

POLICY NAME: DRAFT REVIEW
 COMPANION ANIMALS MANAGEMENT PLAN

POLICY REF: C16

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OBJECTIVE

The objectives Council is seeking to achieve through this Management Plan are as follows:

- To encourage our residents and visitors to properly care for all pets.
- To provide opportunities for pet owners that assist them to maximize their enjoyment of their pets without affecting the comfort of others.
- To encourage the permanent microchip identification and lifetime registration of all companion animals in Ballina.
- To ensure that the activities of owners and their pets do not adversely affect the rest of the community or the environment.
- To identify and prioritise current and future animal management issues.
- To develop action plans designed to address animal management issues.
- To educate the community about the rights and responsibilities of animal ownership.

BACKGROUND

The Companion Animals Act establishes the requirements for the care, control and management of both dogs and cats and addresses a wider range of issues including the environment, removal of dog faeces, the question of on and off-leash areas, and barking dog complaints. What was once a relatively straightforward duty of Council is now a complex community concern that can be highly emotive. Companion animals are often the cause of conflict between neighbours and the Council's actions and responses attract interest from both pet owners and non-pet owners alike.

In recent times, the State Government has responded to serious dog attack incidents by strengthening the laws relating to the ownership of restricted and dangerous dogs. These requirements have added to the responsibilities of the Council, and, in particular, the regulatory staff that are on the "front line" dealing with these matters.

Reliance on legislation will probably always be the backbone of companion animal management however there is now more emphasis on the development of non-regulatory approaches such as community education programs. The State Government and local councils are developing these. Ballina Council follows its own programs in response to local issues and these supplement those of the State Government.

There is also a role for the application of design principles in both domestic buildings and public open space to help people to be responsible pet owners and to reduce the incidence of conflicts. There is a role for Council in disseminating appropriate design guidelines and incorporating companion animal facilities in the planning and design of local parks and other public areas.

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DEFINITIONS

authorised officer	(a) an employee of a local authority authorised by the local authority for the purposes of the Companion Animals Act, or (b) a police officer.
cat	an animal of the species <i>Felis catus</i> , whether or not domesticated.
companion animal	means each of the following: (a) a dog (b) a cat (c) any other animal that is prescribed by the regulations as a companion animal.
council	Ballina Shire Council
council pound	(a) the pound established by Council under the <i>Impounding Act 1993</i> , or (b) any other place approved by Council as a place for the holding of animals for the purposes of this Act.
dangerous dog	a dog for the time being the subject of a declaration by an authorised officer of Council or a court under the Companion Animals Act that the dog is dangerous.
desexed	rendered permanently incapable of reproduction.
Director-General	Director-General of the Department of Local Government.
dog	animal (of either sex, or desexed) of the species <i>Canis familiaris</i> , whether or not domesticated.
feral cat	an unowned cat.
function	includes a power, authority and duty.
Fund	Companion Animals Fund established by the Companion Animals Act.
nuisance cat	defined in Section 31 of the Companion Animals Act
nuisance dog	defined in Section 21 of the Companion Animals Act
owner	defined in Section 7 of the Companion Animals Act.
public place	(a) any pathway, road, bridge, reserve, park or garden, and (b) any other place, that the public are entitled to use.
Register	Register of Companion Animals.
registered	registered under the Companion Animals Act.
restricted dog	defined in section 55 of the Companion Animals Act.

SCOPE OF POLICY

This Policy applies to:

- Council employees
- Councillors
- Community members
- Community groups

RELATED DOCUMENTS

Related documents, policies and legislation:

- The Companion Animals Act 1998
- The Companion Animals Regulation 2008
- The Impounding Act 1993
- Local Government Act 1993
- Guidelines on the Exercise of Functions under the Companion Animals Act 2011

POLICY

COMPANION ANIMALS MANAGEMENT IN BALLINA

The Companion Animals Act 1998 is the legislation that gives effect to the way local authorities manage dogs and cats.

This Companion Animals Management Plan outlines Ballina Council's approach to the fulfillment of its responsibilities under the Act. It establishes Council's objectives and priorities, along with a clear implementation program.

FINES & RANGER PATROLS AND ENFORCEMENT

The Council employs rangers to oversee the management of companion animals in the Shire. Rangers are rostered over a 7 day week and the rosters are adjusted seasonally and as particular problems arise.

Substantial fines apply to breaches of the Companion Animals Act and Council's rangers issue penalty infringement notices for offences.

BALLINA ANIMAL SHELTER

Ballina Shire Council operates a shelter for Companion Animals at 61 Piper Drive Ballina. This facility is open by appointment only for the collection of animals. Appointments are made through the Council's Public & Environmental Health Section (66861210) during office hours or by contacting Council's after hours service on weekends or after hours (66266954) or (66266999).

Council's new animal shelter is currently being planned with construction works anticipated to commence January 2013 and works scheduled to be completed by late May 2013.

Prior to release of an animal, all relevant fees and charges must be paid. These include registration and microchipping fees. No cash handling is undertaken by the

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Rangers at the animal shelter and all outstanding fees must be paid prior to collection at the Council Customer Service Centre. On the weekend and public holidays the Rangers, if required, will process payments by eftpos only. ~~All dogs are in covered runs and the animals are fed and enclosures cleaned daily.~~

Ballina Council in conjunction with NRAS run regular pet adoption days which are advertised in the media.

ENVIRONMENTAL ISSUES

Companion animals can adversely affect the environment in a number of ways; noise pollution, water pollution, faecal pollution, and predation on native fauna.

Educating companion animal owners to take responsibility for their animals will help the owner to manage their animal's activities to minimise their impact on the surrounding environment.

Noise Pollution

The predominant form of noise pollution emanates from barking dogs. Council's Rangers spend a considerable amount of time dealing with complaints about barking dogs. The Rangers have a standard procedure to guide the investigation of such complaints.

Cats can also be the cause of noise complaints when they fight at night. Council encourages cat owners to confine their pets indoors or in suitable cat enclosures at night to reduce the incidence of fighting and to keep their pets safe. It is extremely difficult for the Rangers to deal effectively with this type of problem hence the education of owners is seen as the best approach.

Refer to the Barking Dog and Nuisance Cat information and educational kit on Council's website under Companion Animals for further information.

Water and Faecal Pollution

Companion animal faeces are a significant environmental and public health issue in urban areas. Pollution of backyards, footpaths, parks and reserves by animal faeces and the consequent pollution of waterways by stormwater runoff are of substantial community and environmental concern.

To counteract the problem of companion animal faeces spoiling our public places & entering the water systems, Council is committed to:-

- Educating pet owners to clean up after their pets and to dispose of the waste into the rubbish system; and
- Providing waste bins at parks and reserves where owners can dispose of their pet's droppings.

GENERAL ISSUES

Registration and Identification of Companion Animals (Sections 8 & 9 of the Companion Animals Act)

Registration and identification of Companion Animals are crucial components of funding management education and enforcement programs. Registers are also critical as databases to assist in returning lost pets, identifying offending animals, and as a way of communicating with pet owners.

Under the Companion Animals Act a companion animal must be microchipped from 12 weeks of age. A companion animal must be registered from 6 months of age.

Any change of ownership of a companion animal requires the animal to be microchipped. Owners are required to notify a change of address to their local council so that the NSW Companion Animals Register can be updated. Obviously, it is important for the Register to be kept up-to-date so that lost or impounded animals can be safely and quickly returned to their owners.

Enforcement or education?

