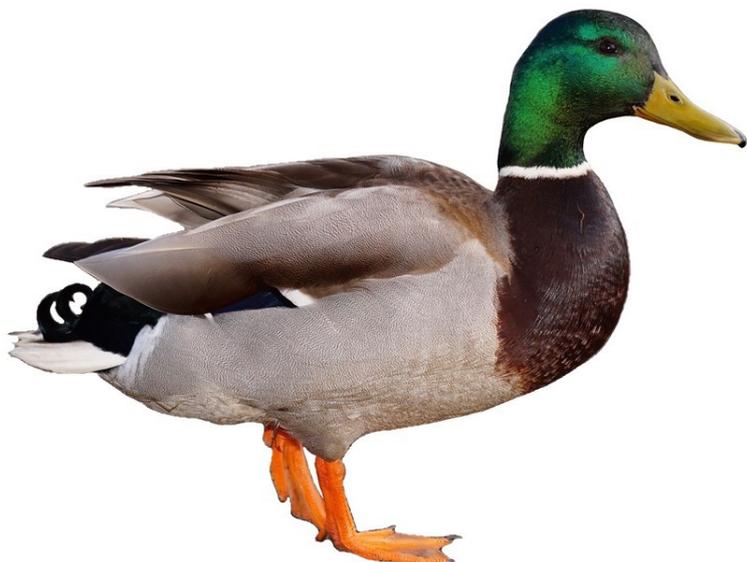
An owner or occupier of rural land must not, without a permit, keep or allow to be kept on that rural land more than:

Dogs	5
Cats	3

The *Community Local Law 2017* is available on the Council's website at www.benalla.vic.gov.au.

To assist Compliance Officers to provide consistent service delivery, operation manuals have been developed that provide an overview of the expectations, expected standards and guidelines in the management of service requests.

The operational manuals are supported by



a Development Business Plan, in which our values and principles have been identified and agreed.

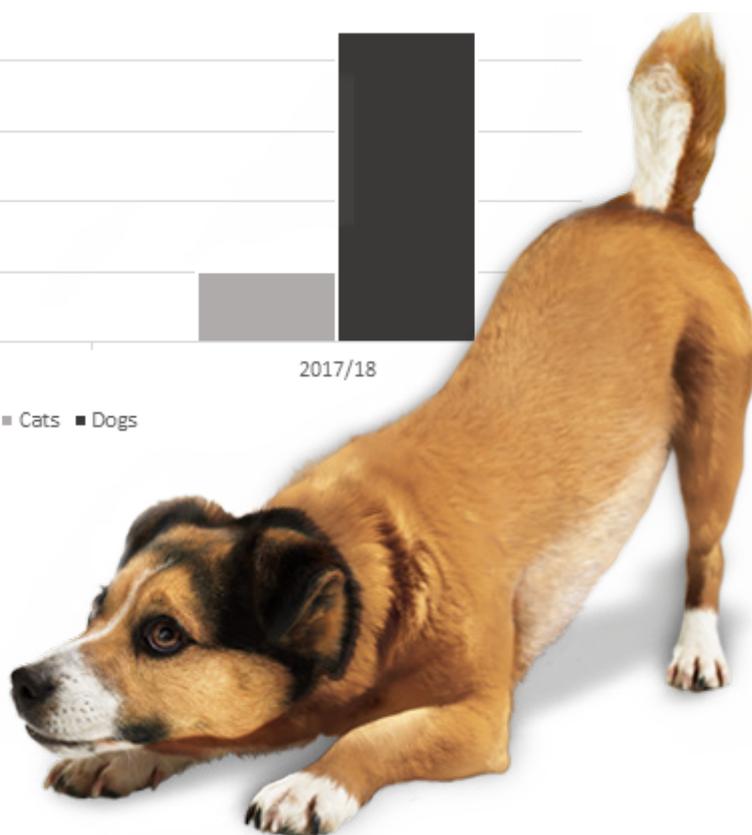
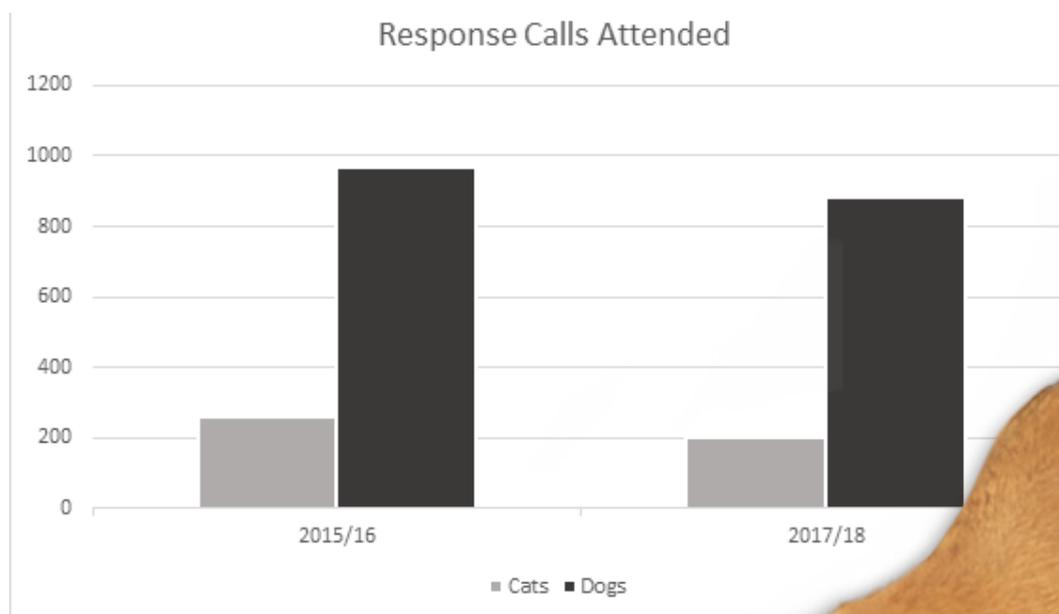
We provide a service that creates opportunities to promote awareness about how our community can improve responsible pet ownership.



5.1. EDUCATION/ PROMOTION ACTIVITIES

Promotion of responsible pet ownership	Time frame	Outcome
<ul style="list-style-type: none"> Educate residents of the animal registration period advertising/media releases, mailing of renewal notices Placement of A-Frame signage to remind pet owners of registrations 	<ul style="list-style-type: none"> February to May Yearly 	<ul style="list-style-type: none"> Record number of registrations and renewals received following campaigns Record number of media releases published
<ul style="list-style-type: none"> A-Frame signage indicating the off leash areas 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> To promote responsible pet ownership and minimise dog attacks and dogs at large
<ul style="list-style-type: none"> Media articles on Facebook, Twitter, local paper, Council website 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> As above
<ul style="list-style-type: none"> Brochure display at Council Customer Service Centre 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> As above

The following data has been collected by Authorised Officers through the use of the Officer Response system. It includes data for the calls that have been responded to by Compliance Officers.



