

MURRAY RIVER COUNCIL
COUNCIL POLICY

COMPANION ANIMALS POLICY

POL-411.V#1



murray river
council

1. INTRODUCTION

The intent of this Policy is to ensure good health and safety for Companion Animals, their owners and the public regarding companion animal management within Murray River Council Local Government Area (LGA).

Council encourages responsible pet ownership, reducing the number of unwanted animals that are processed through Council's pound, and seeks to reduce the number of companion animal complaints received. This is achieved through a process of education, facilitation and when necessary, compliance enforcement of the Act.

2. SCOPE

This Policy:

- Applies to the Murray River Council Local Government Area including public parks and open spaces; and
- Is also applicable to privately owned areas where complaints about companion animals may be generated.

3. LEGISLATION

Council is committed to promoting consistency and accountability by managing its records in accordance with the following legislation:

- Local Government Act 1993 (NSW)
- Companion Animals Act 1998 (NSW).
- Companion Animals Regulation 2018 (NSW)
- Customs Act 1901 (CTH)
- Prevention of Cruelty to Animals Act 1979 (NSW)

4. POLICY STATEMENT

Murray River Council recognises that effective management of domestic pets needs a balanced approach, due to the significant social and health benefits of pet ownership.

The Murray River Council's Companion Animals Policy intends to achieve this by:

- Promoting the importance of companion animals to the wellbeing of people living in an urban environment and encouraging responsible pet management.
- Promoting responsible pet ownership through education, information and encouraging pet owners to register, microchip and desex their cats and dogs.
- Reducing the number of lost and wandering cats and dogs by educating pet owners about the importance of identifying, registering and maintaining control of their animals.
- Meeting the requirements of the Companion Animals Act 1998 in relation to dogs which may be considered a nuisance, menacing or dangerous, as well as restricted dogs.
- Identifying, promoting and assessing the suitability and sufficiency of off-leash parks and open space areas for dog exercise relative to continuing changes in population demographics.
- Monitoring compliance with the Companion Animals Act 1998 and Companion Animals Regulation 2018 and using enforcement sanctions where appropriate.

4.1 COMMUNITY EDUCATION

Education and awareness are critical to achieving responsible pet ownership and community harmony. This will be achieved by a range of innovative, non-regulatory approaches that focus on community engagement.

Council will implement ongoing, effective and community-sensitive education strategies to encourage and reinforce responsible pet ownership. Council's Authorised Officers will be at the forefront of this community education strategy.

4.2 REGISTRATION AND MICROCHIPPING

The Companion Animals Act 1998 and Companion Animals Regulation 2018 require that companion animals must be microchipped and registered by 12 weeks of age. This process is referred to as 'lifetime registration'. Microchipping and registration assist the management of companion animals, in particular the identification and return of lost animals to their owners.

Microchipping must be carried out by authorised identifiers such as veterinarians. The owner of a registered companion animal must also advise Council of change of address or ownership of the animal.

4.3 DESEXING

Council encourages owners of companion animals to desex their animals to prevent the unplanned breeding of unwanted animals. Other benefits of desexing include reducing the likelihood that a dog or cat will stray, reducing fighting and aggression and reducing anti-social behaviour such as spraying to mark territory.

Desexing of animals assists in the control of unplanned breeding of stray and feral animals.

Additional fees apply if your companion animal is not desexed by 6 months of age.

4.4 IMPOUNDING ANIMALS

Council will do everything possible to return a lost pet to its owner, rather than having the animal impounded. Returning a pet safely home, rather than impounding it, is much easier if the animal is microchipped and the registration details are up to date, and if the animal is wearing a tag on its collar with the owner's current contact phone number.

Animals seized under the Act must be delivered as soon as possible to the owner, pound or approved premises. If Council is unable to contact the owner of a stray animal, the animal is then transferred to Council's pound.

Animals will not be released from the pound until all appropriate fees and charges are paid, and the animal is microchipped and registered.