An on-going debate in animal management is about the relative merits of enforcement versus education. Legislation will always be the backbone of the management task however the strengths of taking a legal approach should not blind us to its shortcomings. A regulatory approach on its own is inherently inefficient because of its focus on means rather than ends and because it consumes significant resources in maintaining an enforcement presence for benefits that are not always assured (e.g. officers cannot control what happens five minutes after they leave an area).

By contrast, if it can be achieved, voluntary compliance will just about always provide more meaningful, lasting changes in behaviour. The effectiveness of animal control depends more on overcoming ignorance, indifference, and incompetence, than in prescribing concrete forms of acceptable behaviour. Education changes behaviour slowly, it can be expensive, and is hard to evaluate.

Since the Companion Animals Act was introduced, community attitudes and awareness have changed appreciably in a number of areas, specifically:

- Cleaning up after dogs in public places – more people carry bags with them when they walk their dog to clean up and dispose of their pet's faeces.
- Not allowing dogs to roam in public places whilst not under the control of a responsible person.
- Confining cats inside their residence at night to prevent them from roaming and hunting local wildlife. This practise also stops pets from being attacked by feral or other cats thus reducing the risk of injury and disease.

It is therefore considered imperative that the Council has regard for, initiates, and adopts, approaches that take advantage of the individual strengths of both the legal and educative means for improving Companion Animal Management in the Shire.

The Companion Animals Act anticipates that the State Government will undertake community education from the money allocated to the Companion Animals Fund.

As part of this plan, the Council will undertake its own education programs to augment the message of statewide campaigns or in circumstances where local priorities vary from those of the State Government. The Council will also initiate and

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participate in regional programs to improve cost sharing and the co-ordination of actions between local councils.

The Benefits of Pet Ownership

The health and social benefits of owning pets are now well understood and have been documented in numerous studies. There is an emerging understanding that pets contribute to quality of life; a positive that can perhaps be fostered by local government.

Funding

Funding of companion animal facilities and programs is primarily sourced from the fees received when animals are registered in the Companion Animals Register, and from the local rate base.

The Council is required to remit the monthly registration fees it receives to the Department of Local Government. The Department will repay a proportion of the fees collected back to councils. The fees retained by the Department cover the cost of maintaining the Companion Animals Register and any State-wide education programs. The fees repaid to councils are used to assist to provide services associated with companion animal control and facilities, e.g. ranger services, animal pound fees, maintenance and updating of the Companion Animals Register, local education programs, and facilities for companion animals in the community.

DOGS

Off-Leash Areas (Section 13 Companion Animals Act)

Council can declare a public place to be an off-leash area. Such a declaration can be limited so as to apply during a particular period or periods of the day, or to different periods of different days. There must, however, at all times be at least one public place in any Council area that is an off-leash area.

Benefits of off-leash areas

- There are benefits in having suitable off-leash areas for people exercising their dogs and for socialising with other dog owners. It is recognised that for some people a dog is their main form of recreation and visits to off-leash areas can be a part of their daily exercise routine.
- As a compliance tool – by providing reasonable off-leash opportunities. Having a range of off leash areas will help to avoid concentration of off-leash activities in one, or a small number of places and assist in reducing people having their dogs off-leash in other public places.
- Council can expect the co-operation of dog owners and consequently better compliance with leash requirements in other parts of the Shire.
- The appropriate exercise of animals relieves boredom and leads to more contented lives for pets.

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- The problems for pet owners of keeping large dogs in small or confined areas can be overcome by the ready availability and use of off-leash areas.

Off-Leash Areas in Ballina Shire

Council acknowledges that dogs need areas where they can walk/run without being on a leash. There are six designated full time areas within the Shire where dogs can be exercised off-leash.

- Bicentennial Gardens, the northern area of the reserve, Ballina
- Compton Drive, East Ballina
- Gap Road, Alstonville
- Seven Mile Beach, north of Lake Ainsworth Reserve (old 4WD access point), Lennox Head
- Headlands Drive Drainage Reserve, Skennars Head
- Ballina Heights Estate, eastern reserve area, Ballina Heights
- The Spit Beach, Ballina (12 month trial if supported by Council)

(Council to continue to investigate fencing at the Compton Drive off-leash area to increase the safety of the area)

Off-Leash Areas –General Comments

There have been some concerns that Council would expose itself to public liability insurance claims in the event of a dog attack in an off-leash area. In considering this it is important to understand the reason why dogs won't necessarily behave in the same way in the neutral territory of a public place or park as they would when at home. Attacks on private property frequently occur when a dominant, protective, or injured dog is not adequately supervised when with children or visitors. These triggers are not present in the neutral territory of a public park when a dog is with its owner. Most data collected on this issue suggests that dog attacks are more likely to occur in and around the family home or another home.

Preliminary advice from the Local Government and Shires Association suggests that:

- Providing proper consideration is paid to siting issues (including signage), a Council which complies with a statutory requirement to provide a facility is less likely to be exposed to liability risk than a Council which provides such facilities of its own initiative;
- The Act places liability for such claims with the offending dog owner; and
- Section 371 of the Local Government Act gives protection to Councils and their officers for acts done in good faith for the purpose of executing that or any other Act;

Other Exercise Areas

Council also has a number of beaches where you can exercise your dog. Whilst at these beaches dogs must be on their leashes and under effective control:

The designated beaches are:

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- Sharpes Beach - refer to important notice below
- Angels Beach - refer to importance notice below
- Boulders Beach and the coastline walkway through to Lennox
- Seven Mile Beach, northern beach access north of Lennox Surf Club, Lennox (on-leash until off-leash zone starts)
- The Serpentine, north from Missingham Bridge, Ballina

Important Note: Dogs are **prohibited at all times** at the Flat Rock Reef between Angels Beach and Sharpes Beach and on Sharpes Beach (northern end of Sharpes Beach to 4WD access point on the beach located at the southern end of the Sharpes Beach carpark) during patrolled times by the Surf Life Saving Association.

Public Places Where Dogs Are Excluded (Section 14 Companion Animals Act)

Under the Act dogs are prohibited in the following public places:

- In or within 10m of any children's play areas;
- Food preparation or consumption areas (unless it is in a public thoroughfare such as a road, footpath or pathway);
- Recreation areas where dogs are declared prohibited;
- School grounds (unless with the permission of the person controlling the school);
- Child care centres (unless with the permission of the person controlling the centre);
- Shopping areas where dogs are prohibited (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop); and,
- Wildlife protection areas.

Council can elect to prohibit dogs from particular recreation areas, public bathing areas, and shopping centres.

Dogs are **prohibited** by Council in the following areas:

- Shelly Beach
- Lighthouse Beach
- Seven Mile Beach (south of the beach access pathway immediately north of the Lennox Head Surf Club)
- Flat Rock Reef located between Angels Beach and Sharpes Beach
- Pop Dennison Park, Ballina
- Lake Ainsworth, Lennox Head
- Lake Ainsworth Reserve and immediate foreshore surrounding Lake Ainsworth, Lennox Head
- Fire Trail at the end of Camp Drew Road (7(f) Environmental Protection, Coastal Lands)

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- Sharpes Beach (northern end of Sharpes Beach to 4WD access point on the beach located at the southern end of the Sharpes Beach carpark) during times the beach is patrolled by the Surf Life Saving Association.
- Chickiba Lake, north/eastern corner surrounding the migratory and shore birds roosting area
- As indicated on Council Signage in various areas

Outdoor Dining Areas (Sec 14A Companion Animals Act)

Under Section 14A of the Act, in summary dogs are not prohibited in outdoor dining areas in certain circumstances.

Dogs are generally allowed with the permission of the restaurateur, in outdoor dining areas as long as the dog is:

- under the effective control of some competent person and is restrained by means of an adequate chain, cord or leash that is attached to the dog, and
- the person does not feed the dog or permit the dog to be fed, and
- the dog is kept on the ground.

