



CITY OF BALLARAT  
**Domestic Animal  
Management Plan  
2021–2024**





## Introduction and purpose of this Domestic Animal Management Plan

All Victorian local Governments are required by the *Domestic Animals Act (1994)* to prepare and implement a Domestic Animal Management Plan (DAMP) at four yearly intervals with the objective to outline Council's plans for animal management.

Strategic goals for the Animal Services team:

- Design, implement, and construct a new sustainable regional animal shelter.
- Provide a community focused educational hub that is accessible for all residents and one that encourages responsible pet ownership and a better understanding of pet behaviour.
- Increase community awareness around animal welfare and provide a relatable, proactive local government service to facilitate this.
- Set a standard for animal welfare and care throughout the municipality.
- To be leaders in the Local Government space for change around domestic animals and how they enhance a community.

The purpose of this plan:

- Encourage and enable interaction programs with the community at the Ballarat Animal Shelter – schools, disability programs, volunteers.
- Document current processes and practices under the City of Ballarat's animal management responsibilities.
- Employ Animal Management team members with animal handling experience and skills.
- Design, build and construct a new animal pound and welfare facility with regional capabilities, emergency holding facilities, training areas and long-term seized dog enrichment runs.

- Increase compliance and awareness with the Domestic Animals Act (1994).
- Provide consistent prosecution processes for dog attacks and nuisance dogs.
- Increase pet owners' knowledge of the principles of responsible pet ownership and enhancing community safety and awareness.
- Introduce primary school visits to discuss responsible pet ownership and pet behaviour.
- Maximise the numbers of dogs and cats that are registered in the Ballarat municipality.
- Minimise the harmful effect of domestic pets on the population of native birds, mammals, and reptiles.
- Consider and educate community views on animal management matters.
- Ensure Council remains up to date with current legislation.
- Ensure a positive move towards new housing for all impounded animals, including partnering with regional councils to deliver this service.
- Decrease number of dogs and cats to be euthanised.
- Decrease dog attacks in community.
- Increase Prevention of Cruelty to Animals (POCTA) prosecutions and enforcement within council delegations.
- Provide access to public and open spaces for dogs with owners.
- Proactive investigation of domestic animal business and unauthorised breeding establishments.
- Animal Welfare and Prevention of Cruelty to Animals Act proactive enforcement.

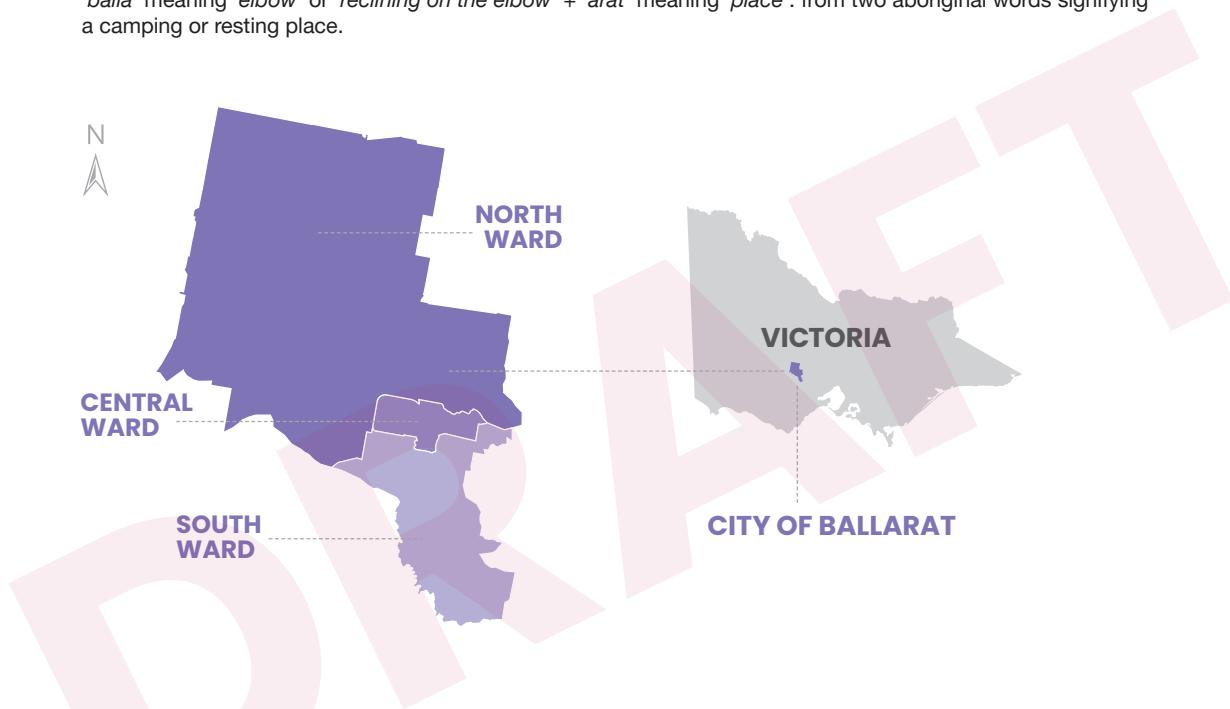
### Consultation process

The City of Ballarat proposes to engage and consult with the community on the draft Domestic Animal Management Plan in September 2021. This will be open to all residents, local veterinarian clinics, rescue and foster groups, pet owners and other key stakeholders.