5.2. COMPLIANCE ACTIVITIES

Activity	Outcome
Complaint investigation	Thorough and rapid investigation
Seizure of identified dogs (dog attacks or where appropriate)	Removal of threat/risk to community during investigation
Enforcement Proceedings Issue infringements Court Declaration Euthanasia	Treatment of threat/risk to community in shortest time possible
Education of pet owners	As considered appropriate to action required
Targeted proactive and reactive patrols	Random presence promoting compliance
After hours response	Thorough and rapid investigation and response
Media articles/brochures	Increase awareness and responsibility

5.3. ANIMAL MANAGEMENT PROGRAMS

We deliver a number of programs designed to create opportunities to promote a positive message to the community about responsible pet ownership.

This includes the provision of pound services, annual registration, exercising dogs, off-leash areas, keeping dogs under effective control, socialisation of dogs, ownership of cats and general welfare of domestic animals. All these contribute to the overall reduction of nuisance behaviour by pets in our community.

We produce numerous media articles, promotions, brochures and A-Frame signage to provide specific information for pet owners at targeted times.



5.3.1. POUND SERVICE

Recent data sourced from our data system, the RSPCA and our holding pens identifies that the majority of impounded animals are registered and returned to their owners.

This can be attributed to the following:

- Legislative change in 2007 to make microchipping compulsory is paying dividends as the majority of the general animal population is now microchipped in Benalla Rural City, making it easier for us to determine ownership and allowing us to send home pets that would otherwise be impounded
- Registrations can be addressed and a reclaim fee can be paid out of office hours, if required, as we now have an EFTPOS machine in the after-hours vehicle
- Our Officers have better animal registration information outside of normal working hours. This enables us to obtain ownership details to reunite pets after-hours and eliminates the need for short-term impounding
- Improved coordination of microchip data enabling more animals to be reunited with their owners
- An internal focus on exploring all avenues to reunite pets with owners, provided ownership details are correct

with either our system or the microchip registry.

The graphs on page 15 indicate the number of stray and surrendered animals to the Council and the RSPCA. Throughout 2015/16, the total cats unclaimed or surrendered to Council or the RSPCA was 156. For the same year, there was a total of 97 dogs. 2016/17, 86 dogs were unclaimed or surrendered to Council or the RSPCA, and 132 cats.

5.3.2. NUISANCE ANIMALS

We respond to complaints about dog excrement, animal noise and wandering animals throughout the year.

The Council's definition of excessive barking that creates a nuisance is as follows:

"If a dog barking exceeds six (6) minutes of accumulated time in any hour between 7am and 10pm or, three (3) minutes accumulated time in any 30 minute period between the hours of 10pm and 7am is considered to be excessive".

The *Domestic Animal Act 1994* defines nuisance as a dog that creates a noise by barking or similar 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.

The procedures for barking dogs and animals at large can be found in Appendix 5 and 1 respectively.

Some examples of the way our local laws are explicitly designed to deal with nuisance issues include:

Local Law 60- Dog Excrement

An unavoidable consequence of dog ownership - the failure of dog owners to pick up after their pets has proven difficult to enforce. We're continually reviewing our approach to education and enforcement with the aim of reducing the volume of dog litter left in streets, parkland reserves and sporting venues.

Unfortunately, dog litter isn't just an eyesore, it's hazardous to the health of the community.

We continue to remind people that, as pet owners, it is their responsibility to pick up after their pets. We employ a variety of techniques, from targeted and random patrols around Lake Benalla walking track and sporting grounds to signage around these areas. We provide

dog litter bag dispensers at several locations, including on the walking track and at Churchill Reserve.

Local Law 55- Animal Noise

Noise nuisance issues generally relate to barking dogs. The issues raised in animal noise matters are often complex. We try to balance the interests and rights of both the dog owner and the person affected by the noise.

When we receive a complaint, we provide documentation to both the complainant and the dog owner to ensure they're aware of the issue and the need to resolve the matter. The information we supply includes techniques and strategies to manage the issue (for the dog owner) and information about the next phase of the process if the nuisance continues. An example of the information can be seen in Appendix 10.



Most of these issues can be resolved through communication between both parties. Often, dog owners are unaware that their dog is creating a nuisance by barking.

We recommend owners seek advice from local vets or dog trainers, supply visual stimulation to their pet and ensure enough exercise, such as walking, to minimise barking.

As well as the information in Appendix 10, we frequently develop educational material for print and online media to help owners reduce noise from barking.

The table 'Barking Dog Complaints' indicates the number of nuisance barking dog complaints for the previous two years.

Local Law 56 - Wandering Animals

“The **owner** or person in charge of any **animal** must not allow that **animal** to wander from the **land** where it is normally kept.”

Cat Nuisance - Trespassing

We offer residents cat traps, which can be loaned free of charge where a resident has an issue with cat trespass.

The Act provides for Compliance Officers to issue direction notices to cat owners to assist with compliance. The Council provides educational material in the form of brochures and information on its website.

The following table indicates the number of cat traps hired from the Council.



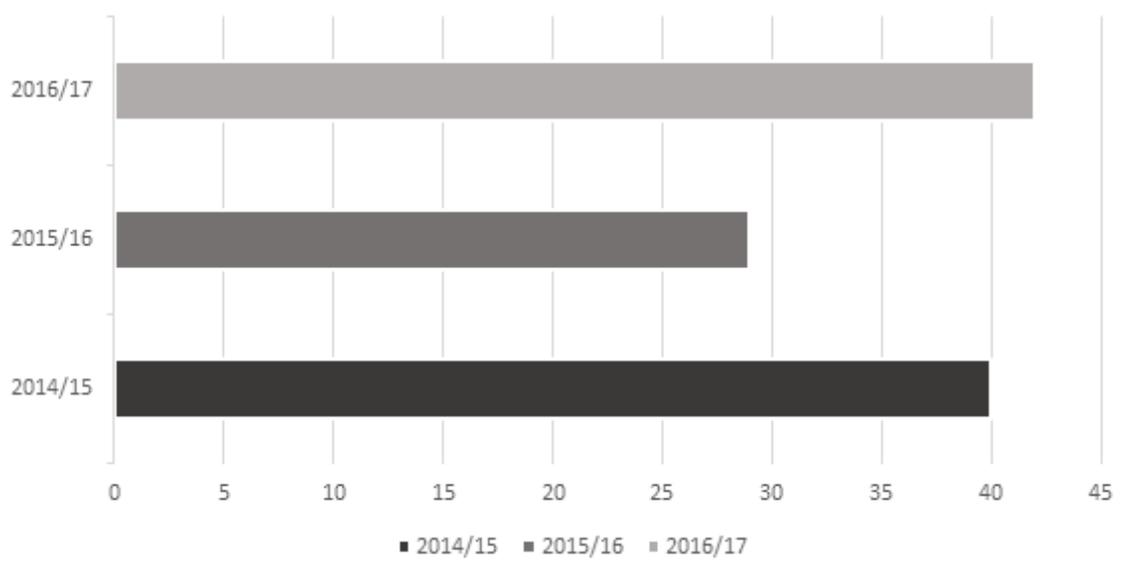
Local Law 59- Adequate Fencing

“An owner or occupier of land on which an animal is kept must ensure that the land is adequately fenced so as to prevent the animal’s escape from the land.

