

ballina
shire council

Companion Animals Management Plan

Prepared by Ballina Shire Council

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companion animals management plan

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OBJECTIVES

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 dogs and cats.
- To provide opportunities for dog and cat 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 dogs and cats in Ballina Shire.
- 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 dog and cat management issues.
- To develop action plans designed to address dog and cat management issues.
- To educate the community about the rights and responsibilities of dog and cat 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 Shire 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.

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 Felis catus, 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 Impounding Act 1993, 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.

menacing dog
a dog for the time being the subject of a declaration by an authorised officer of Council under Section 34 (1A) or a Court under Section 45 (1A) that the dog is a menacing dog.

desexed
rendered permanently incapable of reproduction.

Director-General
Director-General of the Office of Local Government.

dog
animal (of either sex, or desexed) of the species Canis familiaris, 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.

NRAS
Northern Rivers Animal Service.

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 October 2015.

LINK TO DELIVERY PROGRAM

- ***CC1.1*** Actively promote safety and wellbeing strategies
- ***CC2.2*** Create events and activities that promote interaction and education, as well as a sense of place
- ***HE3.2*** Minimise negative impacts on the natural environment



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 Shire Council's approach to the fulfilment of its responsibilities under the Act. It establishes Council's objectives and priorities, along with a clear implementation program.

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

The new Animal Shelter opened in December 2013 at 61 Piper Drive Ballina. Ballina Shire Council works closely with (NRAS) to rehome suitable animals.

Animals can be collected and surrended by appointment only. Appointments can be made by contacting Council's Public and Environmental Health Division on telephone 1300 864 444 during office hours or by contacting Council's after hours service on weekends or after hours on telephone 6626 6954.

Prior to release of an animal, all relevant fees and charges must be paid, including registration and microchipping fees. No cash handling is undertaken by the Rangers at the animal shelter and all outstanding fees must be paid at Council's Customer Service Centre prior to collection. On the weekend and public holidays the Rangers, if required, will process payments by eftpos only.

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.

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.

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.

Water and Faecal Pollution (con't)

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 dog poo bag dispensers at prominent dog exercise and recreational areas.
- Providing waste bins at parks and reserves where owners can dispose of their pet's droppings.

GENERAL ISSUES

Microchipping and Registration of Companion Animals

Microchipping, registration and annual permits for Companion Animals are crucial components of funding management, education and enforcement programs. The NSW Register is a critical database 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.

From 1 July 2020, annual permits are also required for undesexed cats, declared dangerous dogs, and dogs of a restricted breed.

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 ongoing 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.

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 State Government undertakes community education from the money allocated to the Companion Animals Fund.

Additionally Council undertakes its own education programs to promote the message of statewide campaigns or in circumstances where local priorities vary from those of the State Government.

Council is currently involved in a regional program being managed by Byron Shire Council called **Leash Up Pilot Community Project** funded by the Department of Planning, Infrastructure and Energy through the Koala Strategy. The project aims to encourage dog owners to leash up and emphasises the importance of having dogs on leash in public places (that are not designated off leash areas and/or dog prohibited).

Keeping dogs on leash:

- reduces unwanted dog approaches and stressful interactions
- limits aggression and minimises physical harm
- keeps your dog safe and under control
- helps to protect our wildlife.

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 is fostered by Council.

Funding

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

The Council is required to remit the monthly registration and permit fees it receives to the Office 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.

Council will apply for grant funding made available from the Office of Local Government – Responsible Pet Ownership Programs.

In 2020 the Office of Local Government provided $4,000 to Council's that manage their own pounds to assist with costs during COVID-19 in 2020.

