

Benalla Rural City Council Domestic Animal Management Plan

2026-2029

Version Control Table

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1. Introduction and Context

1.1 Purpose of Domestic Animal Management Plan

Under Section 68A of the *Domestic Animals Act 1994* (the Act), Council is required to prepare and implement a Domestic Animal Management Plan (the Plan) every four years. The Plan deals with strategies and services that Council must provide with regards to dogs and cats, which are the only domestic animals identified and dealt with by the Act.

The purpose of The Plan is to evaluate and monitor if Council animal management strategies and services are meeting community needs and adequately addressing the requirements of the Act and the *Domestic Animal Regulations 2015* (The Regulations).

A domestic animal management plan prepared by a Council must -

- a. Set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations.
- b. Outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district.
- 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.
 - ii. to ensure that people comply with this Act, the regulations and any related legislation.
 - iii. to minimise the risk of attacks by dogs on people and animals
 - iv. to address any over-population and high euthanasia rates for dogs and cats.
 - v. to encourage the registration and identification of dogs and cats.
 - vi. to minimise the potential for dogs and cats to create a nuisance.
 - 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 the Act and the regulations.
- d. Provide for the review of existing orders made under this Act and local laws that relate to the 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.
- 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.
- f. Provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.

Every Council must -

- a. Review its domestic animal management plan annually and, if appropriate, amend the plan.
- b. Provide the Secretary with a copy of the plan and any amendments to the plan.
- c. Publish an evaluation of its implementation of the plan in its annual report.

1.2 Process Applied in Developing the Plan

The Benalla Rural City Domestic Animal Management Plan (The Plan) was developed as an operational document by Authorised Officers of the compliance team, over-viewed by the Manager Development, utilising current data and statistics available through Council and publicly accessible research and reporting.

The draft document will be subject to a community consultation process and Council review for further evaluation and adjustment before presentation to Council for approval and adoption before submission to the Minister.

1.3 Demographic and Profile of Council

Benalla Rural City is located approximately 214 kilometres north east of the city of Melbourne, Victoria's capital, making it easily accessible by road or rail in about two hours. Benalla Rural City Council comprises 235,264 hectares covering 41 localities, in whole or in part. It has a population of approximately 14,635 with an average median age of 51.5 years, and approximately 10890 people living in the Benalla urban area (2021-2024 census data).

Benalla Rural City includes the towns and rural districts of Archerton, Baddaginnie (part), Barjarg (part), Benalla, Boho South (part), Boweya (part), Boxwood (part), Bridge Creek (part), Broken Creek, Bungeet, Bungeet West, Chesney Vale, Creek Junction (part), Devenish, Glenrowan (part), Glenrowan West, Goomalibee, Goorambat, Lima, Lima East, Lima South, Lurg, Major Plains (part), Molyullah, Moorngag, Mount Bruno, Myrree (part), Samaria, Stewarton (part), Strathbogie (part), Swanpool, Taminick, Tarnook, Tatong, Thoona, Tolmie (part), Upper Lurg (part), Upper Ryans Creek, Warrenbayne, Winton and Winton North.

Benalla Rural City was formed in 2002, following the de-amalgamation of Delatite Shire into Benalla Rural City and Mansfield Shire. Benalla Rural City is predominantly a rural area but has substantial residential areas in and around the city of Benalla.

Most of the City's retail space is in shopping strips in central Benalla. There is some industrial land use to the north-east and east of the city. Most of the rural area is used for agricultural purposes, including wool and meat production, dairying and cropping.

1.4 Context and Current Situation

Program/Service:	Service Level:
Education programs by means of media releases, community notices, mailing of renewal notices and placement of A-frame signs in high-risk areas.	Number of dogs and cats per year.
Monitor registration renewals and follow up enquiries for previously registered animals	Desktop audit and follow up (phone or visit) commencing in June.
Enforcement activities for unregistered animals when located via complaint or impounded strays	All impounded animals must be registered prior to reclaim. Enforcement action taken upon receipt of reclaim reports
Dog attack complaints	Procedures manual requires response to dog attack complaint within 30 minutes.

Program/Service:	Service Level:
Routine street patrols	Dedicated “dog truck” vehicle for regular daily patrols during business hours and in response to after-hours callouts. Secondary compliance vehicle (Toyota Hiace van) containing 2 dog cages for animal management duties.
Pound	Contracted Municipal Pound facility (RSPCA Victoria) open for public at the Burwood facility, between 8:00am and 5:00pm Weekdays and weekends. RSPCA provide vehicles and drivers for collection and transport of impounded animals to and from RSPCA Burwood facility.
Advertise located animals on social media and hold locally for up to 24 hours before transport to pound facility	All animals found at large are posted on Council social media pages to try and identify owner and may be kept in holding pens locally for reclaim for up to 24 hours, when operationally viable, if not registered or owner unable to be identified through microchip.
Policy of one “free” return per year for any registered animal located at large without penalty	Currently registered pets returned to owner without release fee and warning once per year if located at large. Any further offences attract’s a release fee and possible enforcement action depending on the circumstances.
After hours emergency service	Officers on rotational roster for on call duties between 5:00pm and 8:00am Monday to Friday and 24 hours over weekends and public holidays.

1.5 Domestic Animal Statistics

Dogs	2022	2023	2024
Number Registered	3229*	2820*	3054*
Declared Dogs (dangerous, menacing, restricted)	Dangerous - 0 Menacing - 1 Restricted - 0	Dangerous - 3 Menacing - 1 Restricted - 0	Dangerous - 1 Menacing - 0 Restricted - 0
Seized for dog attack	2	1	0
Impounded wandering at large	38*	30*	62
Seized for animal welfare/abandoned	0	0	2
Surrendered by owners	23	31	46
Total	63	62	110
Adopted for the year	32 (50.7%)	33 (53.2%)	53 (48.18%)
Euthanized for the year	9 (14.28%)	9 (14.5%)	6 (5.45%)
Reclaimed for the year	22 (34.92%)	20 (32.2%)	51 (46.36%)

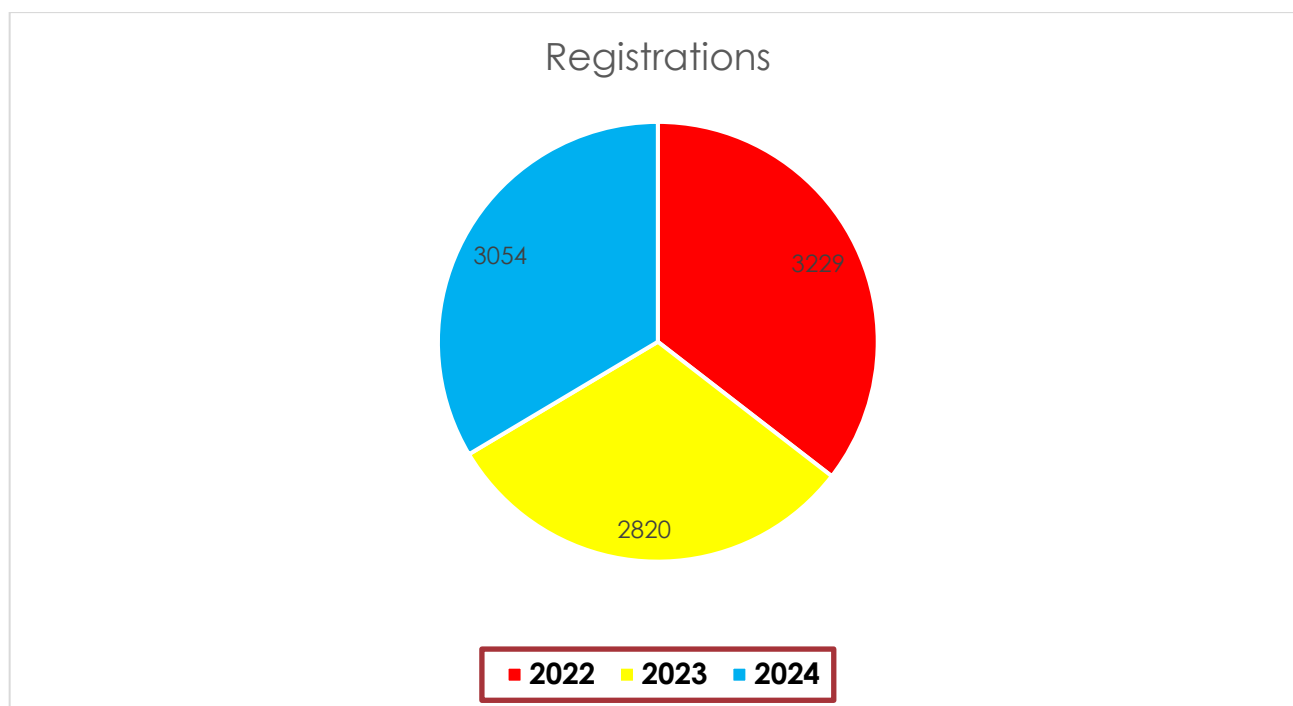
Cats	2022	2023	2024
Number Registered	<i>Included in dog numbers</i>	<i>Included in dog numbers</i>	<i>Included in dog numbers</i>
Impounded wandering at large	74*	202*	153
Seized for animal welfare/abandoned	0	0	0
Surrendered by owner	16	18	42
Total	90	220	195
Adopted	54 (60%)	90 (40.9%)	139 (71.28%)
Euthanized	23 (25.5%)	116 (52.7%)	46 (23.5%)
Reclaimed	13 (14.4%)	13 (5.9%)	10 (5.12%)
Domestic Animal Businesses			6

* - Numbers estimated not accurate due to insufficient data available.

Registration

Registration figures for dogs and cats dipped slightly from 2022 to 2024, likely due to cost-of-living pressures and the aftermath of the global pandemic which limited Council's ability to publicise the registration renewal period or make follow up enquiries by doorknock to chase up renewals 2019 to 2023.

Registration numbers are expected to rise for the 2025 period as Compliance Officers continue to follow up renewals and educate the community through portable signs, vehicle decals, social media, phone calls and doorknocks.



Animal Fate Data

There has been a dramatic increase in the impound of stray dogs and cats over the 2023 to 2024 period, which is attributed to better record keeping via the RSPCA Victoria “Sheltermate” system and targeted feral cat trapping programs in the outer rural areas of the municipality in 2023 and 2024.