Dog Faeces (Sec 20 Companion Animals Act)

Dog faeces are a problem for health, environmental and amenity reasons. Under the Companion Animals Act, owners are required to remove their dogs' faeces and properly dispose of them. In practise, this can be difficult to enforce but, through public education, Council is endeavouring to instill in the community an acceptance by pet owners of the need to collect and dispose of their pets' droppings.

Ballina Council provides sufficient rubbish receptacles for owners to dispose of their dogs' faeces in areas that are commonly used for exercising dogs. Further, Council will also consider the siting of rubbish receptacles in other public areas where a need is demonstrated.

"Doggy poo" bag dispensers have been installed at key dog exercise areas to assist in the removal and will be considered at other sites in the Shire if required.

Nuisance Dogs (Section 21 Companion Animals Act)

Under Section 21 of the Act a dog is defined as a nuisance if it:

- Is habitually at large;
- Makes a noise by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises;
- Repeatedly defecates on another person's property;
- Repeatedly chases any person, animal or vehicle;
- Endangers the health of any person or animal; or,

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- Repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.

The rise in complaints made to Ballina Council over recent years about barking dogs appears to be consistent with the experience in other areas. Such complaints are often not easy to resolve and consume large amounts of Council time. Council's Rangers have an established procedure they follow to determine the veracity and extent of a barking dog problem. On the face of it, the nuisance dog provisions of the Act seem straightforward, however, in practice they are hard to enforce given nuisance problems are often difficult to define and measure. The words 'repeatedly' and 'habitually' are important in determining if a nuisance exists.

Refer to Barking Dog Procedure and educational information kit on Council's website under Companion Animals for further information.

Dangerous Dogs & Restricted Breeds (Sections 34 & 51 of the Companion Animals Act)

Council can declare a dog kept in its area to be a Dangerous Dog. Once a dog is declared dangerous, the owner must comply with the conditions specified in Section 51 of the Companion Animals Act 1998. Such conditions include amongst others:

- It must be desexed and registered;
- It must be kept in an enclosure (designed to prevent children having access);
Note: A certificate of compliance in relation to the prescribed enclosure must be obtained by the owner of the dog from Council.
- The owner must ensure that the dog is under the control of a competent person (over the age of 18 years old) and is leashed and muzzled at all times when it is outside the property where it is normally kept;
- The dog must at all times wear a distinctive collar;
- The owners are also required to notify the relevant councils when the dog is moved to new premises, and,
- When a dog is declared dangerous, Council must enter the details in a Dangerous Dog Register and notify the Department of Local Government of the Order.

Dog Attacks

Offences relating to dog attacks are broadly defined under the Companion Animals Act. An offence occurs if a dog rushes at, bites, harasses or chases any person or animal (other than vermin), whether or not any injury is caused.

It is not an offence if the dog is provoked by teasing, is being mistreated, or is attacked, or as a result of the person or animal trespassing on the property on which the dog was being kept, or as a result of the dog acting in reasonable defence of a person or property.

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Victim and witness statements received by Council on an alleged dog attack will be assessed on their merits to determine the nature of any enforcement action.

All dog attacks will be reported to the Department of Local Government in accordance with the established protocol.

Restricted Dog Breeds (Sections 55 & 56 of the Companion Animals Act)

The following breeds are defined in the Act as Restricted Dogs:

- Pit Bull Terriers;
- American Pit Bull Terriers;
- Japanese Tosas;
- Argentinian Fighting Dogs;
- Brazilian Fighting Dogs; and
- Any other dog of a breed, kind or description prescribed by the regulations as restricted for the purposes of this Division (e.g. dogs used as guard dogs by security personnel could be prescribed as restricted dogs).

The owner of a restricted dog must also comply with specified conditions including keeping the dog in a childproof enclosure.

CATS

The issues arising from cat management relate predominantly to the impact of cats on wildlife. Cats can also be a nuisance to surrounding neighbours. A distinction needs to be made between feral cats and owned domestic cats.

Council can now regulate the presence of cats in public places.

Areas Where Cats Are Prohibited (Section 30 of the Companion Animals Act)

Under the Companion Animals Act, cats are prohibited in the following public places:

- Food preparation or consumption areas; and
- Wildlife protection areas (unless it is a public thoroughfare such as a road, footpath or pathway).

A wildlife protection area is a public place that has been declared by Council for the protection of wildlife. The Council is requesting cat owners to ensure that their pets are kept out of these areas at all times.

Other options for protection of wildlife vulnerable to attacks by cats include:

- education to encourage people to keep their cats indoors, particularly during the night to prevent cats from roaming ,

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- cat proof fences and enclosures, and,
- use of housing designs to help owners to responsibly confine their cats.

Nuisance Cats (Section 31 of the Companion Animals Act)

A cat is a nuisance if it:

- makes a persistent noise, or,
- repeatedly damages anything outside the property on which it is ordinarily kept.

Dealing with nuisance cat complaints is difficult, and more complex than handling nuisance dog complaints. The main reason for this is because cats are more difficult to confine to a property than dogs. Each complaint needs to be examined on a case-by-case basis.

It is important to note that a domestic cat that has not been declared to be a nuisance by the Council cannot be legally trapped and impounded. Such a cat must be returned to its owner if it can be identified who the owner is.

Refer to Nuisance Cat Procedure and educational information kit on Council's website under Companion Animals for further information.

REVIEW

The Companion Animals Management Plan is to be reviewed every two years after adoption.

ACTION PLANS

In order to help achieve Council's objectives, Action Plans have been developed. These Action Plans outline the implementation strategy of the overall Management Plan and the measures that will be used to assess the effectiveness of its implementation.

ACTION PLAN 1 - REGISTRATION & IDENTIFICATION

The identification and registration of pets is important as it:

- assists Council with animal control;
- enables the identification of lost pets and facilitates contacting owners; and
- is a source of funding for animal management activities.

Action Plan 1

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comment
Record Companion Animal matters	Establish & maintain Companion Animals Registers & Enforcement Data.	High	Rangers Regulatory Services	Register with Dept of Local Government requirements	Yes, on-going 2011/2012 reporting year 12079 companion animals identified with 7096 registered with Council	SDRO data, Pound Register and Dept of Local Gov't reporting, quarterly and annually
Educate the community about the importance and need for micro chipping & registering dogs & cats.	Use Dept of Local Govt brochures and other brochures produced by Council for distribution to vets, etc. about micro chipping and registering dogs and cats	High	Local Regional Companion Animals C'ttee Rangers Regulatory Services staff	Increase in the percentage of dogs registered in Ballina Number of dogs and cats returned to their owners		New education program plan in 2012/2013. NEW Pound Register currently being developed

ACTION PLAN 1 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comment		
To promote the importance of lifetime registration through education & publicity campaigns.	Incorporate information about dog and cat registration and micro chipping in information aimed at school children.	Medium	Local Regional Companion Animals C'ttee	Increase in the percentage of dogs registered in Ballina Shire	Yes, on-going	Regional Companion Animal Committee to fund RSPCA desexing van in Ballina Shire in 2012/2013 year.		
	Brochures for distribution through pet shops, vets etc	Low	Rangers				Yes, on-going	Community Connect series on Companion Animal Management in Sept 2010, Dec 2012, April 2011, November 2011, April 2012
	Participation in Regional programs with other Councils.	High	Rangers				Yes, on-going and as resources and opportunities arise	Advertorial articles published in 2011/2012
	Articles in Council Publications.	High	Regulatory Services staff					And as resources and opportunities arise.
	Advertising in local Newspapers.		Regulatory Services Staff					
	Follow up with owners who have not registered their pets.		Rangers and Regulatory Services Staff					

ACTION PLAN 2 - DOGS IN PUBLIC PLACES

- All dogs in public places must be under the control of their owners.
- Dogs on public roads must be on a leash and under the control of a responsible person.
- Dogs are prohibited in the following public spaces:
 - Within 10m of any children's play areas.
 - Recreation areas where dogs are declared prohibited.
 - School grounds during school times (unless with the permission of the person controlling the centre).
 - Shopping centres where dogs are prohibited.
 - Level 1 Wildlife protection areas.