Under the Act, Council is required to hold a microchipped/registered animal for fourteen days. Animals which are not registered or microchipped are held for seven days.

If an animal has been lost, the owner should contact Council's Customer Service or submit a request via Council's website.

4.4.1 Surrendered Animals

Council can accept surrendered pets from owners who no longer wish to have them. Council will charge a surrender fee, and an animal will not be accepted until this fee is paid and the appropriate paperwork has been completed.

Council is not authorised to accept animals seized under the Prevention of Cruelty to Animals Act 1979 (NSW) or seized when there is no-one available to care for the animal. In these circumstances, it is appropriate to contact the Royal Society for the Prevention of Cruelty to Animals or other animal welfare organisations.

4.4.2 Unclaimed Animals

In instances where lost animals are not claimed by their owners, Council will attempt where possible to re-house the animal, subject to a health assessment by a qualified veterinarian.

In instances where an animal is evaluated to be feral, without an owner and/or considered dangerous to health of people and other animals (eg carrying transmittable diseases), the animal will be assessed jointly by an authorised Council Officer and qualified veterinarian.

4.4.3 Euthanasia of Animals

The euthanasia of animals will be undertaken in accordance with animal welfare best practice requirements. The euthanasia of impounded animals will be undertaken by, or at the direction of, an attending veterinarian.

4.4.4 Feral Cats

Feral cats are occasionally trapped by the Rangers and are obvious by their behaviour and the location of capture. Cats that are considered feral will be humanely euthanised without being held for seven days.

5. COMPLAINTS

All companion animal related issues and complaints to Council will be investigated.

Council Officers will respect the confidentiality of complainants where requested, except where disclosure is authorised by law. Records will be kept of all complaints for future reference and will be referred to if further complaints about the particular dog or cat are received.

6. COMMUNITY EXPECTATIONS

Companion animals play an important role in Australian society and culture.

Community expectations are that companion animals be managed so that animal welfare is assured with minimal adverse societal and environmental impacts.

6.1 PUBLIC SAFETY

Community safety is a key consideration in the management of companion animals in line with community expectations.

6.2 RESPONSIBLE PET OWNERSHIP

Responsible pet ownership is needed to achieve the objectives of this policy.

Responsible pet owners;

- provide their pet with ready access to water and access to food and shelter;
- At home, confine their animal in their yard to prevent impacts on public safety and the environment;
- In public places, ensure that their dog is under effective control by means of a leash (except in leash free areas);
- Keep their animals out of prohibited areas;
- Make sure their animal is identified with a microchip, collar, and tag to assist in returning the animal if it becomes lost;
- Register their animal on the State register;
- Desex their animal to minimise nuisance behaviour, minimise numbers of unwanted animals and have a cleaner, healthier, happier animal; and
- Clean up after their animal.

6.3 CONTROL OF DOGS

Under the Companion Animals Act 1998, dogs must always be under the effective control of their owners including when they are let off the leash in designated off-leash areas. Except for designated off-leash areas, dogs in a public place in the Murray River Council (LGA) must remain under the effective control of a competent person by means of an adequate chain, cord or leash.

A dog without adequate control can be seized by Council Officers.

Exceptions to this requirement include a situation where the dog is in a declared off-leash area or where the dog is tethered to a fixed object or structure.

A dog is not considered to be under the effective control of a person if that person has more than four dogs under his or her control, or in the case of a Menacing/Dangerous Dog, more than two dogs under his or her control.

Council encourages all dog owners to enrol their dogs in a training course if they feel they are unable to effectively control their dog.

6.4 COLLAR & TAG

When in a public place, a dog must have a collar around its neck with a name tag that shows the name of the dog and the address or telephone number of the owner of the dog.

6.5 OFF-LEASH AREAS

Council has three (3) declared leash free areas within Murray River Council LGA. These areas are located at The Dog Park Moama, the Old Trotting Track Moama Recreation Reserve Moama and Kiley Road walking track Moama. A leash free area is an area where dogs can play/exercise without a leash attached. However, the dog must always be under the effective control of a competent person.

