



Dog and Cat Management Plan 2018-2023



Approved by the Dog and Cat Management Board: 23/08/2019

(Plan must be approved by the Board before it can come into effect)

Date Plan comes into effect: 23/08/2019

Review Date: 23/08/2023

(4 years from date Plan comes into effect)



Dog and Cat Management Plan

2018-2023

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1. Executive Summary

The *Dog and Cat Management Act 1995* (the Act) requires all councils in South Australia to prepare a plan relating to the management of dogs and cats in their area. The City of Burnside Dog and Cat Management Plan 2018-2023 (the Plan) has been prepared in accordance with the Act and will guide the management of dogs and cats within the council area for the next five years.

This Plan contains recommendations for a wide range of actions to be undertaken by the City of Burnside to achieve the aims and desired outcomes of the City's Strategic Community Plan 2016-2026. It provides a basis and direction for Council from which it can plan and make future decisions that relate back to the wider council policy context. The Plan will be subject to ongoing review in line with any legislative changes to requirements.

This Plan is for a proactive approach to dog and cat management and it is acknowledged that some of the implementation of strategies in this plan will need to be partnered with the State Government, the Dog and Cat Management Board and/or other relevant stakeholders.



2. Background

The City of Burnside covers 2,752 ha, with a residential population in excess of 45,000 and more than 19,000 dwellings.

There were 5,192 dogs registered in the City in the 2016/2017 financial year.

The evidence supporting the benefits of owning pets is considerable, promoting physical, mental, emotional and social health. Pets provide companionship, decrease loneliness, give purpose in life and help in the reduction of stress and anxiety. Dog ownership encourages people to exercise and also precipitates the informal gathering of community members, in a society which is increasingly disconnected. Council's role is not to hinder this benefit, but to maintain the ability of the community to continue to own dogs and cats. It is essential that councils take a strategic approach to managing domestic pets within its community.

Council's management of urban animal issues has an impact on the health, wellbeing and lives of the whole community and the welfare of animals in the City. This Plan is therefore designed for everyone in the City of Burnside from dog and cat owners to those who have no pets, and provides the direction for the Council in dog and cat management for the next five years (unless reviewed and amended earlier).

The mission of dog and cat management service delivery in the City of Burnside is:

“To create an environment in the City of Burnside in which all members of the community are kept well informed about the benefits and responsibilities of dog and cat ownership and are committed to being responsible dog and cat owners”.

The aims of this Dog and Cat Management Plan are to:

- Ensure Council meets its obligations under the *Dog and Cat Management Act 1995*.
- Investigate and implement best practice in promoting responsible pet ownership.
- Consider ways the Council could harness the benefits of owning pets.
- Establish priorities for animal management in the City of Burnside for the next five years.

The objectives of this Dog and Cat Management Plan are to:

- Promote the benefits of dog and cat ownership.
- Encourage responsible dog and cat ownership.
- Increase public safety and reduce public and environmental nuisances from dogs and cats.
- Minimise impact on native animals and birdlife.
- Ensure Council delivers effective and efficient and innovative dog and cat management services.

Prospective pet owners are to consider the responsibilities of pet ownership and obtain advice on appropriate breed choice to suit their lifestyle and living environment, in order to avoid later problems.

In addition to the legislative requirements of registration, microchipping and desexing, pet owners should meet standard requirements for immunisation and should provide an enriching home environment for their pet which provides confinement of their pet to their property. All dogs should undergo basic obedience training, be adequately socialised around other animals and have regular daily exercise.

3. Legislative Background

In 2012, a Select Committee of the South Australia Government sought public opinion on dog and cat ownership in South Australia.

The Final Report of the Committee made recommendations in relation to:

- Options for the regulation of welfare standards for breeding companion dogs and cats.
- The adequacy of regulation of the source of companion dogs and cats for sale.
- The adequacy of regulation of non-retail-shop trade in companion dogs and cats.
- The feasibility of a mandatory cooling off period between registering intent to purchase a companion dog or cat and taking possession of the animal.
- How the registration, microchipping and desexing of companion dogs and cats might address the goals of eliminating cruelty and minimising euthanasia.