Dogs are **prohibited** by Council in the following areas:

- Shelly Beach
 - Lighthouse Beach
 - Seven Mile Beach (south of the beach access pathway immediately north of the Lennox Head Surf Club)
 - Flat Rock Reef located between Angels Beach and Sharps Beach
 - Pop Dennison Park, Ballina
 - Lake Ainsworth, Lennox Head
 - Lake Ainsworth Reserve and immediate foreshore surrounding Lake Ainsworth, Lennox Head
 - Fire Trail at the end of Camp Drew Road (77f) Environmental Protection, Coastal Lands
 - Sharpes Beach (northern end of Sharpes Beach to 4WD access point on the beach located at the southern end of the Sharpes Beach carpark) during times the beach is patrolled by the Surf Life Saving Association.
 - Chickiba Lake, north/eastern corner surrounding the migratory and shore birds roosting area
 - As indicated on Council Signage in various areas
- Council has designated several off-leash dog exercise areas across the Shire having with appropriate signage and facilities where owners can allow their pets to exercise off-leash.
 - Dog owners must ensure that their properties are adequately fenced to confine their pets and that there is sufficient room and amenity on the premises for the welfare of their dogs.
 - Dog owners educated to remove and dispose of their pets' faeces for environmental, health and amenity reasons.

- o Roaming dogs must be effectively managed and owners educated about dogs when in a public area other than an approved off-leash area that their dogs must be under the effective control of a competent person by means of an adequate chain, cord or leash, that is attached to the dog and that is being held by (or secured to) the person.

Action Plan 2

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To provide appropriately well located and utilised off-leash dog exercise areas	Undertake periodic reviews of off-leash dog exercise areas regarding number, location, usage, suitability and effectiveness of facilities.	Med	Rangers Open Space & Reserves	Number of complaints from people using off-leash dog areas. Assessing reasons for complaints about off-leash dog areas in the shire.	Yes, on-going	Random patrols conducted
	Consideration of requests for new off-leash dog exercise areas.	Med	Regulatory Services	Time taken to respond to requests received for new unleashed areas.		Trial The Spit area as off-leash
	Publicise the location of all off-leash dog exercise areas.	High	Open Space & Reserves Regulatory Services	Local maps being available on Council's web page, Tourist Office, Libraries, and Council Officers. Quarterly newspaper notices.		Provide fencing to Compton Drive off-leash exercise area Maps produced and with GIS Officer for completion and web update

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ACTION PLAN 2 (cont'd)						
Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To introduce controls that identify public areas where dogs and cats are prohibited.	Consideration of public areas from which dogs and/or cats should be prohibited.	High	Regulatory Services Group Open Space & Reserves	Number and location of designated and signposted prohibited areas prohibiting dogs and or cats.	Yes	
To educate and enforce leash provisions in public areas.	Enforcement of protected areas Publicity campaigns to inform owners of leash provisions.	High	Rangers Local Regional Comp Animals Cttee Regulatory Services Rangers	Number of complaints received about unleashed dogs and roaming cats in public areas. Monitoring and reporting of complaints received about unleashed dogs in public areas.	Yes on-going	Education brochure developed
	Enforcement of legislation covering unleashed dogs in public areas.	High		Monitoring and reporting on fines issued by Rangers for unleashed dogs in public areas. Number of fines issued.	Yes on-going	Warnings and PIN's issued SDRO data Council's PIN register

ACTION PLAN 2 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To provide facilities in public areas for the exercise of dogs	Erection of signage at all unleashed dog exercise areas re: times, conditions of use, facilities available, etc. Investigate the provision of other facilities for animals in suitable areas e.g. fully enclosed dog training areas	High Med	Regulatory Services Open Space & Reserves Regulatory Services Open Space & Reserves	All unleashed dog exercise areas display appropriate signage. Monitoring and reporting on the number of complaints about inappropriate usage of unleashed areas.	On-going, within existing resources To be investigated in 2012/2013	New signage to be erected at the Spit area if it becomes an off-leash area Priority to fence Compton Drive off-leash area

8.3 Dog Trial at The Serpentine, Ballina.DOC

ACTION PLAN 2 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To implement the environmental improvement and protection principles contained in the Act	Publicise & encourage dog owners to remove & dispose of their pets' faeces from public areas.	High	Regulatory Services	Distribution of dog brochures.	Yes, on-going	Installation of doggy poo bag dispensers
	Enforcing the requirements of the Act on owners about removal & disposal of dog faeces.	High	Rangers	Monitor reporting on fines issued.		New signage to be installed in 2012 at the "doggy poo" bag dispenser locations
	Strategic installation of bins for the disposal of dog faeces.	High	Civil Services Group & Rangers.	Review where bins are installed.		Signage at Sharpes, Angels and Flat Rock Beaches on the importance of collecting your dog faeces
	To educate the community about the importance of removing dog faeces.	Med	Regulatory Services	Distribution of dog control brochures		Advertorials and Community connect articles

8.3 Dog Trial at The Serpentine, Ballina.DOC

ACTION PLAN 2 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To reduce the number of uncontrolled dogs in public places	Educate the community about the importance of properly confining their dogs.	High	Regulatory Services	Monitoring and assessing complaints about dogs roaming unattended in public areas and identifying problem areas for attention.	Yes, on-going and as resources permit	Daily patrols of beaches, parks and reserves
	Encourage home owners to provide adequate fencing to contain dogs.	Medium	Regulatory Services			Educational brochure produced and distributed
	Target areas where unleashed dogs in public places are a problem with random patrols and local distribution of educational material.	High	Rangers	Monitoring and reporting on the fines issued for unleashed dogs		Advertorials and Community Connect articles produced Targeted education including mail out to problem areas including Fig Tree Estate, Greenfield Estate, Northlake's Estate and Castle Drive areas

ACTION PLAN 3 - BARKING DOGS

- Nuisance dog barking affects the amenity of an area, giving rise to complaints to Council which are difficult and time consuming to resolve.
- Council's Rangers have adopted a set procedure to deal with barking dog issues involving discussing the problem with the offending owners and sending the complainant the Council's Barking Dog Information Pack, in the first instance.
- Providing advice to owners about means to overcome excessive barking i.e. specialised training, citronella collars, changes to dog's behaviour.
- Distributing information about improvements to housing designs to take into account the needs of dog's e.g. adequate exercise area, fencing, and shade.