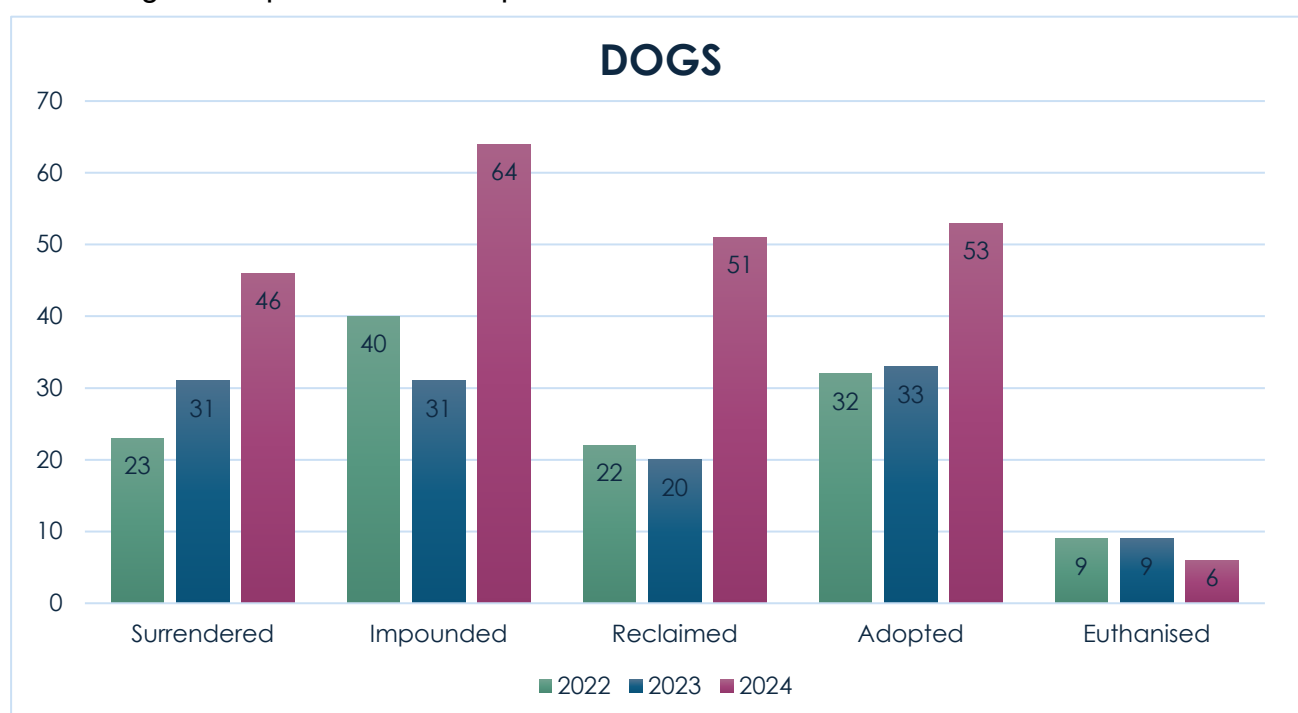
Reclaims and adoptions have remained fairly stable, with a slightly upward trend toward 2025, this can be attributed in part to public education and social media posts publicizing found and impounded animals.

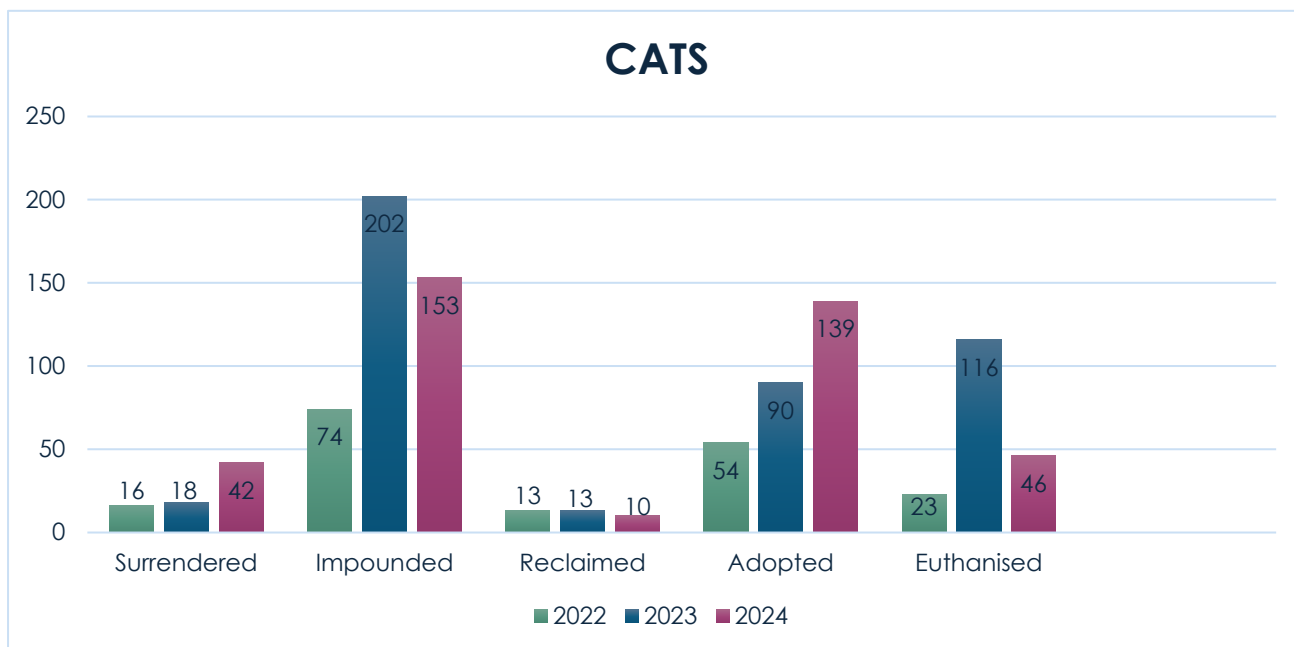
The practice of holding dogs in Benalla for up to 24 hours (when operationally viable) whilst trying to locate owners, has also resulted in many animals being repatriated without having to be transported to RSPCA.

The use of social media can delay or frustrate animals being repatriated with their owners as well-meaning community members hold on to lost animals for extended periods instead of handing them in to Council as required by The Act, for return to their owners. A remedy is available under Section 84D of The Act, which requires a found or seized dog to be delivered up to Council with a penalty of up to 5 penalty units for noncompliance. This has been somewhat relieved by changes in The Act, permitting dogs and cats to be handed to participating Veterinary Clinics for return to owners, without the need for an agreement under Section 84Y of the Act to be in place.

Euthanasia rates for dogs have fallen over the last three years from 14 per cent down to 5 per cent, whilst reclaims have climbed from 34 per cent to 46 per cent. The euthanasia statistics include dogs surrendered or seized for dog attacks that have been euthanised at the request of the owners.

The statistics for cats have remained constant with euthanasia rates slightly dropping from 25 per cent to 23 per cent, with a spike in 2023 due to targeted feral cat trapping program in rural areas, and reclaims dropping from 14 per cent to 5 per cent, although adoptions remain high at 71 per cent of all impounded cats in 2024.





- Surrendered – Owner has surrendered dog or cat for any reason under Section 33A of the *Domestic Animals Act 1994*.
- Stray – Animal located wandering at large or not securely confined to the property and returned to owner upon registration or impounded at RSPCA Burwood.
- Reclaimed – Animal reclaimed by owner (includes dogs returned to owner without impound).
- Adopted – Animal adopted after eight days impound and not reclaimed.
- Euthanised – Animal assessed as feral, suffering untreatable illness or injury or at request of the owner (usually due to attack).

2. Training of Authorised Officers

2.1 Context and Current Situation

The Benalla Rural City Council's Compliance Department consists of a Compliance Coordinator and three full-time Compliance Officers. All Compliance Department staff take part in the after hours on-call five week rotating roster attending to incidents involving dogs at large, dog attacks and livestock on roads.

As well as Animal Management, the compliance team are responsible for investigation and enforcement in several areas covering various Acts including, Environment Protection Act complaints including illegal dumping and residential noise, Planning and Environment Act, Building Act and Regulations, Community Local Laws, Bushfire Prevention, Tobacco Act and Regulations, Impounding of Livestock Act, Prevention of Cruelty to Animals Act (POCTA) and Regulations, Road Safety Act and Road Rules, Local Government Act and Council prosecutions.

The Compliance department is responsible for providing an animal management service, for Council, as required by The Act, which includes:

- Seizure and impounding of domestic animals
- Managing of complaints relating to domestic animals
- Promoting responsible pet ownership in the community
- Investigating dog attacks and nuisance complaints
- Enforcement and compliance with legislation and various codes of practice relevant to domestic animals.
- Domestic animal registration process
- Investigating animal welfare issues
- Management and inspection of domestic animal businesses
- Providing advice to owners and the general community in relation to domestic animals
- After hours animal emergencies.

2.2 Our Planned Training for Authorised Officers

A variety of training is available for all Authorised Officers. Training options are annually reviewed to ensure relevant and up to date material is provided.

Training options include:

- Animal handling and behaviour
- Dog and cat management
- Investigation and statement taking
- Enforcement and prosecution
- Conflict and time management
- Information technology

Officers are also eligible to attend industry related seminars, conferences and briefings from Animal Welfare Victoria (Department of Energy Environment & Climate Action (DEECA)), RSPCA Victoria, Municipal Association of Victoria (MAV), Australian Institute of Animal Management (AIAM) and other relevant Associations.

2.3 Our Plan

Objective 1: Develop and maintain a training register for Compliance Officers to enhance skills and knowledge.

Activity	When	Evaluation
a) Record each officer's 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.
b) Staff attendance at industry related seminars such as RSPCA training, Animal Welfare Victoria training and animal specific training as opportunities present.	As available	Annually review to see if training objectives are being met.
c) Membership of professional bodies within the animal management industry, such as Australian Institute of Animal Management and attendance at conferences and discussion groups as they become available.	Ongoing	Annually review to see if training objectives are being met.

Objective 2: Develop existing authorised officers to multi-skill to ensure adequate backfilling or additional staffing when necessary.

