

**MOORABOOL**  
SHIRE COUNCIL

# Domestic Animal Management Plan (2018-2021)

PART 1: INTRODUCTION ..... 4

1.1 What Is a Domestic Animal Management Plan (DAMP) ..... 4

1.2 Purpose and Aim of the Domestic Animal Management Plan ..... 4

1.3 Moorabool Shire ..... 5

1.3.1 Our Shire ..... 5

1.3.2 Traditional Owners..... 5

1.3.4 Population Growth ..... 6

1.4 Community Consultation ..... 6

1.5 What the community and stakeholders told us? ..... 7

1.6 Current Statistics ..... 8

PART 2: REGISTRATION AND IDENTIFICATION ..... 9

2.1 Current Situation, Education & Compliance Activates ..... 9

2.2 Issues Identified..... 10

2.3 Our Orders, Local Laws, Council Policies and Procedures ..... 10

2.4 Summary ..... 10

2.5 The Way Forward ..... 11

PART 3: DOG ATTACKS AND DANGEROUS, MENACING AND RESTRICTED BREEDS 12

3.1 Current Situation, Education & Compliance Activities ..... 13

3.2 Summary ..... 13

3.3 The Way Forward ..... 14

PART 4: OVERPOPULATION AND HIGH EUTHANASIA..... 15

4.1 Current Situation, Education & Compliance Activities ..... 15

4.2 Current Issues ..... 16

4.3 Summary ..... 16

4.4 The Way Forward ..... 16

PART 5: DOMESTIC ANIMAL BUSINESS..... 17

5.2 Current Situation, Education & Compliance Activities ..... 17

5.3 Current Issues ..... 18

5.4 Summary ..... 18

5.5 The Way Forward ..... 18

PART 6: NUISANCES..... 20

6.2 Current Situation, Education & Compliance Activates ..... 20

6.3 Current Issues ..... 21

6.4 Summary ..... 21

6.5 The Way Forward ..... 21

PART 7: TRAINING OF AUTHORISED OFFICERS..... 23

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

7.2	Current Situation .....	23
7.3	Current Issues .....	23
7.4	Summary .....	24
7.5	The Way Forward .....	24
PART 8: OTHER MATTERS .....		25
8.2	Current Situation .....	25
8.3	Current Issues .....	25
8.4	Summary .....	25
8.5	The Way Forward .....	26
PART 9: ANNUAL REVIEW OF PLAN AND ANNUAL REPORTING .....		27
9.1	The Way Forward .....	27
Appendix 1: Annual Review Template .....		28
Appendix 2: General Local Law 2010 - Part 4: Animals .....		36
Appendix 3: Dog Off Leash Areas .....		44
Appendix 4: Cat Management Policy Brochure.....		44
Appendix 5: Responsible Pet Ownership Brochure.....		46
Appendix 6: Community Consultation – Survey Results .....		48

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## **PART 1: INTRODUCTION**

### **1.1 What Is a Domestic Animal Management Plan (DAMP)**

All Victorian Councils are required under the *Domestic Animals Act* 1994 to prepare and implement a four (4) year Domestic Animal Management Plan (DAMP) to guide decision making in relation to animal management for cats and dogs.

The scope of the 'DAMP' does not relate to the management of wildlife, horses, livestock, or pest animals.

This four-year plan builds on from our previously adopted DAMP and provides the framework for the planning, development, and evaluation of animal management services and programs delivered by Moorabool Shire Council.

The DAMP must address the following:

- Set out a method for evaluating whether animal management services delivered by council are adequate in meeting our requirements under the Act and regulations
- Outline programs for the training of authorised officers
- Outline programs, services and strategies to:
  - Promote and encourage responsible pet ownership of dogs and cats;
  - Ensure that people comply with the Act, regulations and legislation;
  - Minimise risk of attacks by dogs on people and animals;
  - Address over-population and high euthanasia rates for dogs and cats;
  - Encourage the registration and identification of dogs and cats;
  - Minimise the potential for dogs and cats to create a nuisance; and
  - Effectively identify all dangerous, menacing and restricted breed dogs and ensure these dogs are kept in compliance with the Act and regulations
- Provide for review of existing orders and Local Laws made under the Act
- Provide for the review of any other matters related to the management of dogs and cats.
- Provide for periodic evaluation of the plan

### **1.2 Purpose and Aim of the Domestic Animal Management Plan**

The purpose and the aim of the DAMP is to provide a framework for animal management services delivered by Council, pertaining to cats and dogs within our community.

Moorabool Shire Council recognises the positive benefits of pet ownership within our community whilst recognising that there is a need for balance to protect the broader community and the environment from any adverse impacts that cats and dogs may cause.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## 1.3 Moorabool Shire

### 1.3.1 Our Shire

Moorabool Shire is a fast growing semi-rural municipality nestled between Melbourne, Geelong and Ballarat. It offers residents picturesque and friendly surrounds with the vibrancy of an active, growing community.

The Shire's landscape provides an array of living options. Residents can enjoy an urban lifestyle in towns like Bacchus Marsh (45km west of the Melbourne CBD) and Ballan (70km west of the Melbourne CBD) or take advantage of Moorabool's small towns and hamlets, rural open spaces and natural surrounds.

Moorabool Shire spans across more than 2,110 square kilometers and consists of 64 localities, hamlets and towns. More than 74% of the Shire comprises of water catchments, state forests and national parks. Moorabool boasts breathtaking landscapes, national parks, forests, gorges, mineral springs and tourism attractions. Some of its key attractions include the Wombat State Forest, Brisbane Ranges National Park, Lerderderg State Park, Werribee Gorge State Park and the Bacchus Marsh Avenue of Honour.

The district was settled by Europeans between 1830 and 1850 and the character of our towns and surrounding areas reflect this era.

Gold was discovered in the region and a timber industry quickly developed. The availability of water attracted many people and resulted in pastoral and agricultural development led by pioneers such as Sir William Henry Bacchus, who in 1834 settled on the fertile soil of what is now the township of Bacchus Marsh.

Moorabool Shire is positioned along the major road and rail transport corridors between Melbourne and Adelaide.

Moorabool's eastern boundary is located just 40km west of Melbourne's CBD and extends westwards to the City of Ballarat municipal boundary. The Shire straddles Victoria's Western Highway and has excellent transport access to Melbourne, Ballarat and Geelong.

Bacchus Marsh is equidistant to Melbourne and Avalon airports and close to the seaports of Geelong and Melbourne.

### 1.3.2 Traditional Owners

We acknowledge the Indigenous history of Moorabool Shire. The land was traditionally occupied by and connected to a number of Aboriginal communities, most notably the Wathaurung Tribe in the south and west and the Wurundjeri Tribe in the east. In February 2015, the Council adopted a Statement of Commitment to Indigenous People.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

### 1.3.4 Population Growth

Moorabool Shire is a popular tree change destination, growing as fast as any other local government area in inland regional Victoria.

The estimated official population of Moorabool Shire in 2016 was 32,311. More than half the population lives in Bacchus Marsh and surrounds (18,535). The Shire's second largest population can be found in and around Ballan (3,010). The remaining population is distributed throughout the large number of small towns, hamlets and farming areas within the Shire. The majority of people who relocate to Moorabool Shire are young families seeking a semi-rural lifestyle. Moorabool's demographic reflects this trend.

## 1.4 Community Consultation

Our consultation plan was developed in accordance with the Moorabool Shire Council Community Engagement Framework 2016.

The community were invited to provide their feedback and were able to do so by completing a survey or making a submission online via Council's "Have your Say" Portal or by completing a hardcopy survey between 10 August 2017 – 31 August 2017.

Hardcopy surveys were available at all Council Customer Service Centres and through the Rural Library Service. Surveys were provided to the Early Years and Active Ageing Staff members for distribution to clients with the aim of capturing a broad range of community members.

We reached out to our community and stakeholders through "Have your Say", this was promoted on the front page of Council's website, through social media, a media release and information published in the Council section of The Moorabool News (local community newspaper) during the community consultation period.

Furthermore, 22 local pet care businesses and reputable animal welfare organisations were identified and feedback was sought.

Council staff and service units were also given opportunity to provide input during this process.

The results from our engagement with the community was overwhelming with over 90 responses received from community members and stakeholders.

Our Community Safety Team participated in an Industry Planning Workshop hosted by RSPCA Victoria, Municipal Association of Victoria and Australian Veterinary Association as well as a webinar with likeminded Councils and industry stakeholders.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## 1.5 What the community and stakeholders told us?

The survey results from the community identified that the top three (3) priorities for Council should be:

- Promotion of responsible pet ownership;
- Review and make further orders in relation to number of animals on properties, cat confinement, mandatory de-sexing and on & off leash areas; and
- Minimise the risk of dog attacks on people and animals.

Additional comments from the community primarily focused on:

- Confinement of cats;
- De-sexing of cats and dogs; and
- Cat and dog registration fees.

Industry and stakeholder input suggests that Council Domestic Animal Management Plans should incorporate actions that focus on:

- Registration and identification of cats and dogs;
- 84Y Agreements ;
- Community Information and education programs;
- Return to home programs; and

Full details and survey results can be seen in Appendix 6.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## 1.6 Current Statistics

On the 1 July 2017, the Community Safety Team implemented a more accurate recording system for these statistics.

April 2017 to April 2018	2017/18
No. of registered dogs	6,103
No. of registered cats	1,532
No. of animal management requests / complaints	1,201
No. of dogs returned to owner or reclaimed	216
No. of dogs adopted	67
No of dogs euthanased	30
No. of cats returned to owner or reclaimed	8
No. of cats adopted	183
No of cats euthanased	133
No. of registered Domestic Animal Businesses	8
• Breeding and rearing	1
• Pet Shops	2
• Training Establishment	0
• Shelters and Pounds	1
• Boarding Establishments	4
• Declared Dangerous Dogs (Includes Guard Dogs)	10
• Declared Menacing Dogs	14

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------



## PART 2: REGISTRATION AND IDENTIFICATION

Legislative Context – *Domestic Animals Act* 1994, Section 68A(2)(c)(v) - Outline programs, services and strategies to encourage the registration and identification of dogs and cats.