Action Plan 3

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
Enforce the barking dog provisions of the Act.	Investigate standard procedures for the investigation & resolution of barking dog complaints.	High	Rangers	Prepare and distribute a local Barking Dog Information Pack. Monitoring and assessing ongoing barking complaints.	Yes, completed and on-going	New Barking Dog Procedure developed New Barking Dog education and information kit produced and on Council's web site

8.3 Dog Trial at The Serpentine, Ballina.DOC

Ballina Shire Council

DRAFT REVIEW Companion Animals Management Plan

ACTION PLAN 3 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To educate the community about the barking dog provisions of the Act.	Disseminate advice about control methods to dog owners whose pets are subject of complaints about excessive barking.	High	Rangers	Monitoring and reporting the number of complaints about repeated barking. Record and monitor requests for information dissemination. Record and monitor the distribution of advice to individual owners.	On-going, within existing resources	Statistics developed on the number of initial barking dog complaints and then when a formal barking dog diary is submitted to Council for investigation
To provide assistance to owners of barking dogs to reduce problems created by their dogs.	Hold citronella collars for hiring by owners. Provide information about specialised training courses	Med Med	Council Service Rangers	Monitor and report the number of times collars are hired Monitor the ongoing barking complaints records against registered dog data.	Yes on-going	Managed through Customer Service Centre

ACTION PLAN 4 - DANGEROUS DOGS & RESTRICTED BREEDS

- The Companion Animals Act provides special procedures for dealing with dangerous dogs and restricted breeds.
- Council maintains a Dangerous Dog Register.
- Dangerous dogs are notified to the Department of Local Government and to the Statewide Register.

**Dog Attacks
Action Plan 4**

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
Enforce the dangerous dog and restricted breed provisions of the Act.	Establish & review procedures for dealing with dangerous dogs & restricted breeds to ensure compliance with Act.	High	Rangers	Monitoring and recording of the number of dangerous dogs on Council's Register with reference to population and numbers of registered dogs.	Yes, on-going	New procedure developed for dog attacks investigations
Enforce certificate of compliance for enclosure	Develop template for certificate of compliance and introduce new fee as per Regulations.	High	Rangers and Building Services Section	Monitor and report on number of certificates current. Review certificate currency at time of annual inspection.		Internal Companion Animal Review Panel established to review and determine action regarding dog attacks and dangerous dogs
Monitor on a regular basis properties where dangerous dogs are kept	Ensure childproof enclosures for designated dangerous dogs in the Shire are properly used and maintained	High	Rangers	Required annual inspection to premises where dangerous dogs are kept to check with compliance act.		Templates reviewed and amended

ACTION PLAN 4 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
	To ensure that appropriate signage is displayed in accordance with the Act.					

ACTION PLAN 5 - CAT MANAGEMENT

- Cats are required to be identified and registered under the Companion Animals Act.
- Council can prohibit cats from entering specified public places.
- Public education programs are required to inform cat owners about:
 - the need to identify & register their pets;
 - responsible cat ownership; and
 - the damage cats can cause to native wildlife.

Action Plan 5

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To educate the community about responsible pet ownership & the need to identify & register their cats.	Brochures to be distributed to pet shops, vets, schools, libraries	High	Regulatory Services	Monitor and reporting on the number of complaints about cats. Record the number of brochures distributed. Review the distribution locations annually.	Yes, completed	New Nuisance Cat Education and Information Kit developed and produced Information updated on Council's web site

8.3 Dog Trial at The Serpentine, Ballina.DOC

Ballina Shire Council

DRAFT REVIEW Companion Animals Management Plan

ACTION PLAN 5 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To implement procedures for cat control	Introduce procedures for dealing with nuisance cats	Med	Rangers	Monitor and reporting on the number of new cats identified & registered.	Yes, completed	New Nuisance Cat procedure developed
	Educate owners about the benefits of keeping their cats indoors at night.	Med	Regulatory Services	Record the number and details of articles in newsletters & local papers.		

ACTION PLAN 6 - ANIMAL WELFARE & SAFETY

- The Companion Animals Act provides that pet owners must ensure the welfare and safety of their pets.
- Public education is required to inform pet owners about the standards of care and safety for pets.
- It is important that Council educates and promotes the desexing of non-breeding pets to reduce the unowned/unwanted pet population.

Action Plan 6

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To promote the desexing of companion animals not required for breeding purposes.	Develop education & publicity campaigns about the importance of desexing pets.	High	NSW Comp Animals C'ttee Division of Local Government, Premier and Cabinet, Comp Animals Section Regional Comp Animals C'ttee	Monitor reporting on the surrender rates at Council's Shelter. Report annually on Education campaigns to promote desexing	Yes, on-going	Responsible pet ownership developed
To enforce identification & registration of dogs & cats to enable safe return of companion animals.	Continue with education and publicity campaigns about the importance of micro chipping and registering all dogs and cats.	High	Regulatory Services NSW Comp Animals C'ttee Division of Local Government, Premier and Cabinet, Comp Animals Section Local Regional Comp Animals C'ttee	Monitor and reporting on the number of dogs & cats micro chipped & registered on Statewide Register. Monitor and reporting on the number of fines issued for	Review to commence late 2012	RSPCA desexing van program for Ballina Shire in 2012 Partnership with NRAS to assist council in rehoming of unidentified animal

8.3 Dog Trial at The Serpentine, Ballina.DOC

ACTION PLAN 6 (cont'd)

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To promote responsible pet ownership.	Fining owners whose pets are not registered. Develop and promote education & publicity campaigns about the importance of being a responsible pet owner, & of training & socialising pets.	Med	Regulatory Services Rangers Division of Local Government, Department of Premier and Cabinet, Comp Animals Section Regulatory Services	unregistered pets. Monitor and reporting on the number of pets claimed from Pound. Monitor reporting on the number of pets not identified and registered.	Yes, on-going	PIN's issued to owners of animals that are not registered are not registered with Council, when identified by the Ranger

ACTION PLAN 7 - BENEFITS OF PET OWNERSHIP

- Many people, particularly elderly people, derive great pleasure and benefit from owning a companion animal.
- The benefits of owning a pet must be linked with the responsibilities associated with being a pet owner.

Action Plan 7

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To promote the benefits of pet ownership.	Supply information and brochures on responsible pet ownership.	Med	NSW-Comp-Animals C'ttee Division of Local Government, Department of Premier and Cabinet, Comp Animals Section Local Regional Comp Animals C'ttee Regulatory Services	Recording and reporting on the number of brochures distributed and other promotional programs and events.	Yes, on-going and as resources permit	Responsible Pet Ownership Brochure developed Advertorials and Community Connect articles promoted

ACTION PLAN 8 - PROVISION OF FACILITIES

- Council is required to make provisions for the operation of an Animal Shelter to receive lost/impounded dogs and cats.

Action Plan 8

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To provide a well managed and maintained animal shelter for receipt of stray and lost animals.	Regularly review and assess the performance, management & facilities offered at the Council's designated Animal Shelter.	High	Environmental Health Section Rangers	Monitor and annual reporting on the shelter's operation. Actively maintain Animal Shelter records in accordance with the requirements of the Department of Local Government.	Yes, on-going	New animal shelter anticipated to commence construction in January 2013 and completion due by May 2013
To ensure that Council staff are properly trained to handle and give advice to pet owners.	Provide training for Rangers in the understanding, handling and welfare of dogs and cats.	High	Environmental Health Section Rangers	Rangers are adequately trained to give advice on animal welfare. Maintain staff training records.	Yes, on-going	Rangers have attended dog legislation and training and dangerous dog training Additional dog behaviour training and management planned for September 2012 for Rangers, Cleaners and other field staff

ACTION PLAN 9 - EDUCATION

- Educating pet owners is the key to successful implementation of the Act. Educating non pet owners is also an important consideration. The Companion Animals Advisory Board oversees State-wide education and publicity campaigns. The Local Companion Animals Advisory Committee will advise Council on education and publicity needs.
- The state-wide and local education and publicity campaigns must be co-coordinated to achieve maximum impact.

