



DISTRICT COUNCIL of TUMBY BAY

Animal Management Plan 2017 – 2022



Executive Summary

The District Council of Tumby Bay is situated on the eastern coast of Eyre Peninsula and is approximately 630km from Adelaide and 45km from Port Lincoln.

The largest township within the Council area is Tumby Bay, with smaller towns located at Port Neill, Ungarra and Lipson.

Tumby Bay is the centre of an agricultural farming district including cereal crops, sheep and beef, as well as fishing and tourism industries. Mining and aquaculture industries have also started to be established in the area.

This Animal Management Plan has been prepared by Council and demonstrates the commitment to responsible animal management within the community. It has been written in accordance with the *Dog and Cat Management Act 1995*.

The Plan is also linked to Council's Strategic Plan 2012 – 2022 in the areas of Governance and Service Delivery.

The recommended actions within the Plan will allow Council to maintain a balance between competing interests and meeting its legislative obligations.

The Plan originally adopted in 2007 has been reviewed by the Manager of Environmental Services and Compliance Officer on behalf of Council. It is now ready for Community Consultation prior to adoption by Council.

Mission

To promote and facilitate responsible ownership of dogs and cats, animal welfare and the benefits of animal companionship focusing on the legitimate needs of pets and their owners, while respecting the rights and needs of other members of the community, and protecting the environment.



Aim

The District Council of Tumby Bay aims to:

- promote responsible dog and cat ownership;
- provide for the welfare and safety of dogs and cats;
- ensure public safety and enhance the amenity and environment;
- harness the benefits of dog and cat ownership; and
- ensure the expenditure of registration fees addresses domestic animal issues.

It is recognised the enforcement of laws does not necessarily result in ongoing voluntary changes in behaviour. A range of non-regulatory approaches such as public education and improved signage also need to be adopted.

The evidence supporting the benefits of owning pets is considerable and Council's role is not to hinder this benefit, but to maintain the ability of the community to continue to own dogs and cats. It is essential that Council take a strategic approach to managing domestic pets within its community.

This Plan provides Council with a basis and direction from which it can plan, co-ordinate and make future decisions to meet the needs of the community over the next 5 years.

The Law / Guidelines

The responsibilities for dog and cat management in South Australia are prescribed in the *Dog and Cat Management Act 1995*. Under the Act, Council is required to administer and enforce the provisions relating to dogs and cats within its area. Prescribed responsibilities include the appointment of a Registrar of Dogs, maintenance of a Dog Register, the appointment of an Authorised Officer and to arrange for seized dogs and cats to be impounded. Council is also able to make by-laws relating to the management of dogs and cats within its area.

At present, Council employs one Full Time Equivalent authorised person.

The Act also provides for the appointment of the Dog and Cat Management Board, which has responsibilities to plan for, promote and provide advice about the effective management of dogs and cats in the State, to monitor Councils' management and administration of the Act and to issue guidelines and advice to Councils. The Board also has a role to provide advice to the Minister, to keep the Act under review, to undertake research into companion animal management and to provide education programs about dog and cat management.

While these provisions provide the legal framework for the Council's responsibilities and penalties that can be imposed on dog owners for non-compliance, this Plan seeks to implement a balanced approach that caters to the community's needs and will benefit

dogs, cats and their owners as a group with legitimate needs but, also, the wider community as well as those charged with the responsibility of animal management by-laws.

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

- Microchipping – introducing a requirement for all dogs and cats to be microchipped by the age of three months from 1 July 2018.
- Desexing – introducing a requirement to desex all dogs and cats born after 1 July 2018 and by the age of six months.
- Breeders – introducing a requirement that a person must not sell a dog or cat they have bred unless they are registered as a breeder with the Dog and Cat Management Board.
- Sellers – introducing a requirement for certain information to be provided to the buyer.
- Council powers – providing councils, which are responsible for dog and cat management in their local areas, with greater powers to administer and enforce the Act.
- Assistance Dogs – changing who can accredit animals.