Following the publication of the Committee's Final Report, the *Dog and Cat Management Act 1995* was reviewed so the recommendations could be addressed. The review process, which included further public consultation, made additional recommendations in relation to:

- preventing abandonment,
- reducing supply,
- reuniting pets with their owners.

Local councils are required to administer and enforce the provisions of this Act.

Substantial changes to the *Dog and Cat Management Act 1995* were passed in Parliament during July 2016. The key legislative changes included the following:

Microchipping – From 1 July 2018 all dogs and cats (with limited exceptions) that are over three months of age are required to be microchipped.

Desexing – introducing a requirement to desex all dogs and cats born after 1 July 2018 and by the age of six months.

Breeders – introducing a requirement that from 1 July 2018 a person must not sell a dog or cat they have bred unless they are registered as a breeder with the Dog and Cat Management Board.

Sellers – introducing a requirement for certain information to be provided to the buyer from 1 August 2018.

Council powers – providing councils, which are responsible for dog and cat management in their local areas, with greater powers to administer and enforce the Act.

Assistance dogs – changing who can accredit animals.

Dog registration - Registration categories of 'Standard Dog' (a dog which is both desexed and microchipped) and 'Non-Standard Dog' (all other dogs) replacing the rebates for desexing, microchipping and training.

The amendments to the Act and the Regulations relating to these amendments become operational during 2017 and 2018.

The *Dog and Cat Management Act 1995* requires all Councils in South Australia to prepare a Plan of Management Relating to Dogs and Cats within their local area.

The City of Burnside Dog and Cat Management Plan provides a basis and direction for Council, from which it can plan and make future decisions that relate back to the wider Council policy context. The Plan will be subject to ongoing review in line with any legislative changes to requirements. It identifies strategies and actions to implement the mission, aims and objectives, including:

- Responsible dog and cat ownership education and promotion.
- The benefits of pet ownership.
- Dog and cat management officer role.
- Dog registration.
- Permanent dog and cat identification.
- Desexing of dogs and cats.
- Dog obedience training and puppy socialisation.
- Faeces management.
- Dog 'Off Leash' and 'On Leash' areas.
- Dogs wandering at large.
- Dog barking nuisance.
- Dog attacks avoidance.
- Complaint system with statistical compilation.
- Management of domestic cats.
- Management of unowned cats.



4. The Law / Guidelines

4.1 The *Dog and Cat Management Act 1995*

The Aim of the *Dog and Cat Management Act 1995* is to provide a balanced range of options for the management of dogs and cats within Council areas, whereby problems can be managed to a solution in the best interests of the community.

The objectives of the Act are to:

- Encourage responsible dog and cat ownership.
- Reduce public and environmental nuisance caused by dogs and cats.
- Promote the effective management of dogs and cats (including through the encouragement of desexing of dogs and cats).

The Act 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 cover 5 year periods and each plan must be prepared and presented to the Board 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.*





4.2 Appointment and role of a Registrar

Each Council is required to administer and enforce the provisions of the Act relating to dogs within its area, and appoint a suitable person to be Registrar. The Registrar has specific responsibilities under the *Dog and Cat Management Act 1995* as follows:

- dogs must be registered,
- registration procedure for individual dogs,
- registration procedure for businesses involving dogs,
- duration and renewal of registration,
- notifications to ensure accuracy of registers,
- transfer of ownership of dog,
- rectification of register, and
- applications and fees.

The Registrar must ensure that all staff involved in the registration of dogs are trained sufficiently and have the knowledge to deal with dog owners and members of the public on behalf of the Registrar. The Registrar may also delegate powers to appropriate persons.

4.3 Role of the Dog and Cat Management Board

Arrangements made by Council under the Act must be to the satisfaction of the Dog and Cat Management Board. It is the role of the Dog and Cat Management Board to oversee and administer the provisions of the Act related to dogs and cats, and it is essential that the Council and the Board work in close cooperation.

The Board requires statistics to be supplied to them by all Councils annually in order to carry out its responsibilities in terms of research and general management of dogs and cats throughout South Australia. These statistics can also be extremely helpful to the Council with its planning and management processes.

4.4 By-laws

Councils have the ability to make by-laws for the control or management of dogs or cats in their area. Councils are provided with freedom of choice as to whether or not they have an active involvement in cat management. The Act relates mainly to unidentified cats.