- also addresses 68A(2)(a),(c)(ii),(d),(f)

Under the *Domestic Animals Act* 1994, all cats and dogs over the age of three (3) months are required to be registered.

Owners are required to renew the registration of their cats and dogs on the 10<sup>th</sup> of April each year.

The Act specifies how Council administers registration, exemptions to registration, the renewal process and how registration fees should be set.

### 2.1 Current Situation, Education & Compliance Activates

*“Show them you care, ensure that your cat and dog is registered, microchipped and identified. It is their return ticket home should they become lost”* is a phrase often used by our Community Safety Officers and truly is the case for Moorabool Shire pet owners.

Council is committed to reuniting registered cats and dogs with their owners as quick as possible. If a registered cat or dog is found, it can quickly be reunited with its owner, thus reducing both stress on the pet, the owner and in most cases avoid going into the care of Council’s domestic animal pound.

Currently there are 1,532 cats and 6,103 dogs registered within the shire. Council does recognise that cat registration rates are low in comparison to dogs. This is an issue that does need to be to be addressed via education programs and promoting awareness of the legal requirement and benefits of registration.

Council’s domestic animal pound provides a safe haven for lost and abandoned cats and dogs within the Municipality. Our Community Safety Team work tirelessly to identify cat and dog owners and reunite lost cats and dogs with their owner as quick as possible.

Council’s Community Safety Team provides a 24-hour after-hours emergency service primarily to respond to issues surrounding dog attacks and live stock issues. By providing this service we also respond to calls regarding lost cats and dogs and contained cats and dogs. We are thus able to assist in the reuniting of lost cats and dogs with their owners. Cats and dogs wearing their registration tags is an essential part in assisting in this prompt return to home process.

Registration Renewal notices are issued to owners of all currently registered cats and dogs in March each year.

Promotion of cat and dog registrations through The Moorabool News, social media and Council’s website occurs during the lead up to the 10<sup>th</sup> of April each year.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Final reminder notices are sent to all cat and dog owners who fail to renew their registration by the due date. These final reminder notices are posted four (4) to six (6) weeks after the due date.

An initial discounted registration fee (currently \$6.50) is offered to cat and dog owners registering under the age twelve (12) months for the first time.

Cats and dogs adopted through Council's Domestic Animal Pound and the Bacchus Marsh Veterinary Centre Kitten Adoption Program receive complimentary registration for the remainder of the relevant registration period. This service is only applies to Moorabool Shire residents.

Registration and identification of cats and dogs allows lost pets to be reunited with their owners. The fees collected from cat and dog registrations assists Council to undertake all their roles and responsibilities under the Act. They allow our Community Safety Team to provide vital animal management services and enhance pet ownership.

Owners of unregistered cat and dogs impounded are issued an infringement notice in addition to any impound fees.

Council's Community Safety Team offers the community a discounted microchipping service.

Our Community Safety Team receives notification upon any new cat or dog that is adopted or sold by Domestic Animal Businesses to residents within the Shire. Team members follow up by contacting new cat or dog owners and provide them with responsible pet ownership and registration information.

## **2.2 Issues Identified**

Low rates of registration for cats and potentially dogs needs to be addressed. Cat owners currently are far less likely than dog owners to register their pets. This could be for a number of reasons including, lack of knowledge of their responsibilities under the Domestic Animals Act, believing it is not needed as their cats don't wander, or not believing that they would get any value from the registration fee.

## **2.3 Our Orders, Local Laws, Council Policies and Procedures**

Moorabool Shire Council General Local Law 2010 – Part 4 Animals – Clause 38 regulates the numbers of cats and dogs that can be kept at a property without a permit depending on the land zoning and size.

## **2.4 Summary**

Increasing the number of cats and dog registrations will enable Council to deliver an efficient Animal Management Service to our community. It also has the added benefit of assisting in the return to home process, by reuniting lost cats and dogs with their owners.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## 2.5 The Way Forward

**Objective:** Increase the number of registered cats and dogs.

Activity	Year	Evaluation/Outcome
Provide discounted microchipping service to the community.	2018 ongoing	Increase number of animals microchipped and registered.
Undertake an education program to promote the benefits of cat and dog registration.	2018/19 Ongoing	Program initiated.
Develop 84Y agreements with partner agencies to expand community accessibility to animal registration services.  (An 84Y agreement is an agreement between council and a service provider to provide registration, care and re-homing for animals on council's behalf).	2018/19	Agreed partnerships implemented and promoted to the community.
Expand the reduced initial registration fee initiative for adopted animals to include those adopted from a pound, shelter, rescue/community foster care network.	2019/20	New registration fee structure introduced in 2019/20 Council budget.
Investigate the possibility of registration fee initiatives to promote registration.	2020/21	Investigation completed and options generated.
As part of Councils ICT Strategy examine improved ways to apply for and pay for animal registration (online registration).	2021/22	Owners to have the ability to apply to register and renew cat and dog registrations online.
Undertake proactive audits to identify unregistered cats and dogs.	Ongoing	Audits undertaken.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## **PART 3: DOG ATTACKS AND DANGEROUS, MENACING AND RESTRICTED BREEDS**

Legislative Context – *Domestic Animals Act* 1994, Section 68A(2)(c)(iii) - Outline programs, services and strategies to minimise the risk of attacks by dogs on people and animals.

- also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

The *Domestic Animals Act* 1994 outlines legislative provisions that Council may undertake following a dog attack or the identification and registration of dangerous, menacing and restricted breed dogs.

### **DEFINITIONS:**

#### **Dangerous dog**

- a dog that the Council has declared dangerous because it has caused the death of or serious injury to a person or animal by biting or attacking.
- councils can also declare dogs dangerous if the dog is a menacing dog and its owner has received at least 2 infringement notices for failing to comply with restraint requirements.
- the dog has been declared dangerous under corresponding legislation in another State/Territory, or for any other reason prescribed.

#### **Guard dog**

- a dog that is kept for the purpose of guarding non residential premises is automatically a dangerous dog under the *Domestic Animals Act* 1994.

#### **Menacing dog**

- a dog that the Council has declared Menacing due to it rushing or chasing a person, or causing a non serious bite injury to a person or animal.
- "Rush at" means that the dog has approached a person within 3 metres in a menacing manner, this includes displaying aggressive behaviour such as snarling, growling and raising the hackles.

#### **Restricted breed dog**

- defined as dogs that fit the Victorian "Approved Standard" for an American Pit Bull Terrier (or Pit Bull Terrier), Perro de Presa Canario (or Presa Canario), Dogo Argentino, Japanese Tosa, or Fila Brasileiro.

#### **Serious injury**

- an injury requiring medical or veterinary attention in the nature of a broken bone, a laceration, the total or partial loss of sensation or function in a part of the body, or an injury requiring cosmetic surgery.

If Council proposes to declare a dog dangerous or menacing there are a number of legislative processes that must be undertaken and the dog owner has the right to appeal any decision to declare the dog.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

### 3.1 Current Situation, Education & Compliance Activities

Community Safety Officers respond to reports relating to dog attacks/rushes and aggressive wandering dogs as a matter of urgency, 24-hours a day.

Dogs found wandering at large or not securely confined to their owners premises are seized and impounded. If the owner can be identified and the dog has not been involved in a dog attack or rush, then officers will promptly reunite the dog with its owner.

Dog attacks are investigated thoroughly with officers trained to collate all evidence relating to an attack. A brief is prepared, which includes obtaining statements, photographs/video evidence, DNA evidence (where required) and vet/medical reports.

Dogs suspected of being involved in an attack or rush may be seized and held pending an investigation or prosecution outcome.

Where appropriate, Council may propose to declare a dog menacing or dangerous that has been involved in an attack or rush.

In some cases, the owner may elect to surrender or euthanase their dog that has been involved in an attack or rush. Community Safety Officers understand that this can be an emotional time for an owner and will endeavour to facilitate and support owners during this process.

Where Council deems it appropriate, the owner of a dog involved in an attack or rush may be prosecuted.

Community Safety Officers are responsible for maintaining the Victorian Declared Dog Registry (VDDR) for dogs declared menacing and dangerous within the Shire.

As a semi-rural Shire, we often respond to dog attacks on livestock which can have a devastating effect on our farming community. Community Safety Officers work with livestock owners and provide a humane dog trap which our Officers can set in locations as required.

Where our Community Safety Officers respond to an attack on livestock and are unable to identify the offending dog or owner, letters are distributed to surrounding properties reminding dog owners of their obligations in respect to responsible pet ownership.

Community Safety Officers issue warnings and/or infringements for dogs found wandering at large or not securely confined or registered.

Proactively work with owners of declared dogs to ensure they are meeting their legal obligations.

### 3.2 Summary

Council is committed to minimising the risk of dog attacks and ensuring that owners of declared dogs comply with their legal obligations to ensure the safety of the community, environment and other animals.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

### 3.3 The Way Forward

**Objective:** To minimise the number of dog attacks within our community.

Activity	Year	Evaluation/Outcome
Actively pursue owners of dogs that attack. Take appropriate enforcement action. Highlight incidences as part of an awareness and deterrent campaign.	2018 ongoing	Incidences of attack and action taken presented to the Council on a quarterly basis.
Ensure consistent and appropriate response to all dog attacks.	2018/19	Review dog attack policy.
Continued engagement with all dog owners promoting responsible pet ownership.	2018 ongoing	Increased awareness by dog owners of the positive impact of responsible pet ownership.