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

Pursuant to Section 25 of the Act, the Dog and Cat Management Board administer a Dog and Cat Management Fund. Tumby Bay Council is presently required to contribute 10% of revenue raised through dog registration fees to the Dog and Cat Management Board and, from 1 July 2018, will be required to contribute 12% of its revenue.

Council annually determines its proposed dog fees. The Act requires a mandatory rebate for a 'standard dog or cat' which is one that is both microchipped and desexed. Council offers other discretionary rebates and the fee structure is available within Council's Fees and Charges.

As Council no longer has an appropriate holding facility, Council has an agreement with the City of Port Lincoln to utilise their impound facilities, as required.

Pursuant to Section 33 of the *Dog and Cat Management Act 1995*, dogs of or over three months of age must be registered. In 2015/2016 a total of 611 dogs were registered with the Tumby Bay Council. Expiation fees or prosecutions can apply to unregistered dogs so, it is very important dog owners ensure their dog(s) registration is up to date and renewed by the due date.

COUNCIL'S MANAGEMENT OF DOGS

Dog Registration

Pursuant to Section 33 of the *Dog and Cat Management Act 1995*, dogs of or over three months of age must be registered.

Tumby Bay Council offers a number of dog registration discounts and these are available for perusal on Council's website under 'The Council' – 'Council Documents' – 'Registers' – 'Fees and Charges'.

Detention arrangements of dogs seized

Council has an agreement with the City of Port Lincoln to use their animal pound. Dogs seized are advertised on Council's website, the Council office notice board and two notice boards in the town to ensure visibility to the public out of working hours. This assists in ensuring dogs are returned to their owners as soon as possible.

When a dog is found wandering at large and is seized, Authorised Officers endeavour to identify the owner of the dog by checking for a microchip or any other visible signs, such as a dog name tag with contact details or alternatively a Council Dog Registration Disc. If the owner can be identified immediately, contact will be made with the owner to collect their pet. Alternatively, if the owner cannot be identified, the dog will be held at the Pound for 72 hours, after which Officers will, if the dog is suitable to be rehomed, try to rehome the dog or pass it onto a Pet Rescue group. If owner identification is not able to be ascertained and the dog is not able, for whatever reason, to be rehomed, the dog will be transferred to the Council's local service provider to be euthanised.

Dog owners will be required to desex all new generations of dogs born after 1 July 2018 and by the age of six months. Owners will not be required to desex dogs born before 1 July 2018, however desexing of all dogs is supported and encouraged.

Dog owners will be required to microchip all dogs from 1 July 2018, including new pups by the proposed age of three months.

By-laws

Tumby Bay Council has a Dog By-Law which provides further legal provisions in relation to the management and control of dogs within the area. The Dog By-Law is available on Council's website under 'The Council' – 'Council Documents' – 'By-Laws'.

COUNCIL'S MANAGEMENT OF CATS

Detention arrangements for cats seized

All cats caught by Council in accordance with the *Dog and Cat Management Act 1995* are delivered to Council's local service provider and all un-identified cats are euthanised or rehomed at their discretion. The owners of any cats identified by a microchip or other identification on the cat will be notified by the Council's local service provider or Authorised Officer of collection arrangements.

If a cat the Council is empowered to seize and dispose of is assessed as being friendly and well cared for, every effort will be made to find the owner however, if this is not possible, within a **24 hour period** the Council's local service provider may try to rehome the animal or alternatively euthanise it.

Unlike dogs, lawfully seized cats are not provided a window of opportunity (e.g. 72 hours) to find owners and, to protect the lives of cats, it is in the best interest of the owner, to ensure that cats are microchipped and registered with the chip registration body, so that they can be returned home quickly and safely. Cat owners will be required to desex all new generations of cats born after 1 July 2018 and by the age of six months. Owners will not be required to desex cats born before 1 July 2018, though the desexing of all cats is highly recommended and encouraged.

Costs are incurred by Council's local service provider for boarding cats that are seized and while trying to locate the owners. These costs will be recouped by the local service provider upon return and collection of the cat to the owner. If the owner refuses to pay these costs, the Council's local service provider's policy will be initiated. The owner and Council's local service provider will negotiate these conditions.