## Demographic and council profile – City of Ballarat

### > Ballarat or Ballaarat (*Historical Spelling*) 740km<sup>2</sup> and the 3rd largest City in Victoria

'balla' meaning 'elbow' or 'reclining on the elbow' + 'arat' meaning 'place': from two aboriginal words signifying a camping or resting place.



The municipal district of the City of Ballarat is part of an area of land under the traditional custodianship of the Wathaurong people. It comprises of the city of Ballarat, one of Australia's largest inland cities, and third largest city in Victoria, and includes the townships of Learmonth, Buninyong, Miners Rest, and Cardigan Village.

The City of Ballarat has an area of 740 square kilometres and an estimated population of 109,505 in 2019. Ballarat falls in Western Victoria, surrounded by the municipalities of the Shires of Hepburn, Pyrenees, Golden Plains and Moorabool. Ballarat is in a key location at the centre of some of Victoria's most important freight, tourist, and commuter transport routes.

The four main highways radiating from Ballarat include the Western, Midland, Glenelg, and Sunraysia Highways, connecting it to industrial centres including Melbourne, Adelaide, Geelong and Portland, regional centres Bendigo and Mildura and agricultural areas in the Mallee and Wimmera.

The City of Ballarat lies within a gently undulating section of the midland plains, which stretches from Creswick in the north to Rokewood in the south, and from Lal Lal in the southeast to Pittong in the west.

These plains are made up of alluvial sediment and volcanic flows and contain large areas of rich agricultural soils. Ballarat is approximately 110km north-west of Melbourne. Travel time between Ballarat and Melbourne is around 75 minutes.

## Domestic animal statistics and data – City of Ballarat

> Table 1

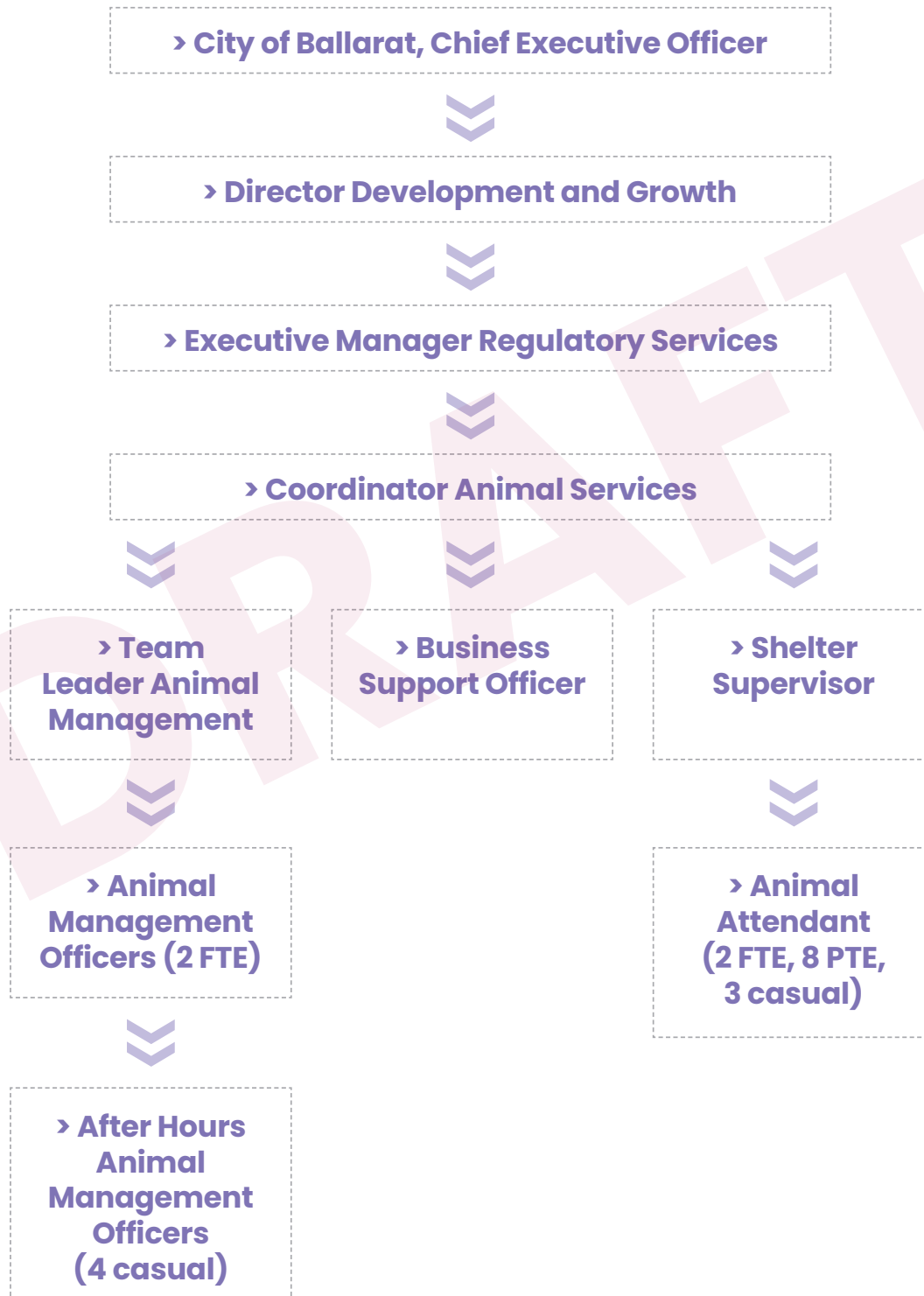
	2008/2009	2011/2012	2015/2016	2019/2020
Population	88,437	97,810	102,490	109,505
No. of households	36,500	34,852	42,252	
No. of authorised officers	2.5	2.5	2 F/T, 3 x compliance officers with animal management included in PD	3 F/T, 4 x casuals afterhours
No. of registered dogs	14,615	14,995	13,193	14,753
No. of cats registered	6,210	5,674	4,831	6,401
Registered restricted breed dogs	7	1	0	0
Registered guard dogs	15	16	12	4
Registered declared dangerous dogs	1	1	1	7
Registered declared menacing dogs	1	2	19	46
Dogs impounded by public including surrenders	1,779	1,783	1,261	1304
Dogs reclaimed from pound	994	1292	1261	807
Dogs adopted	597	314	424	266
Dogs euthanased	188	177	154	81
Cats impounded by public including surrenders	1468	1009	1174	1331
Cats reclaimed from pound	74	100	93	121
Cats adopted	356	283	699	762
Cats euthanased	1038	626	403	314

