WELLINGTON SHIRE COUNCIL

DRAFT



Domestic Animal Management Plan

2021-2025

WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland



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1. INTRODUCTION

1.1 Executive Summary

Australia has one of the highest rates of pet ownership per household. Approximately 40% of households own cats or dogs[1]

Type	Household Penetration	Number of Households With Cats/Dogs	Animals per Household	Cat/Dog Population
Dog	39.9%	3,848,200	1.3	5,104,700
Cat	27.0%	2,602.400	1.4	3,766,600

Wellington Shire Council (Council) recognises that pet ownership has positive benefits for the community. Responsible pet ownership makes a valuable contribution towards our community's wellbeing and adds to social connectivity. This is more pronounced with children and the elderly where pets play a more prominent part in their lives. They provide opportunities for active pursuits, companionship to those who may feel lonely or isolated and independence for those with a disability or illness.

The issue of balancing pet ownership and the rights of the individual to enjoy the environment is a challenge. The adequate control of animals can often be a source of conflict between neighbours, particularly in urban areas.

The Domestic Animals Act 1994 (the Act) regulates domestic animal management within Victoria and requires every Council in the state to have in place a plan to manage domestic animals (Domestic Animal Management or DAM Plan).



[1] Newgate Research - 2019

1.2 Purpose and primary objective of the Domestic Animal Management (DAM) plan

Balancing pet ownership and the numerous benefits that it brings with the rights of the individual to enjoy the environment is a constant challenge. Consideration has been given to both pet owners and those who do not own pets when developing this plan.

The primary objective is to provide a strategic plan to guide the community towards the goal of responsible pet ownership and to assist Wellington Shire to achieve a professional, consistent, and proactive approach to domestic animal management practices.

The plan identifies current activities and future actions to address the following issues as required by section 68A of the Act:

- Set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations;

- Outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district;

- Outline programs, services, and strategies which the Council intends to pursue in its municipal district to:

    i. promote and encourage the responsible ownership of dogs and cats; and
    ii. to ensure that people comply with this Act, the regulations, and any related legislation; and
    iii. to minimise the risk of attacks by dogs on people and animals; and
    iv. to address any over-population and high euthanasia rates for dogs and cats; and
    v. to encourage the registration and identification of dogs and cats; and
    vi. to minimise the potential for dogs and cats to create a nuisance; and
    vii. to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations.

- Provide for the review of existing orders made under this Act and Local Laws that relate to the Council's municipal district with a view to determining whether further orders or Local Laws are required.

- 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 necessary.

- Provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.

1.3 Processes applied when developing the DAM Plan

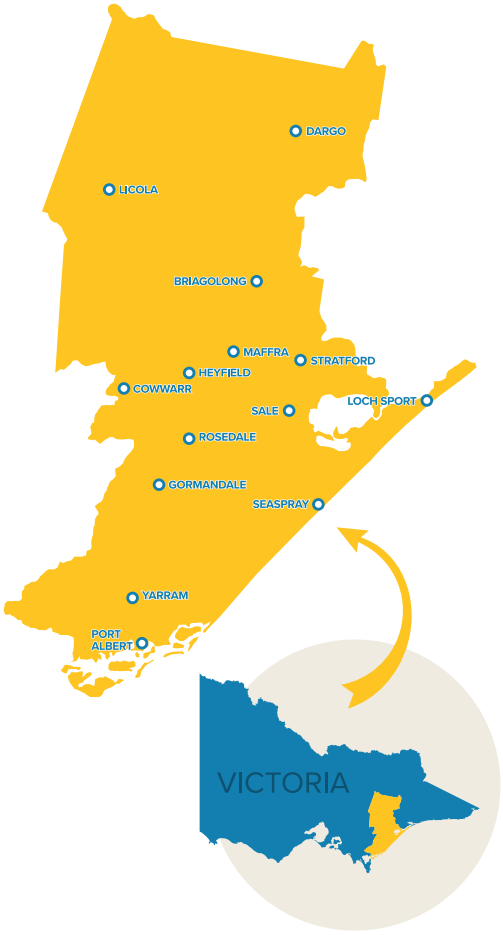
The Wellington Shire Council Local Laws team developed the DAM plan. The following activities were undertaken in the development and implementation of the plan.

Outcome	Person/s Responsible	Due Date
Draft DAM plan	Coordinator Local Laws, Local Laws Staff	June 2021
Release document for public comment	Council	July 2021
Engage with community by: • Advertise and issue media releases seeking submissions to the draft document; • Publish draft document on Council's website; • Provide hard copies of the draft document at Council's service centres; • Send draft document to community committees, Dogs Victoria, RSPCA, Victorian Animal Aid Trust & Animal Welfare Victoria	Coordinator Local Laws	July – August 2021
Compile results of community engagement	Coordinator Local Laws	August 2021
Update draft document to reflect and incorporate community feedback	Coordinator Local Laws	September 2021
Review final document	General Manager Development/Corporate Management Team	September 2021
Present final document to Council for adoption	Council	October 2021
Forward document to Animal Welfare Victoria and place on Council website	Coordinator Local Laws	November 2021

1.4 Wellington Shire Council demographic snapshot

Wellington Shire is the third largest Shire in Victoria by land area (10,924 square kilometres). It has a mixture of urban and rural areas, with a population of approximately 44,380.

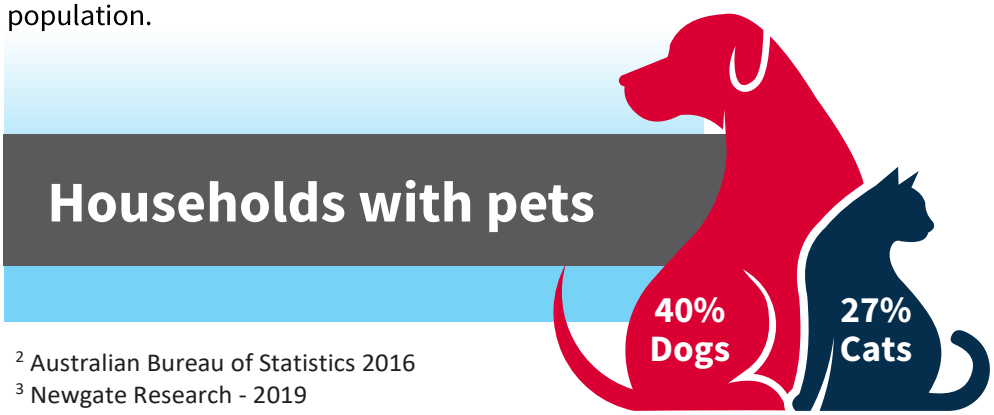
It is a unique environment which encompasses coastal areas, the Gippsland Lakes region, agricultural land, undeveloped land, and urban areas. The largest towns in the region are Sale, Maffra, Yarram, Stratford and Heyfield.



Wellington Shire

With 16,082 households in the Shire,[2] it is estimated that about 40% of households own one or more dogs at an average of 1.3 dogs per household and 27% of households own one or more cats at an average of 1.4 cats per household[3].

With those figures in mind, it is estimated that there are 8,342 dogs and 6,079 cats in the Shire. Sadly, the number of registered cats in the Shire is significantly less than the estimated population.