Cat owners will be required to microchip all cats after the proposed date of 1 July 2018 and by the age of three months.

Council addresses complaints from members of the community in relation to wandering cats and, if a nuisance is being caused by cat(s) in a neighbourhood, Council has cat trap hire options to assist residents in the capture and removal of the cats. If cats are identified, Authorised Officers and Council's local service provider take this opportunity to promote responsible pet ownership with the owner and the importance of containing cats on their own property.

By-Laws

Tumby Bay Council does not have a Cat By-Law.

Objective

8.1 COUNCIL OPERATIONS			
a) Council Authorised Officers Have Capacity to Administer and Enforce the Dog and Cat Management Act 1995			
	Objective	Strategies	Measures
<i>i.</i>	Appropriately trained workers.	Staff undertake training, as required, relating to new legislative provisions under the Dog and Cat Management Act to ensure Council Officers operate within the predetermined guidelines and requirements of the Dog and Cat Management Act.	Type and number of training sessions attended.
b) Education of the Community			
	Objective	Strategies	Measures
<i>i.</i>	Greater knowledge of the dog and cat legislative provisions.	Promotion of the need for breeders to be registered with the Dog and Cat Management Board.	Number of promotional activities undertaken.
<i>ii.</i>		Promotion of introduction of legislation requiring all new generations of dogs and cats over six months of age to be desexed.	Number and types of promotional activities undertaken. Number of new generation dogs and cats <i>desexed</i> annually.
<i>iii.</i>		Promotion of introduction of legislation requiring all dog and cats three months of age or older to be microchipped. Provide education material to residents and visitors to the Council area about responsible ownership, and the needs to reduce the following detrimental impacts of dogs and cats: <ul style="list-style-type: none"> • barking dogs; • dog attacks/harassment; 	Number and types of promotional activities undertaken. Number of dogs and cats three months of age or older microchipped annually. Annual reduction in cats found not microchipped or desexed.

		<ul style="list-style-type: none"> • dog faeces in public places; • nuisance caused by cats; and • destruction of native fauna by cats. 	Annual reduction in nuisance cat complaints.
iv.	Proactive education of pet owners to ensure they are aware of their responsibilities.	Implement various campaigns, such as Wandering Dog and Cat Campaigns and benefits of identification to highlight various issues relating to responsibility of pet ownership.	<p>Number and type of campaigns undertaken annually.</p> <p>Annual reduction in dog and cats wandering at large.</p> <p>Annual reduction in dogs and cats found not microchipped or desexed.</p>
v.		Provide educational material for display to promote responsible pet ownership to Veterinary Clinics, Library and Schools.	<p>Number of pamphlets/brochures circulated.</p> <p>Number and type of different locations where educational material is distributed.</p>
vi.	Ensure up-to-date promotional materials available.	<p>Regularly review and update promotional material to ensure it is accurate.</p> <p>Education on mandatory desexing requirements for dogs and cats (born after 1 July 2018) and encourage voluntary desexing for older generations of dogs and cats.</p>	Types and promotional material provided.