Action Plan 9

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2012/2012	Comments
To educate all pet owners and about their rights and responsibilities.	Continue to disseminate information to all stakeholders and to identify education priorities & appropriate actions.	High	Local Companion C'ttee Regional Animals Regulatory Services	Adoption of Companion Animals Plan by Council. Annual reporting of activities as required by the Action Plans applying to the Management Plan.	Yes, on-going within existing resources	Advertorials and Community Connect articles published Letters contain relevant information Rangers conduct talks at local school and community groups about companion animal management

ACTION PLAN 10 - ENFORCEMENT

- Council's Rangers enforce the provisions of the Companion Animals Act.
- It may be appropriate, in order to reinforce publicity and education campaigns, for the Rangers to concentrate on enforcement of particular areas of the Act for certain specified periods.

Action Plan 10

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments	
•To provide a responsive and effective animal control service to the community.	Review enforcement procedures as required.	High	Rangers	Monitor and reporting on the number of fines issued.	Yes, ongoing within existing resources	Enforcement procedure reviewed	
	Tailor enforcement to coincide with education & publicity campaigns	High	Rangers	Monitor and reporting on the number of fines issued for specific offences.		Ranger foot patrols of beach areas	Warnings and PIN's recorded
	Set & review Ranger Patrols responses to complaints the seasons and the local conditions.	High	Public & Environmental Health Manager & Senior Ranger.	Record Rostering.		Roster amended to meet seasonal demands including summer roster of early mornings and late afternoon/evening patrols	

ACTION PLAN 11 - FUNDING

- The additional responsibilities on Council resulting from the introduction of the Companion Animals Act will require funding over and above the funds received from registrations and fines.
- Council will continue to monitor the quantity of additional funding and how these funds are to be provided.

Action Plan 11

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To allocate funding revenue raised from fines issued under the Companion Animals Act back into activities associated with companion animals. Allocate finance from the General Fund of Council to establish & maintain acceptable levels of Ranger Services.	Maintain a system to ensure funds from Companion Animals Act fines are directed back for use in companion animals activities. Provide a funded Ranger service to the Shire, commensurate with the population, demand for services, and the financial capacity of the Council.	Med	Regulatory Services	Allocation of funds in Council's annual budget to cover Companion Animal activities.	Yes, on-going	Overall, the Rangers operated within the budget for 2011/2012.

ACTION PLAN 12 - REVIEW

- It is important that after the local Companion Animals Management Plan is adopted, regular reviews take place to consider new issues and changes to priorities.
- The Plan should be reviewed every two years.

Action Plan 12

Strategic Action	Tasks	Priority	Responsibility	Performance Indicators	Target 2010/2012	Comments
To review and update the Companion Animals Plan	Monitor and review the Local Companion Animals Management Plan on an ongoing basis.	High	Regulatory Services	Plan reviewed every 2 years after adoption	Yes	Draft revised Plan submitted to the 23 August 2012 Council Meeting
To monitor activities associated with implementation of the Companion Animals Act.	Develop reporting procedures & database to accommodate information on activities e.g. number of fines issued, number of dogs impounded, number of cats trapped or impounded.	High	Regulatory Services Rangers	Statistics available for monitoring companion animals' activities in accordance with the Action Plans.	Yes, on-going	New statistical reporting developed for Ranger activities including companion animal complaints and matters In accordance with Dept Local Gov't reporting requirements



2/188 Winton Lane
BALLINA NSW 2478

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Mr Hickey

**BIRDS AUSTRALIA 2020 SHOREBIRD MONITORING - BALLINA SCHEME
SUBMISSION TO THE BALLINA SHIRE COUNCIL FOR INFORMATION AND
ACTION**

Further to Ms Heather Harford's letter to you on 1 February 2010 on behalf of the local Birds Australia Ballina 2020 Shorebird Monitoring Scheme I would like to take the opportunity to provide you with a detailed submission outlining our suggested requirements of Council to support and provide protection to the migratory shorebirds that roost in the Council area, and of which we consider Council is responsible for habitat care.

BACKGROUND

Ballina Shire Council has an abundance and diversity of migratory shorebird species within its precinct. We are requesting that these be recognised by Council, and the associated work to improve the protection of the habitats for these species be incorporated into the daily policy considerations of Councillors and Council staff.

Shorebirds, otherwise known as waders, are unlike forest or woodland birds, in that they feed and roost on the more open ground and so lack protection. They are very vulnerable to disturbance, particularly by dogs, and humans. Forest and woodland birds use the height and cover of trees for roosting and protection.

We are concerned about the three specific sites, Lake Chickiba and Flat Rock that are favoured by shorebirds, that are under Council jurisdiction and are

accessible by the general public, and a sandbar site in North Creek opposite Meldrum Park.

This submission has been developed in consultation with a number of local birdwatching groups that are fully supportive of our suggested strategies.

Flat Rock

Flat Rock is the most easterly resting location for migratory birds and in late summer large numbers can be seen resting before setting off on their long journey to their northern hemisphere breeding areas. More than half the population of the threatened Eastern Australian Little Tern can be seen on Flat Rock during migration.

We are only concerned about the rock platform itself and the beach edges that lead onto the platform. The sand dunes and the beach area that lead onto the dunes are not of general concern.

Lake Chickiba

The other prominent location in the Shire, which is an internationally recognised roosting site, is Lake Chickiba. The small island at the northern end of Lake Chickiba attracts up to 570 shorebirds at high tide and we believe is the only available suitable site for these birds to roost during a spring tide.

North Creek – Meldrum Park

The rock wall and ephemeral sandbar in North Creek are also important roosting and feeding areas; however at certain tides these are unsuitable as a roost and the birds are forced to find another site, most probably Lake Chickiba. We understand these are not Council's responsibility, and are appropriately under the jurisdiction of NSW State Government agencies, however as most people enter the area of the North Creek roosting area from either Meldrum Park or the other side of North Creek at The Serpentine, we are including this general area under the heading of 'Meldrum Park'.

ENVIRONMENT PROTECTION AND BIODIVERSITY ACT

It is significant that Flat Rock and Lake Chickiba qualify under the Environment Protection and Biodiversity (EPBC) Act as areas of "a nationally important habitat".

This qualification is supported by the identification of:

- at least 0.1% of the flyway total of the Australian population of, specifically, the Eastern Curlew and Grey tailed Tattler; and
- at least 15 shorebird species, and both sites do so.

We have identified species listed as threatened in NSW at these sites under the NSW State Threatened Species Act, specifically the Beach Stone Curlew (**Critically endangered**) and the following are listed as Endangered – Eastern Curlew, Little Tern, Pied Oystercatcher. Additionally the following are listed as **Vulnerable** – Lesser and Greater Sandplover, Terek Sandpipers, Great Knot and Sanderlings.

There are also bilateral international agreements between Australia and China (CAMBA), and Australia and Japan (JAMBA), which recognise the importance of undertaking measures for the management and protection of migratory birds, birds in danger of extinction, and the management and protection of their environments. It requires each country to take appropriate measures to preserve and enhance the environment of bird protected under the provisions of these agreements.

We believe that Council has an obligation for shorebird habitat protection under the CAMBA and JAMBA International agreements, the Federal EPBC Act and the State Threatened Species Act.

Quite recently, researchers from the Australasian Wader Study Group for the first time tracked Ruddy Turnstones on their the 27,000 km round trip from Australia to their Arctic breeding grounds and back via China on their way north, and via the Gilbert Islands on their return trip across the Pacific. This bird is regularly sighted at Flat Rock and also at South Ballina beach.

Ms Harford indicated to you in her previous letter about the amazing feats of Bar-tailed Godwits being tracked by satellite from Australia and New Zealand to their breeding grounds in the high Arctic tundra via the Yellow Sea and non-stop flights between Alaska and New Zealand on their return. The size of the satellite transmitters and the batteries required to power them preclude their use on smaller shorebirds. However a different technology using a 1 gram light-sensor geolocator has enabled researchers from the Australasian Wader Study Group to track Ruddy Turnstones. An amazing use of technology and an amazing feat by a little bird.