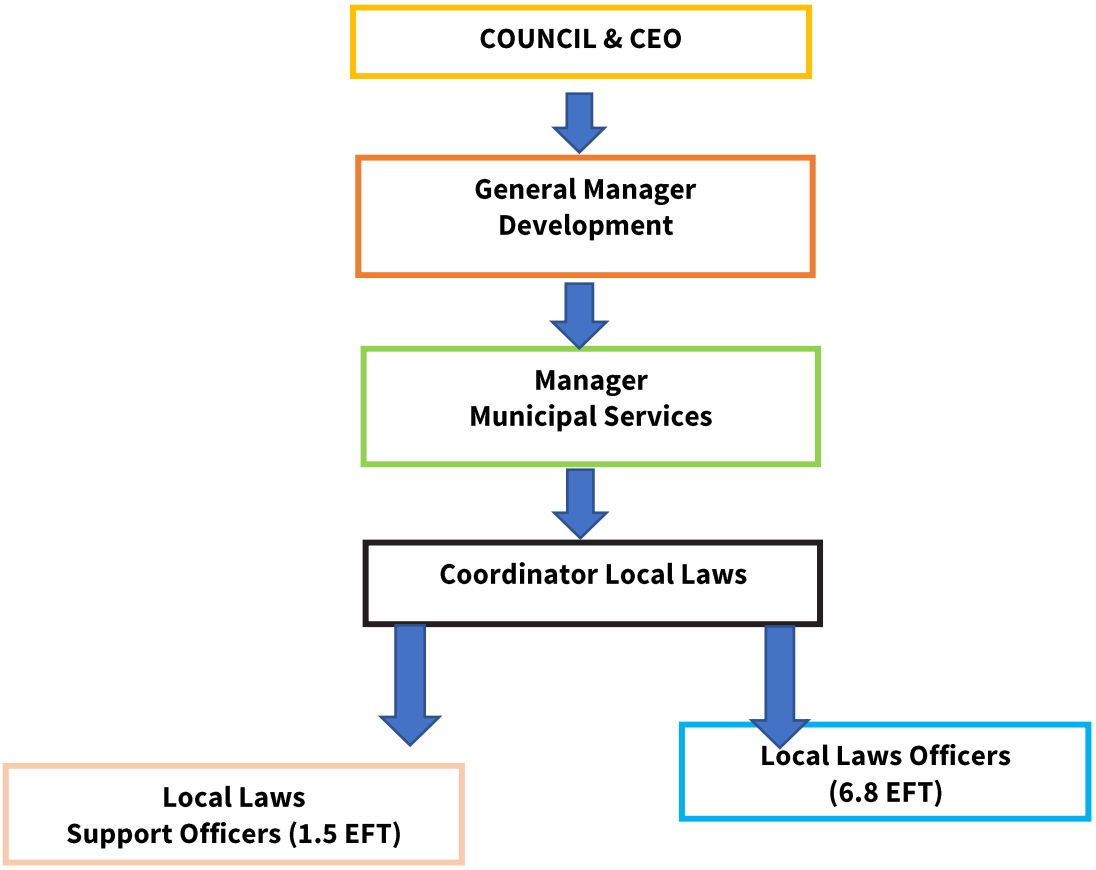


[2] Australian Bureau of Statistics 2016
[3] Newgate Research - 2019

1.5 Wellington Shire Council animal management organisational structure and staffing

To meet legislative requirements, the Council employs Local Laws Officers who are designated "Authorised Officers" under section 72 of the *Domestic Animals Act 1994* and are part of the Municipal Services Business Unit.

Organisational Structure:



1.6 Current domestic animal programs and service levels

The Wellington Shire Council Local Laws team provides a broad range of services to ensure it meets its legislative responsibilities relating to animal management. They include but are not limited to:

- Responding to and investigating customer requests/complaints regarding domestic animals.
- Promoting responsible pet ownership.
- Managing the Wellington Shire Council Pound and Animal Shelter.
- Maintaining the domestic animal, restricted breed, and the declared dangerous dog registers.
- Managing wandering, nuisance, unwanted/surrendered dogs and cats.
- Assisting with the feral cat population.
- Undertaking door knock registration checks.
- Investigating dog attacks.
- Registering and inspecting Domestic Animal Businesses (DABs).
- Inspecting and conducting compliance checks on restricted breeds and declared dangerous dogs.

- Developing collaborative relationships with partner organisations, such as - RSPCA, Victoria Police, Animal Welfare Victoria, Victoria Animal Aid Trust, veterinary clinics, and other stakeholders, with a view to maintaining a multi-agency approach to animal management.
- Providing a 52-week 24/7 emergency service.
- Providing suitably trained and qualified Authorised Officers.

A summary of the key services:

Current Programs	Service Levels
Identification and registration	All dogs and cats are required to be registered annually by 10 April each year. Currently (2021) the number of animals registered in the Shire is: **9,075** (**7,200 dogs and 1,875 cats**).
Wellington Shire Pound & Animal Shelter	Consists of a facility that can accommodate 38 dogs, 36 cats, and up to 100 head of livestock. The facility is located at Fulham, approximately 5km west of Sale off the Princes Highway. It is managed under contract and provides the following services: • Agents for registration of dogs and cats within the Shire. • Receive dogs and cats, contact known owners, place photographs on the website, house animals until released, and the disposal of animals due to ill health, welfare issues or where there is failure to rehouse. • Provide respite care for animals whose owners are temporarily unable to care for them due to illness, relationship issues etc. • Provide monthly statistics to the Council. • Provide secure housing of seized dogs, pending prosecution.
Registration of domestic animal businesses	Wellington Shire Council currently has twenty-six (26) registered domestic animal businesses (DABs). Council manages the renewal process each year and undertakes an inspection regime to ensure compliance with the codes of practice.
Domestic animal complaints	Authorised Officers respond within the customer service charter to animal complaints. They will also accept dogs and cats surrendered by their owners who can no longer care for them. Authorised Officers will attend and attempt to contain or capture any dog or cat that is reported to be causing a serious nuisance or presenting as a danger to people or other animals during and after normal operating hours.
Restricted breeds/dangerous dogs/menacing dogs	Wellington Shire Council will manage menacing dogs in accordance with the Act. Any dog that causes a non-serious bite injury to a person or animal or rushes at or chases a person may be declared a menacing dog. The owners will be required to show that they can be a responsible dog owner and ensure action is taken to prevent the dog from attacking again. Restricted breeds and dangerous dogs will be managed in accordance with the Act.

	Any dog that is declared a menacing dog and is subject to two further infringements or involved in an attack which results in serious injury or death of an animal or person will be declared a dangerous dog. Unless there are extenuating circumstances the dog will be seized, and the matter will proceed to the Magistrates' Court.
Education / media	Wellington Shire Council uses media releases and standing articles in its publications, Facebook and its website to educate members of the public on responsible pet ownership and animal management matters. The automatic telephone call waiting service includes key animal management messages such as registration of cats and dogs.

1.7 Access to animal management services

Wellington Shire Council has adopted a Customer Service Commitment (available on our website), which documents required response timeframes to the community. The Local Laws team works within the context of the Customer Service Commitment and offers a seven-day, 24-hour emergency response service for urgent domestic animal related matters such as dog attacks, aggressive/dangerous dogs at large and serious animal welfare concerns.

1.8 Mandatory requirements & corresponding actions

This plan has been developed in accordance with section 68A of the Act and sets out a formalised approach to increasing the effectiveness and awareness of domestic animal management within Council.

This section outlines the strategic direction for Council's animal management function.

The table below identifies the specific requirements of the Act which Council are required to address against the contents of the plan.