DOGS

Off-Leash Areas

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.
- 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 exercise/walk/run without being on a leash. There are seven 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, northern access north of Lennox Head Surf Club, Lennox Head
- Headlands Drive Drainage Reserve, Skennars Head
- Ballina Heights Estate, eastern reserve area, Ballina Heights
- The Spit Beach, Ballina

~~Consideration will be given to additional off-leash exercise areas in the Alstonville and Wollongbar precinct in the future.~~ Future plans have identified Killarney Park in Wollongbar as a potentially suitable new off-leash 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 dogs. Whilst at these beaches dogs must be on their leashes and under effective control:

The designated beaches are:

- Sharpes Beach - refer to important notice below
- Angels Beach - refer to importance notice below
- Boulders Beach and the coastline walkway through to Lennox Head

Important Note: Dogs are prohibited at all times at the Flat Rock Reef between Angels Beach and Sharpes Beach and Sharpes Beach within 200m of flagged areas during patrolled times by the Surf Life Saving Association.

Public Places Where Dogs Are Excluded

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

- In or within 10-metres 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 access track immediately north of the Lennox Head/Alstonville Surf Lifesaving Club)
- Flat Rock Reef located between Angels Beach and Sharpes Beach
- Shaws Bay and immediate foreshore surrounding Shaws Bay, East Ballina
- The Serpentine, East Ballina
- Gawandii Beach, East Ballina
- Lake Ainsworth, Lennox Head
- Lake Ainsworth Reserve and immediate foreshore surrounding Lake Ainsworth, Lennox Head
- Fire Trail at the end of Camp Drewe Road (7(f) Environmental Protection, Coastal Lands)
- Sharpes Beach within 200m of flagged areas 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
- And as indicated on Council Signage in various areas.

Outdoor Dining Areas

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

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 Shire 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 and recreational areas to assist in the removal and will be considered at other sites in the Shire if required. Current locations are:

- The Spit x 2
- North Wall x 2
- Access to Seven Mile Beach off leash area north of Lennox Head/Alstonville Surf Lifesaving Club
- Coastal Walkway Dress Circle Drive entrance
- Surf Club Lennox Head
- Compton Drive Off-Leash
- Fawcett Park
- Off leash area Alstonville
- Sharpes Beach

Proposed new locations are:

- Sharpes Coastal Walk to Lennox Point
- Shaws Bay walkway at Pop Denison Park

Council launched the 'Pippa the Dog Poo Fairy' campaign in September 2014. Taking a comical angle to tackle a serious issue of pet owners taking responsibility in picking up after their dogs.

Nuisance Dogs

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

The rise in complaints made to 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.

Dangerous Dogs & Menacing Dogs

Council can declare a dog kept in its area to be a dangerous or menacing dog. Once a dog is declared dangerous or menacing, 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
- From 1 July 2020 a $195 annual permit must be paid in addition to the normal registration fee and certificate of enclosure fee
- 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
- When a dog is declared dangerous or menacing, Council must enter the details on to the Register and notify the Office 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.

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 Office of Local Government in accordance with the established protocol.

Restricted Dog Breeds

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

- 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 and annual permit requirements.

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

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

- Food preparation or consumption areas
- 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
- cat proof fences and enclosures
- use of housing designs to help owners to responsibly confine their cats.

From 1 July 2020 owners of cats that are not desexed by four months of age are now required to pay an $80 annual permit in addition to their one-off lifetime pet registration fee.

This will create a stronger incentive to desex cats, which in turn will improve their health and well being, including reducing the risk of some cancers.

Improving the desexing rate will assist in easing the burden on pounds and shelters, reduce euthanasia rates, and help to address concerns about feral, stray and roaming cats and their effect on wildlife.

Exemptions are in place for cats that are registered by 1 July 2020, those kept for breeding purposes by members of recognized breeding bodies, and cats which cannot be de-sexed for medical purposes.

Nuisance Cats

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.

REVIEW

The Companion Animals Management Plan is to be reviewed every four 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 - MICROCHIPPING AND REGISTRATION OF DOGS AND CATS

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
- is a source of funding for animal management activities.

