



Animal Management Plan



DOG & CAT MANAGEMENT 2008 - 2013

Prepared by the District Council of Mount Remarkable

**Considered and Adopted by Council
at its meeting on
Tuesday 8th April 2008**

Management Plan:	Animal Management Plan
Management Plan Title:	Dog & Cat Management
Management Plan Status:	Adopted
Legislative References & Applicable Sections:	Dog & Cat Management Act 1995, Section 26A Local Government Act 1999
Date Implemented:	8 th Month 2007; MB Page 7679; Min Ref 68.2008
Dates Reviewed, Amended & Re-adopted:	
Date Revoked:	
Next Scheduled Review:	April 2010

1.0 Background

Section 26A of the Dog & Cat Management Act 1995 places a requirement upon all Councils to develop Animal Management Plans and states that:

- (1) *Each council must, in accordance with this section, prepare a plan relating to the management of dogs and cats within its area.*
- (2) *A plan of management must include provisions for parks where dogs may be exercised off-leash and for parks where dogs must be under effective control by means of physical restraint, and may include provisions for parks where dogs are prohibited.*
- (3) *A plan of management must be prepared and presented to the Board as follows:*
 - (a) *the first plan must cover a 5 year period and be prepared and presented within 3 years after the commencement of this section;*
 - (b) *subsequent plans must cover subsequent 5 year periods and each plan must be prepared and presented at least 6 months before it is to take effect.*
- (4) *A plan of management must be approved by the Board before it takes effect.*
- (5) *A council may, with the approval of the Board, amend a plan of management at any time during the course of the 5 year period covered by the plan.*

Section 90 of the Dog & Cat Management Act 1995 provides Councils with the ability to introduce by-laws for the control or management of dogs and cats within its area and states that:

- (1) *A district or municipal council may make by-laws for the control or management of dogs or cats within its area.*
- (2) *Without limiting the generality of subsection (1), the by-laws may-*
 - (a) *limit the number of dogs or cats that may be kept on any premises;*
 - (b) *fix periods during which dogs or cats must be effectively confined to premises occupied by a person who is responsible for the control or entitled to the possession of the dog or cat;*
 - (c) *require dogs or cats to be identified in a specified manner or in specified circumstances;*
 - (d) *require dogs or cats to be effectively controlled, secured or confined in a specified manner or in specified circumstances;*
 - (da) *set aside specified areas where dogs are prohibited or for specified activities relating to dogs to be carried out in a specified manner or in specified circumstances;*
 - (e) *make provision for a registration scheme for cats (including payment of a fee for registration) and encourage the de-sexing of cats;*
 - (f) *exempt (conditionally or unconditionally) classes of persons or activities from the application of the by-laws or specified provisions of the by-laws.*
- (3) *By-laws under this Act-*
 - (a) *may be of general application or limited application;*
 - (b) *may make different provision according to the matters or circumstances to which they are expressed to apply;*
 - (c) *may provide that a matter or thing in respect of which by-laws may be made is to be determined according to the discretion of the council.*
- (4) *However, a by-law limiting the number of dogs or cats that may be kept on premises does not apply in relation to a kennel in respect of which a development authorisation is in force under the Development Act 1993 so as to prevent dogs or cats being kept as contemplated by that authorisation.*

- (5) *The Local Government Act 1999 applies to by-laws made under this section subject to the following modifications:*
- (a) *a council must, at least 42 days before resolving to make the by-law (and consequently at least 21 days before public notice of the proposed by-law is given) refer the proposed by-law to the Board; and*
 - (b) *at the same time the council must provide a report to the Board-*
 - (i) *outlining the objects of the proposed by-law; and*
 - (ii) *setting out how it is proposed to implement or enforce the proposed by-law; and*
 - (iii) *explaining the reasons for any difference in the proposed by-law from other by-laws about a similar subject matter applying or proposed to apply in other council areas; and*
 - (c) *the council must consider any recommendations of the Board relating to the by-law.*

It is noted that Council's overarching power to make by-laws is contained within Section 246 of the Local Government Act 1999.

Section 254 of the Local Government Act 1999 provides Council with broad powers to issue orders relating to animals of any species, including dogs and cats, and states that:

- (1) *A council may order a person to do or to refrain from doing a thing specified in Column 1 of the following table if in the opinion of the council the circumstances specified opposite it in Column 2 of the table exist and the person comes within the description opposite it in Column 3 of the table.*

(Please note, as only the third line of the table is relevant to animal management plans, the table format has been removed in this extract)

Column 1 To do or to refrain from doing what?	Column 2 In what circumstances?	Column 3 To whom?
<p>3. Animals that may cause a nuisance or hazard</p> <p>To do or to refrain from doing the thing specified in the order in order to abate a nuisance or a hazard to health or safety associated with a live or dead animal or animals, or otherwise to deal with an animal or animals.</p>	<p>A person is keeping or dealing with (or failing to deal with) an animal or animals (whether the animal or animals are alive or dead) so as to cause, or to be likely to cause, a nuisance or a hazard to health or safety.</p> <p>A person is the owner or occupier of land where an animal or animals are located which may cause, or be likely to cause, a nuisance or a hazard to health or safety, or otherwise to become a pest.</p>	<p>The owner or occupier of land or any person apparently engaged in promoting or conducting an activity.</p>

Examples detailed within the legislation include:

- (1) *The slaughtering of animals in a town or urban situation.*
- (2) *Keeping an excessive number of insects, birds or other animals.*
- (3) *Keeping bees in close proximity to other property.*
- (4) *Keeping animals so as to generate excessive noise, dust or odours, or to attract pests or vermin.*
- (5) *Keeping an aggressive animal, or keeping an animal in a situation where it cannot be adequately contained or may cause danger to the public.*
- (6) *Failing to deal with a wasp's nest.*

This Animal Management Plan has been developed in accordance with the authority of and in compliance with the requirements of the Local Government Act 1999 and the Dog and Cat Management Act 1995.