Section	Requirement	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10
68A (2)(a)	Method on monitoring performance and evaluating effectiveness of services	x	x	x	x	x	x	x	x	x
S68A (2)(b)	Training of Authorised Officers	x				x		x		
S68A (2)(c)(i)	Promote and encourage responsible pet ownership		x	x	x	x	x			
S68A (2)(c)(ii)	Ensure compliance with Act & Regulations		x	x	x	x	x	x	x	x
S68A (2)(c)(iii)	Minimise risk of dog attacks				x	x				
S68A (2)(c)(iv)	Over population and high euthanasia rate						x			
S68A (2)(c)(v)	Encourage registration and identification of dogs and cats		x							
S68A (2)(c)(vi)	Minimise potential for nuisance			x						

S68A (2)(c)(vii)	Dangerous, menacing, and restricted breed dogs				x	x				
S68A (2)(d)	Review of orders and Local Laws		x	x	x	x	x	x	x	x
S68A (2)(e)	Any other matters							x	x	x
S68A (2)(f)	Periodic evaluation of programs, services, and strategies	x	x	x	x	x	x	x	x	x
S68A (3)(a)	Review of Domestic Animal Management Plan	x	x	x	x	x	x	x	x	x

2. TRAINING OF AUTHORISED OFFICERS

2.1 Current Situation

Wellington Shire Council employs six full-time and one part-time Local Laws officers, authorised in accordance with:

- Section 72 of the *Domestic Animals Act 1994*;
- Section 18 of the *Prevention of Cruelty Act 1986*; and
- Section 313 of the *Local Government Act 2020*.



For the purpose of this plan, three full-time equivalent positions are dedicated to domestic animal management, however additional staff are utilised for planned operations such as annual and unannounced DAB inspections, pet registration checks, animal welfare investigations and emergency situations.

Wellington Shire Council recognises the importance of skilled and qualified staff, and as such individual training plans are developed for each staff member as part of the performance appraisal and development process.

A dedicated Staff Development Officer is employed by Council to ensure staff are provided with initial and ongoing training in addition to targeted professional development opportunities.

2.2 Current Training

Subject	Frequency	Officer 1	Officer 2	Officer 3	Officer 4	Officer 5	Officer 6
Initial Induction	As required	x	x	x	x	x	x
AWV AMO Seminar	Annually	x	x	x	x	x	x
AWV Restricted Breed Seminar	As required	x			x	x	
Human Rights	Annually	x	x	x	x	x	x
Child Safe Standards	Annually	x	x	x	x	x	x
Prevention of Workplace Bullying & Harassment	Annually	x	x	x	x	x	x
Record Keeping & Privacy	Annually	x	x	x	x	x	x
Subject	**Frequency**	**Officer 1**	**Officer 2**	**Officer 3**	**Officer 4**	**Officer 5**	**Officer 6**
Fraud & Corruption Awareness	Annually	x	x	x	x	x	x
Situational Awareness	Annually	x	x	x	x	x	x
OH&S Awareness	Annually	x	x	x	x	x	x
Use of Firearms	As required	x	x	x	x		
Manual Handling	Annually	x	x	x	x	x	x
Certificate IV in Animal Control and Regulation	As required	x					
Job Specific Training	As required	x	x	x	x	x	x
Mental Health First Aid	As required		x	x		x	
Experience	Years	4	1	2	18	8	25

2.3 Planned training

Wellington Shire Council is committed to providing ongoing training and professional development opportunities for Local Laws staff. A staff development and training plan is developed annually, in consultation with individual staff, their supervisor, and the Organisation's Staff Development Officer.

2.4 Our plans

Objective 1

To maintain a trained and experienced workforce by developing and maintaining individual training, professional development, and performance plans for all local laws staff.

Activity	Frequency	Evaluation
1) Conduct individual performance and development plans, identifying any training or development requirements	12-monthly, with 6-monthly reviews	Completion of individual performance and development plans, submitted to Manager Municipal Services
2) Develop and maintain the annual Local Laws Staff training and development plan	12-monthly	Plan developed in consultation with the Staff Development Officer
3) Hold regular Local Laws team meetings to encourage a consistent and professional approach to animal management matters	Monthly	Minutes recorded and forwarded to Local Laws team

3. REGISTRATION AND IDENTIFICATION

3.1 Current situation

Domestic animal registrations and registration renewals are conducted by Council in accordance with Part 2 of the *Domestic Animals Act 1994.*

Council data indicates an estimated compliance rate with dog registration of (93%) compared with the estimated number of dogs throughout the Shire. Although the cat registration compliance rate has increased over the past four years from 22% to 30%, it is still an area of concern.

Estimated Number of Cats	**6,079**
Registered Number of Cats	**1,875**

Estimated Number of Dogs	**8,324**
Registered Number of Dogs	**7,200**

3.2 Policies/Procedures

Legislative:	*Domestic Animals Act 1994* *Domestic Animals Regulations 2015*
Local Law:	WSC Community Local Law 2021: Part 6: Animals
Strategies	WSC Council Plan 2017-2021, Part 1: Communities
Procedures	Domestic Animal Registration/Re-registration Impounding of Unregistered Cats and Dogs Release of Impounded Animals to Identified Owners WSC Offence Management Guidelines
Other	Service delivery contract between Wellington Shire Council and Victoria Animal Aid Trust (requirement that all animals are registered before leaving pound)

3.3 Current educational/promotional activities

- Microchipping and registration information promoted on Council website.
- Animal registration notices sent to registered pet owners early March each year.
- Media releases regarding the importance of registration.
- Good news stories about owners reunited with their pets due to registration.
- Responsible pet ownership pamphlet drops in identified areas of concern.

3.4 Current compliance activities

- Annual registration process.
- Follow-up on pets not re-registered and registration documents returned to sender.
- Follow-up on notifications of pets sold/rehomed.
- Door knocks in areas identified via the customer action request system.
- Impounding of unregistered and wandering cats and dogs.
- No impounded animal leaves the pound unregistered.
- Seven-day notices to comply (NTC) for minor breaches.
- Infringement notices issued where NTC is ignored or for serious breaches.
- Prosecution in Magistrates' Court for unpaid infringements.
- Unannounced inspections of Domestic Animal Businesses to ensure compliance with registration and code of practice requirements.

3.5 Summary of current situation

Wellington Shire Council recognises the gap between estimated and registered domestic animals within the Shire, particularly cats and as such is committed to increasing educational and enforcement activities to close the gap.

Council will continue work with local media outlets to increase awareness of registration requirements and increase compliance activities such as door knocks, registration checks and follow ups on lapsed registrations and changes of ownership.

Objective 2

To increase the number of pet registrations within Wellington Shire each year for the duration of this plan, with a renewed emphasis on increasing compliance amongst cat owners.

3.6 Our Plans

Activity	Frequency	Evaluation
1) Continue to promote responsible pet ownership through the media, with an emphasis on microchipping/registering cats.	Quarterly	At least one responsible pet ownership article released to media quarterly.
2) Conduct targeted door knocks and letter drops in areas where high levels of non-compliance are noted.	As required, commencing mid-April each year	Door knocks and letter drops completed and recorded.
3) Follow up on lapsed registrations.	From mid-April each year	Follow ups completed and recorded.
4) Follow up on change of ownership notifications.	As required	Follow ups completed and recorded.
5) Discourage owners from not registering their animals by adopting a consistent enforcement program.	As required	Number of notices to comply and infringements issued for unregistered animals.
6) Ensure no unregistered animal is released from the pound.	As required	All animals reunited with their owners are registered prior to release.

4. NUISANCE PETS

4.1 Current situation

During 2020, Local Laws officers responded to 1,253 domestic animal related complaints, with an average initial response time of 1.15 days.

Complaints can be broadly categorised as follows:

- wandering/stray dogs/cats.
- excess pets kept on premises.
- barking dogs.
- dogs walked without leads.
- dog excrement.
- abandoned dogs.
- aggressive dogs.
- unregistered cats/dogs.