MICROCHIPPING AND REGISTRATION OF DOGS AND CATS						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP1.1	Record Companion Animal matters.	Establish & maintain Companion Animals Registers & Enforcement Data.	Register with Office of Local Govt requirements.	Ongoing	NSW Revenue data, Pound Register and Office of Local Govt reporting, quarterly and annually.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing
AP1.2	Educate the community about the importance and need for micro chipping & registering dogs & cats. Microchip and Desexing Program 2019 Open Day	Use Office of Local Govt brochures and other brochures produced by Council for distribution to vets, etc. about micro chipping and registering dogs and cats.	Increase in the percentage of dogs and cats registered in Ballina. Number of dogs and cats returned to their owners.	Annually	Education programs on time and the Companion Animals Education kits. Continuing Audit Program commenced following up on dogs and cats microchipped but not registered. Audit occurs quarterly. Website updated.	

MICROCHIPPING AND REGISTRATION OF DOGS AND CATS						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP1.3	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. Brochures for distribution through pet shops, vets etc. Advertising in local media. Follow up with owners who have not registered their pets and advise them of new late fees. Continuing articles Community Connect	Increase in the percentage of dogs registered in Ballina Shire. Level of understanding in community and increase in registration.	Ongoing New Factsheets developed 2017. Continue to review and update factsheets and information on website.	Community Connect series on Companion Animal Management and responsible pet ownership published regularly. Grant received from Office of Local Government 2019 and Council Rangers offered free microchipping days and a $50 discount voucher for desexing at participating vets in the Shire. New legislation applies from 1 July 2020.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing

ACTION PLAN 2 - DOGS IN PUBLIC PLACES

All dogs in public places 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) that person.

Dogs are prohibited by Council in the following public spaces:

- within 10-metres 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
- Shaws Bay and immediate foreshore surrounding Shaws Bay, East 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)
- Sharpes Beach within 200m of flagged areas 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
- The Serpentine, Ballina
- Gawandii Beach, East Ballina
- and 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. Dog poo bag dispensers are publicly placed on main walking/cycleway pathways.

Roaming dogs must be effectively managed and owners educated about dogs when in a public area other than an in 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.

Dogs are important companion animals for older people and people living alone as they provide company and give people a reason to socialise with other people, which contributes to the health and wellbeing of the community. Formalised dog off-leash areas enable people to take their dogs to a place where dogs can legally run free, exert energy and socialise with other dogs. Off-leash areas also provide people with a meeting place and opportunity to connect with others.

Off-leash dog exercise areas:

- Bicentennial Gardens, the northern area of the reserve, Ballina
- Compton Drive, East Ballina
- Gap Road, Alstonville
- Seven Mile Beach, northern access north of Lennox Head Surf Club, Lennox Head
- Headlands Drive Drainage Reserve, Skennars Head
- Ballina Heights Estate, eastern reserve area, Ballina Heights
- The Spit Beach, Ballina

DOGS IN PUBLIC PLACES						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP2.1	To provide appropriately located and well utilised off-leash dog exercise areas.	Undertake periodic reviews of off-leash dog exercise areas regarding number, location, usage, suitability and effectiveness of facilities. Consideration of requests for new off-leash dog exercise areas. Publicise the location of all off-leash dog exercise areas. Investigate a new off-leash dog exercise area in Wollongbar/ Alstonville.	Number of people (popularity) attending those sites. Number of complaints from people using off-leash dog areas. Assessing reasons for complaints about off-leash dog areas in the shire. Time taken to respond to requests received for new unleashed areas. Local maps being available on Council's website, Visitor Information Centre, Libraries, and Council Officers. Suitability of site.	Ongoing	Random patrols conducted Off-leash education factsheet including map of off-leash areas widely distributed. Surrounding local Councils provide positive feedback on our sites - regionally recognised. New Cycleways and Shared Paths map published including dog-friendly areas. Killarney Park in Wollongbar feasibility to be investigated.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing
AP2.2	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. Enforcement of protected areas.	Number and location of designated and signposted prohibited areas prohibiting dogs and or cats.	Ongoing	Prohibited areas regularly advertised in media and Council's Community Connect newsletter.	
AP2.3	To educate and enforce leash provisions in public.	Publicity campaigns to inform owners on leash provisions. Enforcement of legislation covering unleashed dogs in public areas.	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. Monitoring and reporting on fines issued by Rangers for unleashed dogs in public areas. Number of fines issued.	Ongoing	Education Factsheets developed. 'Hot Spot' areas higher Ranger presence and increased monitoring and enforcement. Warnings and PIN's issued. Office of Revenue data.	