Except for designated off-leash areas, dogs in a public place in Murray River Council must remain under the effective control of a competent person by means of a leash.

Council will regularly review off-leash provisions and any additional off-leash areas will be published on Council's website.

6.6 DOG LITTER

Owners have a legal and social responsibility to pick up after their dogs.

Uncollected dog faeces in public places pose significant health risks to the community as well as being unpleasant to other persons using public places especially on footpaths, nature strips, parks and sporting grounds. Uncollected faeces can also potentially enter natural water courses and create health and environmental problems.

Council advises that when walking a dog, owners take a plastic bag with them and the dog faeces be disposed of in a litter bin.

Council provides litter dispensers in off-leash areas and other suitable locations.

Council Officers will work with dog owners in promoting awareness of these responsibilities to encourage owners to clean up after their dogs.

6.7 UNCONTROLLED & AGGRESSIVE DOGS

Owners are responsible for the behaviour of their dog. Uncontrolled and aggressive dogs are harmful to people and other animals, especially children and older people and could result in physical injuries or attacks.

Any breed of dog can exhibit uncontrolled or aggressive behaviour, however dogs which are trained and socialised are less likely to exhibit aggressive behaviour.

Council has powers under the Act to fine those dog owners who do not prevent their animal from acting in an uncontrolled manner.

6.8 DOG ATTACKS

If a dog attack occurs, victims and witnesses are strongly encouraged to report the incident to Council as soon as possible. Severe attacks should be reported to Police.

A dog that has attacked may be declared to be a dangerous dog by Council.

6.9 RESTRICTED BREEDS

It is an offence in New South Wales to sell, acquire or breed dogs on the restricted dog list, including the offspring of restricted dogs:

- American Pitbull Terrier or Pitbull Terrier
- Japanese Tosa
- Dogo Argentina (Argentinean fighting dog)
- Fila Brasileiro (Brazilian fighting dog)
- Any dog declared by Council under Division 6 of the Companion Animals Act 1998 deemed to be a restricted dog****
- Any other dog of a breed, kind or description, whose importation into Australia is prohibited by, or under, the Customs Act 1901 (Perro de Presa Canario or Presa Canario)

****This means any dog where the Council is of the opinion that a dog is of a breed or kind of dog on the restricted dog list or a cross-breed of any such breed or kind of dog.

Owners of restricted breeds (and dogs declared 'dangerous') must ensure:

- The dog is desexed.
- The dog is kept in a child proof enclosure.
- A 'dangerous dog' warning sign is clearly displayed on their property.
- The dog at all times wears a distinctive collar and tag.
- The dog is always leashed and muzzled when in public and under the control of a person over the age of 18 years.
- The dog's registration details are up to date.
- If you own a restricted dog and it attacks or injures a person or an animal (other than vermin) without being provoked, you must report it to Council within 24 hours of the attack or injury.

Owners of a 'Restricted dog' or a 'Dangerous dog' are required to pay for an annual permit, in addition to the one-off lifetime dog registration fee.

A late fee is also payable if the permit fee has not been paid 28 days after the date on which a permit was required.

6.10 MENACING OR DANGEROUS DOGS

Dogs that threaten or attack members of the public or animals can be declared as dangerous. Police and Council's Authorised Officers are empowered to impound dogs declared as dangerous.

The Companion Animals Act 1998 details the requirements and actions which must be taken if the behaviour of a dog is considered to be menacing or dangerous.

Owners of dogs declared dangerous must comply with all the conditions for restricted breeds listed above and must not be sold to a person under the age of 18 years.

6.11 NUISANCE DOGS & CATS

Persistent dog barking can be a neighbourhood nuisance and a major source of community complaint. Persistent barking may be caused by boredom, lack of exercise and stimulation, or confinement to an inappropriately small space.