Activity	When	Evaluation
a) 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.
b) Allocate a "buddy" to the Officer being developed and to ensure accurate information and training is being provided whilst on the job.	Ongoing	Review and ensure all criteria are met prior to commencement of Officer out in the field.
c) Allocate a variety of milestones for the Officer to reach during the development period.	Ongoing	Review each completion of task to ensure Officer is developing adequate skill sets required.
d) Officers to follow up complaints and provide feedback to improve skills and systems	Ongoing	Review each milestone as achieved to ensure Officer is developing adequate skill sets required

3. Programs to Promote and Encourage Responsible Pet Ownership and Compliance with Legislation

3.1 Context and Current Situation

Council use various methods to promote and encourage responsible pet ownership and compliance with legislation within the Benalla Rural City.

These methods include, but are not limited to:

- Provision of an internally resourced after hours emergency animal service.
- Display of A-frame signs and magnetic decals on Council vehicles.
- Stock and display information pamphlets in the foyer of the Customer Service Centre and regularly review information contained on Council website.
- Installation and stocking of poo bag dispensers at strategic locations within the Municipality.
- Regular media releases regarding benefits and requirements for dog and cat registration.
- Use of facebook and social media to advertise unidentified impounded animals to assist with speedy return to owners.
- Conduct investigations and enforcement options as offences are detected or complaints received.

3.2 Our Orders, Local Laws, Council Policies and Procedures

Current Orders

Benalla Rural City currently has orders under Section 25 and 26 of the Domestic Animals Act, resolved by Council on 23 February 2022 and published in the Government Gazette.

Cat Curfew

Pursuant to Section 25 of the Act, cats within the municipality are to be securely confined to the owner's property, or the property where they are kept for the time being, always.

Control of Dogs

Pursuant to Section 26 of the Act, dogs and cats within the municipality must be kept under effective control by means of a chain, cord or leash, not exceeding three meters in length, held by the owner and attached to the animal whilst the animal is in a reserve or public place.

Owners Obligations

A dog may be exercised off leash in a designated area if the owner:

- Carries a chain, cord, or leash, not exceeding three meters in length, sufficient to bring the dog under effective control if the dog behaves in a manner which may worry, threaten or harass any person or animal.
- Remains in effective control of the dog by voice and/or hand command to promptly bring the dog under control by chain, cord, or leash if it becomes necessary.
- Does not allow the dog to worry, threaten or harass any person or animal.

Exceptions

If a dog is being exercised off leash in a designated area, it must be brought under effective control of the owner by means of chain, cord, or leash if:

- within 30 metres of the principal location of an organised sporting event
- within 30 metres of the principal location of an organised public meeting
- within 30 metres of a permanent barbecue or picnic area when in use
- within 10 metres of the perimeter of a playground
- within 5 metres of a shared pathway.

Prohibited Areas

Areas where dogs and cats are not permitted at any time:

- Dogs and cats, restrained or otherwise, are prohibited within the perimeter of any playground at any time.
- Dogs and cats, restrained or otherwise, are not permitted within any prohibited area declared by Council.

Current Local Laws

Local Law No. 52 (1) - Keeping of Animals in Residential Areas

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 than is stated in the following table:

Type of Animal	Maximum allowed in residential areas
Dogs	2
Cats	2

**Actual list contains other animals and birds but has been edited for this document to improve clarity.*

- (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 No. 53 – Accommodation for Animals

An owner or occupier of land must ensure that all animals on that land are housed:

- (1) In a clean, inoffensive and sanitary condition
- (2) So as not to cause nuisance
- (3) In an adequate and appropriate manner for the type of animal being housed.

Local Law No. 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:

- (1) five (5) dogs; or
- (2) three (3) cats.

Local Law No. 60 – Dog Excrement

A person in charge of a dog on a road or in a municipal place must:

- (1) Not allow the excrement of the dog to remain on that road or in that municipal place.
- (2) Carry a device suitable for the removal of any excrement that may be deposited by the dog.
- (3) Produce the device on demand by an Authorised Officer.

Current Policies and Procedures

Cats And Dogs At Large

The procedure for dealing with domestic animals found at large are designed to allow owners to retrieve their impounded animals with the minimal amount of stress to the animal and are detailed in the Compliance Procedures Manual.

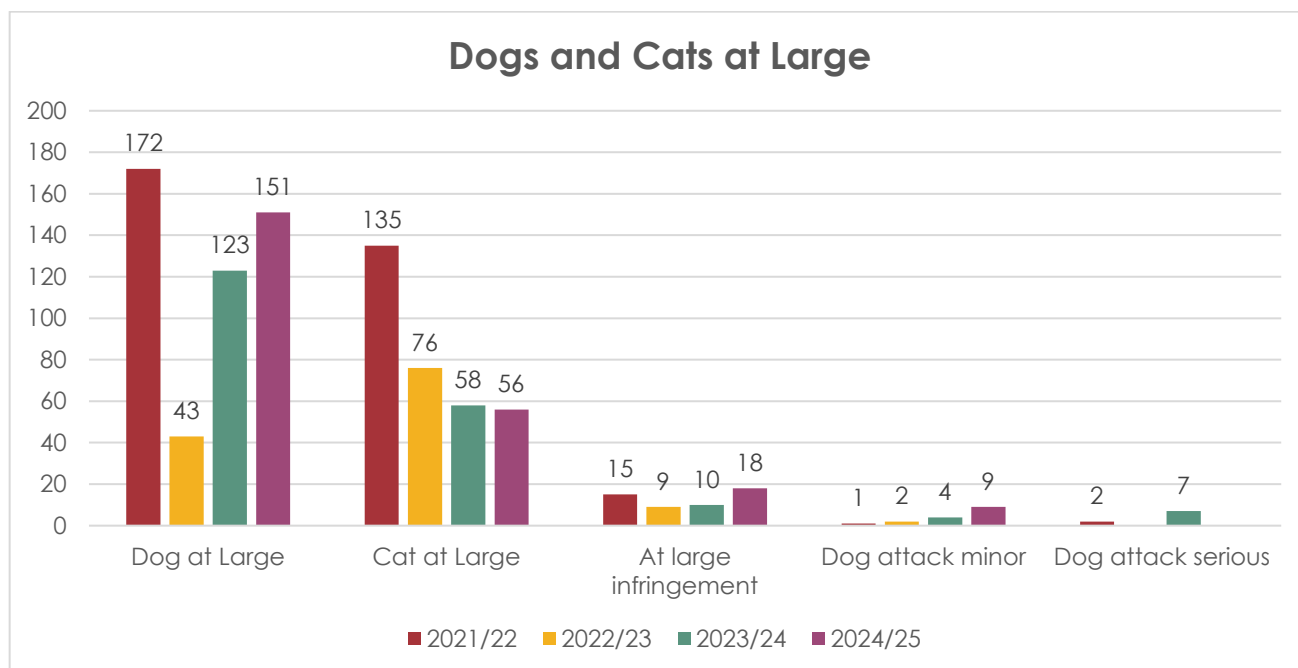
When a dog or cat is found at large and impounded, it is first checked for registration and microchip details. If the owner is able to be identified, and the animal is currently registered with Council, the officer will attempt to contact the owner and have them collect the animal directly. A registered animal is able to be returned to the owner without penalty once per registration year.

If the dog or cat is not registered or the owner is unable to be identified, the animal is taken to the Council holding pen, where it is lodged and may be held for up to 24 hours, when operationally viable, whilst attempts are made to locate an owner and have the animal registered and returned locally.

If an owner is unable to be located or contacted, the animal is collected by a driver from Councils contracted pound facility, RSPCA Victoria, and transported to their Burwood facility, where it is held for the Statutory designated period of eight days or until an owner is identified and the animal claimed. If no owner is identified or the animal remains unclaimed after this period, it may be adopted by Councils contracted pound facility as per the requirements of section 84O of The Act.

The owner of any reclaimed dog or cat may be dealt with by way of infringement or Magistrates Court for failing to securely contain the animal at the property where it is kept, fail to apply to register or any other applicable offence. As cats are subject to an order under Section 25 of the *Domestic Animals Act 1994*, owners that reclaim may be dealt with by infringement for a breach of that order, or by Notice of Objection under Section 23 of The Act, if requested by the occupant of the affected property.

If repeat offenders for wandering dogs or trespassing cats are found and the issuing of infringements and relevant impound release fees have not encouraged the pet owner to adequately secure the cat or dog to its property, Council may withdraw any outstanding infringements and pursue the matter in the Magistrates' Court to seek an order from the Court under Section 84W of The Act, to require the owner to carry out works to ensure the animal is not able to escape from the owner's premises.



After Hours Service

Council provides an after-hours service to respond to urgent calls for service outside of normal business hours. The contracted after hours call service is monitored and controlled by the Customer Relations Coordinator and the after-hours roster by the Compliance Coordinator.

Compliance Officers are rostered for after-hours duties on a five week rotational basis. The on-call officer has custody of the compliance animal collection vehicle during their time rostered for after-hours call out and will ensure they remain physically and legally able to respond to calls for service during their roster period.

The officer on call must utilise the Council compliance vehicle, appropriate PPE and take all reasonable steps to ensure the safety of themselves and others when attending to out of hours calls for service. The on-call officer must call for assistance from other officers and/or authorities where the incident involves dog attack, livestock on a road, or where, in the opinion of that officer, the situation warrants assistance.

The officer is to acknowledge all calls received through the after-hours service, contacting the customer to advise what action is to be taken and/or by turning out within 15 minutes of the phone call.

The officer on duty must respond to the following after-hours situations reported on the after-hours service, by attendance or advice where appropriate:

- Any Victoria Police call requesting assistance to control or contain domestic animals
- Dog attack
- Where a dog is at large or causing immediate danger to safety of people or animals
- Stray dog that has been securely confined for collection
- Injured or deceased stray animals (in coordination with the RSPCA inspectorate where available)
- Livestock at large and/or on the road
- Any other situation(s) that the Compliance Coordinator, Manager Development, General Manager Corporate or the Chief Executive Officer instructs the officer to attend to.

3.3 Our Plan

Objective 1: Reduce the number of compliance actions and complaints by educating the community about their legislative obligations.

Activity	When	Evaluation
a) Develop engaging fact sheets and web content regarding legislative obligations.	Ongoing	Monitor complaints and enforcement actions quarterly.
b) Re-visit messaging on A-Frame signs that are displayed at various locations within the municipality.	2026 and annually	Assess if number of registrations and renewals increase and number of complaints received.
c) Explore opportunities for educational “pop up” stalls at community events and expos to deliver responsible pet ownership and educational material to pet owners.	As opportunities present	Community engagement and materials distributed.
d) Education campaign regarding the requirements of the Council order under Section 25 of the Act for containment of cats, via web pages and social media.	June 2026 and annually	Complaints and enforcement statistics regarding cats at large and trapped.