DOGS IN PUBLIC PLACES						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP2.4	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	All unleashed dog exercise areas display appropriate signage. Monitoring and reporting on the number of complaints about inappropriate usage of unleashed areas.	Ongoing, within existing resources. Under investigation.	New signage erected at all off-leash areas, advising of owner responsibility while in the area. Compton Drive exercise area.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing
AP2.5	To implement the environmental improvement and protection principles contained in the Act	To educate, publicise & encourage dog owners to remove & dispose of their pets' faeces from public areas. Enforcing the requirements of the Act on owners about removal & disposal of dog faeces. Strategic installation of bins for the disposal of dog faeces. ~~To educate the community about the importance of removing dog faeces~~.	Distribution of dog brochures. Monitor and reporting on fines issued. Review where bins are installed. ~~Distribution of dog control brochures~~	Ongoing	Locations of dog poo bag dispensers to be reviewed. Signage installed at the "dog poo" bag dispenser locations. Signage at Sharpes, Angels and Flat Rock Beaches on the importance of collecting your dog faeces. Advertorials and Community Connect articles. Ongoing campaign 'Pippa the Dog Poo Fairy'.	
AP2.6	To reduce the number of uncontrolled dogs in public places	Educate the community about the importance of properly confining their dogs. Encourage home owners to provide adequate fencing to contain dogs. Target areas where unleashed dogs in public places are a problem with random patrols and local distribution of educational material.	Monitoring and assessing complaints about dogs roaming unattended in public areas and identifying problem areas for attention. Monitoring and reporting on the fines issued for unleashed dogs.	Ongoing and as resources permit	Daily patrols of beaches, parks and reserves. Educational Factsheets produced and distributed. Advertorials and Community Connect articles produced. Targeted education at Boat Ramp areas, Seven Mile Beach, Lennox Head walkway, Lake Ainsworth Precinct and Sharpes Beach.	

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.

BARKING DOGS						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP3.1	Enforce the barking dog provisions of the Act.	Instigate standard procedures for the investigation & resolution of barking dog complaints.	Prepare and distribute a local Barking Dog Information Pack. Monitoring and assessing ongoing barking complaints.	Completed and ongoing	Barking Dog Procedure. Barking Dog education and information kit produced and on Council's website. Noted: Council Procedure recognised at NSW Ranger Conference and by other local councils as 'Best Practise'.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing
AP3.2	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.	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.	Ongoing Minimise & reduced number of complaints received.	Statistics developed on the number of initial barking dog complaints and then when a formal barking dog diary is submitted to Council for investigation.	
~~AP3.3~~	~~To provide assistance to~~	~~Hold citronella collars for hiring by owners.~~ ~~Provide information about specialised training courses.~~	~~Monitor and report the number of times collars are hired.~~ ~~Monitor the ongoing barking complaints records against registered dog data.~~	~~Ongoing~~	~~Managed through Customer Service Centre~~	

ACTION PLAN 4 - DANGEROUS DOGS, MENACING DOGS AND RESTRICTED BREEDS

- The Companion Animals Act provides special procedures for dealing with dangerous dogs, menacing Dogs and restricted breeds.
- Council must maintain a Register of Dangerous, Menacing and Restricted Breed dogs.
- Dangerous dogs, menacing dogs and restricted breed dogs are notified to the Office of Local Government and placed on the State-wide Register.
- Implement new annual permit.