**Objective:** Ensure declared dogs are compliant with relevant legislation.

Activity	Year	Evaluation/Outcome
Pro-active engagement approach with owners of declared dogs to support them in meeting their legal obligations.	2018 ongoing	<p>Review and revise procedures for declared dogs ensuring owners understand their legislative requirements and are aware that any offences may result in further enforcement action.</p> <p>Undertake a annual inspection program to ensure that owners are meeting their obligations under their dangerous dog declaration.</p>

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## PART 4: OVERPOPULATION AND HIGH EUTHANASIA

Legislative Context – Domestic Animals Act 1994, Section 68A(2)(c)(iv) - Outline programs, services and strategies to address any over population and high euthanasia rates for dogs and cats.

- also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

Council is committed in reuniting lost cats and dogs with their owner and giving those unclaimed cats and dogs a second chance through Council's adoption program.

Council is also committed in addressing the over population of cats and dogs by educating our community on the importance of de-sexing.

### 4.1 Current Situation, Education & Compliance Activities

Council's Domestic Animal Pound provides a safe haven for lost, surrendered and abandoned cats and dogs within the Shire. The Domestic Animal Pound operates in accordance with the *Domestic Animals Act 1994* and Code of Practice for the operation of Pounds and Shelters.

The priority of our Community Safety Team is to reunite lost cats and dogs with their owner.

Moorabool Shire Council was one of the first Victorian Councils to utilise social media (Facebook) as a tool to engage with our community to reach a broader audience with the aim of reuniting lost cats and dogs with their owners. To date, our Facebook page (Moorabool Pet Adoption) has over 5,100 likes and followers.

Our Facebook page is also utilised to promote pound pet adoptions and responsible pet ownership.

Each week all cats and dogs currently impounded or available for adoption are featured in The Moorabool News (local shire wide free newspaper).

Council works alongside the Bacchus Marsh Veterinary Centre Kitten Adoption Program with the aim of finding forever homes for unwanted cats that find their way through our Domestic Animal Pound.

Our Community Safety Team have used their experience and initiative to develop a program called 'Taking it to the Streets – Animal Adoption Program' which has enabled Council to establish a strong rapport with the community, raise the profile of the Domestic Animal Pound and target a broader audience in the hope of finding suitable homes for pound cats and dogs. This program listed as a finalist of the 2016 LGPro Service Delivery Initiative.

Council has also established a rapport with reputable shelters and rescues organisations that also assist in the rehoming process.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## 4.2 Current Issues

The biggest identified issues for Council are:

- The increasing number of unowned/semi owned cats (cats that are being fed by people but are not seen as their cat but rather one they are helping) coming into the care of our Domestic Animal Pound.
- Most unowned and semi owned cats are very rarely de-sexed and as such their numbers are easily able to proliferate in the community.
- Feral cats more often than not are unable to be handled and as such cannot be rehomed therefore subsequently euthanased.

## 4.3 Summary

Council is committed to reducing the number of unwanted cats and dogs within the community by increasing the number of cats and dogs that are de-sexed, registered, identified, reclaimed and adopted. Thus reducing the number of cats and dogs impounded and subsequently euthanased.

## 4.4 The Way Forward

**Objective:** Reduce the number of unwanted cats and dogs and increase the number of de-sexed owned cats within the community.

Activity	Year	Evaluation/Outcome
Expand partnerships to increase rehoming rates for cats and dogs in partnership with community foster care networks/rescues, veterinary clinics, and shelters.	2018 ongoing	Increase the number of 84Y Agreements with reputable shelters and rescue organisations.
Actively promote adoption of pound cats and dogs.	2018 ongoing	Undertake education programs with the aim of increased adoptions.
Promote de-sexing of all cats and dogs.	2018 ongoing	Undertake education programs and monitor de-sexing rate of registered animals.
Work in partnership with industry stakeholders to introduce a low cost cat de-sexing program.	2019/20	Program implemented.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------



## PART 5: DOMESTIC ANIMAL BUSINESS

Legislative Context – Domestic Animals Act 1994, Section 68A(2)(c)(ii) - Outline programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation.

- also addresses 68A(2)(a),(c)(i),(d),(f)

In Victoria, the *Domestic Animals Act 1994* defines Domestic Animal Businesses as any of the following:

- A Council pound (operated by the Council or a contractor on behalf of Council)
- A dog and/or cat breeding business - where there are three or more fertile females and animals are sold (whether a profit is made or not), and the proprietor is *not* a member of an Applicable Organisation. If the proprietor *is* a member of an Applicable Organisation, they are exempt from registering as a breeding Domestic Animal Business if they have less than 10 fertile female animals AND no more than 2 are not registered with an Applicable Organisation.
- A dog training establishment (where the business is run for profit).
- A pet shop (operated in a permanent location that must be open at least 5 days per week).
- An animal shelter (e.g. welfare organisations such as the RSPCA and The Lost Dogs' Home).
- An establishment boarding dogs or cats (where the business is run for profit to provide overnight, daycare or homecare boarding).
- An establishment that is rearing dogs or cats (where the business is run for profit).

All domestic animal businesses must be registered annually with their local council and comply with the appropriate mandatory Code of Practice.

### 5.2 Current Situation, Education & Compliance Activities

There are currently eight (8) registered Domestic Animal Businesses within the Shire.

These include the Council Domestic Animal Pound, Boarding Establishments, Pet Shops and a Breeding and Rearing Establishment.

Council is currently responsible for the following:

- Annual registration of Domestic Animal Businesses;
- Auditing of Domestic Animal Businesses both scheduled and unscheduled;
- Investigating suspected or reported unregistered domestic animal businesses;
- Liaison with planning department to ensure planning conditions are adhered too; and
- Taking appropriate enforcement action as required.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Council is committed to a high standard of animal welfare and aims to ensure that all Domestic Animal Businesses are compliant with relevant standards and codes. These premises undergo regular inspections to ensure that they are meeting the prescribed standards set by legislation.

Council is aware of recent legislative amendments for breeding and rearing businesses, which is likely to see an increase in the number of Domestic Animal Businesses within the Shire.

### 5.3 Current Issues

Recent legislative amendments for breeding and rearing businesses, is likely to see an increase in the number of Domestic Animal Businesses within the Shire. This has the potential to increase the workload of our Community Safety Team and resources.

Domestic Animal Businesses that do not comply with the legislation may place the welfare of cats and dogs in their care at risk.

### 5.4 Summary

Council is committed to protecting the welfare of animals through working with Domestic Animal Businesses to comply with the relevant standards and effective enforcement for non-compliant businesses.

### 5.5 The Way Forward

**Objective:** Ensure that Domestic Animal Businesses comply with the relevant legislation.

Activity	Year	Evaluation/Outcome
Proactively engage with all known Domestic Animal Businesses to support them in meeting their legislative requirements.	2018 ongoing	Ensure all operators are aware of their responsibilities.
Undertake audits of all Domestic Animal Businesses to ensure that they are meeting minimum standards.	2018/19	Revise current audit program and undertake audits of all businesses. Take appropriate enforcement action for non-compliant businesses.
Proactively detect and register all Domestic Animal Businesses that currently operating unregistered.	2018/19 ongoing	Development and implementation of new processes for interdepartmental and interagency collaboration in permit processing, investigation, and compliance activities.  Review current processes with regard to the detection of Domestic Animal Businesses. Increase the number of Registered Animal Businesses.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Activity	Year	Evaluation/Outcome
Expand partnership arrangements to aid in detection of unregistered and non-compliant Domestic Animal Breeding and Rearing Businesses	2019/20	Implement agreements with relevant agencies and industry stakeholders that enhance sharing of information.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

## PART 6: NUISANCES

Legislative Context – Domestic Animals Act 1994, Section 68A(2)(c)(vi) - Outline programs, services and strategies to minimise the potential for dogs and cats to create a nuisance.

- also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

The *Domestic Animals Act* 1994 regulates nuisances relating to noise, trespassing and wandering by cats and dogs.

The Moorabool Shire Council General Local Law 2010 regulates the number of cats and dogs that can be kept on a property, permit conditions for additional cats and dogs, nuisances caused by cats and dogs and the requirement for dog walkers to pick up their dog's faeces when in a public place.

### 6.2 Current Situation, Education & Compliance Activates

Our Community Safety Team responded to 1,070 requests within the 2016/17 financial year relating to cats and dogs, this included 318 after hours emergency requests.

During this period, 53 requests related to general cat complaints and 50 requests related to nuisance barking dogs.

Whilst Council does not currently have a cat confinement/curfew order in place, we do have a Cat Management Policy. Humane cat traps are available for residents to hire from any of our Customer Service Centres to trap nuisance, trespassing, wandering, feral and semi owned cats.

Community Safety Officers have undertaken humane cat trapping programs on a number of properties, primarily within areas in the Shire where a number of un-owned / semi-owned have been found to be creating a nuisance. Previously this has seen over 80 cats / kittens trapped and removed from one property.

Community Safety Officers respond to requests relating to wandering dogs.

Council's Community Safety Team have developed a process in relation to the investigation of alleged nuisance barking dog complaints. Investigations at times can be quite complex and drawn out. Significant resources from our Community Safety Team are utilised in trying to ascertain if a nuisance does exist, with an aim of resolving the alleged nuisance through mediation, education and as a last resort enforcement.