Objective 2: Encourage dog owners to clean up after their pets and maintain effective control when in public areas.

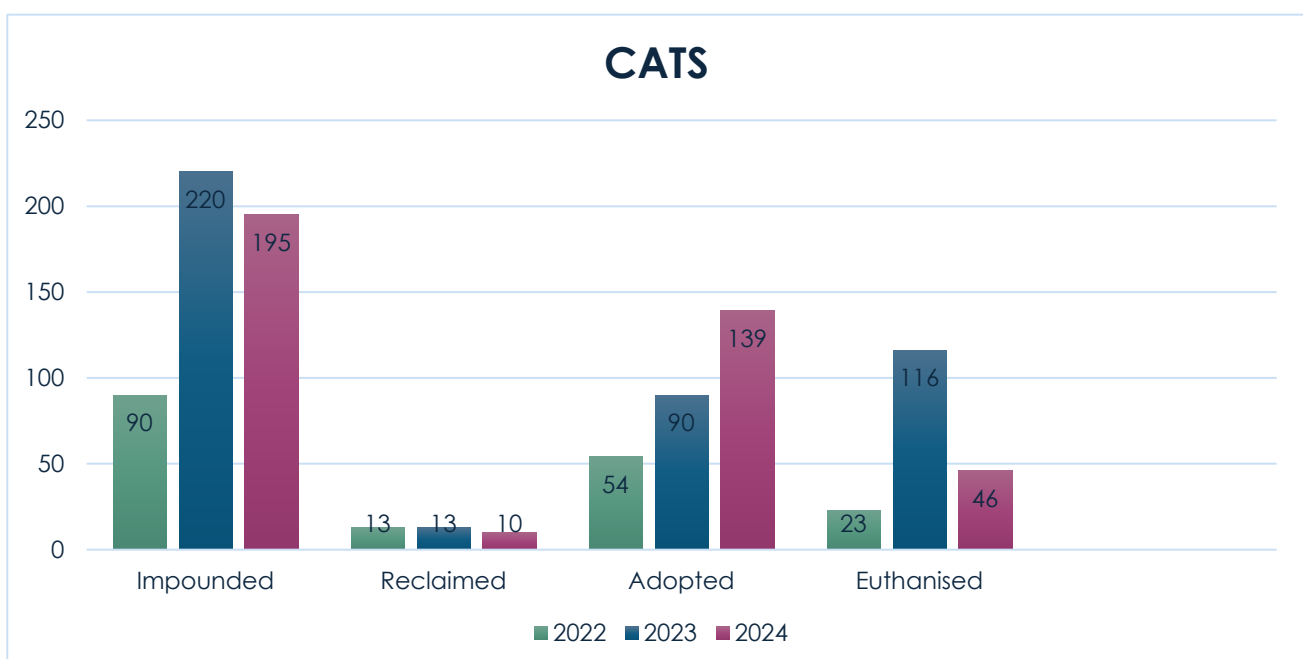
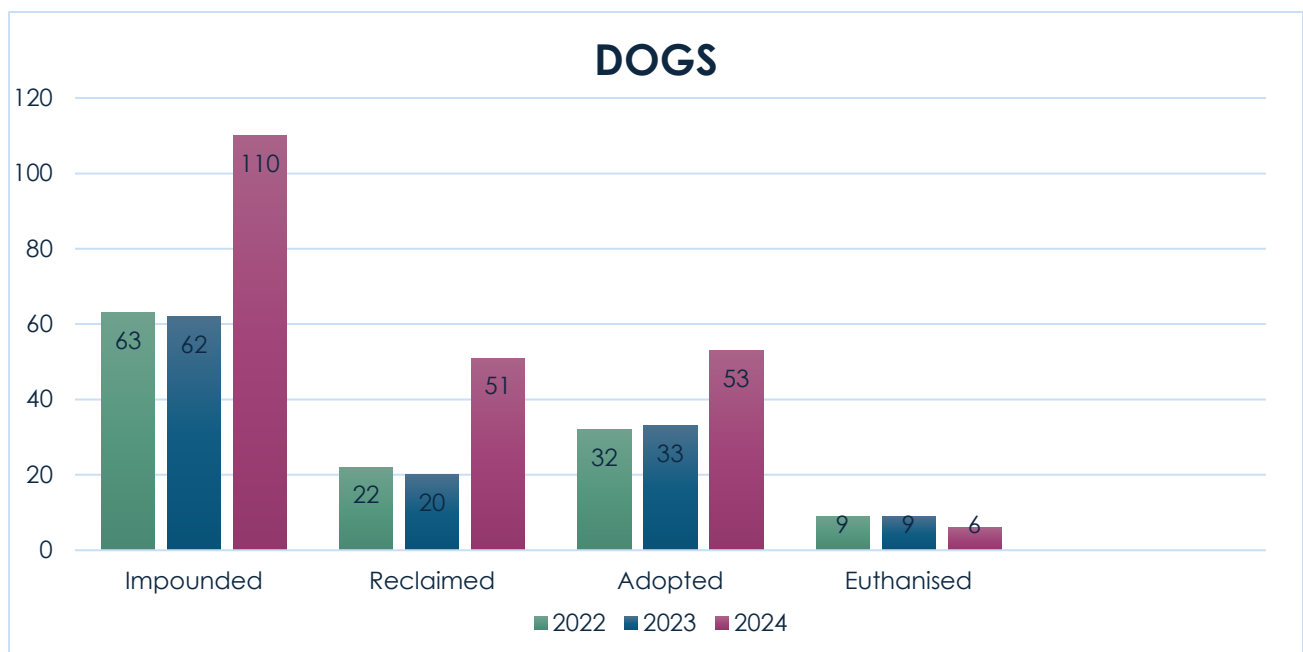
Activity	When	Evaluation
a) Continue to maintain poo bag dispensers in areas with high dog walker presence.	Ongoing	Amount of dispensers requiring change weekly.
b) Continue to identify changing demographics for areas where new dispensers and patrols may be required.	Quarterly	Monitor complaints regarding failing to pick up after animals and patrol observations.
c) Education campaign on Section 26 order for effective control in public areas via webpage and social media.	June 2026 and annually	Monitor complaints and enforcement action regarding dog behaviour in public places.

4. Programs to Address Over-Population Rates and any High Euthanasia Rates

4.1 Context and Current Situation

There has been a significant increase in the impounding of stray dogs and cats, including those surrendered by owners and abandoned animals, rising from 63 dogs up to 110, and 90 cats up to 195. This can be attributed to better record keeping through use of the RSPCA sheltermate software commencing in 2024, although the dramatic increase for the 2024 period is also likely to have been heavily influenced by the increase in cost of living expenses.

Euthanasia rates for dogs have fallen over the last 3 years from 14.28 per cent down to 5.45 per cent, whilst reclaims have climbed from 34.92 per cent to 46.36 per cent. The statistics for cats have remained fairly constant with euthanasia rates dropping slightly from 25.5 per cent to 23.5 per cent and reclaims dropping from 14.4 per cent to 5.12 per cent, although adoptions remain high climbing from 60 per cent to 71.28 per cent of all impounded cats.



4.2 Our Orders, Local Laws, Council Policies and Procedures

Current Orders

There are currently no orders regarding domestic animal population rates.

Current Local Laws

Local Law No. 52 (1) - Keeping of Animals in Residential Areas

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 than is stated in the following table:

Type of Animal	Maximum allowed in residential areas
Dogs	2
Cats	2

**Actual list contains other animals and birds but has been edited for this document to improve clarity.*

- (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 No. 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:

- (1) five (5) dogs; or
- (2) three (3) cats

Current policies and procedures

Cats

The seizure of cats is regulated by the provisions of the DAA. Council passed an order under Section 25 of the DAA to declare cats must be confined to the property at which they are kept at all times on 23 February 2022.

Residents may use an approved cat trap, or hire a free cat trap from Council, in order to trap cats trespassing on their property. Authorised Officers may conduct trapping programs if circumstances dictate or a problem area is identified requiring targeted intervention. Use of cat traps and trapping programs are detailed in the Compliance Procedures Manual.

When a cat is trapped or seized by a person on private property, the officer must check for Council tag and scan for microchip details. If an owner is identified and the cat is registered, it should be returned to the owner, who is advised to keep the cat contained as per Council Order, and not allow it to trespass onto other person's property. If the cat is not registered or has no microchip details, it should be impounded and transported to the Council pound facility. If the cat is injured, unwell or obviously feral, Officers should contact Council's contracted pound facility for advice and assessment.

Any unidentified cat should be photographed and the Compliance Coordinator notified of the location time and date of seizure. The animal may then be posted on Councils social media pages to try and identify an owner.

Owned cats found at large or trespassing on private property are to be handled as a stray under Council Section 25 Order, or as per Section 23 of the Act if a Notice of Objection has been submitted and served.

Owners of cats that are impounded without microchip or registration and are later claimed may be infringed for failing to apply to register or renew.

Officers may also be required to collect cats surrendered by their owner. Under Section 33A of The Act, Council must accept any dog or cat in the municipal district that is surrendered by the owner. In this case, officers should ensure that the surrendering owner fills out a surrender form and acknowledges that upon surrender, the ownership of the animal passes on to Council, to be dealt with or disposed of in accordance with The Act, Regulations or any relevant Code of Practice.

Excess Animal Permits

Benalla Rural City Council Community Local Law 2017 restricts the number and type of animal/s that may be kept in a residential area. Generally speaking, residential areas are limited to two dogs and/or two cats whilst rural areas are allowed five dogs or three cats. Refer to Clause 52 (1) of the Community Local Law 2017 for the complete table.

A person who wants to keep more than the permitted number of or type of animals on a property must apply for an excess animal permit. The form can be obtained from customer service, posted to the applicant upon request or completed online when available.

When the completed application and fee are received, a survey will be conducted with neighbouring properties who might reasonably be affected by the keeping of excess animals. The officer must also undertake an inspection of the property to ensure the animals can be kept in accordance with the permit conditions, the requirements of POCTA and address any reasonable and verifiable issues raised by the neighbourhood survey. The officer will advise the applicant of the result of the inspection as soon as reasonably practicable.