DANGEROUS DOGS, MENACING DOGS AND RESTRICTED BREEDS						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP4.1	Enforce the dangerous and menacing dog and restricted breed provisions of the Act	Establish & review procedures for dealing with dangerous dogs & restricted breeds to ensure compliance with Act.	Monitoring and recording of the number of dangerous dogs on Council's Register with reference to population and numbers of registered dogs.	Ongoing	Companion Animal Act reviewed and new legislation regarding menacing dogs introduced. Internal Companion Animal Review Panel reviews and determines action regarding dog attacks and dangerous dogs.	CC1.1 Actively promote safety and wellbeing strategies
AP4.2	Enforce certificate of compliance for enclosure	Template for certificate of compliance and fees as per Regulations.	Monitor and report on number of certificates current. Review certificate currency at time of annual inspection.	Annually audited.	Templates reviewed and amended and fees amended (set by State Government). Audit process reviewed and legal advice received confirming Council process.	
AP4.3	Monitor on a regular basis properties where dangerous dogs are kept	Ensure that requirements such as childproof enclosures for designated dangerous dogs are properly used and maintained, ensure appropriate signage is displayed in accordance with the Act.	Required annual inspection to premises where dangerous dogs are kept to check with compliance act.	Annually.	Completed December 2020.	
AP4.4	Annual permits	Develop new process as per new legislation.	Record all permits issued.	Annually		

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.

CAT MANAGEMENT						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP5.1	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.	Monitor and reporting on the number of complaints about cats. Record the number of brochures distributed.	Ongoing	Nuisance Cat Education and Information Kit developed and produced and available on website. Information updated on Council's website.	CC2.2 Encourage community interaction, volunteering and wellbeing HE3.2 Minimise negative impacts on the natural environment
AP5.2	To implement procedures for cat control.	Introduce procedures for dealing with nuisance cats. Educate owners about the benefits of keeping their cats indoors at night.	Monitor and reporting on the number of new cats identified & registered. Record the number and details of articles in newsletters & local papers.	Ongoing	Audit of unregistered cats completed 2013, 2012, 2011. Audit continuing quarterly.	
AP5.3	New annual permits.	Develop new education material and implement new annual permit process.	Record of annual permits issued.	Ongoing Annually	New legislation introduced from 1 July 2020.	

ACTION PLAN 6 - ANIMAL WELFARE AND 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 and for the management of dog behaviours.
- Report all concerns relating to health and safety of a pet to the RSPCA, responsible for administering the Prevention of Cruelty to Animals Act.

ANIMAL WELFARE AND SAFETY						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP6.1	To promote the desexing of companion animals not required for breeding purposes.	Develop education & publicity campaigns about the importance of desexing pets.	Monitor and reporting on the surrender rates at Council's Shelter. Report annually on Education campaigns to promote desexing	Ongoing	New Responsible Pet Ownership Factsheets developed, including information on desexing in 2017. ~~Desexing Education Program occurred in 2017 with local vets.~~	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing
AP6.2	To promote & 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. Fining owners whose pets are not registered.	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 unregistered pets. Monitor and reporting on the number of pets claimed from Pound.	Quarterly audits Ongoing	Partnership with NRAS to assist council in rehoming of unidentified animals. Council Rangers trained to microchip animals. PIN's issued to owners of animals that are not registered with Council when identified by the Ranger.	
AP6.3	To promote responsible pet ownership.	Develop and promote education & publicity campaigns about the importance of being a responsible pet owner, & of training & socialising pets.	Monitor and reporting on the number of pets not identified and registered.		Articles in each edition of Community Connect.	

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.

BENEFITS OF PET OWNERSHIP					
REFERENCE	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT
AP7.1	To promote the benefits of pet ownership.	Supply information and brochures on responsible pet ownership.	Recording and reporting on the number of brochures distributed and other promotional programs and events.	Ongoing and as resources permit	Responsible Pet Ownership Brochure developed Advertorials and Community Connect articles promoted

ACTION PLAN 7 - PROVISION OF FACILITIES

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

PROVISION OF FACILITIES						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP7.1	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.	Monitor and annual reporting on the shelter's operation. Actively maintain Animal Shelter records in accordance with the requirements of the Office of Local Government.	Ongoing	New animal shelter opened December 2013. RSPCA inspected new facilities and reported outcomes in a report in March 2017. Developed standard operating procedures for facility.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing
AP7.2	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.	Rangers are adequately trained to give advice on animal welfare. Maintain staff training records.	Ongoing	Rangers have attended dog legislation training and dangerous dog training 2017. New Rangers to be authorised identifiers and microchip animals at Shelter. Regular dog behaviour training programmed for Rangers, Cleaners and other field staff.	
AP7.3	Open Days at Animal Shelter.	Conduct tours of facility and promote Rangers activities.	Level of attendance and interest.	Every 2 years.	Last held in 2019 prior to COVID-19.	