In 2003 Council adopted an order that dogs be on a lead at all times within the community other than in a designated off-lead areas. Doggie waste bags are available at off-lead areas and throughout the Shire to encourage dog owners to collect and dispose of faeces appropriately.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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### 6.3 Current Issues

Council is committed to reducing the negative impacts that cats and dogs pets can have on the community and the environment whilst acknowledging the huge benefits that society gains from pet companionship. An assessment of our complaint data and the feedback from the consultation determined the main issues of concern are:

- unowned cats and their proliferation;
- cats roaming and causing damage to wildlife;
- roaming dogs generally and the potential for dogs to attack; and
- barking dogs.

### 6.4 Summary

With an emphasis on recognising the physical, mental and social benefits that pets bring, it is important to find the right balance in resolving nuisance issues. Education needs to be provided to owners to encourage responsible pet ownership and to ensure their pet does not create a nuisance.

Council will continue to promote responsible pet ownership linked to appropriate enforcement programs to reduce animal nuisances.

Council will investigate the possibility of the implementation of a cat curfew to reduce not only nuisance and environmental issues but also the overpopulation issues caused by cats roaming.

### 6.5 The Way Forward

**Objective:** Reduce the negative impact created by nuisance cats and dogs on the community and environment.

Activity	Year	Evaluation/Outcome
Undertake review of current nuisance barking dog complaint process.	2018/19	Reviewed process finalised.
Raise public awareness regarding the negative impact that cats can have on native wildlife.	2019/20	Education campaign commenced.
Increase awareness of the negative impacts of semi and un owned cats on native wildlife	2019 ongoing	Education programs initiated. Increased. Heightened awareness of councils cat trapping program.
Review the current dog off lead areas within the Shire to ensure that they meet the community needs.	2020/21	Dog off lead areas reviewed and report presented to Council.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Activity	Year	Evaluation/Outcome
Undertake a feasibility study for the introduction of a cat confinement / curfew order.	2019/20	Investigation completed and report produced

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## **PART 7: TRAINING OF AUTHORISED OFFICERS**

Legislative Context – Domestic Animals Act 1994, Section 68A(2)(b) - Outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of Domestic Animals Act 1994 in the Council's municipal district.

### **7.2 Current Situation**

Council's Community Safety Team is responsible for the delivery of animal management services within the community relating to cats and dogs. The team currently employs four (4) EFT Community Safety Officers, plus two casual Pound Keepers. Two (2) of the full time officers primarily deliver Council's Animal Management Service.

Casual Pound Keepers are employed to maintain and care for cats and dogs in Council's Domestic Animal Pound.

Our Community Safety Team bring a range of diverse skills and extensive experience including animal management, animal welfare, animal training and law enforcement.

All current Community Safety Officers have undertaken further studies and either obtained the following qualifications; Certificate IV in Local Government (Animal Management), Certificate IV Animal Control & Regulation and Certificate IV Statutory Compliance.

One (1) of our officers is also an authorised microchip implanter. This enables Council to provide a cost effective microchipping service to our community. A further two (2) Community Safety Team members are currently in the process of obtaining this qualification.

A number of staff have also undertaken further training in understanding domestic violence, mental health first aid and human first aid.

All new staff undertake a corporate induction, which includes Workplace Health & Safety training. Further training is provided around Council processes, systems and policies

Where resources permit staff attend industry based training such as DEDJTR / Agriculture Victoria forums and workshops.

### **7.3 Current Issues**

In an environment where staff are exposed to legislative amendments and a higher prevalence of mental health, substance abuse and domestic violence ongoing training needs to be tailored to ensure that staff have the appropriate training and skills to perform their role.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## 7.4 Summary

Council will also ensure that staff are trained in areas that may affect how they interact with the community and animals. Council will ensure that as appropriate, its staff will be trained in animal handling practices and emerging community issues.

## 7.5 The Way Forward

**Objective:** Ensure Community Safety Officers have the skills necessary to support the community and effectively and efficiently perform their regulatory role.

Activity	Year	Evaluation/Outcome
An increased number of authorised microchip implanters.	2018 ongoing	Where possible increase the number of authorised implanters with the Community Safety Team.
Provide updated training to Community Safety Officers in application of the <i>Domestic Animals Act 1994</i> and the <i>Prevention of Cruelty to Animals Act 1986</i> .	2018 ongoing	Ongoing training for professional development and continuous improvement in line with legislative amendments.
Community Safety Officers to be trained in animal handling and behaviour.	2018 ongoing	Every officer to have undertaken animal handling / behaviour training or refresher training every three (3) years.
Community Safety Officers to undertake training in emerging social awareness issues.	2018/19 ongoing	Develop and initiate a training plan to ensure that Community Safety Officers are aware of emerging social issues that they may be exposed to, such as, substance abuse, mental health and domestic violence.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## **PART 8: OTHER MATTERS**

Legislative Context – Domestic Animals Act 1994, Section 68A(2)(e) - Provide for the review of any other matters related to the management of dogs and cats in the Council’s municipal district that it thinks is necessary.

Council has adopted a Municipal Animal Welfare Management Plan that has been developed, pursuant of the *Emergency Management Act 1996* and *Emergency Management Act 2013* and assists in the management of animal welfare during an emergency.

### **8.2 Current Situation**

In the event that Council activates its Municipal Animal Welfare Management Plan Council is responsible for establishing relief centres including the management of displaced animals.

Council recognises the physical, mental and social benefits that cats and dogs bring and the link between enabling owners to keep their pets close to them or know that they are safe when confronted with an emergency or crisis situation.

Council is committed to supporting community members through these situations with emergency management planning, and partnering with relevant agencies. Working with established networks will enable community members to remain living independently in their homes.

It is also imperative that pet owners have plans for their pets in times of emergency and include them in their emergency plans as they would any other member of their family.

### **8.3 Current Issues**

During small-scale emergencies / incidents (single house fire) Council staff are well equipped to support individual families, however as the scale increases, Council may enact the Emergency Animal Welfare Plan.

The increased trend in matters pertaining to domestic violence and mental health, require support services and care of cats and dogs during these times.

### **8.4 Summary**

Promote animal welfare and reduce the impacts of stress on cat and dog owners during times of an emergency so cat and dog owners can be encouraged to include pets in any emergency plans. Council will also continue to review its Municipal Emergency Animal Welfare Management Plan in conjunction with Council’s Emergency Management Team.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## 8.5 The Way Forward

**Objective:** Support the community who at times require assistance in providing care of their cats and dogs.

Activity	Year	Evaluation/Outcome
Review Municipal Emergency Animal Welfare Management Plan.	2018 ongoing	Plan reviewed and amended to meet the needs of the community in line with legislation.
Develop a partnership with key stakeholders to support community members and their cats and dogs during times of emergency.	2019/20	Partnership program developed and implemented.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## PART 9: ANNUAL REVIEW OF PLAN AND ANNUAL REPORTING

Legislative Context – Domestic Animals Act 1994, Section 68A(3) Every Council must—

- (a) review its domestic animal management plan annually and, if appropriate, amend the plan;
- (b) provide the Department on Economic Development, Jobs and Transport and Resources Secretary with a copy of the plan and any amendments to the plan; and
- (c) publish an evaluation of its implementation of the plan in its annual report.

### 9.1 The Way Forward

**Objective:** Review the Domestic Animal Management Plan to ensure that it meets the needs of the community and relevant legislation.

Activity	Year	Evaluation/Outcome
Review the plan annually against the action plan.	Annually	Annual review conducted against the action plan, copy of plan provided to DEJTR.
Review Plan annually and amend as necessary.	Annually	Annual review conducted and amended as necessary, copy of amended plan provided to DEJTR.
Include review information in the Council Annual Report.	Annually	Review information included in the Council Plan.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## Appendix 1: Annual Review Template

### Registration and Identification

Activity	Year	Evaluation/ Outcome	Completed	Actions undertaken
Provide discounted microchipping service to the community.	2018 ongoing	Increase number of animals microchipped and registered.		
Undertake an education program to promote the benefits of cat and dog registration.	2018/19 Ongoing	Program initiated.		
Develop 84Y agreements with partner agencies to expand community accessibility to animal registration services. (An 84Y agreement is an agreement between council and a service provider to provide registration, care and re-homing for animals on council's behalf).	2018/19	Agreed partnerships implemented and promoted to the community.		
Expand the reduced initial registration fee initiative for adopted animals to include those adopted from a pound, shelter, rescue /community foster care network.	2019/20	New registration fee structure introduced in 2019/20 Council budget.		
Investigate the possibility of registration fee initiatives to promote registration.	2020/21	Investigation completed and options generated.		
As part of Councils ICT Strategy examine improved ways to apply for and pay for animal registration (online registration).	2021/22	Owners to have the ability to apply to register and renew cat and dog registrations online.		

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Activity	Year	Evaluation/ Outcome	Completed	Actions undertaken
Undertake proactive audits to identify unregistered cats and dogs.	Ongoing	Audits undertaken.		

### Dog attacks and dangerous, menacing and restricted breeds

Activity	Year	Evaluation/ Outcome	Completed	Actions Undertaken
Actively pursue owners of dogs that attack. Take appropriate enforcement action. Highlight incidences as part of an awareness and deterrent campaign.	2018 ongoing	Incidences of attack and action taken presented to the Council on a quarterly basis.		
Ensure consistent and appropriate response to all dog attacks.	2018/19	Review dog attack policy.		
Continued engagement with all dog owners promoting responsible pet ownership.	2018 ongoing	Increased awareness by dog owners of the positive impact of responsible pet ownership.		
Pro-active engagement approach with owners of declared dogs to support them in meeting their legal obligations.	2018 ongoing	Review and revise procedures for declared dogs ensuring owners understand their legislative requirements and are aware that any offences may result in further enforcement action.  Undertake a annual inspection program to ensure that owners are meeting their obligations under their		

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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		dangerous dog declaration		
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Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## Overpopulation and High Euthanasia

Activity	Year	Evaluation/ Outcome	Completed	Actions Undertaken
Expand partnerships to increase rehoming rates for cats and dogs in partnership with community foster care networks/ rescues, veterinary clinics, and shelters.	2018 ongoing	Increase the number of 84Y Agreements with reputable shelters and rescue organisations.		
Actively promote adoption of pound cats and dogs.	2018 ongoing	Undertake education programs with the aim of increased adoptions.		
Promote de-sexing of all cats and dogs.	2018 ongoing	Undertake education programs and monitor de-sexing rate of registered animals.		
Work in partnership with industry stakeholders to introduce a low cost cat de-sexing program.	2019/20	Program implemented.		