If granted, a permit remains valid for twelve months subject to compliance with conditions. A permit may be reviewed, suspended or revoked if the permit conditions are not adhered to. Each individual permit granted is subject to a separate fee and registration. Following issue of a permit, if a verifiable complaint or information is received by Council, inspections may be required to ensure compliance with permit conditions. If a permit holder is found in breach of any permit conditions, an office may take any appropriate action to remedy the situation, including enforcement action.

4.3 Our Plan

Objective 1: Encourage desexing of animals and facilitate affordable desexing programs.

Activity	When	Evaluation
a. Discount registration fees for cats and dogs that are de-sexed to encourage registration of animals over 3 months of age.	2028	Monitor number of registered dogs and cats within the municipality.

Activity	When	Evaluation
b. Discount initial registration for cats and dogs that are both micro-chipped and de-sexed under 6 months of age.	2027	Monitor number of desexed registered dogs and cats within the municipality.
c. Report to Council in relation to conducting a cost/benefit analysis regarding; free initial registration fees for cats that participate in the AVA subsidised de-sexing voucher scheme.	July 2026	Monitor number of desexed registered dogs and cats within the municipality.
d. Explore grant opportunities to provide free or discounted microchipping and desexing for pets of disadvantaged or low income members of municipality.	July 2026	Monitor number of desexed registered dogs and cats within the municipality

Objective 2: Reduce number of impounded unregistered cats and reports of wild/unowned cats.

Activity	When	Evaluation
a) Education campaign regarding semi-owned and wild cats.	July 2026 and ongoing	Monitor number of cat trap requests and cat impound statistics.
b) Conduct targeted trapping operations in areas identified as cat nesting areas, particularly in areas of high biodiversity.	July 2026 and ongoing	Monitor number of cat trap requests and cat impound statistics.
c) Promote health and safety benefits for containing cats to property.	Ongoing as opportunities present	Monitor number of cat trap requests and cat impound statistics.
d) Explore options for education on building or installation of low-cost cat containment systems.	Ongoing and in conjunction with community groups	Monitor number of cat trap requests and cat impound statistics.
e) Circulate safe Cat, Safe Wildlife education material throughout municipality (Find out more: www.safecat.org.au)	July 2026 and ongoing	Monitor number of cat trap requests and cat impound statistics.

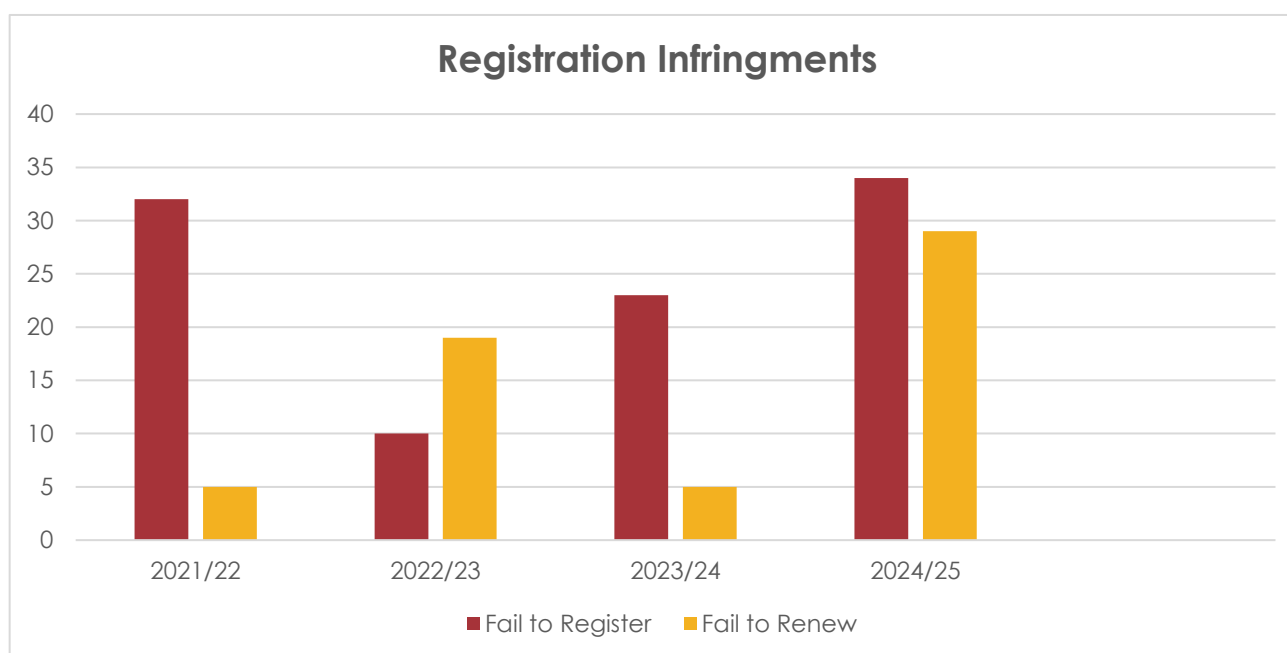
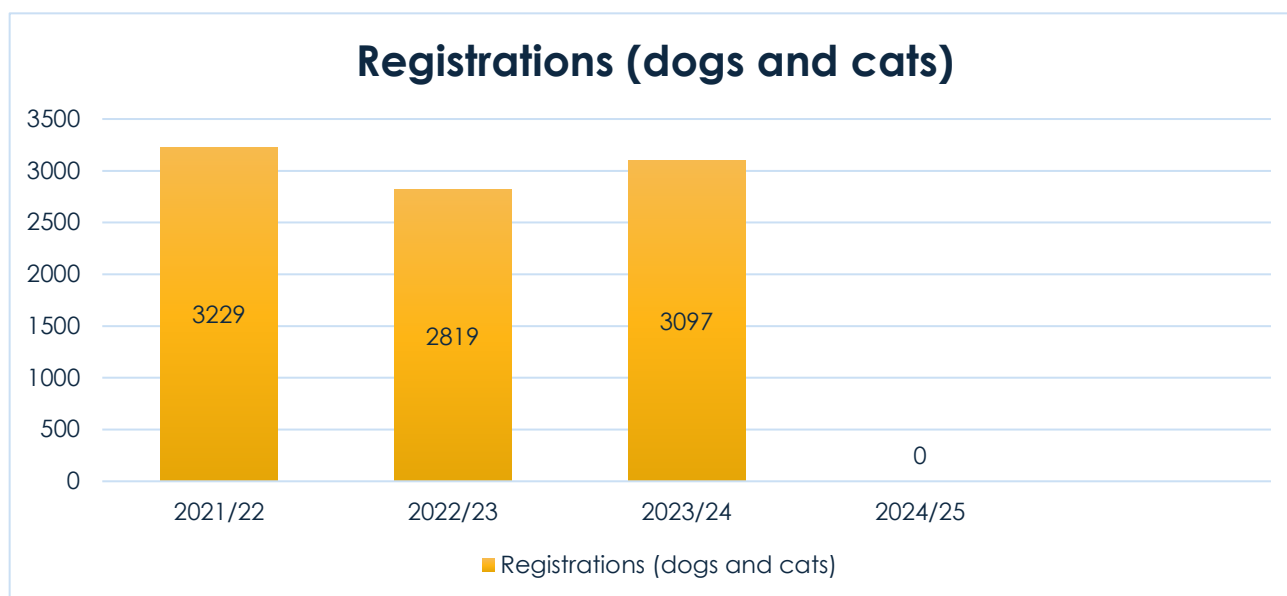
5. Registration and Identification

5.1 Context and Current Situation

All dogs and cats over the age of three months must be registered with the Benalla Rural City Council as per Section 10 (1) of the Act; newly registered animals must also be micro-chipped before registration can be accepted.

All dog and cat registrations commence on the 10 April each year and expire on the 9 April the following year. All statistics referred to in the following charts relating to dog and cat registration are between those dates.

	2021/22	2022/23	2023/24	2024/25
Dogs and Cats registered	3229	2819	3097	No Data
Fail to register infringements	32	10	23	34
Fail to renew infringements	5	19	5	29



Summary

Registration figures for dogs and cats climbed slightly from 2023 to 2024, but Council software systems are unable to supply overall figures for current or historical registration levels. Figures for 2023 and 2024 were estimated using hard copies of renewal reminder invoices located within the compliance office.

Infringements for failing to register or renew have remained reasonably consistent over the past four years with a slight rise in the last registration year attributable to better record keeping through external agency programs (RSPCA Sheltermate).

The Australian Companion Animal Council, in their report (7th Edition), found that the overall pet population (including all pets such as birds and fish etc) in Australia was approximately 33 million.

The report showed that there are 3.41 million dogs, or 36 per cent of households owning a dog and 2.35 million cats, or 23 per cent of households. With an estimated population of 14000 people, according to 2021 Census data, Benalla has 3097 dogs and cats registered within the municipality in the 2023/2024 period, a percentage of 22 per cent registered pets per head of population.

2021 Census data shows 5118 private dwellings in Benalla, which gives a percentage of 60 per cent of dwellings having a registered dog or cat. This would indicate that registrations are slightly above the average number of dogs and cats currently kept in Australia.

5.2 Our Orders, Local Laws, Council Policies and Procedures

Current Orders

There are no current local laws for registration in Benalla Rural City. We rely on Section 10(1) of the *Domestic Animals Act* for enforcement of registration.

Current Local Laws

Local Law No. 52 (1) - Keeping of Animals in Residential Areas

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 than is stated in the following table:

Type of Animal	Maximum allowed in residential areas
Dogs	2
Cats	2

**Actual list contains other animals and birds but has been edited for this document to improve clarity.*

- (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 No. 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:

- (3) five (5) dogs; or
- (4) three (3) cats

Current Policies And Procedures

Current education/promotion of registration and identification activities includes:

- (1) Publicising the requirement to register pets over the age of three months in the Benalla Ensign, Benalla Rural City Community Connect, Benalla Rural City website and the Council's on hold phone messages.
- (2) A-frame signs placed at high traffic intersections and areas reminding pet owners of requirement to register and renew.
- (3) Animal registration renewal notices are mailed out in late February or early March each year for currently registered animals.
- (4) Lifetime registration tags are issued to pet owners upon registration of dogs or cats.
- (5) Brochures included in newly registered animal notices to provide information regarding the importance and requirements of registration.