<i>c) Effective Reporting and Management Structures</i>			
	Objective	Strategies	Measures
<i>i.</i>	Maintain appropriate reporting mechanisms for all reporting requirements under the Dog and Cat Management Act 1995 to ensure timely reporting to the Board.	Implement reporting system for compliance with regulatory provisions. Ensure Council's Dog Incident Reports are uploaded to the Dog and Cat Management Board Dog Incident System.	Reporting System developed and implemented. Number and type of reports generated.
<i>d) Community Awareness of Pet Ownership Benefits and Responsibilities</i>			
	Objective	Strategies	Measures
<i>i.</i>	Provide links on Council's website to other appropriate websites for easy access to relevant services.	Provide links on Council's website to other appropriate websites about dogs and cats to facilitate access to relevant services and information.	Number of links listed on Council's website and names of Groups/Services.
<i>ii.</i>	Community adequately informed of Dogs On-Leash, Off-Leash and Prohibited areas.	Review and update the Dogs On-Leash, Off-Leash and Prohibited areas.	Schedule of On-Leash, Off-Leash and Prohibited areas reviewed and attached to Animal Management Plan and advertised on Council's website.
<i>iii.</i>	Community adequately informed on suitable home environment for dogs and cats.	Provide information about a suitable home environment to house and contain dogs and cats.	Provide promotional information at schools, Council premises, Council websites and social media.
<i>e) Visitor Information/Facilities</i>			
	Objective	Strategies	Measures
<i>i.</i>	Provide relevant information to various services within Tumby Bay Council to ensure visitors are aware of Dog and Cat Management services that are available.	Supply brochures to accommodation facilities including caravan/cabin parks on dog On-Leash, Off-Leash and prohibited areas within the Council area.	Number of facilities provided with brochures.

<i>f) Registration of Dog and Cat Breeders</i>			
	Objective	Strategies	Measures
<i>i.</i>	Promote the new legislative requirements for all breeders to be registered with the Dog and Cat Management Board.	Actively investigate any pup and kitten litters identified for sale and ensure that the owners are registered with the Dog and Cat Management Board.	Reduction in the number of owners selling pups and kittens who are not registered breeders.
<i>ii.</i>		Promote the requirement for all owners having to be registered with the Board if their dog or cat has a litter of pups or kittens.	Number of promotional activities undertaken. Number of expiation notices issued for breach of the Act.

8.2 DOG MANAGEMENT			
a) Dog Registration & Dog Breed			
	Objective	Strategies	Measures
<i>i.</i>	High level of dog registration achieved.	Promote dog registrations annually. Offer first year free registration to dogs adopted from the RSPCA or AWL.	Annual reduction in dogs not registered. Display signs in prominent locations (shopping centres, main streets, libraries, council premises) to advertise when dog registrations are due.
<i>ii.</i>	Increased knowledge of legislative provisions around registration by community.	Promote the legislative requirements.	Number of promotional information circulated. Display information about dog registration laws at Council premises, and on Council website and social media (e.g. Facebook).
<i>iii.</i>	Minimise risk of injury and attack on members of community.	Provide information on dog breeds and their suitability as pets.	Number of promotional information circulated. Display information about dog breeds at Council premises and on website and social media.
b) Mandatory Microchip Identification			
	Objective	Strategies	Measures
<i>i.</i>	Provide incentives to the community to assist in microchipping programs.	Partner with Council's local service provider to offer discounted microchipping days.	Annual reduction in the number of dogs found not to be microchipped.

<i>c) Mandatory Desexing</i>			
	Objective	Strategies	Measures
<i>i.</i>	Provide incentives to the community to assist in desexing programs.	Partner with Council's local service provider to offer discounted desexing days.	Annual reduction in the number of dogs found not to be desexed.
<i>ii.</i>	Increase awareness of benefits of desexing.	Encourage Council's local service provider to promote the benefit of dog desexing. Promote voluntary desexing for older dogs through new mandatory rebate for 'standard dog' (dog that is microchipped and desexed).	Promotional material provided by Council. Increased number of 'standard dog' registrations. Number of types of information provided.
<i>d) Wandering at Large</i>			
	Objective	Strategies	Measures
<i>i.</i>	Reduced number of dogs wandering at large.	Respond to complaints regarding wandering dogs to ensure safety of the public.	Number of reports followed up regarding wandering dogs.
<i>ii.</i>	Identification of dogs wandering at large.	Continue to conduct random patrols of all public places and detain dogs found to be wandering at large.	Number of dogs seized.
<i>iii.</i>	Return of registered or identified dogs found wandering at large to their owners.	Use all avenues available to identify and return dogs wandering at large to owners.	Number of dogs returned to owners.