To address dog barking Council will pursue positive and proactive approaches such as:

- Providing off-leash areas for dogs to socialise;
- Providing community education and training for dog owners; and/or
- Investigating reports of persistently barking dogs and taking appropriate action to remove any nuisance caused by barking.

After investigation, Authorised Officers will issue a Nuisance Dog Order where persistent barking is considered to be nuisance behaviour. In serious cases, dog owners may be liable to prosecution.

Cats too can cause nuisance by straying, crying and damaging property. In these instances, Council may use provisions of Section 31 of the Act to place control orders on the cat's owner to minimise impact on the environment.

6.12 CONTROL OF CATS

Owners must ensure that a cat is identifiable in the form of a microchip and/or by wearing of a collar with identification tags. This tag enables Council to ascertain the name of the cat and the address or telephone number of the owner of the cat.

Owners of non-desexed cats that are over the age of 4 months are required to pay for an annual permit, in addition to the one-off lifetime cat registration fee. A one-off permit is required for any cat that is de-sexed after the age of 4 months.

A person cannot be proceeded against, and a notice cannot be issued in relation to the annual permit, if the person duly applies for a permit for the cat by the end of the grace period. The grace periods include:

- the period of 2 months after a cat reaches 4 months of age; and
- the period of 2 months after a person acquires ownership of a cat

A late fee is also payable if the permit fee has not been paid 28 days after the date on which a permit was required.

Section 30 of the Act prohibits cats from entering places, such as food preparation/ consumption areas and wildlife protection areas. Cats found in prohibited areas may be trapped and removed and Council can issue a penalty infringement notice for any cats found in these areas.

Owners of animals in prohibited places may be charged with an offence under the Act.

If a Council Ranger believes a cat to be a feral or stray animal, and not a companion or domestic animal, the animal can be humanely euthanised immediately.

7. EVALUATION AND REVIEW

It is the responsibility of the Manager Waste & Compliance, to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

8. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS

External:

- Office of Local Government - Guideline on the Exercise of Functions under the Companion Animals Act - October 2015 (under review)
- NSW Government - Companion Animals Register

Internal:

MRC Policy - Compliance and Enforcement Policy (POL-410)

Definitions:

Term	Definition
Authorised Officer	means an employee of a local authority authorised by the local authority for the purposes of the <u>Companion Animals Act 1998</u>
Companion Animal	means a dog, a cat, or any other animal that is prescribed by the Companion Animal Regulation 2018 as a companion animal.
Dangerous Dog	means a dog for the time being the subject of a declaration by an Authorised Officer of a council or a court under the <u>Companion Animals Act 1998</u> that the dog is a dangerous dog.
Dog attack	means the act of a dog rushing at, attacking, biting, harassing or chasing any person or animal (not vermin), whether or not any injury is caused to the person or animal.
Menacing dog	means a dog for the time being the subject of a declaration by an Authorised Officer of a council under section 34(1A) or a court under section 45(1A) of the <u>Companion Animals Act 1998</u> that the dog is a menacing dog.
Nuisance cat	means a cat that: <ul style="list-style-type: none"> a) makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or b) repeatedly damages anything outside the property on which it is ordinarily kept.
Nuisance dog	means a dog that: <ul style="list-style-type: none"> a) is habitually at large, or b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.

Off-Leash Area	means a public place that is designated to be an off-leash area
Owner	means: <ul style="list-style-type: none"> › The owner of the animal (in the sense of being the owner of the animal as personal property), › The person by whom the animal is ordinarily kept, › The registered owner of the animal
Restricted dog	means dogs that are restricted in accordance with the <u>Companion Animals Act 1998</u> any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the <u>Customs Act 1901</u> - any dog declared by an Authorised Officer of a Council under Division 6 of Part 5 to be a restricted dog.

9. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	28 October 2025 to today	VF/25/253	101025

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in before 2029.

NOTE:

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It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)