## Domestic Animal Business

Activity	Year	Evaluation/ Outcome	Completed	Actions Undertaken
Proactively engage with all known Domestic Animal Businesses to support them in meeting their legislative requirements.	2018 ongoing	Ensure all operators are aware of their responsibilities.		
Undertake audits of all Domestic Animal Businesses to ensure that they are meeting minimum standards.	2018/19	Revise current audit program and undertake audits of all businesses.  Take appropriate enforcement action for non-compliant businesses.		

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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Activity	Year	Evaluation/ Outcome	Completed	Actions Undertaken
Proactively detect and register all Domestic Animal Businesses that currently operating unregistered.	2018/19 ongoing	Development and implementation of new processes for interdepartmental and interagency collaboration in permit processing, investigation, and compliance activities.  Review current processes with regard to the detection of Domestic Animal Businesses. Increase the number of Registered Animal Businesses.		
Expand partnership arrangements to aid in detection of unregistered and non-compliant Domestic Animal Breeding and Rearing Businesses.	2019/20	Implement agreements with relevant agencies and industry stakeholders that enhance sharing of information.		

### Nuisances

Activity	Year	Evaluation/ Outcome	Completed	Action Undertaken
Undertake review of current nuisance barking dog complaint process.	2018/19	Reviewed process finalised.		
Raise public awareness regarding the negative impact that cats can have on native wildlife.	2019/20	Education campaign commenced.		
Increase awareness of the negative impacts of semi and un owned cats on native wildlife.	2019 ongoing	Education programs initiated. Increased.		

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------



Activity	Year	Evaluation/ Outcome	Completed	Action Undertaken
		Heightened awareness of councils cat trapping program.		
Review the current dog off lead areas within the Shire to ensure that they meet the community needs.	2020/21	Dog off lead areas reviewed and report presented to Council.		
Undertake a feasibility study for the introduction of a cat confinement / curfew order.	2019/20	Investigation completed and report produced.		
Undertake review of current nuisance barking dog complaint process.	2018/19	Reviewed process finalised.		

#### Training of Authorised Officers

Activity	Year	Evaluation/ Outcome	Completed	Actions Undertaken
An increased number of authorised microchip implanters.	2018 ongoing	Where possible increase the number of authorised implanters with the Community Safety Team.		
Provide updated training to Community Safety Officers in application of the <i>Domestic Animals Act</i> 1994 and the <i>Prevention of Cruelty to Animals Act</i> 1986.	2018 ongoing	Ongoing training for professional development and continuous improvement in line with legislative amendments.		
Community Safety Officers to be trained in animal handling and behaviour.	2018 ongoing	Every officer to have undertaken animal handling/behaviour training or refresher training every three (3) years.		

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Activity	Year	Evaluation/ Outcome	Completed	Actions Undertaken
Community Safety Officers to undertake training in emerging social awareness issues.	2018/19 ongoing	Develop and initiate a training plan to ensure that Community Safety Officers are aware of emerging social issues that they may be exposed to, such as, substance abuse, mental health and domestic violence.		
An increased number of authorised microchip implanters.	2018 ongoing	Where possible increase the number of authorised implanters with the Community Safety Team.		

### Other Matters

Activity	Year	Evaluation/ Outcome	Completed	Action Undertaken
Review Municipal Emergency Animal Welfare Management Plan.	2018 ongoing	Plan reviewed and amended to meet the needs of the community in line with legislation.		
Develop a partnership with key stakeholders to support community members and their cats and dogs during times of emergency.	2019/20	Partnership program developed and implemented.		

### Annual Review of Plan and Annual Reporting

Activity	Year	Evaluation/ Outcome	Completed	Actions Undertaken
Review the plan annually against the action plan.	Annually	Annual review conducted against the action plan, copy of plan provided to DEJTR.		

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

<b>Activity</b>	<b>Year</b>	<b>Evaluation/ Outcome</b>	<b>Completed</b>	<b>Actions Undertaken</b>
Review Plan annually and amend as necessary.	Annually	Annual review conducted and amended as necessary, copy of amended plan provided to DEJTR.		
Include review information in the Council Annual Report	Annually	Review information included in the Council Plan.		

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## Appendix 2: General Local Law 2010 - Part 4: Animals

### 37 Objectives

The objectives of this part are to provide for all of the following:

- (a) protection of the amenity of the municipal district;
- (b) control of the number, type and behaviour of animals kept on premises;
- (c) protection, as far as possible, of the health and welfare of animals;
- (d) prevention against animals causing:
  - (i) a nuisance; or
  - (ii) any adverse environmental impact; or
  - (iii) a danger to the safety of people or to the condition of property.

### 38. Number of Animals

38.1 The owner or occupier must not without a permit:-

- (a) keep or allow to be kept, more than 4 different types of animals on premises in an urban area at any one time; and
- (b) keep or allow to be kept any more in number for each type of animal as set out in the following table:-

	Animal	Urban	Rural Area 2 Hectares or less	Rural Area Over 2 Hectares and up to 4 Hectares	Rural Area - Over 4 Hectares and up to 6 Hectares	Rural Area over 6 Hectares
(a)	Dogs	2	2	2	5	5
(b)	Cat	2	2	2	5	No Local Law Permit Required
(c)	Budgerigars, canaries or finches	50	50	50	No Local Law Permit Required	No Local Law Permit Required
(d)	Pigeons	10	20	30	60	
(e)	Racing Pigeons	0	60	60	No Local Law Permit Required	No Local Law Permit Required
(f)	Cockatoo / Galah (caged)	0	2	2	No Local Law Permit Required	No Local Law Permit Required
(g)	Fowls	5	5	20	No Local Law Permit Required	No Local Law Permit Required
(h)	Roosters	0	1	1	No Local Law Permit Required	No Local Law Permit Required
(i)	Pheasants	0	4	20	No Local Law Permit Required	No Local Law Permit Required

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
-------------------------	--	-----------	------------------------------------

(j)	Other poultry (including ducks, geese, turkey, guinea fowl or similar)	0	10	20	No Local Law Permit Required	No Local Law Permit Required
(k)	Ostriches / Emus / Peacocks / Llama / Alpaca	0	4	10	No Local Law Permit Required	No Local Law Permit Required
(l)	Sheep <sup>(1)</sup>	0	2 <sup>(1)</sup>	6	No Local Law Permit Required	No Local Law Permit Required
(m)	Goats <sup>(1)</sup>	0	2 <sup>(1)</sup>	6	No Local Law Permit Required	No Local Law Permit Required
(n)	Horses <sup>(1)</sup>	0	2 <sup>(1)</sup>	2	No Local Law Permit Required	No Local Law Permit Required
(o)	Pigs <sup>(1)</sup>	0	0 <sup>(1)</sup>	1	No Local Law Permit Required	No Local Law Permit Required
(p)	Cows <sup>(1)</sup>	0	2 <sup>(1)</sup>	2	No Local Law Permit Required	No Local Law Permit Required
(q)	Other primary production animals <sup>(1)</sup>	0	0	0	No Local Law Permit Required	No Local Law Permit Required
(r)	Rabbits <sup>(2)</sup> Ferrets / Guinea pigs / Rabbits or Mice	3 <sup>(2)</sup>	5 <sup>(2)</sup>	8	No Local Law Permit Required	No Local Law Permit Required
(s)	Reptiles	2	4	4	No Local Law Permit Required	No Local Law Permit Required

Penalty: 10 Penalty Units

38.2 Clause 38.1 does not apply to animals kept and used for, or in connection with, farming purposes or as tools of trade, or where a planning permit pursuant to the Scheme has been obtained for the premises used or to be used for the purposes of conducting a veterinary practice, agistment, animal breeding, animal shelter, animal boarding or as a tourist attraction.

38.3 Council may prescribe animals, additional to those referred to in clauses 38.1 and 38.2, that may not be kept without a permit.

<sup>1</sup> In total there may not be more than 2 sheep, goats, horses, pigs, cows or primary production animals except with a permit.

<sup>2</sup> In total there may not be more than 3 rabbits, ferrets, guinea pigs or mice except with a permit.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

38.4 Council will deem the keeping of 5 or more entire breeding bitches (canine) as a Domestic Animal Business and in such circumstances that facility must meet all requirements and standards in accordance with the mandatory Code of Practice.

### 39. Progeny of Animals

For the purpose of calculating the number of animals being kept for the purposes of clause 38.1, the progeny of any dog or cat lawfully kept will be exempt for a period of 3 months after their birth, and the young of any sheep, goats, horses, cows or other primary production animals will be exempt for a period of 6 months after their birth.

### 40. Stables

A person must not, without a permit, construct a stable on any land:-

- (a) within a distance of less than twenty (20) metres from any road to which such land has a frontage;
- (b) within a distance of less than five (5) metres from any other road;
- (c) within a distance of less than two (2) metres from the boundary of any adjoining land; or
- (d) within a distance of less than ten (10) metres from any dwelling, whether erected on the same or adjoining land.

Penalty: 10 Penalty Units

### 41. Nuisances

41.1 The owner or occupier of any land where any animal is kept must ensure that the keeping of the animal does not create a nuisance.