4.2 Policies/Procedures

Legislative:	*Domestic Animals Act 1994* *Domestic Animals Regulations 2015* *Prevention of Cruelty to Animals Act 1986*
Local Law:	WSC Community Local Law 2021: Part 6: Animals
Strategies	WSC Council Plan 2017-2021: Part 1: Communities
Procedures	Nuisance (Barking) Dog Procedure Impounding of Unregistered Cats and Dogs Feral Cat Trap Hire Procedure Responding to After-Hours Animal Complaints Procedure
Orders	Wellington Shire Council Dog on Lead Areas *(available on Council's website*)
Other	Service delivery contract between Wellington Shire Council and Victoria Animal Aid Trust

4.3 Current educational/promotional activities

- Dog on lead/dog poo signage in popular dog walking areas/parks.
- Dog poo bag dispensers in parks and popular areas.
- "Doggy doo" and "Barking Dog" media releases.
- Responsible pet ownership brochures sent with registration reminder notices.
- Provision of advice/assistance to barking dog owners by Local Laws staff.
- Use of the website as an education and information medium.

4.4 Current compliance activities

- All nuisance complaints recorded and investigated.
- Feral/trespassing cat trapping program available to residents.
- Wandering cats/dogs collected by Local Laws staff and impounded if necessary.
- Infringement notices issued to owners of repeatedly wandering pets.
- Unannounced inspections of properties that have been identified as having numerous and ongoing barking complaints.
- Follow-up visits with owners who have been identified as struggling to manage their pets.

4.5 Summary of current situation

Wellington Shire Council recognises that nuisance dogs have the potential to cause friction between neighbours, particularly if not responded to in a timely and effective manner.
The current nuisance dog procedure is available on Council's website and has an approximate 80% initial resolution rate after Council's first point of contact with the dog owner. Further enforcement options, including prosecution in the Magistrates' Court are available if required to resolve the issue.

Local Laws staff have adopted a three-stage approach to wandering/at large cats/dogs, to engage, educate and if necessary, enforce responsible pet ownership.

1. If the animal is registered and has no previous history of being at large, the animal will be returned to the owner where possible.

2. If the animal is registered and there is one previous incident of being at large, the animal will be returned to the owner where possible, and a verbal or written warning will be issued.

3. If the animal is registered and there is a history of being at large more than twice previously, the animal will be taken directly to the pound and an infringement notice will be served on the owner.

Unregistered animals are taken directly to the pound, as ownership cannot be established.

4.6 Our plans

Objective 3

To encourage responsible pet ownership throughout the Shire by responding to, investigating and acting on animal nuisance complaints in a timely and effective manner.

Activity	Frequency	Evaluation
1) Continue to work closely with owners of nuisance/barking dogs to ensure a lasting solution to issues.	As required	Review on a case-by-case basis.
2) Publish quarterly media articles regarding responsible pet ownership.	Quarterly	At least one responsible pet ownership article released to media quarterly as indicated in media plan.
3) Ensure 'doggy doo' bag dispensers are maintained and stocked.	As required	Regular inspections to ensure dispensers are serviceable and stocked with plastic bags.
4) Responsible pet ownership brochures are readily available and provided when required.	Annually	Ensure sufficient stock is ordered from Department of Jobs, Precincts and Regions (DJPR) annually.
5) Review and update dog on lead areas.	4-yearly	Dog on lead areas are reviewed as scheduled and published on Council's website.