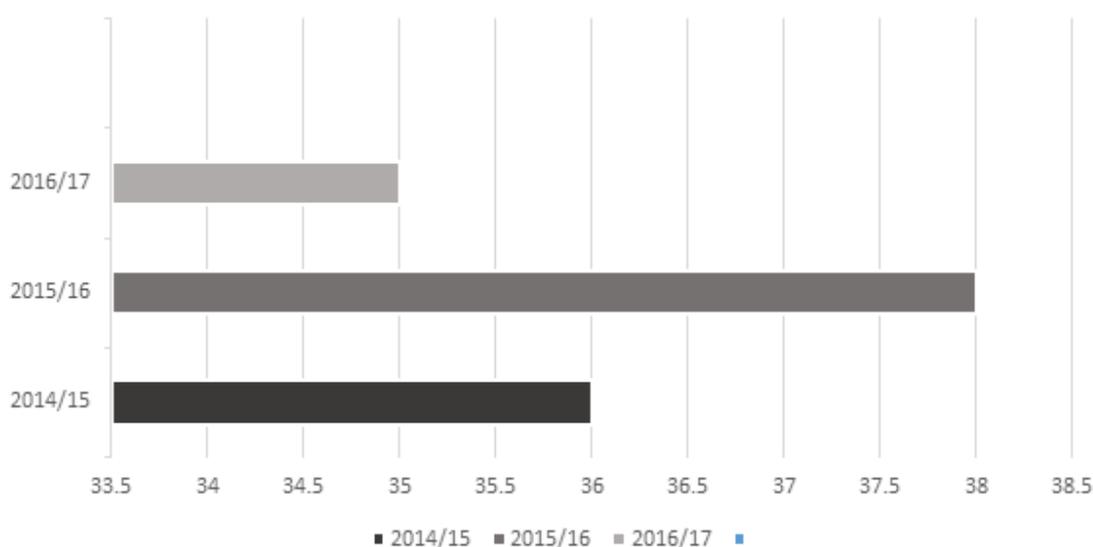
An owner or occupier of land must remove any animal/s from that land if an Authorised Officer forms the opinion and advises the owner or occupier that sub clause (1) is being contravened and that any fencing cannot be effectively repaired as a temporary measure to secure the animal/s prior to full repair or replacement of the fence as deemed by the Authorised Officer.

Where an owner or occupier of land does not remove an animal in accordance with sub clause (2) the Authorised Officer may, without first serving a written notice, impound the animal in accordance with the provisions of clause 73(1).”

Barking Dog Complaints



Cat Traps Hired



5.3.3. DOG ATTACKS

Section 68A (2)(c)(iii) of the Act states: “Outline programs, services and strategies to minimise the risk of attacks by dogs on people and animals”

This section also addresses sections 68A (2)(a), (c)(i), (c)(ii), (d), (f) of the Act.

We’re committed to reducing the number, impact and injuries associated with dog attacks in our community. Our Compliance Officers address incidents of attacks and other aggressive dog behaviour as quickly and efficiently as possible using the tools provided within the *Domestic Animals Act 1994* to address and remove ongoing risks to the community.

We do this by utilising a range of proactive messaging and education, firm but fair investigation and when required, enforcement action against offending dog owners.

It is a high priority for all Compliance Officers to have the required skills, knowledge and

equipment to effectively carry out the tasks associated with the investigation of dog incidents, as well as the safe handling and transportation of all dogs including aggressive dogs.

It is a priority for officers to quickly investigate reported incidents of aggression and where required and approved, have the matter presented before the courts within the shortest time frame possible without compromising the investigation.

This provides confidence and assurance to the victim as well as treating the alleged offender with respect and procedural fairness.

The following table indicates how we aim to minimise the incidence of dog attacks in the community.

Reported attacks do not always result in prosecution or infringement notices being issued, especially if the incident was not considered to be a breach of Section 29 of the Act.

5.3.4. DANGEROUS, MENACING AND RESTRICTED BREED DOGS

The *Domestic Animals Act 1991* defines restricted breed dogs as any one of the following breeds:

- American Pit Bull Terrier (or Pit Bull Terrior)
- Perro de Prasa Canario (or Presa Canario)
- Japanese Tosa
- Fila Brasileiro
- Dogo Argentino

Owners of restricted breeds of dogs are required to abide by specific regulations, in



Activity	When	Evaluation
<p>Providing proactive Education/ Compliance Activities in the targeted areas of higher dog attack incidents.</p> <p>Educating key dog attack prevention messages (e.g. confinement of dogs to property, leash laws) through media articles, mail outs, website information. Actively patrol areas for roaming, unsecure and/or unregistered dogs.</p>	Ongoing	<p>Compare number of reported dog attack incidents pre and post campaign.</p> <p>Consider a community survey pre and post campaign, to measure any changes in knowledge about dog attack prevention.</p> <p>Record type and number of education materials distributed.</p> <p>Numbers of campaign patrols conducted.</p> <p>Number of media articles published.</p>
Inform the community of outcomes of dog attacks prosecuted in Court.	Ongoing	As occurs.
Set key performance indicators for Officers to complete dog attack investigations within a six week timeframe.	As dog attacks arise	Review complaints annually to evaluate percentage completed within timeframe.

particular; secure enclosures, display warning signs where the dog is kept and having the dog muzzled in public and on a lead at all times.

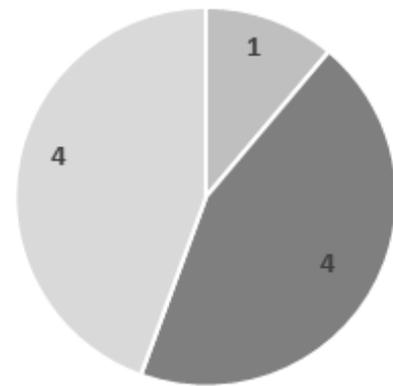
Management of known Restricted Breed, Declared Dangerous and Menacing dogs within Benalla Rural City is a high priority and officers ensure compliance with legislative requirements through regular and ongoing inspections.

Where non-compliance is identified, enforcement action is initiated as specified in the Act.

Dangerous and Menacing dog declarations are generally used in conjunction with prosecution. This ensures adequate measures are in place to manage potential risk to our community.

The Victorian Dangerous Dog Register is updated on findings of a prosecution and a subsequent declaration is completed.

The following graph details the number of declarations made by the Council over the past four years.



- Declared dangerous dogs
- Restricted breed dogs
- Declared menacing dogs

4.3.5 ANIMAL POPULATION STRATEGIES

We refer to the *Code of Practice for the Operation of Shelters and Pounds* (Code of Practice) which is made under the provisions of section 59 of Division 4 of the Act. We follow the guidelines set through the Code of Practice to ensure appropriate procedures are followed when responding. The Compliance Department operate by the guidelines that are set through the Code of Practice to ensure they are administering appropriate procedures when responding to dogs and cats in our care.