Penalty: 10 Penalty Units

41.2 The owner or occupier of any land where any animal is kept must ensure that all animal and bird litter and refuse and rubbish associated with the keeping of the animal is disposed of in such a manner so as not to create a nuisance.

Penalty: 10 Penalty Units

### 42. Permits

In determining whether to grant a permit under clauses 38.1 and 38.3, Council must consider as relevant or appropriate:

- (a) the type of animals to be kept;
- (b) the size and breeding of any animals to be kept;
- (c) the characteristics of any animal to be kept;
- (d) the proximity to adjoining premises;
- (e) the amenity of the area;
- (f) the likely effect on adjoining land owners and occupiers;
- (g) any relevant Government Act, regulation or policy;
- (h) the Scheme;

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

- (i) any relevant Council policy; and
- (j) any other matter relevant to the circumstances associated with the application.

**43. Animal enclosures**

- 43.1 The occupier of premises must keep any animal on the premises in a kennel, house, aviary, shelter or other enclosure that complies with all of the following:
- (a) is constructed to the satisfaction of an Authorised Officer;
  - (b) prevents, as far as practicable, the wandering or escape of such animal beyond the boundaries of the premises;
  - (c) meets the welfare needs of the animal;
  - (d) is capable of being readily cleaned; and
  - (e) is maintained in good repair at all times.

Penalty: 10 Penalty Units

- 43.2 When assessing whether a kennel, house, aviary, shelter or other enclosure complies with clause 43.1(a) the Authorised Officer must consider as relevant or appropriate:
- (a) the height of any kennel, house, aviary, shelter or other enclosure;
  - (b) the location of any kennel, house, aviary, shelter or other enclosure having regard to all of the following:
    - (i) the distance from the dwelling on the premises;
    - (ii) the distance from any neighbourhood dwelling;
    - (iii) the amenity of the surrounding area;
    - (iv) the size of any kennel, house, aviary, shelter or other enclosure and its adequacy to house the proposed number and type of animals;
  - (c) the security of any kennel, house, aviary, shelter or other enclosure; and
  - (d) the nature of the materials used in any kennel, house, aviary, shelter or other enclosure and the ability of such material to be readily cleaned.

**44. Dog excrement**

A person who has the care of a dog in a public place must:

- (a) carry, and produce upon demand by an Authorised Officer, the means of picking up and removing any faeces that may be deposited by the dog; and
- (b) remove and hygienically dispose of faeces deposited on or in a public place by the dog.

Penalty: 10 Penalty Units

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

#### **45. Bees and wasps**

45.1 The owner or occupier of any premises must not allow English wasps or European wasps to nest on the premises.

Penalty: 10 Penalty Units

45.2 The owner or occupier of any premises must not allow any feral European honey bees on the premises to cause, or be likely to cause, a nuisance to any person.

Penalty: 10 Penalty Units

45.3 For the purposes of clause 45.2, circumstances in which feral European honey bees on the premises are causing, or likely to cause a nuisance, include when the feral European honey bees are:

- (a) swarming; or
- (b) likely to swarm.

45.4 If an Authorised Officer serves a notice to comply in relation to a contravention of clause 45.1, the works required to correct the contravention may include the destruction of the English wasps or European wasps.

45.5 If an Authorised Officer serves a notice to comply in relation to a contravention of clause 45.2, the works required to correct the contravention may include:

- (c) removal from the premises of the feral European honey bees; or
- (d) destruction of the feral European honey bees.

#### **46. General provisions**

46.1 The owner or occupier of any premises who keeps any animal on the premises must comply with all of the following:

- (a) keep the ground surrounding the kennel, house, aviary, shelter or other enclosure where the animal is kept well drained;
- (b) keep the land within three (3) metres of the kennel, house, aviary, shelter or other enclosure in which the animal is kept free of dry grass, weeds, refuse, waste or other material capable of harbouring rats or other vermin;
- (c) keep all food for consumption by the animal in a vermin proof receptacle;
- (d) remove and place in a container:
  - (i) that is sanitary, impervious and vermin and fly proof; and
  - (ii) the contents of which are removed and disposed of at least once every weeks; -

all manure, excrement, refuse or rubbish produced or accumulated by the animal, as soon after the production or accumulation as is reasonably practicable;

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------



- (e) maintain any kennel, house, aviary, shelter or other enclosure where the animal is kept in a clean and sanitary condition;
- (f) keep the animal in a manner that does not cause an offensive odour;
- (g) prevent wastewater from:
  - (i) entering the stormwater system; or
  - (ii) discharging on to adjoining premises.

Penalty: 10 Penalty Units

- 46.2 The owner or occupier of premises must not, within ten (10) metres of a dwelling on other premises, construct or allow to be constructed on the premises any enclosure in which poultry is kept, or intended to be kept.

Penalty: 10 Penalty Units

- 46.3 The owner or occupier of any premises on which any animal is kept must not cause, allow or suffer excrement or manure to escape from the premises.

Penalty: 10 Penalty Units

- 46.4 A person who keeps any animal must keep the animal in a manner that does not cause a nuisance to any person.

Penalty: 10 Penalty Units

- 46.5 For the purposes of clause 46.4, circumstances in which the keeping of an animal constitutes a nuisance includes but is not limited to:
- (a) when the animal makes noises or smells that unreasonably adversely affect the peace, comfort or convenience of any person on any other premises;
  - (b) when the animal produces an unreasonable accumulation of excrement, whether on the keeper's premises or on any other premises.

#### **47. Transitional arrangements**

- 47.1 Where a person, before the commencement date, kept animals on premises in accordance with a revoked Local Law, but requires a permit under this Local Law, the person must, within six (6) months of the commencement date, apply for a permit to keep the animal on the premises and may keep the animal on the premises during this period, and the following will apply:
- (a) if the person does not apply for a permit under this clause the person must permanently remove the animal from the premises within 90 days from the commencement date;
  - (b) if the person does apply for a permit under this clause and Council refuses to grant the permit, the person must permanently remove the animal from the premises within 90 days from the date of notification of Council's decision to refuse to grant the permit; or
  - (c) if the person does apply for a permit under this clause and Council grants the permit, the person must keep the animal in accordance with this Local Law and any conditions of the permit.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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Penalty: 10 Penalty Units

- 47.2 Where a person, before the commencement date, kept animals on premises:
- (a) in accordance with a revoked Local Law, and the keeping of the animal is prohibited under this Local Law, the provisions of clause 6 will apply; or
  - (b) if the person was keeping animals not in accordance with a permit in accordance with a revoked Local Law, and the keeping of the animal is prohibited under this Local Law, the person must permanently remove the animal from the premises within 90 days from the commencement date.

Penalty: 10 Penalty Units

- 47.3 Nothing in clauses 47.1 and 47.2 authorises the keeping of an animal which causes a nuisance to any person.
- 47.4 If an Authorised Officer serves a notice to comply in relation to a contravention of clause 46.4 the works required to remedy the nuisance may include removal of the animal.

#### **48. Livestock**

- 48.1 The owner or occupier of premises on which livestock is kept must ensure that the land is adequately fenced so as to prevent the escape of the livestock from the premises.

Penalty: 10 Penalty Units

- 48.2 A person must not permit livestock owned or under their control to wander at large or roam on any road or Council Land.

Penalty: 10 Penalty Units

- 48.3 Subject to clause 48.5, a person must not, move livestock on any road.

Penalty: 10 Penalty Units

- 48.4 A person must not, without a permit, graze livestock on any road.

Penalty: 10 Penalty Units

- 48.5 A person who is in charge of the movement of livestock on any road does not require a permit provided they:
- (a) ensure all livestock shall reach their destination by the most direct route consistent with the requirements of this Local Law and any direction of an Authorised Officer; and
  - (b) ensure livestock are only to be on any road for the time it reasonably takes to move them to their destination; and
  - (c) ensure, as far as possible, the livestock are moved during daylight hours; and
  - (d) comply with any directions from an Authorised Officer with regard to the route to be followed and the protection from damage likely to be caused by the livestock to the road, native roadside vegetation, any construction on the road, roadside drainage or private property; and

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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- (e) ensure the livestock are supervised and under effective control by a person who is competent in the management; and
  - (f) otherwise comply with all the requirements of the guidelines for the movement of livestock prepared from time to time by the Roads Corporation and with the requirements of the Road Safety Act and any Regulations made thereunder.
- 48.6 Where a farm property abuts both sides of a dividing road, the owner or occupier of the farming property must ensure that any livestock that is moved from one side of the farm property to the other are moved directly across the dividing road unless, in the opinion of an Authorised Officer, it is not practical to do so.

Penalty: 10 Penalty Units

- 48.7 Any person in charge of the grazing of livestock on a road must apply for a permit and must also:
- (a) ensure that the appropriate temporary fencing is in place to ensure the temporary containment of livestock to the location where the permit is issued
  - (b) ensure that adequate warning of the presence of livestock on the road is given to other road users or potential road users; and
  - (c) apart from any other warnings considered appropriate by the person engaged in such activities under sub-clause (a), display signs conforming to guidelines prepared from time to time by the Roads Corporation and with the requirements of the Road Safety Act and any Regulations made thereunder; and
  - (d) ensure that any signs and temporary fencing referred to in sub-clause (a) and (b) are removed from the road at the time of completion of such movement or grazing ; and
  - (e) in addition to complying with any permit or other conditions relating to warning signs to other road users, lighting requirements and the location, size, contents and colour of such devices, have regard to in the Australian Standards for such purposes and any other signage necessary for road safety having regard to topography, conditions, livestock type and numbers.