5.3 Our Current Compliance Activities

Current compliance activities for registration and identification include:

- (1) A door knock or telephone audit conducted each year for animal registrations that have lapsed.
- (2) Enforcement through infringement or prosecution where animals kept within the municipality are not registered or renewed.
- (3) Ensuring impounded and unregistered animals are micro-chipped and registered prior to release.
- (4) Investigating Domestic Animal Business (DAB) notifications of animals being sold or given away to residents in the municipality.
- (5) Monitoring advertisements relating to animals for sale to ensure microchip numbers or DAB numbers are provided.
- (6) Proactive and reactive park and street patrols to follow up registration and ensure identification tags are being worn.

Animals found unsecured or 'at large' from their property and are identifiable by means of an allocated Benalla Rural City Council identification tag have a higher chance of being reunited with their owners and therefore not impounded. When dogs and cats are outside of the owner's premises, Council identification tags must be worn as outlined in section 20 of the Act.

The registration of animals provides the Benalla Rural City Council with an understanding of the level of pet ownership in the community and in turn this helps Council plan for services, information and programs associated with pets in particular areas of the community.

Registration fees help fund the services provided by the Council in relation to animal management and Animal Welfare Victoria (AWV) responsible pet ownership campaigns and programs provided within the municipality.

5.4 Our Plan

Objective 1: To minimise the number of properties required for the desktop and door knock audit and increase numbers of registrations and renewals in the municipality.

Activity	When	Evaluation
a) Educate residents of the animal registration renewal period by means of advertising/media releases, mailing of renewal notices and by placing A frame sign in areas where high levels of un-registered animals are kept.	March – May annually	Demonstrate increase or decrease in numbers of pets registered with council following annual registration and renewal period.
b) Ensure each property is audited and issued infringements where animals found to be unregistered.	July – August annually	Infringements issued.
c) Ensure all seized and impounded animals are registered to their owner prior to release.	Prior to each release	Registrations.
d) Proactive door knocking in areas believed to have high number of unregistered animals via impound stats, to check for unregistered and un-identified dogs and cats. Effective advertising prior audit commencing.	Annually	Enforcement actions
e) Utilise Council social media to promote benefits of registration, microchipping and desexing.	Ongoing	Registrations.

Objective 2: Facilitate registration for lower socio-economic areas and increase awareness among culturally and linguistically diverse communities of pet registration requirements.

Activity	When	Evaluation
a) Brochures and articles explaining registration requirements and benefits in languages other than English for the CALD community.	February – April annually	Demonstrate increase or decrease in numbers of pets registered with council following annual registration and renewal period.
b) Offer responsible pet ownership rewards to pet owners found doing the right thing.	Ongoing	Public Feedback.
c) Explore options for grants and subsidies for discounted microchipping and desexing programs for pension card holders	Ongoing	Annual Registrations.
d) Educate local Vet clinics on their role as agents for stray animal collection and release on behalf of Council under section 84D, DA, DB, DC & DD of the Act.	As opportunities arise March 2026	Annual Registrations.

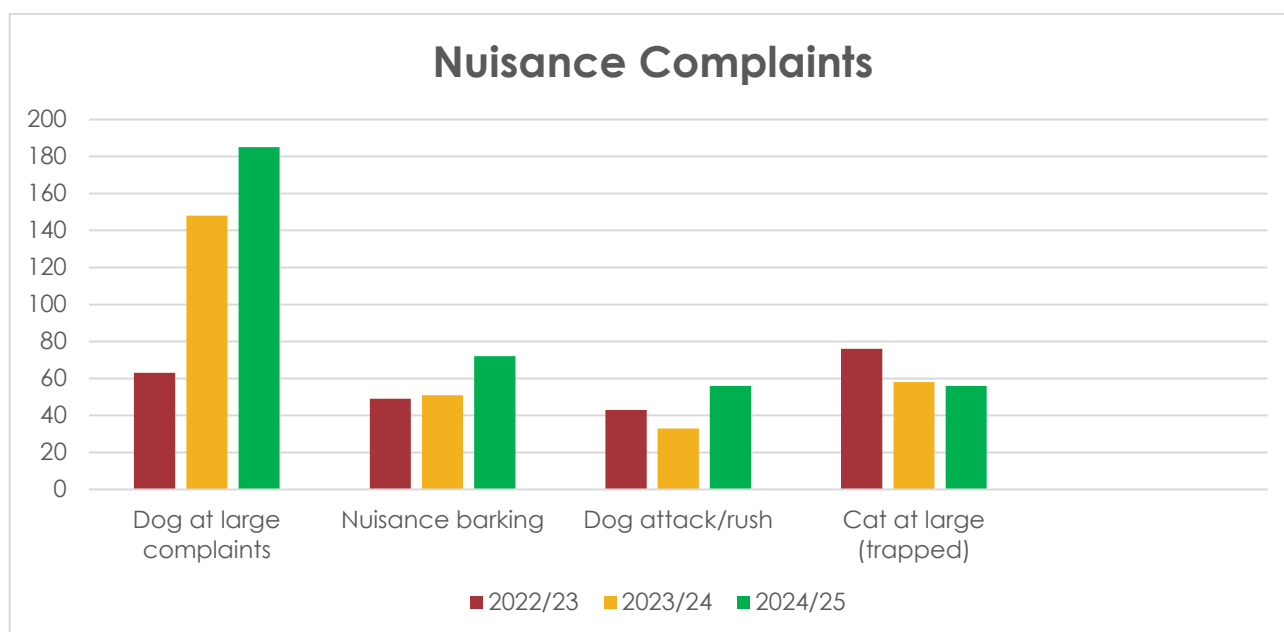
6. Nuisance

6.1 Context and Current Situation

Council's current policies and procedures regarding nuisance animals are positively weighted encouraging a community-based resolution before involving Council enforcement.

To this end, nuisance barking complaints are required to discuss the issue with neighbours or utilise a dispute settlement service, prior to reporting the matter to Council. Council offers a 24/7 call out service for collection of lost and wandering dogs and will return registered dogs and cats to their owners without penalty once a year, in order to encourage prompt registration and renewal.

	2022/23	2023/24	2024/25
Dog at large complaints	63	148	185
Nuisance barking complaints	49	51	72
dog attack/rush complaints	43	33	56
Cat at large (trapped)	76	58	56



6.2 Our Orders, Local Laws, Council Policies and Procedures

Current Orders

Benalla Rural City currently has orders under Section 25 and 26 of the Domestic Animals Act, resolved by Council on 23 February 2022 and published in the Government Gazette to deal with nuisance animals within the Municipality.

Cat Curfew

Pursuant to Section 25 of the Act, cats within the municipality are to be securely confined to the owner's property, or the property where they are kept for the time being, at all times.

Control of Dogs

Pursuant to Section 26 of the Act, dogs and cats within the municipality must be kept under effective control by means of a chain, cord or leash, not exceeding 3 m in length, held by the owner and attached to the animal whilst the animal is in a reserve or public place.

Owners Obligations

A dog may be exercised off leash in a designated area if the owner:

- carries a chain, cord, or leash, not exceeding 3 m in length, sufficient to bring the dog under effective control if the dog behaves in a manner which may worry, threaten or harass any person or animal.
- remains in effective control of the dog by voice and/or hand command to promptly bring the dog under control by chain, cord, or leash if it becomes necessary.
- does not allow the dog to worry, threaten or harass any person or animal.

Exceptions

If a dog is being exercised off leash in a designated area, it must be brought under effective control of the owner by means of chain, cord, or leash if:

- within 30 metres of the principal location of an organised sporting event
- within 30 metres of the principal location of an organised public meeting
- within 30 metres of a permanent barbecue or picnic area when in use
- within 10 metres of the perimeter of a playground
- within 5 metres of a shared pathway.

Prohibited Areas

Areas where dogs and cats are not permitted at any time:

- Dogs and cats, restrained or otherwise, are prohibited within the perimeter of any playground at any time.
- Dogs and cats, restrained or otherwise, are not permitted within any prohibited area declared by Council.

Current Local Laws

Section 53. Accommodation for Animals

An owner or occupier of land must ensure that all animals on that land are housed:

- (1) in a clean, inoffensive and sanitary condition
- (2) so as not to cause nuisance; and
- (3) in an adequate and appropriate manner for the type of animal being housed.

Section 60. Dog Excrement

A person in charge of a dog on a road or in a municipal place must:

- (1) Not allow the excrement of the dog to remain on that road or in that municipal place.
- (2) Carry a device suitable for the removal of any excrement that may be deposited by the dog.
- (3) Produce the device on demand by an authorised officer.

Current policies and procedures

Nuisance Barking

The Council has a procedure for nuisance barking complaints, as detailed in the Compliance Procedures Manual, to ensure all complaints received are handled in a consistent manner by all authorised Officers. The procedure outlines processes involved to investigate a complaint and ensure all elements of a nuisance barking offence is able to be proven as required by the Act. This includes neighbourhood mediation, noise logs, statements and an approach to encourage compliance at the earliest stage possible.

Where a nuisance barking offence is found to exist pursuant to section 32 of the Act, Council will take enforcement action that may include negotiation, warnings, infringements, notice to comply and prosecution to obtain orders from the Magistrates Court as a last resort.

This procedure is regularly reviewed and updated as legislation and community expectations evolve over time.

Cats and Dogs at Large

The procedure for dealing with domestic animals found at large are designed to allow owners to retrieve their impounded animals with the minimal amount of stress to the animal.

When a dog or cat is found at large and impounded, it is first checked for registration and microchip details. If the owner is able to be identified, and the animal is currently registered with Council, the officer will attempt to contact the owner and have them collect the animal directly. A registered animal can be returned to the owner without penalty once per year.

If the dog or cat is not registered or the owner is unable to be identified, the animal is taken to the Council holding pen, where it is lodged and may be held for up to 24 hours, whilst attempts are made to locate an owner and have the animal registered and returned locally.

If an owner is unable to be located or contacted, the animal is transported to the Council contracted pound facility at RSPCA Victoria and held for eight days or until an owner is identified and the animal claimed. If no owner is identified or the animal remains unclaimed, it becomes property of Council and is assessed for adoption.

The owner of any reclaimed dog may be dealt with by way of infringement for failing to securely contain the dog where it is kept or any other applicable offence. Cats are currently subject to an order under Section 25 of the *Domestic Animals Act 1994*, so owners that reclaim may be dealt with by way of infringement for failing to confine the animal or Notice of Objection if requested by the occupant of the affected property.

If repeat offenders for wandering dogs or cats are found and the issuing of infringements and relevant impound release fees have not encouraged the pet owner to adequately secure the cat or dog to its property, Council may withdraw any outstanding infringements and pursue the matter in the Magistrates' Court to seek an order from the Court to surrender the animal or require the owner to carry out works under Section 84W of The Act, to ensure the animal is not able to escape from the owner's premises.