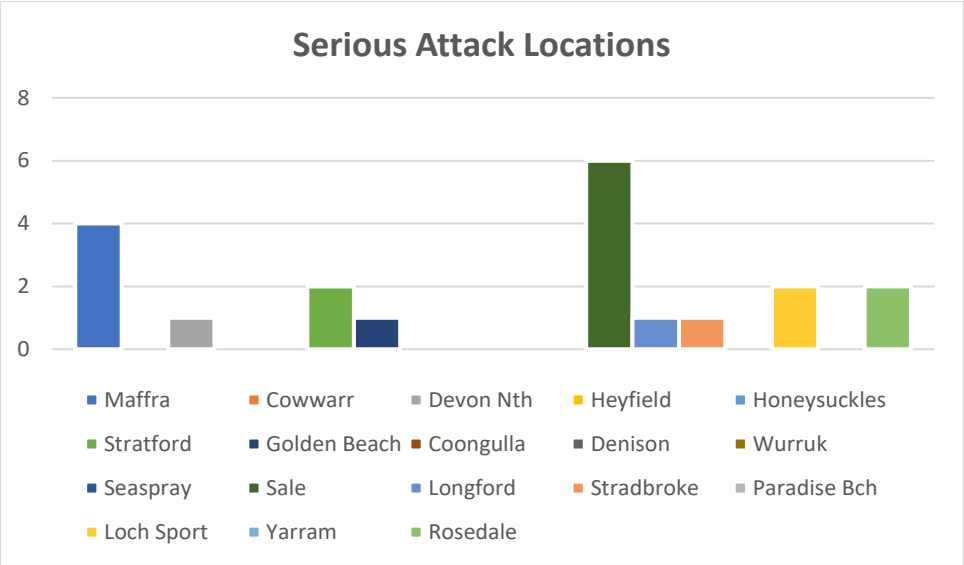
5. DOG ATTACKS

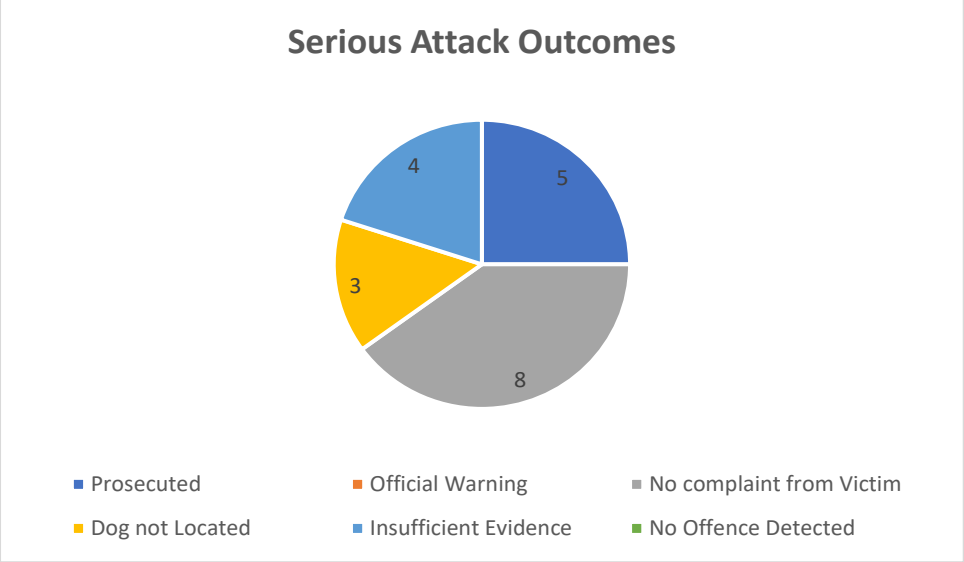
5.1 Current situation

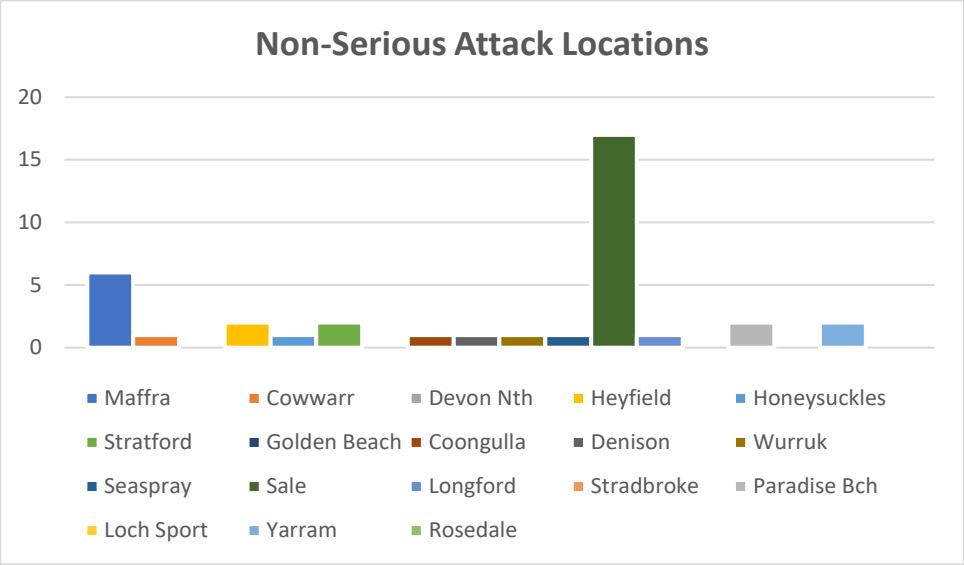
For the period 1 July 2019 – 31 June 2020, **67** dog attack reports were received by Council and investigated, as follows:

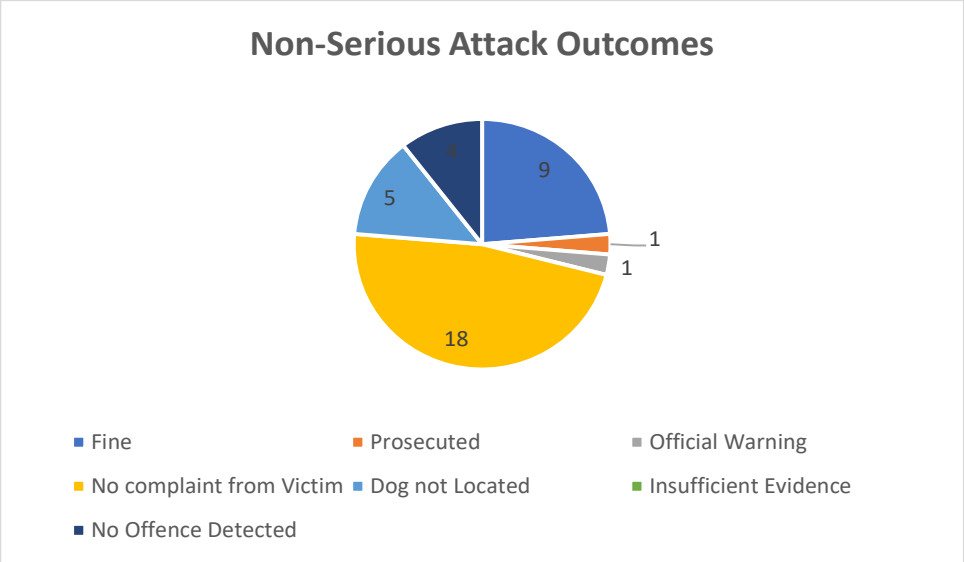
Type	Serious	Non-Serious
Dog vs Animal	17	25
Dog vs Person	3	13
Dog Rush	-	9

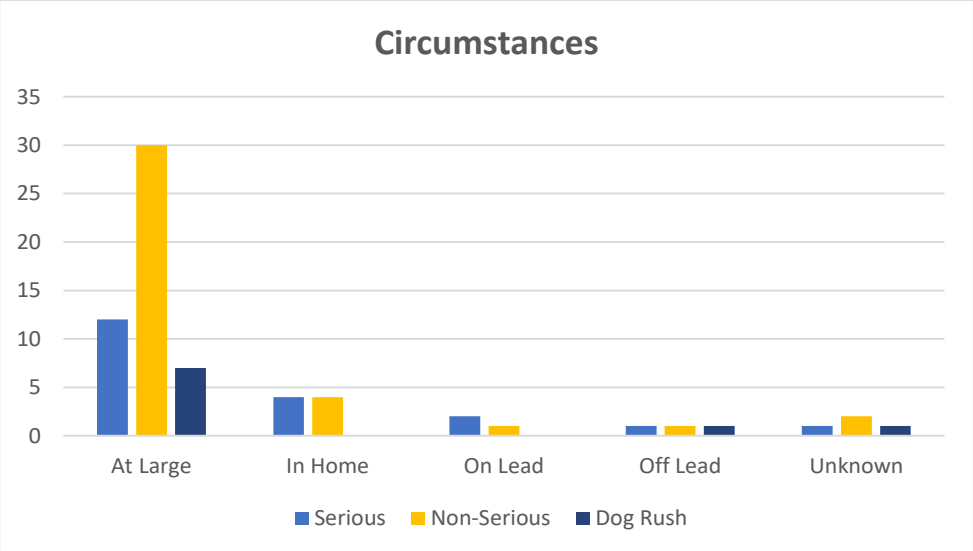
While it is encouraging to note a decrease in the number of serious dog attacks on people and dog rush incidents in the past 12 months, reported attacks on other animals has nearly doubled. Non-serious attack reports on people remains static. Further information on dog attacks, such as location, circumstances and outcomes can be found on the tables below.






Non-Serious Attack Locations
20
15
10
5
0
Maffra
Cowwarr
Devon Nth
Heyfield
Honeysuckles
Stratford
Golden Beach
Coongulla
Denison
Wurruk
Seaspray
Sale
Longford
Stradbroke
Paradise Bch
Loch Sport
Yarram
Rosedale


Non-Serious Attack Outcomes
9
1
1
18
5
4
Fine
Prosecuted
Official Warning
No complaint from Victim
Dog not Located
Insufficient Evidence
No Offence Detected


Circumstances
35
30
25
20
15
10
5
0
At Large
In Home
On Lead
Off Lead
Unknown
Serious
Non-Serious
Dog Rush

5.2 Policies/Procedures

Legislative:	*Domestic Animals Act 1994,* Division 2
Local Law:	WSC Community Local Law 2021: Part 6: Animals
Orders:	Wellington Shire Council Dog on Lead Areas *(available on Council's website*)
Strategies:	Council Plan 2017-2021 Part 7: Community Wellbeing
Procedures:	Responding to After Hours Animal Complaints Procedure Wellington Shire Council Offence Management Guidelines, Section 3: Options for Council Local Laws Officers Dangerous/Menacing Dog Declaration Procedure Search Warrants and Seizure Procedure
Other:	Service delivery contract between Wellington Shire Council and Victoria Animal Aid Trust (requirement to care for seized dogs)

5.3 Current educational/promotional activities

- Responsible pet ownership media releases.
- Responsible pet ownership booklets issued to new pet owners who adopt from the pound.
- Reduced registration fees for dogs that have undergone approved obedience training.
- Signage prominently displayed in dogs on leash areas.
- Animal Welfare Victoria pamphlets 'How to Prevent Dog Attacks in the Home' and 'Safety with Children' distributed via letter drops to high-risk areas.

5.4 Current compliance activities

- Provision of 7-day, 24-hour response to dog attack reports.
- All reported attacks thoroughly investigated and if necessary, prosecuted.
- Temperament testing of all impounded dogs prior to rehousing.
- Regular patrols of areas identified as having a high incidence of wandering dogs.



5.5 Summary of current situation

Wellington Shire Council responds to dog attack reports as a matter of priority. Most reports received, were responded to and investigations commenced within 24 hours.

An in-depth analysis of dog attack reports was completed during 2020, with a view to better understand the circumstances that lead to the reports. Most reported attacks occurred while the dog was either at large (73%), or in the home (12%). There appears to be no differentiation between dogs walked on or off lead.