Penalty: 10 Penalty Units

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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### Appendix 3: Dog Off Leash Areas

On 11 June 2003, Moorabool Shire Council made the following order pursuant to Section 26(2) of the Domestic Animals Act 1994:

*“All dogs must be kept under the effective control of a person by means of a chain, cord or leash when in any public place (including but not limited to any park, footpath, nature strip, traffic island, market and shared pathway) within Council’s municipal district except where:*

- (i) The dog is participating in any activity of a type which has been approved by resolution of Council; or*
- (ii) Any of the circumstances listed in Section 20(2) of the Domestic Animals Act 1994 applies.”*

Council has further resolved that dogs may be exercised off lead at any time at the following locations:

- Peppertree Park Bacchus Marsh;
- Federation Park Bacchus Marsh;
- Reserve adjacent to Lerderderg River Bacchus Marsh (from pump shed to bridge);
- Reserve on Western side of Links Rd behind houses in Pamela Court Darley;
- Telford Park Darley;
- Caledonia Park Ballan;
- Road East Recreation Reserve Mt Egerton;
- Lyndhurst St Public Park & Water Reserve Gordon;
- Parkers Rd Reserve Lal Lal; and
- Vacant land at south east corner of Dunnstown Recreation Reserve.

Council has also resolved that dogs may be exercised off lead in the following areas after 4.30pm Monday to Friday, and on Saturday and Sunday, only when the Reserves are not in use for designated public sporting events, training and/or special events as designated from time to time by the Committee of Management at:

- Masons Lane;
- Blackwood Recreation Reserve;
- Myrning Recreation Reserve and when reserves are not in use for designated public sporting training and/or special events as designated from time to time by the Committee of Management;
- Bungaree- Creswick Road Reserve; and
- Ormond Road/Western Highway Recreation Reserve Wallace.

#### **OWNERS RESPONSIBILITIES**

- Ensure your dog is not a nuisance to other park users.
- Ensure your dog remains under effective control at all times.
- Dogs must be on a leash within ten (10) metres of barbecue and picnic areas, public gatherings and children’s play areas.
- Dog owners must clean up their dog’s faeces. Dog dispensers are provided in most parks and reserves. Used bags and scoops may be disposed of appropriately in park bins.

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## Appendix 4: Cat Management Policy Brochure

### Microchipping and Registration

All cats three months of age and over must be registered with Moorabool Shire Council. Existing registrations must be renewed by 10 April each year. If being registered for the first time, cats must be microchipped prior to registration.

Microchipping and registering pets greatly improves their chances of being returned to you if they become lost.

Remember when moving house, make sure you update your details with the Moorabool Shire Council as well as The National Pet Register by telephoning 1300 734 738 or visit their website [www.petregister.com.au](http://www.petregister.com.au).



### Domestic Animal Businesses

Domestic Animal Businesses include: pet shops, pounds and shelters, breeding and boarding establishments. These businesses must be registered with the Moorabool Shire Council, and comply with the relevant Codes of Practice. These Codes of Practice are designed to protect the rights of consumers, and to ensure the welfare of animals. Copies of Codes of Practices can be obtained by contacting the Moorabool Shire Council's Compliance Department.



Moorabool Shire Council  
PO Box 18  
Ballan, 3342

Office locations:

15 Stead Street, Ballan 3342

197 Main Street, Bacchus Marsh 3340

Phone: (03) 5366 7100  
Fax: (03) 5368 1757

Email: [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)  
Website: [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au)

Moorabool Shire Council



## Moorabool Shire Council

### Cat Management

Promoting Responsible  
Pet Ownership



Moorabool Shire Council

Version.1

## Moorabool Shire Council Cat Control Policy

### Council's Aim

- Encourage owners to ensure their cats are desexed, immunized, kept free of parasites and are fed/watered and provided with adequate shelter and prevented from roaming.
- Raise community awareness to be responsible cat owners;
- Increase Council Awareness;
- Address cat welfare issues;
- To provide a Hire Service of cat trapping cages to the public to reduce colonies of wild / feral cats around the Shire; and
- Provide residents with the opportunity to microchip their cats at a reduced fee at the Council's Annual Microchipping Day.

### Council's Goals

- To protect the welfare of cats;
- Reduce the predation by cats on native wildlife;
- Reduce the incidence of public nuisance by uncontrolled cats; and
- Reduce the transfer of disease.

### Desexing

Due to the number of cats not being able to be rehoused, thousands of healthy cats are euthanised each year throughout Victoria. This is because not enough homes can be found for them. Many cats are bred by accident due to owners not having their cats desexed. Cats can safely be desexed from three months of age. Desexing at a younger age can be less stressful for kittens than it would be for older cats, and they may recover more quickly.

**Although Moorabool Shire Council has not introduced compulsory cat desexing, residents are strongly encouraged to have their cats desexed. Benefits of desexing cats include;**

- Decrease in unplanned and unnecessary breeding;
- Decrease in the likelihood of aggressive behavior, predominantly in males; and
- Reduction in the amount of roaming cats. By Improving the cats temperament it may be less likely to yowl at night or spray strong smelling urine.



### Wandering Cats

Cats need to be under the effective control of their owners at all times.

A growing stray cat population (currently there are over 500,000 stray cats in Victoria) creates a public health risk and public nuisance in terms of disease if the cats are not vaccinated and desexed.

Feeding and harbouring stray and feral cats can cause over population, with diseased and aggressive animals becoming a nuisance for neighbouring properties.

Records show that cats that are kept enclosed at night generally live four times longer than those that are left to roam.

### Wandering Cats Cont..

Cats that are outside at night have a tendency to roam from their home and are at greater risk of sustaining injury through being hit by a car, from fighting with other cats and are more at risk of contracting a disease, such as Feline AIDS or Enteritis (both which are not dangerous to humans).

Keeping your cat inside at night, will also minimise the amount of hunting your cat does, as most of a cat's hunting is done at night. This hunting generally causes a reduction in numbers of various native animal species. Council recommends residents to buy or build a "cat enclosure" or to install "cat proof fencing".

### If you can't keep your cat

Circumstances may arise when an owner is no longer able to keep their cat. In this case, owners must find an appropriate new home for the cat, surrender the cat to Council or have a veterinarian euthanise the cat. When a cat is surrendered to Council, it is assessed for re-housing suitability.

## Moorabool Shire Council

Moorabool Shire Council  
PO Box 18  
Ballan, 3342

Phone: (03) 5366 7100  
Fax: (03) 5368 1757

Email: [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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## Appendix 5: Responsible Pet Ownership Brochure

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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### BARKING DOGS

Council has produced a comprehensive Barking Dog Information Booklet that fully explains what can be done to address the problem.

If you are troubled by a barking dog in your neighbourhood speak with the owner first. They may not be aware their dog barks and annoys others.

Dogs bark for a reason, and there are many ways that excessive barking can be managed.

### DESEXING

We recommend that non breeding animals be desexed. Desexing can have significant health benefits and can assist in addressing some behavioural issues.

Animals which are desexed are entitled to a reduced animal registration fee.

### ANIMAL POUND

The Domestic Animal Pound is located at 50 Osborne Street, Maddingley and is open 7 days a week.

The Domestic Animal Pound provides a safe haven for lost and abandoned pets within our Shire as well as an animal adoption service.

Our Facebook page is used to post photographs and information about pets which have been impounded and that are available for adoption.

All cats and dogs adopted from the Domestic Animal Pound are vet checked, vaccinated, microchipped and desexed.

### FOR FURTHER INFORMATION

Moorabool Shire Council  
PO Box 18  
Ballan VIC 3342

P: 5366 7100  
(Including after-hours emergencies)

E: [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)

**Principal Office**  
15 Stead Street  
Ballan VIC 3342

**Lerderberg Library**  
215 Main Street  
Bacchus Marsh VIC 3340

**Darley Civic and Community Hub**  
182 Halletts Way  
Darley VIC 3340

**Animal Pound**  
50 Osborne Street  
Maddingley VIC 3340



[moorabool.petadoption](https://www.facebook.com/moorabool.petadoption)

**Web:** [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au)

*Moorabool Shire Council promotes responsible pet ownership.*

[www.depi.vic.gov.au/pets](http://www.depi.vic.gov.au/pets)



Moorabool Shire Council

## RESPONSIBLE PET OWNERSHIP

Web: [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au)

Phone: 5366 7100

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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### ANIMAL REGISTRATION AND MICROCHIPPING

All cats and dogs over the age of 3 months must be registered with Council.

Animal registrations are due on 10 April every year.

Animal registration fees assist in funding vital animal management services across the municipality and responsible pet ownership programs.

Animal registration tags must be worn whilst the cat or dog is outside the owner's premises.

Penalties apply for unregistered pets.

All cats and dogs being registered for the first time must be microchipped.

Microchipping is an effective way to quickly reunite owners with lost or injured pets. Microchipping is a painless procedure where a chip the size of a grain of rice is inserted under the skin at the back of the pet's neck.

For further information about microchipping contact Council or your local vet.



### CONFINEMENT OF ANIMALS

All dog owners must securely confine dogs to the property. This means your yard must have a closed gate, and an escape-proof fence that your dog can not jump, get under or through.

Legally, visitors must also have safe access to your front door, without being stopped by your dog.

Magistrates have the power to require owners of pets that have escaped to carry out works to ensure this does not happen again. To make sure your dog is properly confined, keep it in the backyard behind a locked gate.

Animals found not securely confined to the owner's property or found at large may be impounded and fines issued to the owner.

Cats must not be allowed to trespass or create a nuisance.

Dogs must be on a leash at all times unless in a designated off leash area. Dogs must be under effective control at all times.

Council provides a number of dog off leash areas across the municipality. For further information about off leash areas, visit Council's website or contact Customer Service on 5366 7100.