6.3 Our Plan

Objective 1: Educate and enforce dog owners within the Municipality regarding Council Order pursuant to Section 26 of the Act relating to the control of dogs in public places.

Activity	When	Evaluation
a) Educate dog owners in public areas and include brochures in animal registration renewal notices.	Ongoing	Ensure appropriate time and level of education has been provided before enforcement of order.
b) Update signs in parks, reserves and municipal places identifying dogs off and on leash areas.	Ongoing	Regular audits to be conducted of parks, reserves and municipal places to monitor placement and effectiveness of signs.
c) Proactive patrols of public areas to identify high risk areas and conduct enforcement activities as appropriate.	Ongoing	Ensure appropriate time and education has been provided before enforcement of order.

Objective 2: Educate and enforcement of cat containment order pursuant to Section 26 of The Act.

Activity	When	Evaluation
a) Educate cat owners and include brochures in animal registration packs and renewal notices.	Ongoing	Ensure appropriate time and education has been provided before enforcement of order.
b) Explore grants and subsidies available to assist residents to have cats desexed to prevent wandering and spraying nuisance.	March 2026	Monitor emerging grants through DEECA (Animal Welfare Victoria) and other appropriate bodies as they are advertised.
c) Provide education material about cat enclosures and provide a DIY cat enclosure workshop.	July 2027	Monitor cat at large and trapping statistics to ascertain level of education required.
d) Circulate safe Cat, Safe Wildlife education material throughout municipality (Find out more: www.safecat.org.au)	Ongoing	Monitor cat at large and trapping programs statistics.

7. Dog Attacks

7.1 Context and Current Situation

Incidents of dog attacks and dog rush in Benalla Rural City are at the lower end statistically and have remained constant, over the last three years. Dog attacks are considered where a dog has physically contacted another person or animal, generally causing some kind of injury as a result and dog rush where there has been no contact or injury.

Dog attacks are categorised by determining if they caused minor injuries, serious injury or death as defined under The Act.

Serious injury means –

- (a) An injury requiring medical or veterinary attention in the nature of –
 - i. A broken bone; or
 - ii. A laceration; or
 - iii. A partial or total loss of sensation or function in a part of the body; or
- (b) An injury requiring cosmetic surgery.

Laceration means a wound caused by –

- (a) The tearing of body tissue
- (b) Multiple punctures caused by more than one bite from a dog.

Rush at, in relation to a dog, means to approach a person to a distance of less than three metres in a menacing manner, displaying aggressive tendencies that may include snarling, growling and raised hackles.

It is important to note that only attacks reported to Council are recorded, which tend toward attacks by dogs at large and not those that occur in the home by dogs known to or owned by the victim. This is explained in the report, “Dangerous dogs, a sensible solution” published by the Australian Veterinary Association in 2012, which states:

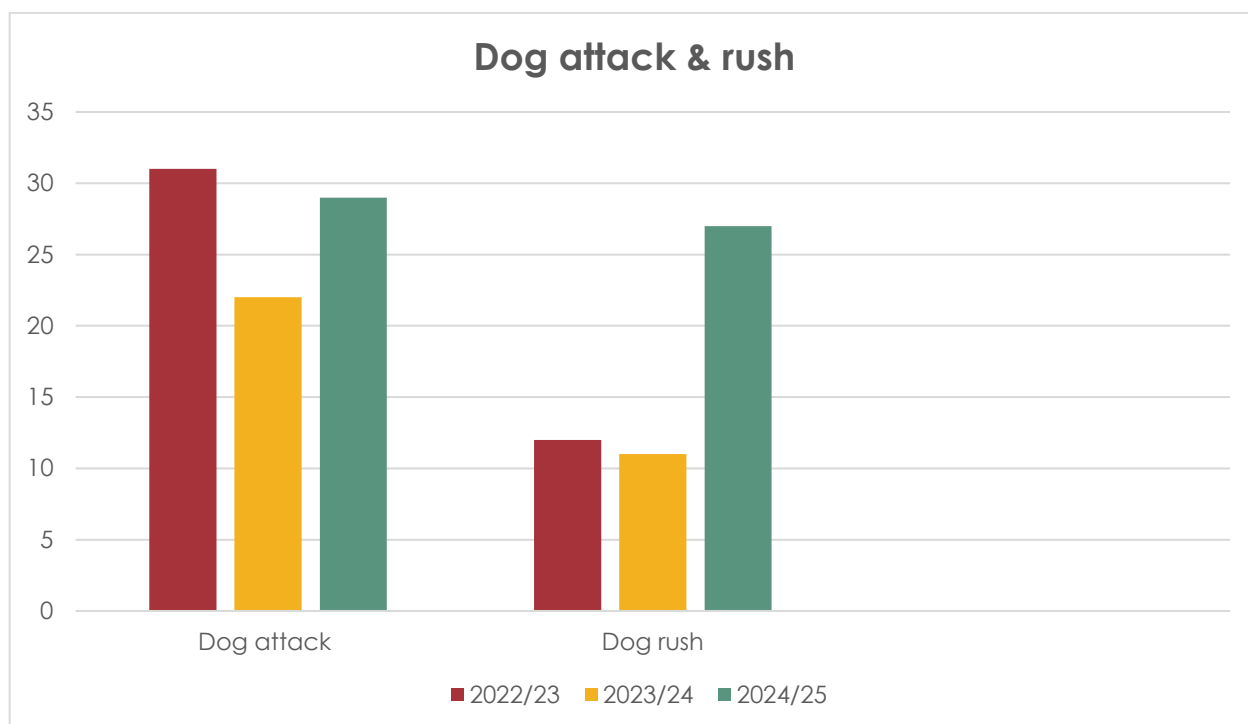
“Dog bite incidents generally occur either in domestic settings where the animal is known to the victim, or by dogs at large ... unknown to the victim. While dogs at large are responsible for a minority of dog bites, they attract disproportionate media and political interest. They are the public face of the dog bite problem, and most legislation is designed to control this part of the problem. However, most bites occurred in the dog’s own home and involve victims bitten by their own dog (Kizer 1979 cited in Overall and Love 2001). In Australia, 73 per cent to 81 per cent of attacks occur in the domestic environment (Ashby K 1996 quoted in Ozanne-Smith et al 2001)”

“Not surprisingly, Council data report that 62 per cent of dog attacks occurred in public places (Anon 2012) because few people will report bites by their own dog to council. Research has shown that owned dogs delivered more bites, were larger, bit more victims on the head and neck, delivered more bites needing medical treatment, and, in short, were more dangerous than strays (Harris et al 1974 cited in Overall and Love 2001).”

Dog attacks in Benalla are generally directed at other animals, dogs and cats, and particularly attacks on farming stock, such as sheep, cattle, poultry and alpaca.

Attacks on livestock can be particularly brutal, often resulting in the death or euthanising of valuable stock animals. Attacks on livestock are not just restricted to large or packs of animals, as even a smaller dog can cause terrified sheep or horses to run into fencing, causing injuries resulting in the animal being put down.

	2022/23	2023/24	2024/25
Dog attack	31	22	29
Dog rush	12	11	27



7.2 Our Orders, Local Laws, Council Policies and Procedures

Current Orders

Benalla Rural City does not have any current orders in place under the *Domestic Animals Act 1994*. We rely on Part 3 Division 1 of the Act for containment of dogs and cats (including stray animals) & Part 3 Division 2 of the Act for control of dogs and cats (including dog attacks).

Current Local Laws

Local Law No. 52 (1) - Keeping of Animals in Residential Areas

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 than is stated in the following table:

Type of Animal	Maximum allowed in residential areas
Dogs	2
Cats	2

**Actual list contains other animals and birds but has been edited for this document to improve clarity.*

- (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 No. 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:

- (1) five (5) dogs; or
- (2) three (3) cats

Current Policies And Procedures

A report of a dog attack is regarded as a priority job and should receive an immediate response with an officer attending at the scene to assess, take details and seize the attacking dog if warranted. Dog attacks are entered onto the CRMS system by the officer taking the initial report.

The compliance procedures manual details steps to be taken upon report of a confirmed dog attack in line with the requirements of The Act:

- Upon arrival, officers should take details of all persons involved, including dog owners, victims and witnesses, including best contact numbers. If possible, a basic statement should be taken from the victim or witnesses at the time, or at least a brief description of the incident, where and when it took place. Photographs should be taken of the scene, any injuries and dogs involved.

When deciding if the offending dog should be seized, an officer should consider the following:

- The seriousness of the attack. Were there serious injuries (as defined in the Act) involved or an element of intentionally setting the dog to attack or reckless indifference.
- Is the dog still at the scene and acting aggressively or not under control
- Is the dog registered or does it have a history of attacks or aggressive behaviour.
- Is the dog able to be securely contained at the owners residence and is the owner responsible to keep the dog securely contained.
- Any other details relevant to public safety or community expectations.

If the dog is to be seized, the officer should follow the instructions for impounding, and a Notice of Seizure must be issued to the dog owner within four days after the dog is seized.

The officer should obtain signed statements from the victim, complainant, witnesses and a veterinary or medical report as soon as possible after the attack. It is often advisable to wait until after any necessary medical or veterinary attention is completed before taking a statement so that all relevant details can be included. The officer should note on the file if the owner of the offending dog has reimbursed or offered to reimburse the victim for expenses as a result of the attack.

When all the preliminary information is obtained and signed, the officer should offer the owner or person in charge of the offending dog, the opportunity to take part in an electronically recorded formal interview. This offer should be made in writing and recorded on the CRMS. If the owner accepts the offer, they should be interviewed as per the interview procedure. If the owner declines the offer, then the officer should proceed with the information at hand.

When the file is completed, the officer should make a decision to proceed with prosecution or take no further action in accordance with Benalla Rural City Regulatory Compliance and Enforcement policy. The investigating officer must be able to justify their decision with reference to the facts obtained in the investigation and the likelihood of a successful prosecution.

Non serious attack or rush offences may be dealt with by way of infringement or prosecution, depending on the circumstances as per Section 85 of The Act. An attack involving serious injury or death must be heard and determined by the Court and is not able to be dealt with by infringement.