Section 2.6 of the Code of Practice -

'Euthanasia or removal of an animal from an establishment', states that after eight days, seized or surrendered animals must be either:

- Made available for rehoming to a new owner
- Euthanised because of disease, injury, behaviour, age, unsuitability for sale
- Placed in appropriate foster care and returned at an appropriate date for rehoming, or
- Released under a written agreement to a person or body which operates in accordance with the Act to care for and dispose of the animal, at the discretion of the operations manager or veterinary practitioner

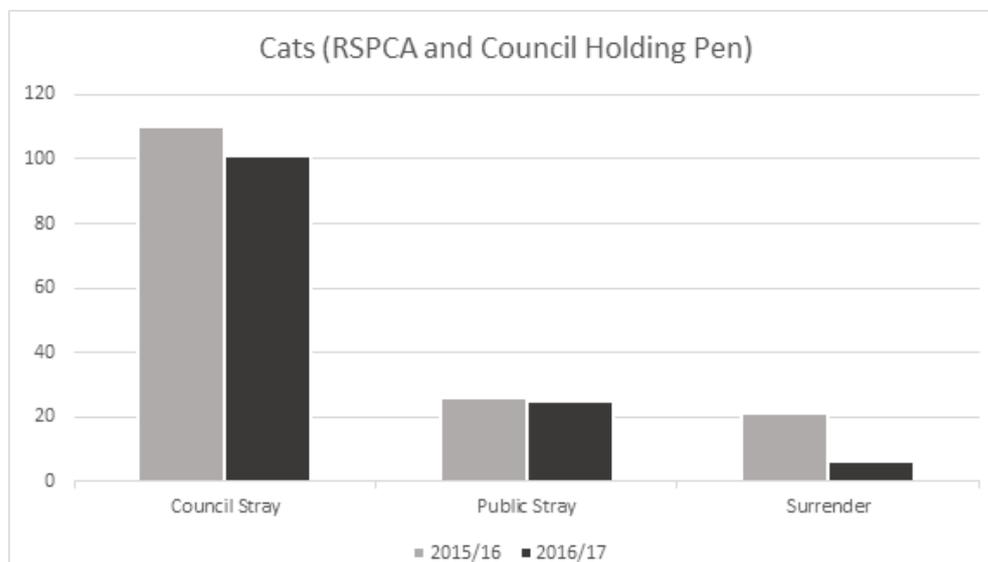
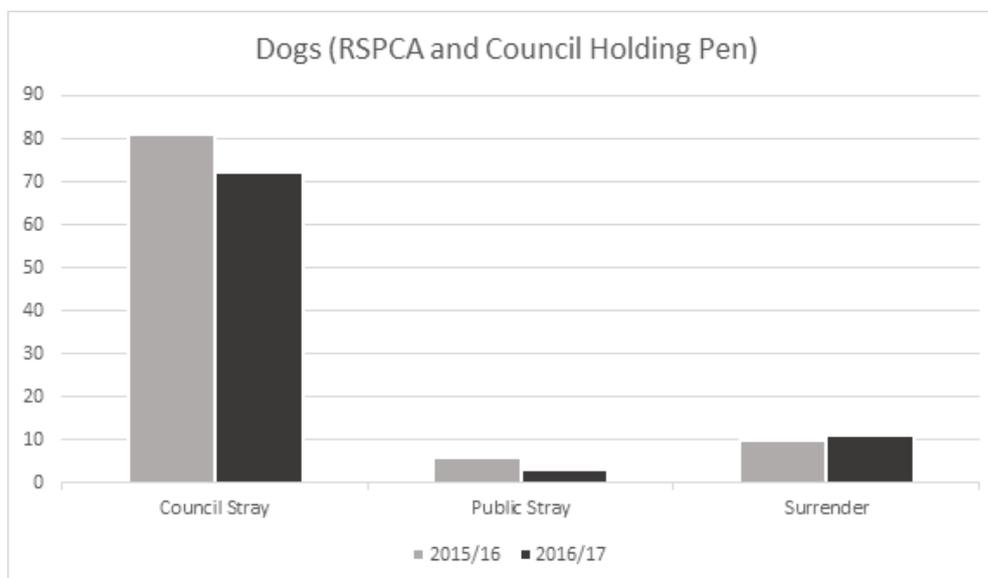
Euthanasia must be performed by a

veterinarian in an area that is separated from animal accommodation at the establishment and must not be carried out in view of any other animals or members of the public.

Dog euthanasia rates are particularly low due the high number of dogs being returned to their owners and successful rehoming rates.

The following data has been provided by the RSPCA, the Council's pound provider and from our holding pens during the life of the previous DAMP. These statistics outline the impounded and surrendered animals, animals returned home and euthanasia rates.

The data indicates that over the last three years there has been an increase in the rate of dogs being returned to their owners. More dogs that are being impounded are identifiable through microchips or Council identification tags. Cat euthanasia continues to be relatively high due to the stray and feral cat populations.



Dog euthanasia rates are particularly low due to the high number of dogs being returned to their owners and successful rehoming rates.

5.3.5. DOMESTIC ANIMAL BUSINESS

Section 68A (2)(c)(ii) of the Act states: “Outline programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation”

This section also addresses sections 68A (2)(a), (c)(i),(c)(ii), (d), (f) of the Act.

A domestic animal business is defined in the Act as a pound, breeding business, dog training establishment, pet shop, animal shelter, boarding, or rearing business.

The Act states that all local domestic animal businesses must be registered with the Council. We audit these businesses annually in accordance with the relevant Code of Practice. If a business is compliant, a certificate of registration is issued.

If a business is non-compliant with the Code, staff work with the business owner to undertake strategies to rectify issues.

Benalla Rural City Council has one pet shop, two boarding establishments, one breeding establishment, the Council’s contracted animal pound/shelter and the Council’s holding facility registered as domestic animal businesses in Benalla Rural City.

5.3.6. EMERGENCY MANAGEMENT

An Animal Welfare Emergency Management Plan has been developed which is an endorsed section of the Municipal Emergency Management Plan.

The aim of the plan is to be prepared for and able to respond to any disaster or emergency involving domestic animals. The plan defines the roles and responsibilities of Compliance Officers and support during such events.

The objectives of the plan are to:

- Support and assist the principal Municipal Emergency Management Plan
- Identify triggers for activating this plan
- Coordinate Compliance Department functions for animal rescue and/or shelter during an emergency
- Increase community knowledge and confidence that animal welfare will be considered and managed during an emergency
- Identify and prioritise the requirements of groups at risk during emergencies
- Facilitate the hygienic management and disposal of animal waste and carcasses during an emergency
- Secure the assistance of community members with animal handling skills
- Provide immediate animal welfare assistance at Emergency Relief Centres
- Ensure business continuity of the Compliance team

Staff involved with responsibilities in this area have been trained and take part in regular



exercising of the Animal Welfare Emergency Management Plan

4.3.7 PROACTIVE ACTIVITIES

We undertake a number of proactive activities that reduce the need of enforcement, provide education on responsible pet ownership, establishes community partnerships and provides for a safe environment able to be shared by as many people and their pets as possible.