2.0 Preamble

The District Council of Mount Remarkable covers an area of approximately 3,000 square kilometres and is situated 260 kilometres north of Adelaide. With 6 main townships (Booleroo Centre, Melrose, Port Flinders, Port Germein, Wilmington & Wirrabara) and numerous smaller settlements, the Council has a population base of approximately 2,850. During the 2006 / 2007 financial year, the Council registered 876 dogs, impounded 18 dogs, investigated 8 dog attacks / harassments and 15 noise complaints.

This Animal Management Plan identifies strategies and actions to implement Council's aims and objectives for domestic animal management, specifically dogs and cats, and relates these back to the wider policy context. The Strategy has been prepared by Council's Administration on behalf of Council, drawing information from a broad range of stakeholders, with the community asked to comment on the draft prior to its formal consideration and adoption by Council.

The Plan's objective is to promote and facilitate responsible ownership of dogs and cats, animal welfare and the benefits of animal companionship, focusing on the legitimate needs of pets and their owners, whilst respecting the rights of other members of the community and protecting the environment.

The Plan aims to:

- promote responsible dog and cat ownership;
- provide effective management for the welfare and safety of dogs and cats;
- increase public safety through reduction of public and environmental nuisance caused by dogs and cats;
- provide for the needs of pets and pet owners;
- acknowledge the importance of dogs and cats in the Community; and
- protect native fauna and flora from the impact of dogs and cats.

The Dog and Cat Management Act 1995 ("the Act") brought into South Australia a new legal framework covering both dogs and cats. The objectives of the Act are to:

- encourage responsible dog and cat ownership;
- reduce public and environmental nuisance caused by dogs and cats; and
- promote the effective management of dogs and cats.

Whilst the Act provides the legal framework for Council's responsibilities and the penalties that can be imposed on dog owners for non compliance, this Animal Management Plan seeks to implement a balanced approach that caters for everyone's needs. It will not only benefit dogs and their owners as a group with legitimate needs, but also the wider community and those charged with the responsibility of animal management.

3.0 Policy Position

That pursuant to the provisions of Section 26A of the Dog & Cat Management Act 1995, that Council adopt the Dog and Cat Animal Management Plan 2008 - 2013.

4.0 Management Plan Vision

The Vision of this Animal Management Plan is:-

- to create an environment which encourages responsible pet ownership, where people and pets integrate safely and harmoniously within the District Council of Mount Remarkable community;
- to recognise that companion animals are part of the community and contribute towards the overall quality of life; and
- to ensure that the needs of animals and their owners are accommodated whilst recognising the differing needs of all members of the community such as non pet owners.

This Vision will be achieved by the development and implementation of Strategies and Actions as detailed in the remaining sections of this Animal Management Plan.

5.0 Objectives & Actions

5.1 To Promote Responsible Dog & Cat Ownership

5.1.1 Provide publicity and educational materials to residents and visitors to the Council area relating to responsible pet ownership.

Action 1 Develop and distribute an information brochure for residents and visitors to the Council providing information for the owners of pets and non pet owners.

Action 2 Distribution of information materials provided by the Dog and Cat Management Board directly to pet owners as required, for example, the 'Your Dog, Your Cat' booklet.

Action 3 Regularly include information in the Council newsletter relating to responsible dog and cat ownership.

5.1.2 Hold regular micro-chipping days and promote animal de-sexing.

Action 1 Assist and promote any Veterinary Clinics wishing to conduct micro-chipping days.

Action 2 Encourage the use of identification discs for cats in conjunction with micro-chipping.

Action 3 Regularly including information in the Council newsletter relating to both micro-chipping and the use of identification discs.

5.1.3 Enforce the provisions of the Dog and Cat Management Act 1995.

Consistent enforcement of the provisions of the Dog and Cat Management Act 1995 is an important factor in educating the public to act responsibly with their pets. Responsible pet owners expect irresponsible pet owners to be dealt with through the provisions of the Act.

Action 1 Develop and implement a Standard Operating Procedure (SOP) for dealing with complaints about dogs and cats.

5.2 To Provide Effective Management for the Welfare & Safety of Dogs & Cats

5.2.1 Ensure that Officers of Council operate within the provisions of the Dog and Cat Management Act 1995.

Action 1 Develop a Dog and Cat Management Procedures Manual for use by Council staff and Authorised Officers.

Action 2 Provide regular training and development for Council staff and Authorised Officers on an ongoing basis.

5.2.2 Provide information for dog and cat owners.

Action 1 Regularly include information in the Council newsletter relating to responsible dog and cat ownership.

5.2.3 Maximise dog registrations.

The Act requires that all dogs of 3 months of age or more must be registered. Council cannot expect to obtain an acceptable level of Dog Management without obtaining maximum registrations. The purpose of registration is to:

- Allow lost pets to be reunited with their owners;
- Ensure maximum funding is available to Council to carry out its responsibilities under the Act and to fund animal management programs;
- Provide proof of ownership; and
- Encourage responsible animal management through discounted registration fees.

Action 1 Enforce the legal requirements of identification and registration.

Action 2 Regularly include information in the Council newsletter relating to responsible dog and cat ownership.