ACTION PLAN 8 - EDUCATION / PET OWNERSHIP / RESPONSIBILITY

- 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.
- Educating pet owners is the key to successful implementation of the Act. Educating non-pet owners is also an important consideration.
- The state-wide and local education and publicity campaigns must be co-ordinated to achieve maximum impact.
- Office of Local Government.

EDUCATION						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP8.1	To educate all pet owners and about their rights and responsibilities "Being a responsible pet owner".	Continue to disseminate information to all stakeholders and to identify education priorities & appropriate actions.	Adoption of Companion Animals Plan by Council. Annual reporting of activities as required by the Action Plans applying to the Management Plan. Number of Penalty Infringement Notices issued. Number of animals impounded. Attendance at Open Days. Number of dogs being registered.	Ongoing and as resources permit	Advertorials and Community Connect articles published. Letters contain relevant information. Rangers conduct talks at local school and community groups about companion animal management. Website updated with new information and people encouraged to regularly use website for information. Statistics reviewed for the Annual Report. Animal shelter Open Day promotion. Pet ownership packages at time of registration. Regional program Leash Up Pilot Community Project funded by the Department of Planning, Infrastructure and Energy through the Koala Strategy.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing

ACTION PLAN 9 - ENFORCEMENT

- Council's Rangers enforce the provisions of the Companion Animals Act.
- It may be appropriate, in order to reinforce publicity with education campaigns, for the Rangers to concentrate on enforcement of particular areas at specified periods, eg. dog management at coastal reserves and beaches during peak summer months.

ENFORCEMENT						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP9.1	To provide a responsive and effective animal control service to the community.	Review enforcement procedures as required. Tailor enforcement to coincide with education & publicity campaigns Set & review Ranger Patrols responses to complaints the seasons and the local conditions. Regularly discuss WHS. Implement the use of body cameras for activities.	Monitor and reporting on fines issued. Record Rostering. Complaints and feedback to Council.	Ongoing within existing resources	Enforcement procedure regularly reviewed. Ranger foot patrols of beach areas and specific problem areas reviewed. Warnings and PIN's recorded. Roster amended to meet seasonal demands including summer roster of early mornings and late afternoon/ evening patrols. ~~'Navman' reports on areas monitored.~~ Pop-up education stalls at Lake Ainsworth in summer months. New body cameras 2021.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing

ACTION PLAN 10 - 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.

FUNDING						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP10.1	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.	Allocation of funds in Council's annual budget to Companion Animal activities.	Ongoing	Overall, the Rangers operate within the existing budget. Microchipping desexing program annually Animal shelter Open Days.	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing

ACTION PLAN 11 - 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 four years.

REVIEW						
REF	ACTIONS	TASKS	MEASUREMENT	TARGET	COMMENT	LINK TO DELIVERY PROGRAM
AP11.1	To review and update the Companion Animals Plan	Monitor and review the Companion Animals Management Plan on an ongoing basis. Indicators are to be reported quarterly in the Delivery Program.	Plan reviewed every 4-years after adoption	Yes	Draft revised Plan submitted to the Council Meeting	CC1.1 Actively promote safety and wellbeing strategies CC2.2 Encourage community interaction, volunteering and wellbeing
AP11.2	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.	Statistics available for monitoring companion animals' activities in accordance with the Action Plans.	Ongoing	Statistical reporting for Ranger activities including companion animal complaints and matters In accordance with Office of Local Govt reporting requirements	

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