The Compliance Department is responsible for the animal management function of the Council. Such functions include:

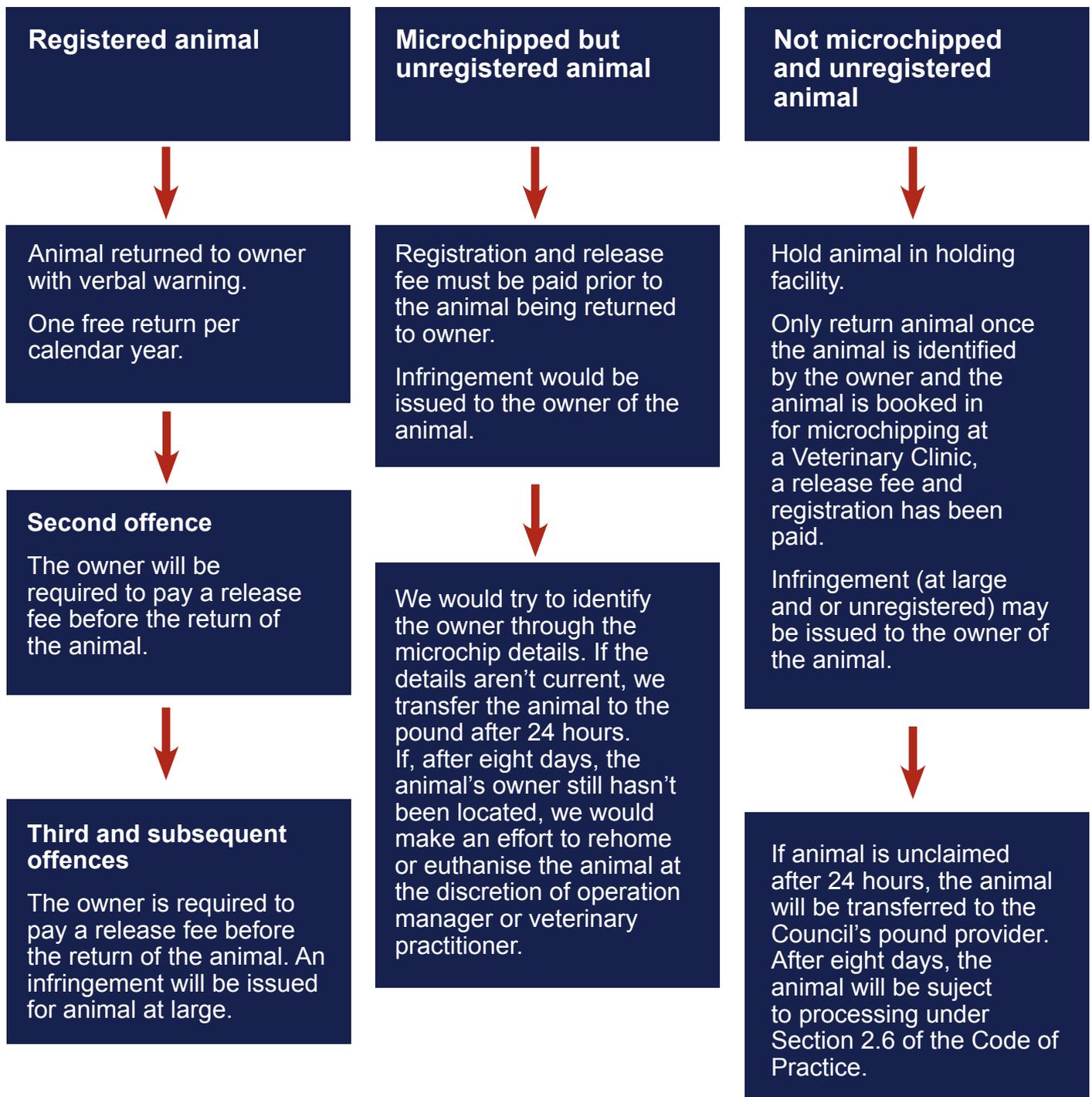


Program/Service	Service Level
Impounding of domestic animals	Animals are released when the owner is located upon payment of required fees
Managing complaints relating to domestic animals	Complaints are recorded on a data spreadsheet and followed up within one day
Identification and registration of dogs and cats	Annual registration renewals sent end February early March
Enforcement of registration requirements	Annual reminder notices and doorknock inspection campaigns, A-Frame signs.
Investigation of nuisance animal complaints	Initial response within five days and follow up as required
Promoting responsible pet ownership	Social media, website and printed media
Providing advice to owners and the general community in relation to domestic animals	Social media, website and printed media and one on one advice to owners
Excess animal permit renewals and new permit inspections	Annually
Investigation of dog attacks and dangerous/ menacing dog complaints	Within 30 minutes
Dogs wandering at large	Within 30 minutes if considered an emergency and otherwise within one hour
Declared dog property inspections	Conducted annually
Domestic Animal Business inspections	Conducted annually, renewal due 10 April
Ensuring compliance with legislation and the various codes of practice relevant to domestic animals and livestock	When required
Cat trapping	Cat traps available
After hours emergency service for animals	Runs 365 days 24 hours a day
Prosecute breaches of the <i>Domestic Animals Act 1994 and Prevention of Cruelty to Animals Act 1986</i>	As required