Action 3 Regularly undertake township doorknocks (on a random rotational basis) to ensure dogs being kept at properties are registered.

5.2.4 Enforce identification of dogs.

Identification of dogs and cats is crucial in the provision of sound animal management practices, and residents and visitors to the area should identify their dogs and cats at all times. Accidental escapes account for approximately 90 per cent of dogs wandering at large and often these dogs are not identified, therefore not being able to be returned to the owner. The cost associated with impounding unidentified dogs and cats and the stresses placed on the animal and their owners can be avoided.

Action 1 Enforce the legal requirements of identification and registration.

Action 2 Educate the public regarding the correct identification of dogs and cats.

Action 3 Assist and promote any Veterinary Clinics wishing to conduct micro-chipping days.

5.2.5 Minimise dogs wandering at large.

Refer to Section 5.3

5.2.6 Encourage the Community to report all dog attacks / harassments to Council.

Action 1 Implement an education program that promotes the reporting of all dog attacks / harassments throughout the Council area.

5.2.7 Provide suitable on and off leash activity areas.

Providing suitable on and off leash activity areas is vital to the success of animal management in the area and dog owners must have suitable areas to exercise their dogs safely. Equally, other members of the Community must have the ability to use the amenities without fear of harassment by uncontrolled dogs. In areas such as streets, roads and places where people congregate, dogs must be restrained effectively. In parks assessed by Council for their suitability, dog owners should be able to exercise their dogs without restraint providing the owner maintains and exercises effective control.

Action 1 Council will not unnecessarily restrict off-leash activities in parks and reserves.

Action 2 Following appropriate assessment, off-leash areas will be designated by appropriate signage.

5.2.8 Maintain adequate local impoundment facilities.

Action 1 Ensure that Council operates its dog holding facilities in accordance with the "Code of Conduct for Pounds and Shelters" as set down by the Dog and Cat Management Board.

Action 2 Undertake regular compliance reviews of Council's dog holding facilities.

Action 3 Investigate and plan for the establishment of a new central impounding facility for the Council area.

5.2.9 Maximise the Community understanding of the roles of the Council and Authorised Officers.

Many people have little or no understanding of the role performed by Animal Management Officers and Council in the Community. This can lead to mistrust and in the worst cases, a total lack of respect for the Officers and Council. Officers must be able to provide information regarding the very important role they perform in the community on behalf of Council.

Action 1 Regularly include information in the Council newsletter relating to the role of Council and current animal management issues.

5.2.10 Promote the de-sexing of dogs and cats.

Action 1 Encourage dog and cat owners to have their pets de-sexed irrespective of whether the animals are male or female.

Action 2 Regularly include information in the Council newsletter promoting the benefits of pet de-sexing.

5.2.11 Limit the number of dogs per property.

Council presently does not have any by-laws in place limiting the number of dogs kept on a property. Several complaints over recent years have indicated that it may be appropriate for Council to consider developing and implementing such a by-law.

Action 1 Undertake a preliminary public consultation process regarding the possible introduction of a by-law throughout the Council area limiting the number of dogs kept per property.

5.3 To Increase Public Safety through Reduction of Public & Environmental Nuisance Caused By Dogs & Cats

5.3.1 Barking dogs.

Complaints about barking dogs are one of the most difficult and time consuming areas of Council responsibility. They are subjective in that they will often depend on an individual's tolerance for dog noise, however, Council must investigate all written complaints. In order for the complaint to be resolved, full co-operation from the complainant is required to collect meaningful evidence suitable for a Court of law. In order to achieve this, Council staff utilise a standard complaint form.

The complainant must follow the standard operating procedures, as failure to do so will mean that the matter will have to be set aside. On receipt of a complaint, Council will provide information to the dog owner and diaries to the complainant. If and when the diaries are returned, an investigation will be undertaken and upon substantiation, Council will take the appropriate course of action.

Action 1 Develop and follow a Standard Operating Procedure for the investigation of noise nuisance complaints.

Action 2 Distribute appropriate materials to relevant dog owners following receipt of a complaint regarding dog noise nuisance.

5.3.2 Wandering dogs.

Under the provisions of the Act, it is an offence to allow a dog to wander at large. A dog is taken to be wandering at large if it is in a public place and no person is exercising effective control by way of a physical restraint. A dog will also be considered to be wandering at large if it is in a park and no person is either exercising physical restraint or command. Dogs off lead in parks must be in close proximity to the handler who must be able to see the dog at all times. The owner of the dog, or the person who is responsible for the dog wandering at large, has committed an offence and is responsible for the prescribed penalties under the Act.

A dog wandering at large can be a threat to livestock and members of the public, particularly children and older people, and serious attacks and / or harassment can arise in these circumstances. Council will therefore implement strategies to minimise dogs wandering in the community.

Accidental escapes account for approximately 90 per cent of dogs wandering at large and often these dogs are not identified, therefore not able to be returned to the owner. The cost associated with impounding unidentified dogs and cats and the stresses placed on the animal and their owners can be avoided.

Action 1 That owners of dogs be regularly made aware of their responsibilities to:

- Register their dog(s) and ensure that their dog(s) wear their identification tags at all times;
- Adequately fence their property to control their dog(s) or provide an enclosure within their property boundary; and
- Keep their dog under effective control when in a public place.

Action 2 Promotion of micro-chipping.

Action 3 The priority for dogs found to be wandering at large will be to return the dog to the owner. Unidentified dogs will be impounded in accordance with the Act and any unclaimed dogs will be euthanised (if an alternate home cannot be found).