Sale and Maffra attracted most dog attack reports however, are not disproportionate with other locations throughout the Shire, due to their population.

What is noticeable is the number of victims who choose not to formalise their report for the matter to progress to prosecution. Some find the process of giving evidence in Court daunting, others reach a compensation agreement with the attacking dog's owner, and others are concerned of any negative reaction from the dog owner. It is our intention to provide additional support and assistance to victims of dog attacks with a view to making the process less daunting.

While most dogs involved in attacks were voluntarily surrendered to Council officers, or euthanised at the owners' request, surrendering or euthanising dogs involved in attacks does not grant the owner automatic immunity from prosecution.

Objective 4

Reduce the number of serious and non-serious dog attacks by encouraging responsible pet ownership and maintaining a rapid and thorough response to dog attack reports, including prosecution if appropriate.

5.6 Our Plans

Activity	Frequency	Evaluation
1) Continue to thoroughly investigate and if appropriate prosecute reports of dog attacks.	As required	Outcome of all investigations recorded on Council's information management system.
2) Utilise DJPR Declared Dog Registry to identify menacing/dangerous/restricted breed dogs.	Ongoing	Details regularly audited and updated as required.
3) Media releases after successful dog attack prosecutions.	As required	Media articles released to local newspapers.

Activity	Frequency	Evaluation
4) Work closely with other agencies such as VicPol and RSPCA to identify and respond to reports of neglected/aggressive dogs, which could lead to more serious incidents, such as attacks.	Ongoing	Combined operations with RSPCA and VicPol conducted as required.
5) Provide additional support/encouragement to victims of dog attacks through the prosecution process, with a view to reducing the number of statements of no complaint.	As required	Reduction in statements of no complaints.

6. DANGEROUS, MENACING AND RESTRICTED BREED DOGS



6.1 Current situation

Wellington Shire Council actively identifies and manages declared dogs, in accordance with Divisions 3, 3A and 3B of the *Domestic Animals Act 1994.*

A register of declared dogs is maintained in the Victorian Declared Dog Registry. Annual unannounced visits are conducted by authorised officers to ensure compliance with the legislated requirements for keeping declared dogs. Non-compliance is dealt with swiftly. If necessary, the dogs are seized, and appropriate legal action is taken.

There are currently **8** (eight) declared dogs in Wellington Shire, as follows:

Dangerous (Guard Dog)	**2**
Declared Dangerous	**0**
Declared Menacing	**5**
Restricted Breed	**1** (Listed as missing)

6.2 Policies/Procedures

Legislative:	*Domestic Animals Act 1994,* Divisions 3, 3A, 3B Domestic Animal Regulations 2015, Part 2
Local Law:	WSC Community Local Law 2021: Part 6: Animals.
Strategies:	Council Plan 2017-2021 Part 7: Community Wellbeing.
Procedures:	Responding to After Hours Animal Complaints Procedure. Wellington Shire Council Offence Management Guidelines, Section 3: Options for Council Local Laws Officers. Dangerous/Menacing Dog Declaration Procedure. Search Warrants and Seizure Procedure.
Other:	Service delivery contract between Wellington Shire Council and Victoria Animal Aid Trust (requirement to care for seized dogs). Maintenance of Council animal registration database. Standard for Restricted Breed Dogs in Victoria (as amended).

6.3 Current educational/promotional activities

- All owners of declared dogs are provided information on their legislative responsibilities.
- Information on reporting or identifying declared dogs is available on Council's website.

6.4 Current compliance activities

- Respond to complaints of dangerous/aggressive/attacking dogs, and if necessary, initiate declaration process.
- Follow up inspections and advice to owners of dogs that have been declared dangerous in order to ensure legislative compliance.
- Ensure all declared dog's details are accurately recorded on the Victorian Dangerous Dog Register
- Ensure all declared dog details are accurately recorded on the Council's domestic animal database.



6.5 Summary of current situation

In each instance where Council considers declaring a dog either dangerous or menacing, consultation occurs between the owner of the dog, the Local Laws Officer involved and the Manager Municipal Services to ensure procedural fairness. A comprehensive report is compiled and reviewed prior to any decision being made. The report will include, but is not limited to:

- A summary of the incident.
- A risk assessment, calculating the nature and seriousness of the threat to public safety.
- A summary of any similar previous offences.
- Lists any other relevant information.

The relatively small number of declared dogs within the Shire ensures a high level of oversight by Local Laws staff. All declared dogs are inspected at least annually. In 2016, Council increased registration fees for declared dogs to (except for guard dogs) $200 to cover Council's increased monitoring and enforcement costs. Unannounced inspections occur if there is any concern that legislative responsibilities are not being complied with.

6.6 Our plans

Objective 5

Maintain continued compliance with legislation relating to declared and restricted breed dogs.

Activity	Frequency	Evaluation
1) Continue to inspect properties where declared dogs are kept.	Annually	Reported annually in DAM Plan reviews.
2) Continue to attend industry information sessions on restricted breed/dangerous/menacing dogs.	As available	Recorded in individual staff training records.
3) Maintain the Victorian Declared Dog Registry in a timely and accurate manner.	As required	Regular audits of information contained in the registry conducted by Coordinator Local Laws.
4) Thoroughly investigate reports of dangerous or suspected restricted breed dogs.	As required	Outcome of all investigations recorded on Council's information management system.

7. OVERPOPULATION AND HIGH EUTHANASIA RATES

7.1 Current situation

Council currently has an agreement with Victorian Animal Aid Trust (Animal Aid) for the provision of its pound and animal shelter services. The agreement expires in July 2022. Prior to the contract expiry, tenders for the continued management of the pound will be sought.

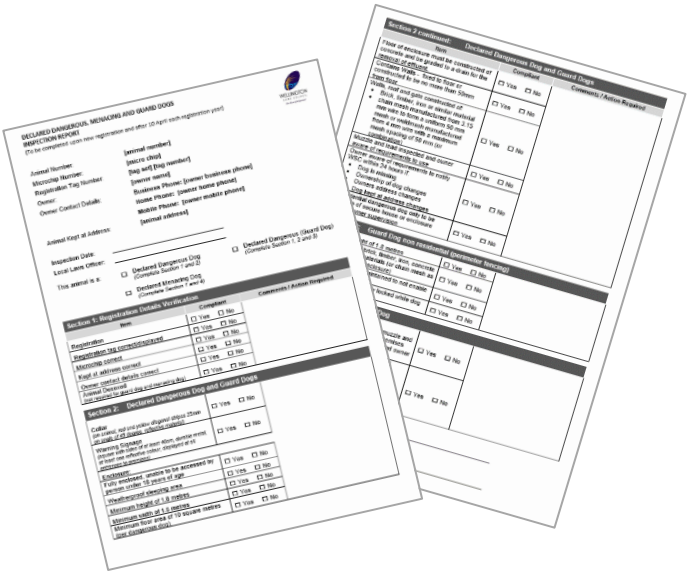
The current agreement requires Animal Aid to comply with the Code of Practice for the Management of Dogs and Cats in Shelters and Pounds. Six monthly audits are conducted by Council staff to ensure compliance with the service specification audit and to ensure all animals are treated humanely, and health and welfare matters are suitably addressed.

7.2 Policies/Procedures

Legislative:	*Domestic Animals Act 1994* *Code of Practice for the Management of Dogs and Cats in Shelters and Pounds*
Local Law:	WSC Community Local Law 2021: Part 6: Animals.
Strategies:	Council Plan 2017-2021 Part 7: Community Wellbeing.
Procedures:	Impounding of Unregistered Cats and Dogs Procedure Pet Surrender Process Feral Cat Trap Hire Procedure Responding to After Hours Animal Complaints Procedure
Other:	Service delivery contract between Wellington Shire Council and Victoria Animal Aid Trust (requirement to care for seized dogs).