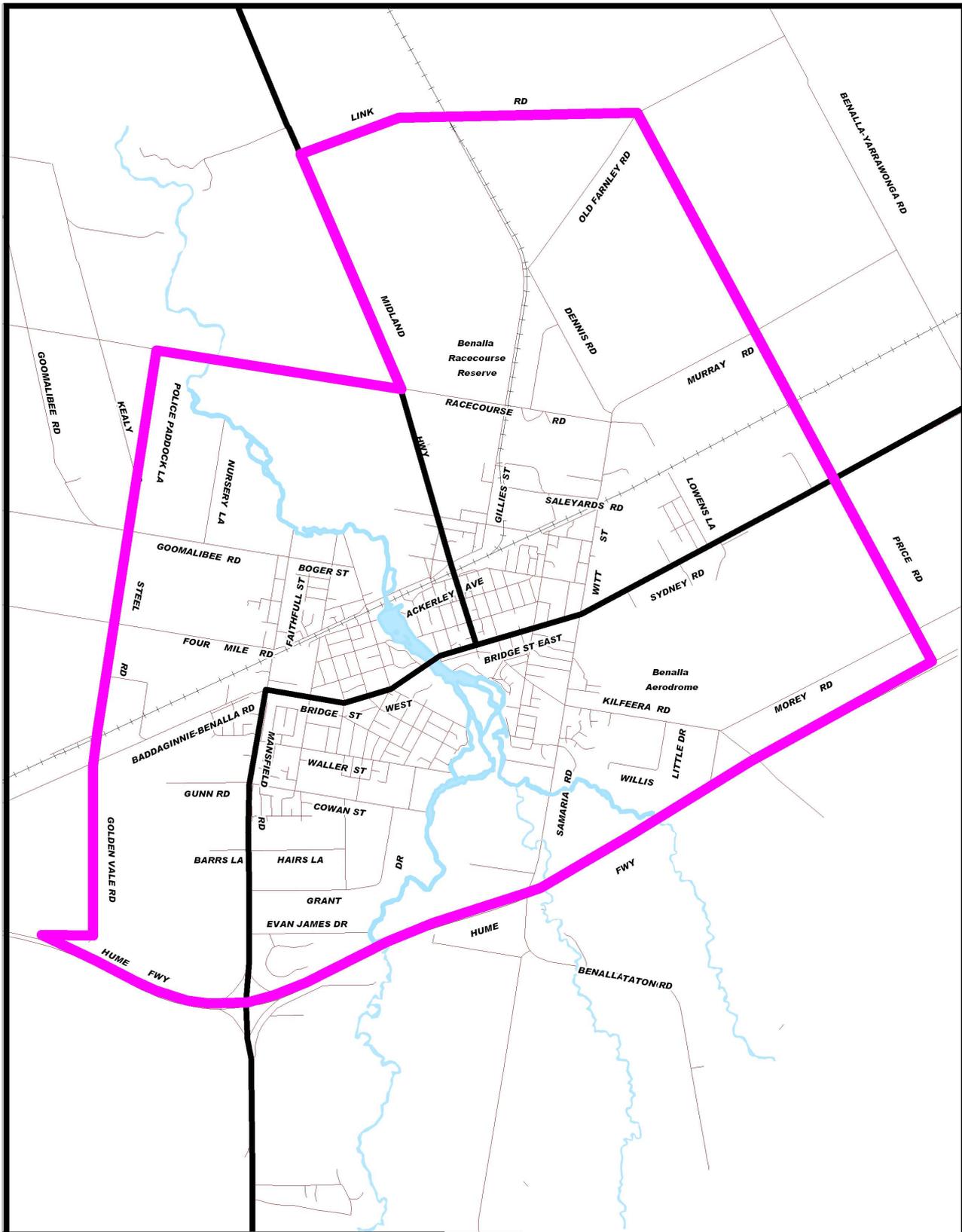


APPENDICES

APPENDIX 1 - DOMESTIC ANIMAL AT LARGE PROCEDURE



APPENDIX 2 - BENALLA RESTRICTED AREA



PO Box 227
Benalla Vic 3671
Ph: 03 5760 2600
Fax: 03 5762 5537
Email: Council@benalla.vic.gov.au

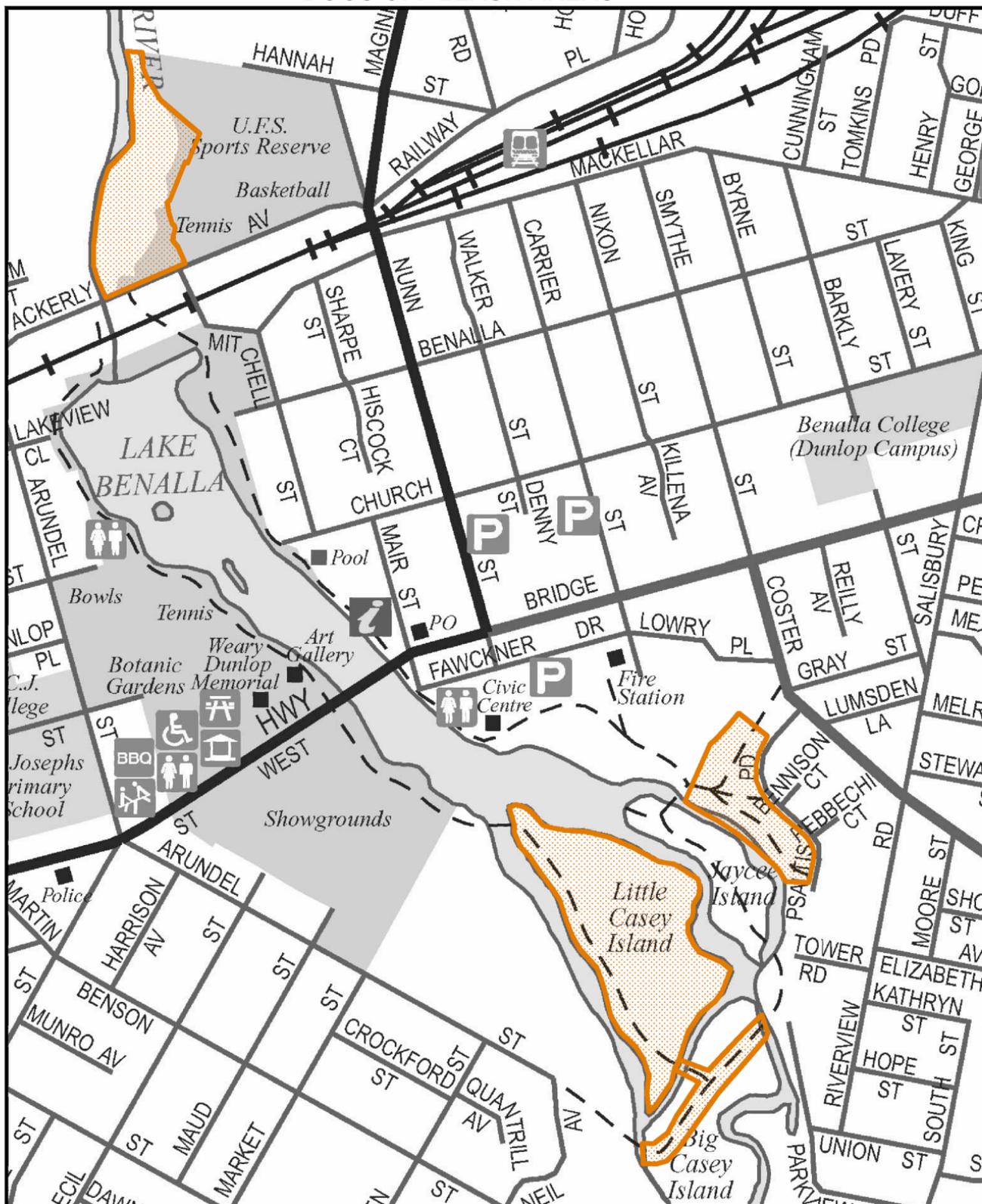


COMMUNITY LOCAL LAW - SCHEDULE 2 BENALLA RESTRICTED AREA

 Restricted Area

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Prepared March 2009

**SCHEDULE 3
DOGS OFF LEASH AREAS**



PO Box 227
Benalla Vic 3671
Ph: 03 5760 2600
Fax: 03 5762 5537
Email: Council@benalla.vic.gov.au