5.3.3 Dog attacks / harassments.

All dog attacks / harassments must be recorded and investigated, and in order to reduce the incidence of dog attacks, Council must educate the public to act responsibly. The issue is of great concern in the general community, particularly in relation to children and the elderly. Of similar concern, is the number of unreported attacks and the fact that the majority of attacks (85 per cent) occur on private property.

Whilst it is a relatively small minority of dogs that are involved in attacks and harassment, all dogs have the potential to bite, regardless of size, age, breed or temperament, particularly in situations where they may be frightened, dominant, protective or possessive. How to avoid being bitten or how to read a dog's body language are important issues for the public to be educated in.

Action 1 Collate statistics in relation to dog attacks / harassments within the Council area.

Action 2 Encourage the Community to report all dog attacks and harassments to Council as soon as possible.

Action 3 Promote the level of risk relating to litigation and public safety.

5.3.4 Dog faeces in public places.

The management of dog faeces is an important environmental and health issue. Although the responsibility lies with dog owners, an increasing number of Councils are providing leadership in this area by providing dog tidy bags to promote the picking up of dog faeces.

Action 1 Investigate the provision of dispensers and dog tidy bags in suitable public areas with signs to encourage responsible dog ownership about faeces removal.

Action 2 Investigate the provision of dog tidy bags that tie onto leashes for distribution to dog owners when registrations are renewed.

Action 3 Regularly include information in the Council newsletter regarding dog faeces and the dog owner's responsibilities.

5.3.5 Nuisance caused by cats.

Under the provisions of the Dog and Cat Management Act 1995 an unowned cat can be trapped when found wandering on private property. If an occupier traps a cat and it is identifiable, the cat must be released to the owner unless the cat is more than one (1) kilometre from a genuine place of residence. Under the provisions of the Act, a cat must be identified by way of collar with ownership details or by way of a microchip.

Action 1 Continue to provide cat traps on a loan basis to residents experiencing problems with cats.

Action 2 Regularly include information in the Council newsletter regarding nuisance caused by cats.

5.3.6 Dogs on utilities and tray tops.

Dogs travelling in or on the back of utilities, trucks or similar vehicles are required to be harnessed or enclosed so that any part of the dog cannot extend itself beyond the tray. Working dogs will be exempt in situations where they are involved in the movement of stock.

Action 1 Regularly include information in the Council newsletter relating to the requirements of the Act in this respect.

Action 2 Prepare and distribute a general information brochure to accompany the annual dog registration notices.

5.4 To Provide For the Needs of Pets & Pet Owners

5.4.1 Ensure that impounded dogs are returned to owners as soon as practical.

For wandering or lost animals to be returned to their owners, they must be appropriately identified.

Action 1 Regularly make owners of dogs aware of their responsibilities to register their dog(s) and wear their identification tags at all times.

Action 2 Encourage the use of identification discs for cats in conjunction with micro-chipping.

Action 3 Regularly include information in the Council newsletter relating to both micro-chipping and the use of identification discs.

5.4.2 Ensure that all impounded dogs have clean, safe facilities while impounded.

Refer to Section 5.2.8

5.4.3 Provide suitable on and off leash activity areas.

Providing suitable on and off leash activity areas is vitally important to the success of animal management within the Council area. Dog owners must have suitable areas to exercise their dogs safely, however it is equally important that other members of the community must have the ability to use the amenities of the area without fear of harassment by uncontrolled dogs. In areas such as streets, roads and places that the public congregate, for example shopping centres or precincts, dogs must be restrained effectively.

The term Park is defined in the Dog and Cat Management Act 1995 to mean a park, garden, reserve or other similar public open space, or a foreshore area, within the area of a Council.

In parks assessed by Council for their suitability, dog owners should be able to exercise their dogs without restraint provided that the owner exercises effective control by way of physical restraint or by command.

The Act stipulates that a person is exercising **Effective Control** of a dog (by means of a physical restraint) if the dog is being restrained by means of a chain, cord or leash that does not exceed 2 metres in length or the person has effectively secured the dog by placing it in a cage, vehicle or other object or structure, or by tethering it to a fixed object by means of a chain, cord or leash that does not exceed 2 metres in length.

Action 1 That Council designate appropriate dog exercise areas with suitable signage as follows:-



These areas have been identified on the township plans included as Attachments 1 to 7. For any towns or parks within towns not specifically identified, the default on lead / leash provisions apply.

5.5 To Acknowledge the Importance of Dogs & Cats in the Community

There are primarily three (3) factors that contribute to successful and responsible pet ownership. These are:-

- **The Owner** – who needs to be aware of their responsibilities as a pet owner, and
 - * ensure that their pet is registered and identified, immunised and de-sexed;
 - * ensure that their pet is trained and that they are aware of their pet's behaviour at all times, including when they are away from home;
 - * ensure that their pet has adequate food, water and shelter and that the pet is regularly exercised and aware that these needs may vary e.g. during extended periods of hot or cold weather.
- **The Breed** determines the size, and often the temperament of the dog / cat and its susceptibility to genetic defects. When selecting a pet, it is important to seek appropriate advice on the soundness of animals being considered and their suitability to the home / yard that it will be kept in and the family that the pet will be joining, particularly if small children are involved.
- **The Home Environment** is made up of the part of the home that the pet will have access to. In most cases this will include an enclosed yard and possibly part of the house. Important factors are the adequacy of fencing, whether the pet can see out of the yard through a gate, adequacy of shelter, food / water and whether there are children, closeness of neighbours and their pets and access to exercise areas.