Our Current Compliance Activities

- Investigating dog attacks promptly upon report
- Seizing and holding dogs responsible for serious injury attack
- Providing an afterhours service to respond to reports of aggressive or attacking dogs
- Prosecuting matters pursuant to the Act
- Issuing infringements for wandering dogs
- Issuing infringements for rush and attacks where non serious injury sustained
- Declarations for Menacing or Dangerous Dogs
- Seeking destruction Orders from Magistrates' Court where necessary
- Seeking confinement Orders from Magistrates' Court for dogs continually found wandering or not confined to property
- Proactive patrols of parks and streets for wandering dogs
- Proactive patrols for guard dogs on non-residential premises
- Recording data of reported dog attacks in the municipality

7.3 Our Plan

Objective 1: Provide targeted education and compliance campaigns in areas where data reporting shows incidents of dog attack against stock and other animals.

Activity	When	Evaluation
a) Collate and record data for dog attacks reported including, date/time, suburb, animal type, stock attacked, dog unsecured/off lead, dog unregistered, sex, entire/de-sexed.	Ongoing	Evaluate data annually to determine areas requiring specific education/compliance activities.
b) Initiate education and compliance activities in targeted areas to encourage reduction of roaming or uncontrolled 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.

Objective 2: To minimise the incidence of dog attacks in the community.

Activity	When	Evaluation
a) Providing proactive Education/Compliance Activities in the targeted areas of higher dog attack incidents. 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.	Ongoing	<ul style="list-style-type: none"> Compare number of reported dog attack incidents pre and post campaign. Consider a community survey pre and post campaign, to measure any changes in knowledge about dog attack prevention. Record type and number of education materials distributed. Numbers of campaign patrols conducted. Number of media articles published
b) Inform the community of outcomes of dog attacks prosecuted in Court.	Ongoing	As occurs.
c) Set key performance indicators for Officers to complete dog attack investigations within a six week timeframe.	2027	Review complaints annually to evaluate percentage completed within timeframe.

8. Dangerous, Menacing and Restricted Breed Dogs

8.1 Context and Current Situation

Benalla Rural City Council has the following declared dogs currently registered within the municipality:

Registered restricted breed dogs	0
Registered declared dangerous dogs	1
Registered declared menacing dogs	0

The Act defines restricted breed dogs as any one of the following breeds:

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

Benalla Rural City Council has no restricted breed dogs registered. Owners of restricted breed dogs must abide conditions specified in the Act, including:

- Must not consent to, arrange or recklessly allow the dog to breed
- Must notify Council if dog is missing, custody or address changes
- Must notify Council if municipal district where it is kept changes
- Must be confined to a dwelling so that it cannot escape
- Minor cannot enter the dwelling where it is kept without an adult
- Must be kept in a prescribed enclosure when outside the dwelling
- Must display compliant warning signs at all entrances
- Must wear a prescribed collar
- Must always be muzzled and on leash outside the premises.

Benalla Rural City Council has one declared dangerous dog. A dangerous dog is one that has been declared dangerous by Council or the Courts, a guard dog kept for the purpose of guarding non-residential property or a dog that has been trained to attack or bite any person or thing worn or attached to a person.

Owners of declared dangerous dogs must abide conditions specified in the Act, including:

- Must notify Council if dog is missing, custody or address changes
- Must notify Council if municipal district where it is kept changes
- Must be confined to a dwelling so that it cannot escape
- Minor cannot enter the dwelling where it is kept without an adult
- Must be kept in a prescribed enclosure when outside the dwelling
- Must display compliant warning signs at all entrances
- Must wear a prescribed collar
- Must always be muzzled and on leash outside the premises.

Benalla Rural City Council currently has no declared menacing dogs within the municipality. A menacing dog is one that has been declared menacing by Council or the Courts. Owners of menacing dogs must abide by conditions specified by the Act, including:

- Must notify Council if dog rushes or chases a person
- Must notify Council if dog is missing, custody or address changes
- Must notify Council if municipal district where it is kept changes
- Must always be muzzled and on leash outside the premises

Council must register all dangerous/menacing/restricted breed dogs with the Victorian Dangerous Dog Register (VDDR). This is a database that records all declared dogs for all relevant parties to see. Any dangerous, menacing and restricted breed dog entered into the VDDR is declared for the life of the animal and cannot be revoked by the Council. Microchip registries are also updated.

8.2 Our Policies and Procedures

Current Policies And Procedures

Council may declare a dog to be dangerous under Section 34 or menacing under Section 41A of the DAA. If a dog meets the criteria specified in the Act and the officer is of the opinion that a declaration is in the public interest, they may apply for a declaration to be made through the Compliance Coordinator.

If a dangerous or menacing declaration is to be made, the process as listed in Sections 35 and 36 of the Act must be strictly followed using the documentation approved by Council for this purpose.

In order to avoid any apprehension of bias in the declaration process (*ref: Isbester v Knox City Council (2015) HCA 20*), Council utilises a panel system for all declaration applications, where at least three Council staff members, with no connection to the investigation or application, will consider the application based on the merits of the case alone.

Current Compliance Activities

- Ensuring all declared dogs are registered on the VDDR
- Regularly conducting inspections on premises housing declared dogs to ensure compliance
- Seizing dogs suspected of being Restricted Breed Dogs
- Dog declarations made where applicable
- Prosecution/Infringements issued for any determined breach
- Assessing suspected restricted breed dogs via the gazetted standard
- Flagging certain breeds from registration database for assessment.
- Conduct proactive patrols after hours for unregistered guard dogs (dangerous dogs)

8.3 Our Plan

Objective 1: Developing a policy to assist in decision to declare a dog dangerous, menacing provides assurance to local residents the decision making is fair and nonbiased.

Activity	When	Evaluation
a) continue to review and update procedure for dangerous and menacing dog declarations in order to make equitable decisions.	Ongoing	Number of dangerous and menacing dog declarations made within the municipality as reported in annual reporting figures.
b) Review all dog attack investigations upon completion and complete a declaration application to the panel to assess if an order is required..	Ongoing	
c) Maintain dangerous and menacing dog register both locally and at a State level by maintaining the Victorian Declared Dog Registry	Ongoing	

Objective 2: Ensure declared dogs are compliant to relevant legislation and regulations.

Activity	When	Evaluation
a) Random property inspections of declared dogs to ensure compliance.	Ongoing	Review actions as offences detected.
b) Prosecute repeat offenders or serious breaches detected.	As occurs	Monitor offences and prosecutions.
c) Patrols for unregistered guard dogs in industrial areas.	As occurs	Review actions as offences detected.
d) Educate the community about what is a declared dog.	Ongoing	Review complaints raised as result of heightened awareness.

9. Domestic Animal Businesses

9.1 Context and Current Situation

There are four registered domestic animal businesses (DAB) within the Benalla Rural City Council, these include one boarding business, one breeding business, one combination boarding/breeding business and one training based business.

Council has a short-term animal holding facility located at the rear of the works depot and RSPCA Victoria is contracted to provide pound services for Council from its Burwood premises. As part of the contract additions, RSPCA Victoria transport impounded animals from Benalla to Burwood and returned to Benalla upon reclaim. This contract expires in December 2026.

Registered domestic animal businesses are audited both randomly and on receipt of complaints. Council also proactively investigates the presence of animal businesses to ensure compliance with the relevant codes of practice and legislation.

9.2 Our Policies and Procedures

In accordance with the provisions under Part 4 of the Act, DAB must be registered with Council. Currently there are five types of DAB that must be registered, which are:

- Pet shops
- Boarding establishments
- Breeding and rearing establishments
- Dog training establishments
- Dog and cat shelters and pounds.

Council must refuse to register renew or revoke a DAB registration if any of the conditions under Part 4, Division 3 of the Act are met. DAB is subject to Council inspection prior to registration, and annually thereafter, to ensure they are complying with the Code of Practice applicable to that Business. Current Codes of Practice are available on the Agriculture Victoria website or via Animal Welfare Victoria, along with audit checklists and factsheets to assist DAB operators to remain compliant.

Codes of Practice for the operation various DAB are made under the provisions of Section 59 of Division 4 of the Act. The purpose of the Code is to specify the minimum standards of accommodation, management, breeding and care that are appropriate to the physical and behavioural needs of dogs and cats affected by businesses operating as DAB. The Council is responsible for inspection, audit and ensuring compliance with the relevant code of practice.

Where an inspection has revealed that the DAB is not operating in accordance with the Code of Practice, the officer must notify the proprietor of the breaches and issue a Notice to Comply directing the proprietor to undertake all work necessary to meet compliance with the Code within a given time.

In the event the proprietor does not comply with the Notice to Comply, the Compliance Officer shall prepare a report for consideration by the Compliance Coordinator who will determine if Council should take legal or further action.

Planning requirements may exist for an animal business. These are in addition to the requirements of the Act and Benalla Planning Scheme. The application should be forwarded to the Planning Department for comment prior to proceeding.

9.3 Our Plan

Objective 1: Ensure Domestic Animal Businesses are compliant with relevant legislation and codes of practice.

Activity	When	Evaluation
a) Identify all businesses that should be registered DABs in the municipality, including businesses selling pets, products or services. Follow up to determine if they should be registered with Council.	Ongoing	Compare number of registered DABs before and after activity.
b) Monitor the Council's registration database for owners with more than 3 fertile females	Annually	
c) Conduct searches for unregistered Domestic Animal Businesses via internet, social media and newspapers	Ongoing	

Objective 2: Annually inspect and audit all registered DAB's.

Activity	When	Evaluation
a) Media campaigns to raise awareness of DAB definition, Council responsibilities and code of practices that must be adhered to.	Annually	Number of DAB registered each year.
b) Investigate advertisements of pets for sale.	Ongoing	Unlawful DAB prosecutions or enforcement actions.
c) Audit DAB's randomly to ensure compliance.	Annually	Number of successful audits showing compliance with the relevant code of practice.

10. Annual Review of Plan and Annual Reporting

Under section 68A(3) of the Act, Council must review its DAMP annually and, if appropriate, amend the plan. Council must provide the Department of Jobs, Precincts and Regions Secretary with a copy of the plan, including any amendments, and publish an evaluation of the plan's implementation in its annual report.

Evaluation of Implementation of the Domestic Animals Management Plan

Complete for each activity	
Was each activity completed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe any changes you will make if you do that activity again.	
Was an activity not done or is now not planned to be done? If so, why?	
If an activity was unsuccessful and you don't plan to do it again, outline insights you have into why it didn't work.	
Complete for each objective	
Did you meet your objective by carrying out the planned activities?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe your level of success/progress in meeting the objective.	

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