 **DOGS OFF LEASH AREAS**

Schedule 3

Community Local Law 2017

Adopted by Council 6 September 2017

APPENDIX 4 - ACTION PLAN

Activity	When	Evaluation
Record each officers name, completed training, along with proposed additional training opportunities	Ongoing	Annually review to ensure accuracy and to determine whether proposed training goals have been met for each Officer.
Staff Attendance at industry related seminars and training, such as; -Breed Identification -DEDJTR/Seminars	As offered	Annual review attendance with training register
Identify minimum level of experience and training required to build skill set	Ongoing	Review and ensure all criteria are met prior to commencement of Officer out in the field.
Allocate a “buddy” to the Officer being developed and to ensure accurate information and training is being provided whilst on the job	Ongoing	Review feedback from both Officers regularly to ensure effective development
Allocate a variety of tasks for the Officer to have completed during the development period	Ongoing	Review each completion of task to ensure Officer is development adequate skill sets required.
Officers to follow up complaints and provide feedback to improve skills and systems	Ongoing	Review on a monthly basis at Compliance Team meetings
Educate residents of the animal registration renewal period by means of advertising/media releases, mailing of renewal notices and by planning A Frame signs in areas where high levels of un-registered animals are kept.	March - May Yearly	Review media release types available each year to determine most effective advertising.
Ensure each property is audited and issued infringements where animals are found to be unregistered.	July – August Yearly	Record total number of properties visited and infringements issued and compare to previous results.
Ensure animal registrations have been renewed and infringements paid. Lodge unpaid infringements with Fines Victoria or Magistrates Court.	September – October Yearly	Record total number of infringements unpaid and animal registrations still unregistered and compare to previous results.
Ensure all seized and impounded animals are registered to their owner prior to release.	Prior to every release.	Review annual registration numbers. Review number of dogs and cats being seized and impounded who are not registered to their owner.
Proactive door knocking in areas believed to have high number of unregistered animals via impound statistics to check for unregistered and un-identified dogs and cats. Effective advertising prior to audit commencing.	Annually	Review annual increase in registration numbers. Review number of dogs and cats being seized and impounded who are not registered to their owner. Record the number of unregistered and un-identified animals that were picked up during door knocks
Offer responsible pet ownership rewards to pet owners found compliant	Yearly	Reward system to encourage registration and show tangible evidence of the value of registration

Consider engaging local vet clinics to act as agents for registrations on behalf of Council under Section 84 of the Act	June 2020	Number of animals registered each year
Revise the existing Council Order relating to dogs in public comment and consultation Review the Council's Off Leash Areas (Refer to map on Appendix 3)	2019	Review public feedback and comments to revise Order. The Community Local Law 2017 is currently under review and will be adopted as Community Local Law 2017.
Resolve Council Order by gazetting and publicly advertising Council Order.	2019	Documentation to be finalised and approved by Council prior implementation (as above).
Educate dog owners out in public and include brochures in animal registration renewal notices	Ongoing	Ensure appropriate level of education has been provided before enforcing new order.
Implement and enforce Order to ensure Compliance Officer/s to patrol streets & parks.	Ongoing	Record data relating to notices/ warnings issued to strategies education campaigns. Decreased number of animal litter and dog off lead complaints received.
Set key performance indicators for Officers to complete barking dog complaints within a 6 week timeframe.	Ongoing	Review complaints annually to evaluate percentage completed within timeframe.
Use barking dog standard operating procedure and revise annually.	Ongoing	Review complaints to ensure SOPs were followed.
Assess the benefits of purchasing citronella collars to hire out to dog owners where complaints received or possibility of subsidising costs for owners purchasing such items from pet store.	Ongoing	Compare purchase price to maintenance V hire and deposit fees. (Purchase costs – Maintenance costs) + (Hire – Time) = Benefit Compare benefit with subsidising costs with local pet supply shop.
Collate and record data for dog attacks reported including, date/time, suburb, animal type, dog attacked animal/ person, dog unsecured/off lead, dog unregistered, sex, entire/de-sexed.	Ongoing	Evaluate data annually to determine areas requiring specific education/ compliance activities.
Initiate education and compliance activities in the targeted areas to aim to reduce future incidents and to report roaming dogs to prevent attacks occurring.	Annually	Evaluate this activity (and overall objective) by comparing number of dog attacks reported to council pre and post campaign.

<p>Providing proactive education and compliance activities in the targeted areas of higher dog attack incidents.</p> <p>Educating key dog attack prevention messages (e.g. confinement of dogs to property, leash laws) through media articles, mail outs, website information.</p> <p>Actively patrol areas for roaming, unsecure and/or unregistered dogs.</p>	<p>Ongoing</p>	<p>Compare number of reported dog attack incidents</p>
<p>Investigate the possibility of inhouse microchipping</p>	<p>June 2020</p>	<p>Training of officers, risk of injuries and cost factor</p>
<p>Review of the Community Local Law 2017 and Domestic Animal Management Plan</p>	<p>2020</p>	<p>The Community Local law and the Domestic Animal Management Plan to be reviewed</p>

APPENDIX 5 - BARKING DOG PROCEDURE

Compliance department receive complaint



The Officer receiving the complaint asks the questions using the *barking dog nuisance questionnaire* and issues a *resolve barking dog nuisance information sheet*.

Ensure the Officer gets the complainants details in case the matter escalates.

Lodge the complaint in the Council's records system. The complaint is given to the Compliance Officer along with the action plan quality control checklist. The following steps are then completed:



Step 1

The Compliance Officer responding to the complaint checks what type of pet, if any, is registered at the address using the animal registration system. They then visit the owner to let them know a complaint has been received and discuss options for eliminating the noise and provides a *barking dog nuisance information sheet*. If the owner is not home, we leave an *Officer Response* to ask the owner to contact us.



Step

2

If the problem is ongoing, the Compliance Officer sends a letter and a *barking dog log sheet* to the complainant. A letterbox drop is also conducted on the neighbouring properties for further evidence.



Dog still creating a nuisance

Compliance Officers visit the property and instruct the owner to abate the nuisance within 14 days or receive a notice to comply.

Dog no longer creating a nuisance

No further action required.

APPENDIX 6 - COMPLAINANT'S BARKING DOG NUISANCE QUESTIONNAIRE

This questionnaire is completed by the resident lodging a complaint of a dog barking persistently or continuously to such a degree that it unreasonably interferes with the peace, comfort or convenience of that resident.

This questionnaire should be sent to the Compliance Department after it has been completed.

Name of resident lodging complaint:	
Address of resident lodging complaint:	
Telephone numbers:	Home: Mobile:

This information is not to be provided to the alleging offending dog owner unless the resident lodging the complaint consents.