The City of Burnside's *By-law No. 5 - Dogs* limits the number of dogs kept on a property to be one dog in a small dwelling, such as a flat or home unit, or up to two dogs in any other dwelling. This by-law also states that:

- Dogs must not remain in any area which has been designated as a Dog Free Area.
- Dogs must be held on a lead no longer than 2 metres in any area which has been designated as an On Lead Area.
- In all other areas, dogs must remain under effective control either by means of physical restraint or command and remain within close proximity of the person, and in sight of the person at all times.

4.5 Dog and Cat Management in the City of Burnside

Dog and cat management in the City of Burnside is the responsibility of the Ranger Section of the City Development and Safety Department. The Council's Customer Service Centre handles general enquiries during normal office hours and Council's after hours service provider manages out of hours enquiries.

Rangers available normal office hours Monday to Friday, 8.30 am to 5 pm.

After hours and weekends - on-call for dog emergencies.

Phone: 8366 4200.

5. Revenue

In previous years dogs were registered through local councils, and a percentage of the revenue received was forwarded to the Dog and Cat Management Board.

From 1 July 2018 dog owners are required to register their dogs online directly to the Dog and Cat Management Board via the Dogs and Cats Online website (DACO), which is a central database for all microchipped and registered dogs and cats in South Australia.

DACO is also used for breeder registrations as well as all registration payments.

76 per cent of the revenue which is collected by the Dog and Cat Management Board is forwarded on to the relevant local council, who use funds for the administration and enforcement of the provisions of the Act in the management of dogs and cats within their city.

The *Dog and Cat Management Act 1995* requires that councils utilise all registration revenue for the express purpose of the administration and enforcement of the provisions of the Act.



6. Council's Management of Dogs

6.1 Registration of Dogs

Under the Act, a Council has responsibility for the management of dogs in its own council area. Every dog of three months of age or over must be registered and wear a collar with a registration disc attached. Registration expires on 30 June each year and must be renewed by 31 August in the same year.

Although the revenue is received by DACO, dog registration fees and other fees in relation to the management of dogs are set by Council.

There is provision for business registration for the owner or operator of a business which consists of or involves a kennel at which dogs are bred or trained, or the provision of security or other services involving the use of dogs.

The following organisations are exempted from registering dogs held in their custody:

- Royal Society Prevention of Cruelty to Animals (RSPCA),
- Animal Welfare League (AWL),
- Guide Dogs Association, Lions Hearing Dogs,
- Member of the Police Force, and
- Registered Veterinarians.

Accredited Guide dogs and Assistance Dogs must be registered but no fee is applicable. These dogs have certain exemptions under the Act.

6.2 Control of Dogs in Public Areas

Dogs are required to be *under effective control* at all times:

- Effective control by means of *physical restraint* in public places ie roads and footpaths, or any other specifically designated areas.

Effective control by virtue of *physical restraint* means:

- controlled on a chain, cord or leash not exceeding 2 m in length restraining the dog.
- placed in a cage, vehicle or other object or structure.
- by tethering to a fixed object by means of a chain, cord or leash not exceeding 2 m in length.

- Effective control by virtue of physical restraint or *'by command'* in parks.

Effective control *'by command'* means that the dog is maintained in close proximity to the person, and the person is able to see the dog at all times.





- Greyhounds must be muzzled and controlled on a leash when being exercised in public places unless they are granted exemption from the Dog and Cat Management Board and hold a Greyhound Muzzle Exemption Certificate.
- Guard dogs, attack trained dogs and patrol dogs must wear a specific collar and be under the effective control of a person by means of physical restraint in any public place.

The Act allows Council to declare dog prohibited areas an on-leash restrictions. There are currently no examples of these in the City of Burnside. It is proposed to undertake a review of the City of Burnside parks and reserves to determine if additional restrictions would have community benefit.

6.3 General Offences

6.3.1 Dogs are not permitted to:

- Wander at large.
- Attack or harass persons or owned animals, whether or not actual injury is caused.
- Cause injury to a person lawfully entering premises.
- Be transported unrestrained in open vehicles such as the open tray of a utility, truck or similar.
- Rush at or chase vehicles in public places.
- Cause nuisance, in particular barking nuisance.