<i>e) Faeces Management</i>			
	Objective	Strategies	Measures
<i>i.</i>	Pet owners remove all faeces from public places when exercising their pets.	Provide and promote facilities (doggie do bins dispensers) to ensure collection of faeces in public spaces by pet owners.	Types of facilities provided. Reduction in fines issued for faeces breaches.
<i>f) Barking Dogs</i>			
	Objective	Strategies	Measures
<i>i.</i>	Reduction in the number of complaints regarding barking dogs.	Provide information to owners of dogs where a complaint has been received regarding their pet barking and highlight various methods to control barking. Educational information provided through the Community Newsletter in relation to the reasons why dogs bark and how to address the issue.	Number of complaints received and resolved. Identify number of reoffending complaints. Number of articles published.
<i>g) Attacks and Harassments Reporting</i>			
	Objective	Strategies	Measures
<i>i.</i>	Decrease in dog attacks.	Promote the consequences of dog attacks and prevention strategies.	Number of dog attack reports. Types of prevention strategies information provided.
<i>ii.</i>	Dog attacks and harassment as reported and acted upon.	Promote and encourage the reporting of all dog attacks and harassment whether in a public place or on private property. All reported dog incidents logged on Dog and Cat Management Board Dog Incident System.	Number of attacks reported.

<i>h) Exercise and Enrichment of Dogs</i>			
	Objective	Strategies	Measures
<i>i.</i>	<p>Provide effective management and a suitable environment for dogs within the community.</p> <p>Ensure that there are areas suitable for dogs to be exercised within the community, under effective control of a person.</p>	<p>Establish, at Council's discretion, a working party to further investigate dog park/s within the City.</p> <p>Educating the community of the importance of exercise and enrichment and things they can do for their pets.</p>	<p>Working Party established and recommendation to Council in regard to dog park options. Specific Dog Park developed.</p> <p>(Refer to DCMB 'Unleashed: A Guide to Successful Dog Parks' – www.dogandcatboard.com.au/publications)</p>
<i>i) Impounded Dogs</i>			
	Objective	Strategies	Measures
<i>i.</i>	Continue to promote the rehoming program of dogs suitable for rehoming. <i>(A dog suitable for rehoming would have no aggressive or behavioural traits and assessed on a case by case basis).</i>	Advertise any dogs for rehoming through Council's rehoming program if seized and not claimed.	Number of Dogs successfully rehomed.
<i>ii.</i>	Ensure clean and safe facilities.	Ensure that all impounded dogs have clean and safe facilities while impounded.	Maintain policy and procedure to clean impound.
<i>iii.</i>	Ensure safe return of registered impounded dogs.	Ensure that registered impounded dogs are returned to owners as soon as practicable but preferably within three days.	Efforts to make all relevant enquiries with owners and ascertain all relevant details.
<i>j) Dog By-Law</i>			
	Objective	Strategies	Measures
<i>i.</i>	Dog By-Law outlines a number of provisions for the control and management of dogs.	Review Council's Dog By-Law.	By-Law review completed.
<i>ii.</i>	Provide awareness to the community on Council's by-laws.	Advertising and promoting by-laws.	Implement this on Council premises, websites and social media.

8.3 CAT MANAGEMENT			
a) Mandatory Microchip Identification			
	Objective	Strategies	Measures
<i>i.</i>	Provide incentives to the community to assist in microchipping programs.	Partner with Council's local service provider to offer discounted microchipping days.	Reduction in the number of cats found not to be microchipped.
b) Mandatory Desexing			
	Objective	Strategies	Measures
<i>i.</i>	Provide incentives to the community to assist in desexing programs.	Partner with Council's local service provider to offer discounted desexing days.	Reduction in the number of cats found not to be desexed.
<i>ii.</i>	Increase awareness of benefits of desexing.	Encourage Council's local service provider to promote the benefit of cat desexing.	Promotional material provided by Council.
c) Owner Responsibility			
	Objective	Strategies	Measures
<i>i.</i>	Appropriate surrender of kittens. Increased awareness of owner responsibility and types of enclosures available to reduce wandering cats.	Work with Council's local service provider to promote desexing of older breeding cats to reduce number of unwanted litters.	Reduced number of kitten litters surrendered annually. Provide information for owners about their responsibilities for keeping cats indoors at Council premises, website and social media.
<i>ii.</i>	Increased awareness of owner responsibility and types of enclosures available to reduce wandering cats.	Pamphlets provided to owners of seized cats to enable them to consider an appropriate enclosure to secure their pet onsite.	Number of pamphlets issued.