What is the address from which the dog barking noise is occurring?	
Where was the dog when barking occurred? (What part of the property)	
Can you say why the dog is barking excessively?	
Have you contacted the dog owner and, if so, when and what are their names and addresses?	YES / NO WHEN: RESPONSE:
Certification by resident making complaint of barking dog nuisance	I certify that the above information was prepared by me and is true and accurate and I am prepared to testify to this in the event that this complaint is taken to court. Signature: _____ Date: _____

APPENDIX 7 - ACTION PLAN QUALITY CONTROL CHECKLIST

BARKING DOG COMPLAINT

Name of Resident Lodging Complaint	
Address of Resident Lodging Complaint	
Telephone Numbers:	Home: _____ Mobile: _____
Description of Alleged Offending Dog:	
Property Address of Alleged Offence:	
Council Registration Number:	

This checklist is completed by the officer(s) nominated to pursue this complaint of a barking dog.

The second column is to be completed when the first complaint is received. The dates in this column act as a target against which to measure performance in handling the complaint.

Step/Action/Measure	Target Date	Date Completed	Officer's Initials
Initial Receipt of Compliant			
1. Received advice of complaint. Ask complainant to fill in the barking dog nuisance questionnaire . A barking dog nuisance information sheet may be given to the complainant.			
2. Contact the complainant: <ul style="list-style-type: none"> • identify self • confirm details of alleged nuisance • familiarise self with times, alleged property and alleged dog • Has the complainant raised the matter with the neighbour? 			
3. Lodge the barking dog nuisance questionnaire and this checklist with an Auhorised Officer.			
4. Check the animal registration details of the address in question.			
5. Site visit of the property. Discuss complaint with animal owner. Auhorised Officer provides the barking dog nuisance information sheet to owner.			
6. Over a two week period, the Officer will moniter the property. If the matter is stil ongoing, a letter/barking dog log is to be sent to the owner and complainant.			
7. Letterbox drop area with the possible barking dog problem in your area/log surrouding properties.			
8. Barking Dog Log is returned and Officers will access the information supplied.			
9. Owner of barking dog will be told to abate the nuisance or may receive Notice to Comply and/or infringement.			

APPENDIX 8 - NUISANCE LOG

The Nuisance Log needs to be completed for a minimum of two weeks. Each person affected by the nuisance must complete and sign a log in their own handwriting. Logs with multiple signatures will not be accepted.

Describe the noise and explain how it disrupted activities at your household.

Date	Start Time	Finish Time	Duration	Type of Barking How many barks, and what type – mark 'C' for Consistent or 'I' for Intermittent	Reason for barking if known e.g., person walking past, another animal, weather	Which room are you in when you hear the barking?	Affect the nuisance is having on you / comments?

Signature:..... Date:.....

APPENDIX 9 - LETTER TO RESIDENTS - POSSIBLE BARKING DOG IN YOUR AREA

Enquiries: Compliance Administration Officer

03 5760 2600

Our Ref: SF/430

The Occupier

Dear Sir or Madam

Possible barking dog problem in your area

Benalla Rural City Council has received a complaint regarding concerns about barking dog noise from a residence in your area.

In an attempt to resolve this issue, Compliance Officers are seeking the assistance of residents in your area to abate the alleged nuisance.

Often owners are unaware that their dog is causing a problem for the neighbourhood and this notification is often sufficient to alert them to take action.

If a dog is persistently creating a nuisance to such a degree or extent that interferes with the peace, comfort or convenience of a person on your premise, please contact the Council to make an official complaint and receive a *barking dog – nuisance log*.

The *Resolve Barking Dog Nuisance Information Sheet* is attached for your information.

Please be aware that this log of events provides evidence of the nuisance complaint. Should the matter proceed to court, you may be required to attend as a witness. It is therefore essential that the *barking dog – nuisance log* form and supporting paperwork be completed accurately and in full.

Should you require clarification on the above issues, please contact the Compliance Department on 03 5760 2600.

Yours sincerely

Compliance Officer

How to resolve BARKING DOG NUISANCE

APPENDIX 10 - How to Resolve Barking Dog Nuisance

WHY DO DOGS BARK?

Dogs bark for many reasons.

These include:

- Lack of exercise
- Inadequate yard space
- Boredom or lack of stimulation, both mental and physical
- Not enough human companionship
- Inadequate shelter from weather conditions
- Hunger or thirst
- Medical conditions, such as an illness or discomfort
- Provocation
- Disturbances
- Movement outside their property



WHAT DOES THE LAW SAY?

The *Domestic Animal Act 1994* defines nuisance as a dog that creates a noise by barking or similar that persistently occurs or continues to such a degree that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.

A dog owner must not allow their dog to create a nuisance. If a barking dog problem cannot be resolved, the matter may be referred to court to obtain a court order requiring the dog's owner to remedy the problem.

We take all allegations of dogs causing a nuisance very seriously, where a complaint is substantiated.

ADVICE FOR DOG OWNERS

As the owner of a dog, we recommend obedience and socialisation training for your dog so you can better understand its needs. To reduce the risk of your dog creating nuisance noise, we recommend:

- Walking your dog daily,
- Altering feeding times, and
- Providing toys at different intervals in an attempt to alleviate any boredom your dog may have from living in a backyard.



10 TIPS TO REDUCE THE RISK OF NUISANCE BARKING

- 1** Ensure your dog isn't rewarded for barking. Don't let it inside or give it attention when it barks. Instead, give it attention when it's quiet.
- 2** Make sure your dog has enough exercise and has socialisation training
- 3** If your dog barks at regular disturbances such as children walking to school or rubbish trucks, keep the dog inside or in an enclosed area at these times.
- 4** If your dog races along a path or fence barking at passing distractions, put barriers or obstacles in the dog's way to slow it down.
- 5** If your dog is barking at passers by, try blocking the dog's view.
- 6** If your dog is barking at people or noises on the other side of the fence, move the dog to another part of the yard, or put up a barrier to keep the dog away from that area.
- 7** Be sure to provide food, water and shelter from the weather for your dog.
- 8** If gaps or cracks in the fence are what the dog is barking at, try filling them in.
- 9** Teach your dog to stop barking on command. When the dog is barking, use a firm command such as 'cease' and call the dog to you. Praise the dog when it stops barking.
- 10** Attend accredited dog obedience training.

MORE INFORMATION

Dogs Victoria

03 9788 2500

www.dogsvictoria.org.au

RSPCA

03 9224 2222

www.rspca.org.au

We recommend speaking to your local veterinarian who may be able to determine if the barking is caused by a medical condition.



APPENDIX 11 - ONLINE RESOURCES

Benalla Rural City Council

www.benalla.vic.gov.au

Department of Economic Development, Jobs, Transport and Resources (DEDJTR)

www.economicdevelopment.vic.gov.au

Code of Practice- Pounds and Shelters

www.agriculture.vic.gov.au/pets/domestic-animal-businesses/shelters-and-pounds/code-of-practice-for-the-operation-of-shelters-and-pounds

Domestic Animals Act 1994

www6.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/daa1994163/

Australian Veterinary Association

www.ava.com.au

RSPCA

rspca.org.au

Prevention of Cruelty to Animals Legislation

agriculture.vic.gov.au/agriculture/animal-health-and-welfare/animal-welfare/animal-welfare-legislation/prevention-of-cruelty-to-animals-legislation

Fines Victoria

online.fines.vic.gov.au