Successful pet ownership has both financial and time commitments and it is therefore important that people contemplating pet ownership endeavour to match their choice of pet to their particular home and family circumstances.

- Action 1* Regularly include information in the Council newsletter aimed at people contemplating obtaining a dog or cat and encouraging them to consider the factors that will affect successful pet ownership in their particular circumstances.
- Action 2* Promote the availability of advice from organisations such as Petcare Information and Advisory Service and the Dog and Cat Management Board regarding these matters.
- Action 3* Provide residents and visitors with up-to-date information regarding the benefits of responsible dog and cat ownership.

5.6 To Protect Native Fauna & Flora from the Impact of Dogs & Cats

Within this Council area, there are areas of natural significance which are managed by other agencies such as the National Parks and Wildlife Service. Some of these areas are open to the public as tourist and recreation areas and have signage indicating whether pets are permitted.

- Action 1* Clearly define areas which are unsuitable for dog recreation and exercise.
- Action 2* Supply cat traps free of charge and dispose of any unidentified cats that are captured.
- Action 3* Regular promotion of responsible pet ownership through newsletters and other materials

6.0 Interpretation

Any ambiguity or difficulty in the interpretation of this Policy Document shall be referred to the Chief Executive Officer and if needed, the Council, for direction.

Non-English translations of this Policy Document are available if required.

7.0 Public Availability of Management Plan

The public may inspect a copy of this Animal Management Plan at the offices of the Council during normal office hours, and may obtain a copy for a fee fixed by the Council, if any.

Further enquiries in relation to this Management Plan should be directed to the Chief Executive Officer, by telephoning 08 8666 2014 or emailing ceo@mtr.sa.gov.au.

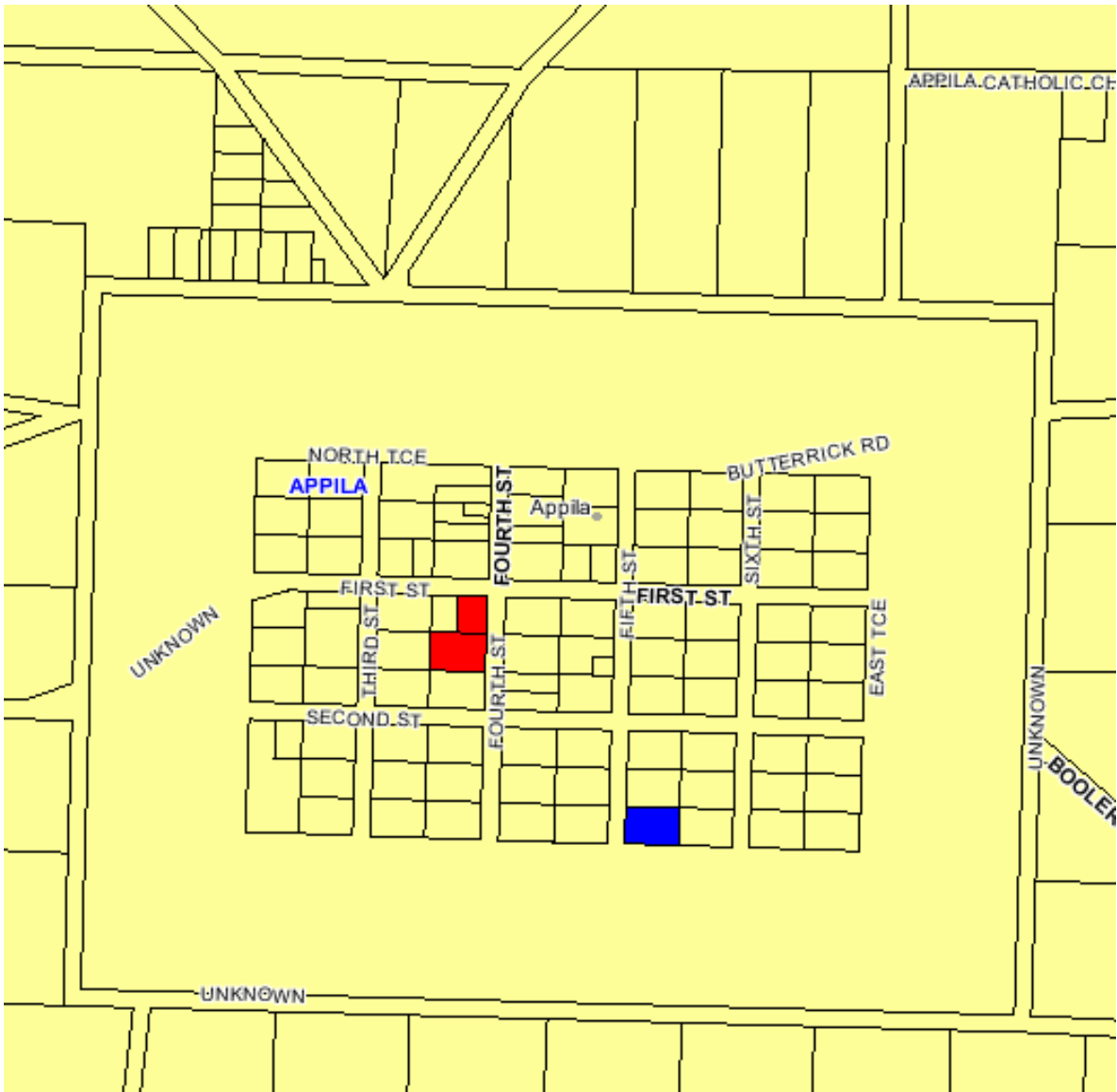
8.0 Review of Management Plan

The Council may review this Management Plan from time to time, however it is anticipated that a biennial review of this Management Plan will be undertaken.