PROPOSED STRATEGIES

We have developed a number of proposed strategies to assist with habitat protection and these are outlined below, and these are provided in the context of short term and long term priorities. We consider that Council could implement these to assist with habitat protection. These are not onerous, and members of the Birds Australia Shorebird Monitoring Ballina scheme would be happy to elaborate these with you, to Councillors, or your staff.

Short term strategies:

- Erection of Signage at Lake Chickiba, Flat Rock, and Meldrum Park and The Serpentine.

- Dog Exclusion Zones – to prevent all dogs from entering Flat Rock and Lake Chickiba. Maps outlining the suggested exclusion zones are attached.
- Aquatic exclusion zone at Lake Chickiba – 50 metres on the north island roosting site to prevent watercraft such as kayaks, and fisherman, from disturbing the roosting birds.
- Ongoing maintenance of Lake Chickiba roosting site – periodic grass cutting

Long term strategy:

- The widening of the moat at the Lake Chickiba roost site

DETAILED EXPLANATION OF STRATEGIES

SHORT TERM STRATEGIES

Erection of Signage

We consider this to be an equal priority along with the dog exclusion zone strategy that follows. The erection of education type signage is considered an important strategy in educating the general public about the significance of the roosting sites and the paramount requirement for the birds not to be disturbed. The locations we would require signage is at Flat Rock and Lake Chickiba, which we consider are imperative as these are important established and stable roosting sites. At Meldrum Park there is a sand bar in North Creek opposite the Park that acts as a roosting site, particularly at high tide.

Amongst the wording on the signs for Flat Rock and Lake Chickiba would be a form of words that excludes dogs from the area. A further detailed explanation of the exclusion zones follows.

The locations we would like signs to erected are at Flat Rock, Lake Chickiba and at North Creek at Meldrum Park and The Serpentine. This would be in the general trend of the current education signage for the Pied Oyster Catcher strategy.

We would be in a position to be able to make a financial contribution to the overall cost of the signage. In this regard we would welcome discussions with Council staff to assess the total cost of the signs and to develop a plan to proceed with implementation of this important strategy.

Dog Exclusion Zones

This strategy is an equal priority to the signage. We are proposing to create dog exclusion zones that will prevent all dogs from entering Flat Rock and Lake Chickiba. Please refer to the attached maps that clearly outline the suggested exclusion zones. This strategy is germane to the reduction of disturbance by dogs of the roosting birds.

As Ms Harford previously indicated, we are concerned only with excluding dogs from entering the rock platform and a portion of beach frontage at Flat Rock, and the roosting site at Lake Chickiba. We have observed that there are currently numerous locations for dogs to be exercised on-leash, and a number of beach locations off-leash.

Dogs create the most alarming disturbance for roosting shorebirds, as they instinctively and repeatedly chase the birds, creating alarm and confusion for the birds. The dog's continued presence precludes the birds from their usual practice of circling and landing, requiring the birds to use much needed energy reserves to find an alternate roosting site or continue circling until the dog departs the area. We consider it unacceptable for any dog presence on or in close proximity to the roosting sites.

Human disturbance is more inadvertent, although we acknowledge young children have a habit of chasing birds. We hope the educational signage may assist in reducing human disturbance.

It is important for shorebird survival that their roosting habitats enable them to rest without disturbance, or at least minimal disturbance, so they can build and replenish the energy needed for their migration.

Draft Companion Animals Management Plan

Following on from the dog exclusion zone strategy, we are astonished and feel rightly to be concerned to read in Council's current ***Draft Companion Animals Management Plan*** the notation at the end of Section 8.5 'Other Exercise Areas' that states "Consideration is being given to nominating Sharpes and Angels Beaches for off-leash timeshare, and also for identifying a suitable area to establish a fully enclosed off-leash facility."

We consider that this proposal, if it were to be implemented, would have a detrimental and devastating effect on birds roosting in the Flat Rock environment. As you would be only too well aware, Flat Rock is situated between Sharpes and Angels Beaches. To allow off-leash dogs in and around the Flat Rock area would result in dogs wandering onto the rock platform with major disturbance for the birds, as the majority of dogs instinctively want to chase birds. Even the most well-meaning dog owner would be reluctant, or indeed, unable to stop their pet from wandering onto the rock platform.

Prima facie, this appears to be an ill-conceived proposal, with detrimental environmental prospects for the roosting migratory shorebirds.

As we have previously reported to you, what we have observed at Flat Rock in one hour is:

- up to twelve disturbances of the resting birds by people and dogs.

- less than fifty percent compliance of dogs on leash, as this is currently a designated dog on-leash area.

At the moment, the only way on-leash compliance can be ensured is if a Council Ranger is in attendance. Unfortunately, a Ranger is rarely seen in the Flat Rock area, and while we understand the work pressures for Rangers, some presence at Flat Rock would be beneficial.

We are strongly opposed to the proposal for Sharpes and Angels Beaches for off-leash timeshare to be approved.

We would be grateful for any detailed information you may be able to provide us on this proposal so we can make an informed assessment of its impact on the Flat Rock roosting site.

Aquatic exclusion zone – Lake Chickiba

We are requesting a 50 metre exclusion zone for aquatic craft the Lake Chickiba north island roosting site to prevent watercraft such as kayaks from disturbing the roosting birds. It would also act as an exclusion zone for fishermen and dogs. We are not seeking to ban Lake Chickiba for the use of craft such as kayaks, or fishermen, just a 50 metre zone around the extent of the roosting island to prevent any inadvertent landing of craft and their inhabitants, or fishermen or dogs on the island. We understand that some work has commenced to achieve this strategy. A map is attached of Lake Chickiba with an indicative exclusion zone shown on it. We would be pleased to work with Council staff on this strategy.

Ongoing maintenance of Lake Chickiba roosting site

We are seeking to formalise the ongoing maintenance of the Lake Chickiba northern island, which is the roosting site. This primarily involves grass cutting on a periodic basis, prior to us undertaking a detailed survey of the shorebirds in the area. We have liaised favourably with Mr James Hrideson on this matter to a satisfactory resolution, and will continue to do so. We gratefully acknowledge Council staff's cooperation for their grass cutting maintenance work at Lake Chickiba.

LONG TERM STRATEGY

The following strategy is of a long-term nature and is not time critical.

Lake Chickiba - Widening of the moat at roost site

This initiative involves widening of the moat between the grass verge off Angels Beach Drive (near the current bird interpretive sign) and the north island roost site. It would require professional earth works to be undertaken.

We are suggesting this strategy as an enhancement to further deter humans and dogs traversing the current moat at low tide. While the location is not overly popular, we have observed on occasions both humans with their dogs on the island, usually fishing.

CONCLUSION

Council has an abundance and diversity of migratory shorebird species within its area, and we are requesting that these be recognised by Council. Our suggested strategies will improve the protection of the habitats for these shorebirds, particularly at Flat Rock and Lake Chickiba, and the sandbar opposite Meldrum Park.

If you wish to contact any of the members of the scheme, or myself, I will be first point of contact. I can be contacted on telephone 6686 9575 or the address contained at the beginning of the letter.

We will continue to liaise further with Council staff and seek to increase Councillors knowledge about our strategies to improve the protection for these birds.