7.3 Current educational/promotional activities

- Weekly 'Pet of the Week' advertisement placed on Council's social media channels.
- Responsible pet ownership material provided to new pet owners.
- Feral cat trapping program.
- Cats/dogs for adoption are placed on the Council website and Animal Aid website.
- Victorian Animal Aid keep a register at the pound, where residents can report lost and found animals. The register is actively followed up by staff.



7.4 Current compliance activities

- Respond to and investigate complaints of excessive animals on properties.
- Investigate reports of unregistered cat/dog breeders.
- Work closely with social agencies to assist cat 'hoarders'.
- Facilitate feral cat trapping programs in identified areas.
- Impound wandering cats/dogs with a view to rehousing if owners not located.
- All unclaimed/surrendered animals desexed before adoption.

7.5 Summary of current situation

Through Animal Aid's local presence and their Coldstream animal shelter, unclaimed impounded and surrendered pets have an increased opportunity of successful rehousing.

Of the 723 pets impounded in 2020, around 70% were successfully returned to their owners. 81% of pets not reclaimed or were surrendered to Council were successfully rehoused. These figures indicate the successful partnership between Animal Aid and Wellington Shire Council.

A multi-party approach has been adopted to deal with feral cats.

- Wellington Shire Council staff would identify feral cat colonies and implement a trapping program.
- Trapped cats were delivered to and assessed by qualified veterinary staff to establish whether they were suitable for rehoming. Those deemed unsuitable would be euthanised.
- Animal Aid would accept any cat identified as suitable for rehoming and include then in the pet adoption program after sterilisation.

Objective 6

Reduce overpopulation and euthanasia rates of unwanted cats and dogs by maintaining feral cat and pet rehoming programs.

Activity	Frequency	Evaluation
1) Continue to actively promote Animal Aid pet adoption program through council website and local media.	Weekly	Pet of the week published weekly via Council's social media.
2) Promote responsible pet ownership, particularly the importance of desexing and keeping pets at home at night.	Quarterly	At least one responsible pet ownership article released to media quarterly.
3) Continue with the feral cat trap program in identified problem areas.	As required	Reduced number of complaints in problem areas.
4) Maintain feral/trespassing cat trap service to residents.	Ongoing	Adequate stock of traps maintained. Booking system maintained.

8. DOMESTIC ANIMAL BUSINESSES

8.1 Current situation

Wellington Shire Council currently has **26** Domestic Animal Businesses (DAB's) registered within the Shire (see table below).

All registered DABs are inspected annually for compliance with the relevant Code of Practice. Continued registration as a DAB is conditional on compliance with the relevant Code. Breaches of the Code are dealt with by way of notices to comply and work schedules. Continued major breaches are dealt with by way of prosecution and/or refusal by Council to re-register..

Boarding Establishment	7
Animal Shelter	1
Pound/Shelter	1
Breeding/Rearing Establishment	13
Pet Shop	2
Training Establishment	2

In 2018, Animal Welfare Victoria introduced a scheme limiting the number of fertile female dogs to 10 per breeding business, unless approval had been sought and granted by the Minister for Agriculture to keep over 10 and classified as a commercial breeder. In any event, no more than 50 fertile female dogs can be kept at any breeding business. The scheme became law on 10 April 2020 however, there have been delays implementing the changes. As such, a Governor in Council extension was granted, delaying the commencement of the scheme. It is expected the exemption will expire in June 2021 or thereabouts.

Wellington Shire Council currently has three breeding establishments, with commercial breeder approval. Several other breeding establishments have applied to the Minister and are awaiting a decision.

8.2 Policies/Procedures

Legislative:	*Domestic Animals Act 1994* *Planning and Environment Act 1987* Code of Practice for the Management of Dogs and Cats in Shelters and Pounds Code of Practice for the Operation of Boarding Establishments Code of Practice for the Operation of Pet Shops Code of Practice for the Operation of Breeding and Rearing Establishments
Local Law:	WSC Community Local Law 2021: Part 6: Animals.
Strategies:	Council Plan 2017-2021 Part 7: Community Wellbeing.
Procedures:	Annual DAB Inspection Program Wellington Shire Council Offence Management Guidelines, Section3: Options for Council Local Laws Officers.

8.3 Current educational/promotional activities

- Inclusion of all DAB proprietors in the consultation process for this plan.
- Regular interaction and communication with DAB proprietors to obtain/maintain positive working relationships.
- Promotion of DJPR and DAB publications and website resources.
- Provision of advice relating to legislative requirements to DAB proprietors.

8.4 Current compliance activities

- Initial and annual registration processes.
- Annual and if necessary unannounced inspections of all DAB's, to determine compliance with the relevant Code of Practice.
- Follow-up of identified instances of noncompliance, including notices to comply and if necessary, suspension of registration and prosecution.
- Regular monitoring of internet pet for sale sites (such as dogzonline and Facebook) to identify any unregistered DAB's that may be operating within the Shire.
- Combined operations with RSPCA, and Victoria Police where illegal activities are reported/suspected.
- Provision of information regarding commercial breeder applications to Animal Welfare Victoria as requested.

8.5 Summary of current situation

A priority of Council is to achieve compliance and ensure the welfare of the animals in the care of all domestic animal businesses.

All complaints relating to DAB's are investigated, regardless of the source. Apart from anonymous complaints, all complainants are contacted and advised of any action taken in response to their concerns.

As noted in paragraph 8.1, Victoria is currently transitioning to a scheme requiring breeding businesses with more than 10 fertile females to apply to the Minister for Agriculture for a commercial breeder licence. No breeding establishment will be permitted to keep more than 50 fertile females. Council staff will be actively visiting all breeding establishments to ensure these limits are not exceeded.

Objective 7

Ensure all domestic animal businesses within the Shire are identified and regulated in accordance with the *Domestic Animals Act 1994* and relevant Codes of Practice.

Activity	Frequency	Evaluation
1) Attend DJPR animal management seminars in order to remain conversant with updated legislation relating to DAB's.	As required	Seminars attended by Local Laws staff and recorded in individual training records.
2) Investigate all reports of illegal breeding establishments.	Ongoing	All complaints and responses recorded on Council's electronic record management system.
3) Maintain an accurate register of all DABs within the Shire.	Ongoing	DAB Register (LL25) periodically audited to ensure accuracy.
4) Respond to DAB information requests from Animal Welfare Victoria in a timely manner.	As required	Responses recorded in Council's electronic record management system.
5) Maintain an inspection schedule to ensure all registered DABs are inspected at least annually.	Ongoing	Inspection schedules and subsequent audits recorded on Council's electronic record management system.
6) Conduct unannounced inspections of DABs in response to reports/concerns from members of the public.	As required	All complaints and responses recorded on Council's electronic record management system.

9. ANIMALS IN EMERGENCIES

9.1 Current situation

Wellington Shire Council has historically been impacted by major floods and fires, which have had a devastating effect on the environment, property, the wellbeing of residents and their animals.

The welfare of animals can be a deciding factor for people in making decisions about their personal welfare, including evacuating a threatened property or seeking emergency shelter. Animal owners and carers have the ultimate 'duty of care' to plan and provide for the needs of animals in their care. However as recently witnessed, several organisations and groups share animal welfare responsibility and together have an enormous capacity and willingness to assist affected people and attend to the needs of impacted animals.