9.0 Adoption of Management Plan

This Animal Management Plan was adopted by the District Council of Mount Remarkable at its meeting on Tuesday 8th April 2008.

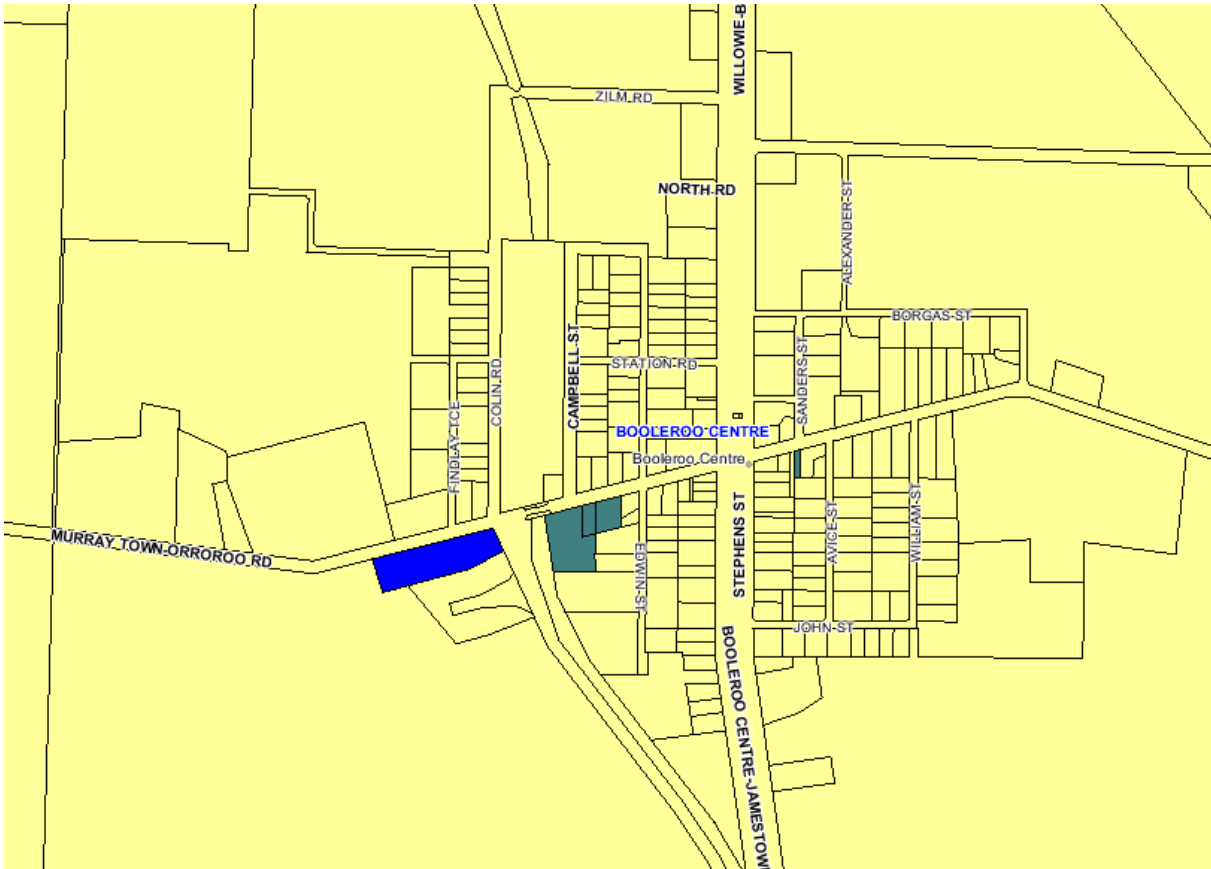
Attachment 1 – Appila Township



Legend:

-  Dog Off Leash Area
-  Dog on Leash Area
-  No Dogs Allowed

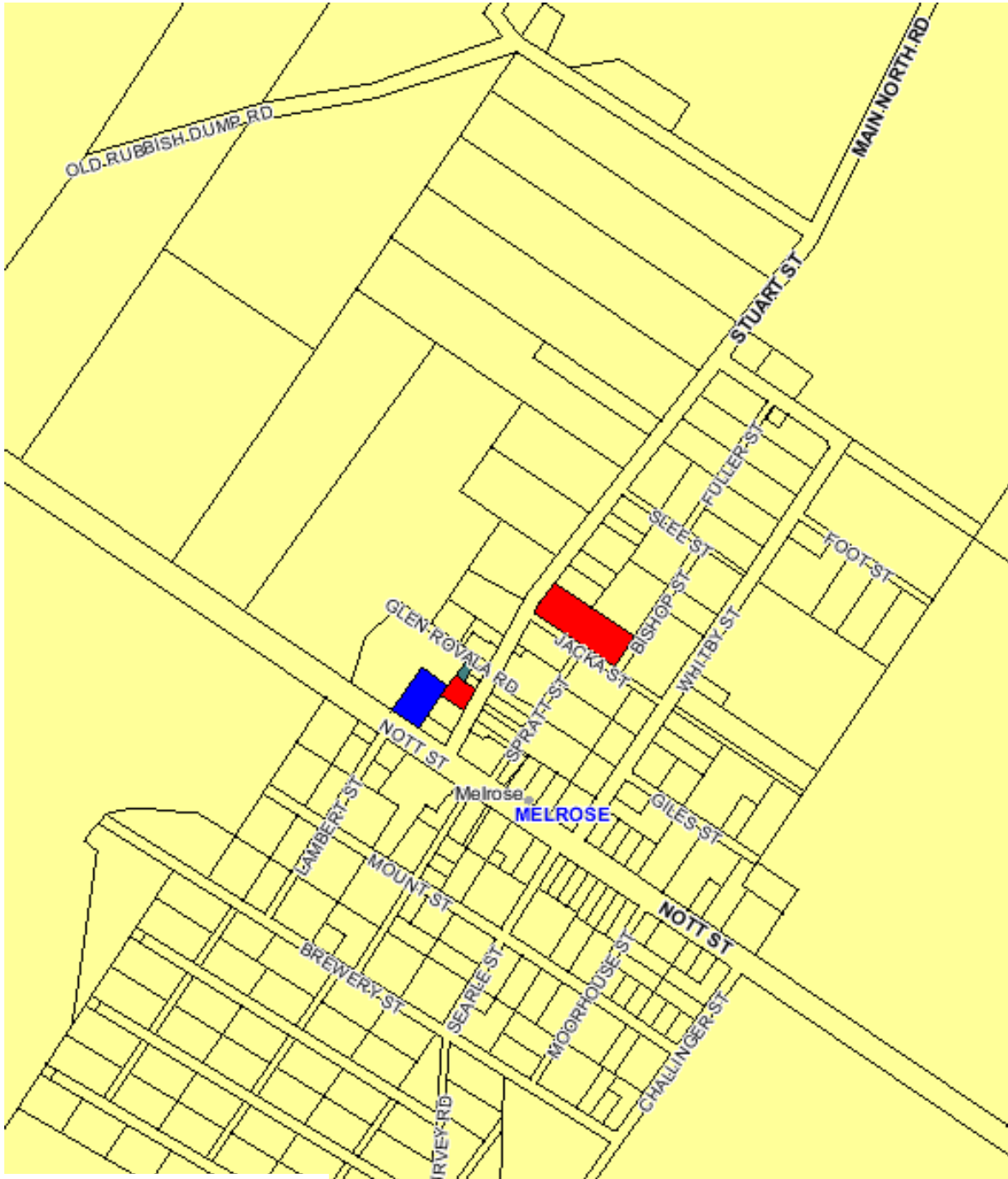
Attachment 2 – Booleroo Centre Township



Legend:

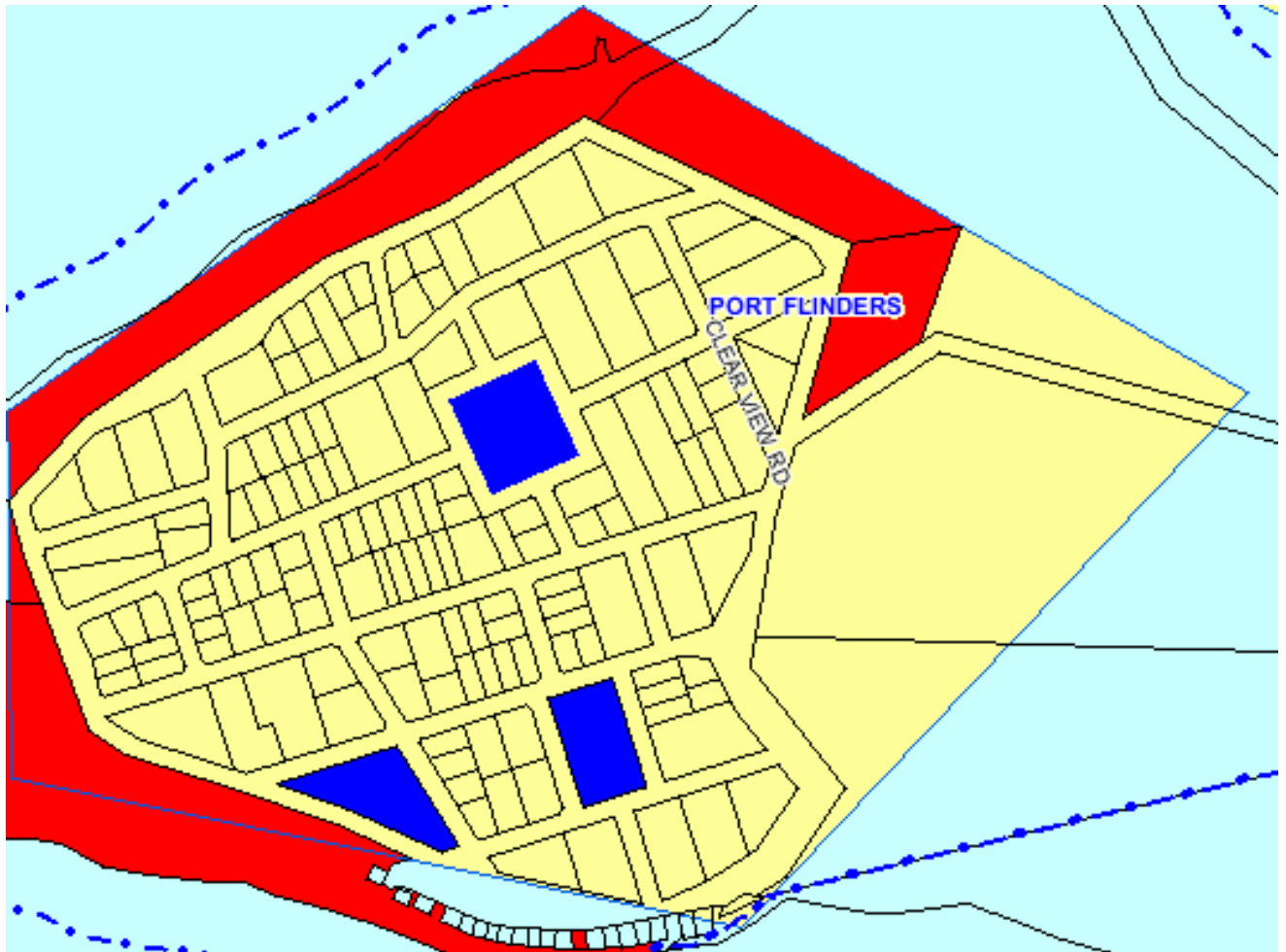
-  Dog Off Leash Area
-  Dog on Leash Area
-  No Dogs Allowed