6.3.2 Dogs, other than Assistance dogs, are not permitted to:

- enter the grounds of a school, kindergarten, child care or preschool centre, except with the permission of the person in charge.
- enter any shop unless it is a pet shop, grooming parlour or premises associated with a registered veterinary surgery.

6.3.3 Dog owners must pick up and lawfully dispose of dog faeces in public places.

6.4 Control Orders

Council's Dog Management Officers have powers to seize and detain dogs in the following circumstances:

- wandering at large in private or public places.
- to prevent a dog attacking, harassing or chasing a person or an owned animal or bird.
- to carry out an Order.
- if considered unduly dangerous.

Law courts may issue Destruction and Control Orders in certain circumstances whether on the Council's initiative or on complaint.

Dogs wandering at large which are retrieved by council rangers are checked for identification (registration tag and microchip) and temporarily detained at Council's short term holding facility until collected. Unclaimed dogs are relocated to the Animal Welfare League.

6.5 Exemptions

The Act does not apply to dogs owned by or on behalf of the Crown (in the right of the Commonwealth or the State) and used for security, emergency or law enforcement purposes, eg Police Dogs, Armed Forces Dogs.

6.6 Prescribed Breeds

There are five prescribed breeds of dog which can only be kept under certain conditions (refer Dog and Cat Management Board).

These dogs are:

- American Pit Bull Terrier,
- Fila Brasileiro,
- Japanese Tosa,
- Dogo Argentina,
- Presa Canario.



7. Council's Management of Cats

According to the Australian Veterinary Association, cats are companion animals for almost a third of Australian households.

From 1 July 2018 the *Dog and Cat Management Act 1995* requires that:

- All cats, regardless of when they were born, are to be identified with a microchip.
- All cats born after 1 July 2018 are to be desexed.

Council promotes the following practices:

- Cats are to be trained to be 'home loving'.
- Owners are to contain cats and impose a night time curfew.
- Registration of cats.

Cats caught by Council in accordance with the *Dog and Cat Management Act 1995* are checked for microchip identification and if a microchip is detected the owner is contacted.

Unidentified cats are delivered to Council's local service provider(s) and are either rehomed or euthanased at their discretion.

If costs are incurred by Council's local service provider for boarding cats that are seized while trying to locate the owners, the local service provider will recoup costs from the cat owner upon return.

Under the provisions of the *Dog and Cat Management Act 1995*, if a member of the public finds an unidentified cat (no collar with identification tag with contact details to determine the owner of the cat, or no microchip tattoo in the inside of the cat's ear) then they may trap this cat only if it is found on their property.

A person is not authorised to enter another person's property without the consent of the occupier or owner (in the case of Council or Crown land). If the cat is identified then it must be released.

To assist in the reduction of feral cats across the City of Burnside, residents may borrow cat cage traps. Council will then retrieve the cat and manage as outlined above.

Where it is alleged that unsanitary conditions result from excessive cats on a property Council may investigate and take the necessary steps to have the owner or occupier of the property address the unsanitary conditions.



8. Objectives / Strategies / Measures (KPI)

Objectives	Strategy	Measure
Raise awareness of the benefits of pet ownership	Promotion via Council website, publications and specific education programs / projects.	<ul style="list-style-type: none"> • Include in education material for distribution via the Council website, Burnside Focus distribution and in Council's public contact areas. • Update Council website
Encourage responsible pet ownership	Increase community knowledge of dog and cat legislative provisions.	<ul style="list-style-type: none"> • Include in education material for distribution • Update Council website
	Maximise registration of dogs.	<ul style="list-style-type: none"> • Increased number of dog registrations
	Encourage recording of cat microchip numbers as required under the Act.	<ul style="list-style-type: none"> • Increased recording of cat microchip numbers
	Promote microchipping of both dogs and cats.	<ul style="list-style-type: none"> • Include in education material for distribution • Update Council website • Explore the possibility of teaming with adjacent councils for microchipping events
	Promote desexing of both dogs and cats.	<ul style="list-style-type: none"> • Include in education material for distribution • Update Council website
	Encourage dog owners to train and socialise their dogs from an early age.	<ul style="list-style-type: none"> • Promote organisations offering opportunities for dog socialisation and training
	Provide best practice advice and tools to dog owners for managing nuisance barking or behaviour.	<ul style="list-style-type: none"> • Include in education material for distribution • Update Council website • Provide one-to-one advice as needs arise