Wellington Shire Council is responsible for the coordination, provision, and operation of emergency relief centres and by doing so is also responsible for the coordination and provision of safe refuges for affected animals and the management of animal welfare at its relief centres.

9.2 Policies/Procedures

Legislative:	*Domestic Animals Act 1994* *Emergency Management Act 1986*
Strategies:	Council Plan 2017-2021 Part 7: Community Wellbeing.
Procedures:	Wellington Shire Council Municipal Emergency Management Plan Wellington Shire Council Emergency Animal Welfare Plan
Other:	Emergency Management Manual Victoria Victorian Emergency Animal Welfare Plan Guidelines for Managing Animals at Emergency Relief Centres, Assembly Areas or Other Places of Emergency Shelter

9.3 Current educational/promotional activities

- Emergency information available on Council's website
- Copies of Emergency Animal Welfare Plan issued to Animal Welfare Victoria, RSPCA and Animal Aid Gippsland
- Annual emergency management refresher training to Local Laws staff

9.4 Summary of current situation

The devastation of the bushfires in East Gippsland and the northeast made the summer of 2019/2020 a historic emergency response challenge for several Victorian agencies, including Wellington Shire.

Wellington Shire Council opened emergency relief centres for people and their animals who found themselves homeless during the emergency.

Providing safe refuge for animals allowed the owners to cope with the impact of the bushfires, knowing their animals were safe and cared for.

9.5 Our Plans

Objective 8

Remain in a constant state of readiness in order to respond rapidly and appropriately to any emergency involving people, their pets and animals.

Activity	Frequency	Evaluation
1) Ensure sufficient emergency response equipment is available for rapid deployment.	Six-monthly	Stocktake of equipment is conducted.
2) Conduct annual inspections of safe refuges to ensure they remain suitable as temporary accommodation for pets/animals.	Annually	Inspections are conducted and the results recorded.
3) Conduct annual audits of Council's Emergency Animal Welfare Plan to ensure currency.	Annually	Wellington Shire Council Emergency Animal Welfare Plan is current and correct.

10. REVIEW OF DOMESTIC ANIMAL MANAGEMENT PLAN

10.1 Current situation

Section 68A (1) of the *Domestic Animal Act 1994* requires every Council to prepare a domestic animal management plan by 4 December 2021, and every four years thereafter.

Section 68A (3) of the *Domestic Animal Act 1994* requires every Council to:

(a) Review its domestic animal management plan annually and, if appropriate amend the plan;
(b) Provide the Secretary with a copy of the plan and any amendments to the plan;
(c) Publish an evaluation of its implementation of the plan in its annual report.

10.2 Policies/procedures

Legislative:	*Domestic Animals Act 1994*

10.3 Our plans

Objective 9

To maintain compliance with the requirements of Section 68A of the *Domestic Animals Act 1994* by conducting annual and four-yearly reviews of Council's Domestic Animal Management Plan.

Activity	Frequency	Evaluation
1) Prepare a Domestic Animal Management Plan every four years.	Four-yearly	Compliance with section 68A (1) of the DAA 1994. Plan submitted to Secretary DJPR.
2) Conduct annual reviews of the Domestic Animal Management Plan.	Annually	Compliance with section 68A (3) of the DAA 1994. Plan submitted to Secretary DJPR.
3) Publish an evaluation of the implementation of the Domestic Animal Management Plan in Council's annual report.	Annually	Compliance with section 68A (3) of the DAA 1994. Evaluation published in annual report.

11. DOG OFF/ON LEASH REVIEW

Current Situation

Due to the predominately rural nature of Wellington Shire, apart from nominated on-lead areas, dogs can be exercised off-lead provided they remain in the effective control of the person walking them.

Nominated on-lead areas are listed on Council's website and include areas adjoining schools, children's playgrounds, main streets in towns and areas that are of significant flora or fauna importance.

Dog attack report data collected for the 2019-2020 period shows very low risk of dogs attacking while being walked off lead. However there remains a perception by some that dogs walked off-lead are a perceived risk to the safety of the public. A change to the leash laws to require dogs to be on leash at all times in urban areas would no doubt create a greater sense of safety to the public.

The current wellington shire Council leash laws approach is at odds with the majority of Victorian Councils, that have a blanket on-lead policy in urban areas coupled with off leash areas. This plus the perceived safety issue is why a review of leash laws will be carried out including the possible development of a feasibility study and shire wide strategy for Dog Off leash areas.

The off-leash areas feasibility study and strategy is dependent upon Council determining whether or not to change its leash laws. Obviously if Council decides to move to require dogs on leash in all urban areas that will provide a greater impetus and need for off leash areas throughout the Shire. The recent consultation over the new Council Plan 2021/25 indicated support for the establishment of dog parks or dedicated off leash areas in the Shire.



Best Practice Review Considerations

A preliminary review of current industry practices and community requests for dedicated dog off-leash areas indicates a need to review current provision for dog owners and their dogs.

An industry Technical Manual highlights the need for a 'Dog Off-Leash Policy and Provision Rationale' that is based on an understanding of both dog and human behaviour in different public environments. It also highlights the need for sound understanding of the management, including risk management, implications of these space particularly if they area partially or fully fenced.

In addition, the manual notes:

- The benefits (e.g. mental, physical and emotional health) associated with pet/dog ownership and that council planning and policy around pets should acknowledge this.
- The need for a sound policy that considers:
    1. on-leash requirements as in the case of areas of potential parkland conflict (e.g. around play spaces, picnic and BBQ areas, and along shared used trails)
    2. off-leash provision and whether this involves partial fencing or full fencing, or the provision of natural landscape barriers as opposed to formal barrier fencing
    3. 'no dog areas' as in the case of sensitive environments

    the possible need for different provision in urban and rural environments
- The need for decision-makers to better and fully understand and appreciate:
    1. the 'nature of dogs' and in particular dogs in confined spaces, in unfamiliar environments and around unfamiliar people and noise
    2. human/dog owner behaviour and trends in relation to education and active supervision of dogs in off-leash areas
- The need for careful decision-making relating fencing of off-leash areas, including:
    1. the benefits of fencing/partially fencing an off-leash area (e.g. community strengthening/interaction such as provision for older/less mobile dog owners; capacity to locate off-leash areas in closer proximity to less compatible activities; and safety in the case of nearby roads)
    2. the implications of fencing (e.g. an increase of inappropriate dogs being off-leash, dog on dog/human incidents; dog litter; cost of establishment ($200,000-$350,000+ if it is to address risk management considerations, and dog sensory requirements; ongoing costs associated with maintenance and renewal, risk management and compliance monitoring
    3. regulations relating to rules, regulations and control of dogs

    The Manual highlights that the primary driver for the provision of fencing is coming from owners of poorly behaved, controlled, and educated dogs. and that the purpose of fencing is not for the purpose of keeping uncontrolled dogs contained

Key Review Actions

1. To review the Council's Dog-On and Off-Leash laws and any required off leash feasibility study/strategy that considers:
    - On and off-leash provision and possible 'no dog' areas
    - The type and level of provision for off leash areas i.e. service levels Shire wide.
    - When and under what conditions off leash areas fencing may be considered
    - Implications of any change in current policy e.g. in relation to cost, risk management
    - Other matters that are of interest/concern e.g. dog litter, poorly behaved/controlled dogs
    - The needs and views of people who do not want to interact with dogs when in a public place
    - An effective consultation and communication strategy including the use of the new Wellington consultation website and consulting the Domestic Animal Management Reference Group.

2. Review and proposing changes as necessary to the existing Orders in Council to ensure they are consistent with proposed changes to the current provision for dog owners/dogs in public places as a result of the 'Dog On/Off Leash Review'.

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WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

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