Attachment 3 – Melrose Township



Legend:

- Dog Off Leash Area
- Dog on Leash Area
- No Dogs Allowed



Legend:

-  **Dog Off Leash Area**
-  **Dog on Leash Area**
-  **No Dogs Allowed**

Attachment 5 – Port Germein Township



Legend:

-  Dog Off Leash Area
-  Dog on Leash Area
-  No Dogs Allowed

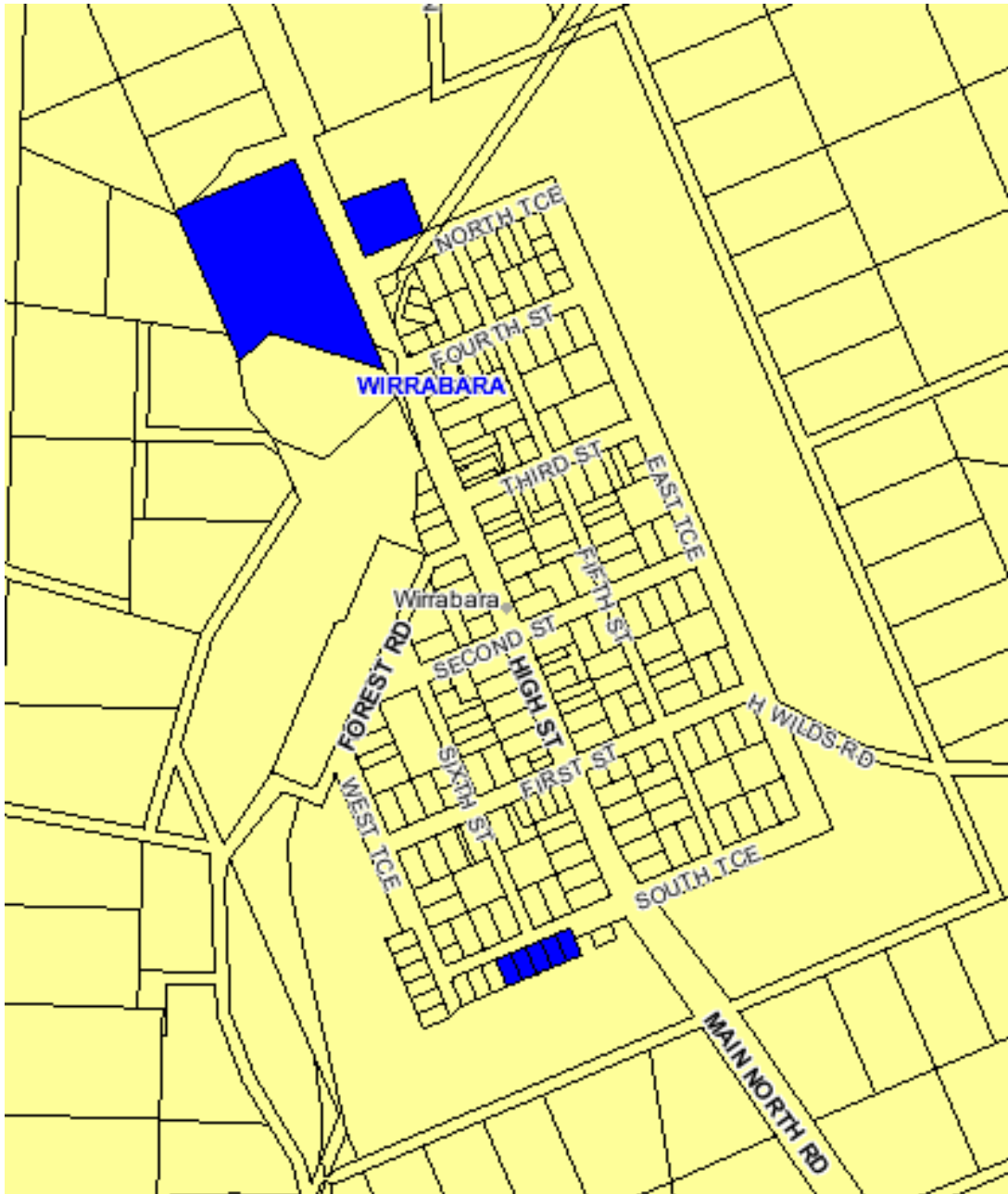
Attachment 6 – Wilmington Township



Legend:

-  **Dog Off Leash Area**
-  **Dog on Leash Area**
-  **No Dogs Allowed**

Attachment 7 – Wirrabara Township



Legend:

- Dog Off Leash Area
- Dog on Leash Area
- No Dogs Allowed