Objectives	Strategy	Measure
Appropriately train staff	Inform and train staff regarding new legislation and future changes as they arise.	<ul style="list-style-type: none"> • Provision of training to existing staff as changes arise • New staff training on commencement
Minimise potential for dogs interference to organised sporting events	Explore on-lead dog restrictions to certain parks during times of organised sporting events.	<ul style="list-style-type: none"> • Install signage at designated parks to inform of on-lead dog restrictions during times of organised sporting events
Minimise possibilities for dog interference in designated children's playgrounds	Investigate the possibility of fencing Tusmore Wading Pool and children's playgrounds, particularly in the larger reserves.	<ul style="list-style-type: none"> • Prepare a priority schedule for fencing Tusmore Wading Pool and children's playgrounds, in the larger reserves
	Explore on-lead restrictions for 10 m around unfenced playground equipment.	<ul style="list-style-type: none"> • New signage at playgrounds and Tusmore Wading Pool
Increase provision for safe, enclosed dog exercise areas	Explore location(s) for a new fenced dog exercise park.	<ul style="list-style-type: none"> • Identify potential location(s) for a new fenced dog exercise park
Reduce dog faeces in public areas	Increase number of dog-bags and bins in strategic locations such as popular walking trails, footpaths and parks.	<ul style="list-style-type: none"> • New bins at popular dog walking locations (eg exit and entry points of walking trails) • New signage relevant to the requirements in parks and public areas
Reduce the number of dogs wandering at large	<p>Educate and inform the community regarding council policies and operational procedures on dogs wandering at large.</p> <p>Educate and inform the community regarding the potential dangers and hazards to animals of fireworks, storm conditions and certain events.</p>	<ul style="list-style-type: none"> • Recorded decrease in dogs wandering at large incidents
Reduce dog barking nuisance	Promote information on dog barking nuisance policies and operational procedures. Provide a list of animal behaviourists who can assist dog owners with solving problems.	<ul style="list-style-type: none"> • Include in education material for distribution via the Council website, Burnside Focus and in Council's public contact areas

Objectives	Strategy	Measure
Reduce the time and cost associated with the management of lost and found dogs	Provide temporary short term detention facility for lost dogs.	<ul style="list-style-type: none"> • Maintain facility
Improve incident and complaint recording records and system	Revise existing incident and complaint recording system to record, with easy retrieval, details of the nature, type and severity of the incident or complaint (eg animal to animal, or animal to human, or animal to property).	<ul style="list-style-type: none"> • Accurate and detailed reporting and statistics of incidents and complaints
Incorporate the needs of pet owners in urban planning and open space planning	Consideration in all urban planning and open space planning reviews.	<ul style="list-style-type: none"> • Increased provision for pet needs in documents governing future planning of urban development and open space areas
Reduce the number of cats wandering at large	Promote the keeping of cats inside at night. Promote containment of cats on owners property. Educate and inform the community regarding benefits of containment of cats on owners property.	<ul style="list-style-type: none"> • Include in education material for distribution via the Council website, Burnside Focus and in Council's public contact areas • Recorded decrease in complaints about cat nuisance.
Reduce the number of feral cats / unowned / wandering cats and loss of wildlife	Make cat cage traps available for residents to borrow to catch feral cats (which would then be handled by Council).	<ul style="list-style-type: none"> • Promote via Focus and Council website, the availability of cat cage traps for residents to borrow to catch feral cats



9. Appendix

9.1 References

- *Dog and Cat Management Act 1995*
- *Local Government Act 1999*
- *Public and Environmental Health Act 1987*
- Council's By-Laws No 1 – Permit and Penalties
- Council's By-Laws No 5 – Dogs
- Councils Policies & Procedures
- *Development Regulations 2008*

9.2 Stakeholders

- The Dog & Cat Management Board
- Animal Welfare League (AWL)
- Royal Society for the Prevention of Cruelty to Animals (RSPCA)
- Australian Veterinarian Association (AVA) – PetPep Program
- South Australian Canine Association (SACA)
- Delta Society – Delta Dog Safe Program
- Local Animal Clubs
- Animal Owners