### DOG ATTACKS

A dog of any size or breed can become aggressive when defending its territory. Even a friendly dog may guard the area on or around his/her property, especially when you are not present.

Most dog attacks in public places occur on the footpath or road bordering the attacking dog's property. For this reason, it is important to make sure your dog is securely contained.

If your dog rushes at or chases someone, you may be fined, and your dog declared as a menacing dog.

If your dog attacks a person or animal, penalties can include court action, fines, damages and your dog may be declared as dangerous or a destruction order sought.

**All dog attacks should be reported to Council on 5366 7100.**

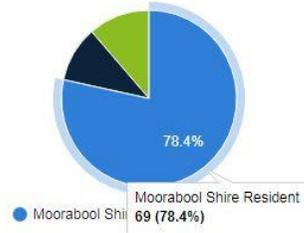


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## Appendix 6: Community Consultation – Survey Results

Are you a

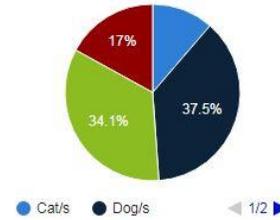
Chart options »



Moorabool Shire Resident	69
Non Moorabool Shire Resident	9
Veterinary Clinic, Shelter or Other Stakeholder	10

Do you own a cat/s and/or dog/s?

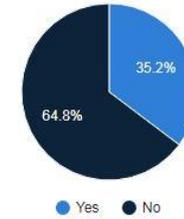
Chart options »



Cat/s	10
Dog/s	33
Both	30
Neither	15

In past 12 months have you engaged with Council around an animal management matter pertaining to dogs and cats?

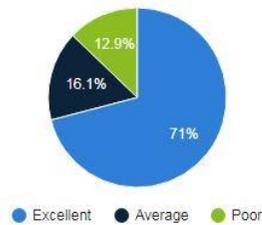
Chart options »



Yes	31
No	57

If so, please rate your experience

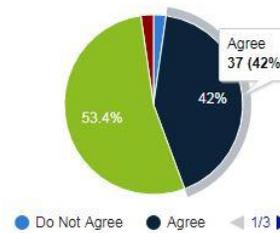
Chart options »



Excellent	22
Average	5
Poor	4

Free "Return Ticket Home" for registered first time wandering cats and dogs

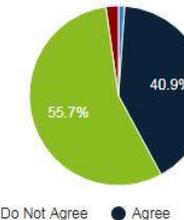
Chart options »



Do Not Agree	2
Agree	37
Strongly Agree	47
Don't Know	2

Community Awareness on responsible pet ownership through Council social media and/or website

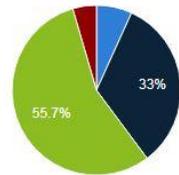
Chart options »



Do Not Agree	1
Agree	36
Strongly Agree	49
Don't Know	2

Actively promote prosecution and enforcement outcomes as a general deterrent

Chart options >

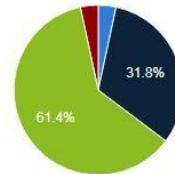


Do Not Agree Agree 1/3

Do Not Agree	6
Agree	29
Strongly Agree	49
Don't Know	4

Continue to pursue menacing, dangerous declarations and/or court prosecution for dogs involved in serious attacks or repeated instances of rushes and attacks

Chart options >

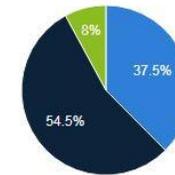


Do Not Agree Agree 1/3

Do Not Agree	3
Agree	28
Strongly Agree	54
Don't Know	3

Proactive engagement with owners of declared dogs to support them in meeting their legal obligations

Chart options >



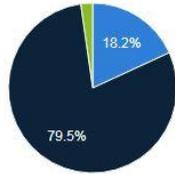
Agree Strongly Agree Don't Know

Agree	33
Strongly Agree	48
Don't Know	7

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Continue to actively promote impounded pets and pets available for adoption at Council's domestic animal pound through Moorabool Pet Adoption Facebook Page

Chart options »

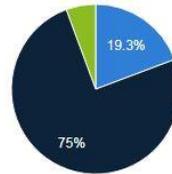


● Agree ● Strongl... ● Don't K...

Agree	16
Strongly Agree	70
Don't Know	2

Continue with "Taking it to the Streets - Animal Adoption Program" to promote pound pets for adoption

Chart options »

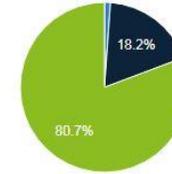


● Agree ● Strongl... ● Don't K...

Agree	17
Strongly Agree	66
Don't Know	5

Enter partnership/s to offer discounted desexing

Chart options »



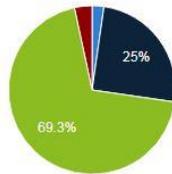
● Do Not... ● Agree ● Strongl...

Do Not Agree	1
Agree	16
Strongly Agree	71

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

Expand partnerships to further increase rehoming rate with community fostercare/rescues, veterinary clinics and shelters

Chart options »

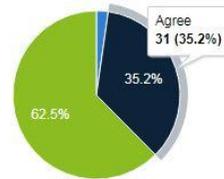


Do Not Agree Agree ◀ 1/3 ▶

Do Not Agree	2
Agree	22
Strongly Agree	61
Don't Know	3

Ability to register dogs and cats online

Chart options »

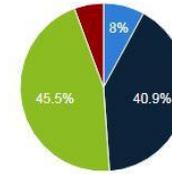


Do Not... Agree Strongl...

Do Not Agree	2
Agree	31 (35.2%)
Strongly Agree	55

Issuing of infringements for unregistered dogs and cats found wandering or not confined in accordance with legislation

Chart options »

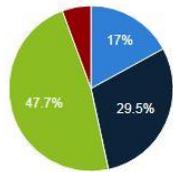


Do Not Agree Agree ◀ 1/3 ▶

Do Not Agree	7
Agree	36
Strongly Agree	40
Don't Know	5

Investigate the feasibility of the introduction of a cat curfew and/or confinement order

Chart options »

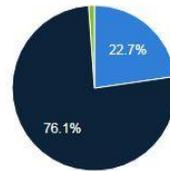


Do Not Agree Agree ◀ 1/3 ▶

Do Not Agree	15
Agree	26
Strongly Agree	42
Don't Know	5

Expand partnership arrangements to aid in the detection of unregistered and non-compliant domestic animal breeding and rearing businesses

Chart options »

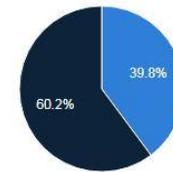


Agree Strongl... Don't K...

Agree	20
Strongly Agree	67
Don't Know	1

Proactively work with domestic animal businesses to ensure compliance with animal management/welfare legislation

Chart options »



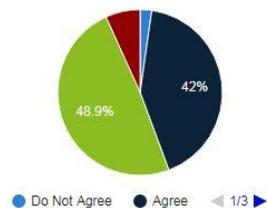
Agree Strongly Agree

Agree	35
Strongly Agree	53

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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Community awareness program promoting the benefits of registration

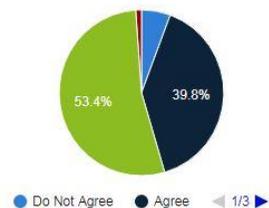
Chart options >



Do Not Agree	2
Agree	37
Strongly Agree	43
Don't Know	6

Impounding of unidentified/unregistered dogs and cats found wandering and trespassing

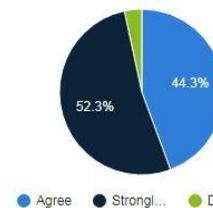
Chart options >



Do Not Agree	5
Agree	35
Strongly Agree	47
Don't Know	1

Develop toolkits for dog owners and community members to aid in addressing key nuisance issues such as barking, escaping and wandering dogs

Chart options >

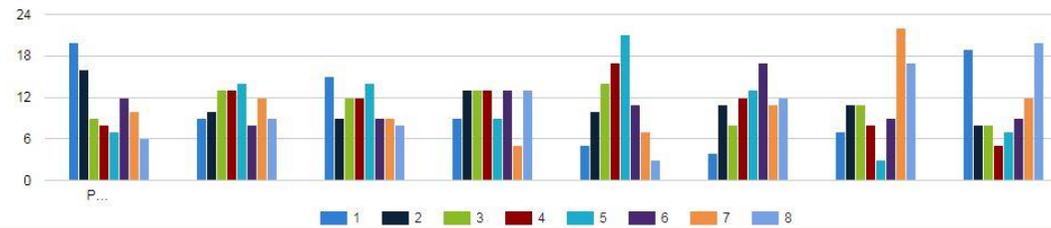


Agree	39
Strongly Agree	46
Don't Know	3

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
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What should be of Highest Priority for Council

Chart options »



	1	2	3	4	5	6	7	8
Promotion of Responsible Pet Ownership	20	16	9	8	7	12	10	6
Encourage compliance of animal management related legislation	9	10	13	13	14	8	12	9
Minimise the risk of dog attacks on people and animals	15	9	12	12	14	9	9	8
Address over-population and high euthanasia rates of dogs and cats	9	13	13	13	9	13	5	13
Encourage registration and identification of dogs and cats	5	10	14	17	21	11	7	3
Minimise the potential for dogs and cats to create a nuisance	4	11	8	12	13	17	11	12
Effectively identify all Dangerous, Menacing and Restricted Breed Dogs and ensure compliance with relevant legislation	7	11	11	8	3	9	22	17
Review and make further orders relation to number of animals on properties, cat confinement, mandatory desexing and on and off leash area	19	8	8	5	7	9	12	20

Growth & Development	Domestic Animal Management Plan (DAMP)	2018/2021	Adopted by Council: 4 July 2018
----------------------	--	-----------	---------------------------------