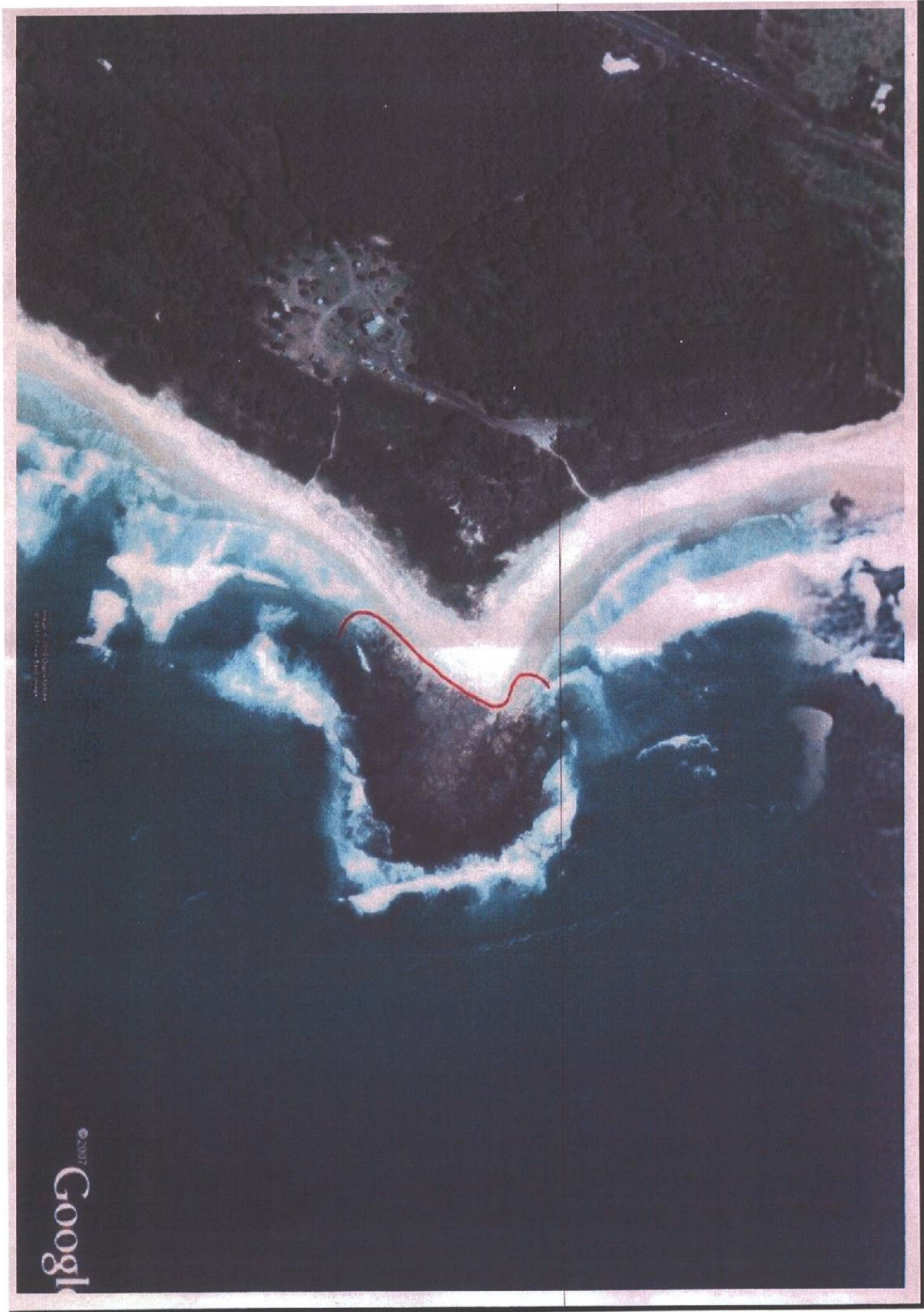
Yours sincerely



Gary Clark
On behalf of the
Birds Australia - Ballina 2020 Shorebird Scheme

16 April 2010

Cc Mr James Brideson



8.3 Dog Trial at The Serpentine, Ballina.DOC



Dogs love going to the beach, but they can disturb and kill endangered shorebirds.

Shorebirds feed, roost or nest along the shore. Some are local. Many are migratory, travelling thousands of kilometres each season. Migratory shorebirds use the sandy shoreline as a refuge after their long journey. If they don't get enough rest or food, these birds are unlikely to survive their journey.

Shorebirds are limited by the tide for space to feed and roost. If chased by dogs during these critical times, they may be too exhausted to migrate for their mating season.

In spring and summer, our native shorebirds nest on the beaches and estuaries of the northern rivers of NSW. There are few coastal areas where shorebirds can find a refuge from people and dogs. For this reason many shorebirds are now threatened with extinction.

Please ... keep your dogs well away from shorebirds.



How can you help protect beach-nesting birds?

Familiarise yourself with the current regulations for dogs on beaches in your local area. In many areas dogs are prohibited or must be on leashes. If there are no signs at beach access points, contact your local council to find out where you are allowed to exercise dogs on the beach.

- ◆ Keep your dog out of national parks, nature reserves and other areas where dogs are prohibited.
- ◆ Use a leash on beaches where leashes are compulsory.
- ◆ If you are walking your dog along the beach, keep near the water's edge – this poses less risk to nesting birds and turtles which nest above the high-tide mark.
- ◆ In spring and summer, if you see Pied Oystercatchers, Little Terns or Beach Stone-curlews on the beach, keep well away because they are likely to have a nest nearby and are sensitive to disturbance from you and your dog.

Dogs and Leashes Birds and Beaches













Photography: Gracie Maguire, Mike Weston, David Galan, Dean Higginson, Gabe Travers, Billy North
 Text: Billy North and Gracie Maguire Design: Charlotte Lucas

Help protect Australia's beach-nesting birds by being a responsible dog owner.





Because beach-nesting birds have such poor breeding success, their numbers are declining. If too many birds fail to produce young over time, their species becomes faced with the threat of extinction.

They are in desperate need of a helping hand.

Small changes in your behaviour can have a huge positive impact on their survival.

Nests of beach nesting birds are very well camouflaged against the sand.

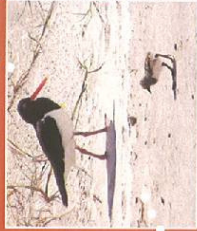


Soon after hatching, the Pied Oystercatcher chicks will need to take to their feet and find food for themselves.

What are the threats facing beach-nesting birds?

In Northern NSW, there are three unique and highly threatened birds that depend on our beaches for survival. They no longer have undisturbed beaches to breed and raise their young so the chicks struggle to survive, and their numbers are declining. They are fearful of us and are highly sensitive to dogs. If you own a dog, you can help recover these birds from the brink of extinction.

Nests are commonly located on ocean beaches above the high-tide mark.



"My dog is only having a bit of fun chasing the birds"

It is critical that nesting birds are left to sit on their eggs and that their chicks are able to feed on the beach. Disturbance can lead to eggs falling to hatch, or chicks starving or being predated in the absence of their parents.

"My dog wouldn't harm the birds!"

Once a dog detects a nesting bird, its natural curiosity can lead it straight to the vulnerable eggs and chicks. No matter how well trained your dog is, accidental crushing of eggs and chicks can occur when a dog runs around on the beach.

Adult birds that are incubating eggs or brooding chicks are easily disturbed by dogs on the beach, so while there might be no intention to do harm, the impacts can be severe.



The parent birds will leave the nest to keep it hidden and will not return until that disturbance ends.

If this is for a long period, eggs and chick can overheat, over cool or be eaten by predators. Chicks are also easily frightened by people and dogs on beaches, and if they spend more time in hiding than feeding, they will starve to death.