d) Cat Trap Hire			
	Objective	Strategies	Measures
i.	Proactively manage feral and wandering cat issues within the City.	Cat traps are available for hire as required.	Number of cat traps hired annually. Number of cats trapped.
ii.		Cat traps made available, at Authorised Officer's discretion where feral cat infestation is high.	Number of cat traps provided free of charge.
iii.		Undertake an education program on semi-owned cats to encourage people to either fully adopt cats they feed or to hand them in to Council.	Number of cats fully adopted. Number of cats handed into Council and euthanised. Pamphlets provided to owners of seized cats to enable them to consider an appropriate enclosure to secure their pet onsite.
e) Receiving Seized Cats and Impounding Cats			
	Objective	Strategies	Measures
i.	Appropriate management of cats trapped.	Enter in contract with a local service provider who will endeavour to identify the cat and either return, rehome or euthanise the animal as determined on a case by case basis.	Number of cats trapped. Number of cats returned, rehomed or euthanised annually.

Council By-Laws

The District Council of Tumby Bay's By-Law No. 2 – Dogs, was adopted on 14 February 2011 and sets out the requirements for:



- Limits on dog numbers
- Dog on leash areas
- Dog prohibited areas

A copy of the by-law is attached to this Plan.

The Council's by-laws are currently under review.

Other

Chickens and other poultry

Owners of chickens and other poultry have responsibilities under the *South Australian Public Health Act 2011* to ensure their birds are kept in a manner that does not breach the general duty to minimise the risk of harm to public health or create a risk to health. Council expects animals to be kept in a clean and sanitary environment that does not cause excessive odour or dust or attract vermin.

Council powers in relation to chickens and poultry extend (for example) into circumstances where the birds may cause excessive noise, or cause the premises to be unsightly.

The *Local Nuisance and Litter Control Act 2016* also contains requirements to prevent animals causing a local nuisance and gives the Council the power to issue notices requiring animal owners to take action to abate local nuisance caused by their animals. This authority covers situations including excessive number of animal noise, odours and dust generated by the keeping of animals.

The Council's role with regard to management of chickens and other poultry is first and foremost as an information provider, by ensuring owners of such birds are aware of their responsibilities.

The above also applies to domestic birds and other small domestic animals.



Strategic Link:	Governance
Delegation:	Compliance Officer
Sub Delegation:	Nil
Legislation:	Dog & Cat Management Act 1995
Responsible Manager:	Manager Environmental Services

APPENDIX A

ON-LEASH PARKS	
Location/Address	Comments
<i>North of Jetty between North Terrace & Elanora Avenue</i>	<i>Dogs must be on-leash from 7:00am to 7:00pm</i>
<i>South of Jetty between Barraud Street & McCallum Street</i>	<i>Dogs must be on-leash from 7:00am to 7:00pm</i>

OFF-LEASH PARKS	
Location/Address	Comments
NONE	

DOG PROHIBITED AREAS	
Location/Address	Comments
<i>Tumby Bay Jetty</i>	<i>Dogs prohibited at all times.</i>
<i>Foreshore area between Ritz Café & Lions Park including Playground</i>	<i>Dogs prohibited at all times</i>

Tumby Bay

Dog & Cat Management Act Offences

Owning or Keeping an Unregistered Dog S.33 **\$170**

A dog deemed to be wandering at large S.43 **\$210**

A dog in any place without a collar and current registration disc. Part 4a Reg9 **\$170**

Failure to remove faeces immediately S.45a(6) **\$210**

Attack/harrass/chase a person, animal or bird S.44(2) **\$315**

Creating a nuisance by barking or otherwise S.45a(5) **\$315**