> Table 2

REGISTERED DOMESTIC ANIMAL BUSINESSES				
	2008/2009	2011/2012	2015/2016	2019/2020
Breeding and rearing	3	3	5	3
Shelters and pounds	1	1	1	2
Boarding	6	6	7	8
Training	0	0	9	8
Pet shops	2	2	3	6



## Organisational Structure



## Department overview

In 2020, the City of Ballarat separated the Animal Services team from the Local laws, Traffic and Compliance Unit within Regulatory Services. This has provided an improved service that meets community needs and requirements ensuring a better care and education system for our animals and pet-owners within the municipality.

The Animal Services team comprises:

- Coordinator Animal Services
- Team Leader Animal Management
- Two full time Animal Management Officers
- Four casual after hours officers (rotating four weekly roster)
- Shelter Supervisor
- Business Support Officer
- Two full-time Animal Handlers
- Eight part-time Animal Attendants
- Three casual Animal Attendants
- Three Compliance Officers qualified and trained to assist with animal matters

### **Services provided to the community relating to animal management:**

The Animal Services department is responsible for the animal management function, as well as pound and shelter operation within the municipality. Such functions include:

- Impounding of animals.
- Rescue assistance of trapped livestock and domestic animals.
- Rehoming of animals.
- Placing animals in rescue or foster care.

- Housing long term seized dogs from other Victorian municipalities to provide better care and enrichment processes.
- Managing of complaints relating to pets barking, welfare, and training.
- Promoting responsible pet ownership.
- Investigating dog attacks, including prosecution of serious attacks, and seeking banning orders from the Magistrate's Court in some cases.
- Ensuring compliance with legislation and code of practices relevant to pets and livestock.
- Animal registration process.
- Regular surveillance and patrols of community spaces where animals frequent.
- Investigating and responding to animal welfare issues and concerns.
- Management of domestic animal businesses.
- Providing advice to pet owners and the community.
- After-hour animal emergency service.
- Work placement and experience for students and future animal care givers.
- Local high school programs in the shelter environment.
- Emergency boarding for domestic violence cases and natural emergency events, such as fire and flood/storms.
- Wildlife assistance and rescue.

## ► Training of authorised officers

*68(A)(2)(b) 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.*

## Current and planned training

Ongoing training and professional development opportunities are offered and provided to our Authorised Officers. Training options are reviewed annually to ensure training is relevant and current.

The training options include:

- Secondment opportunities within the Animal Services Department or Team.
- Opportunities to move between the animal shelter and animal management.
- Animal handling courses and training days.
- Inhouse training.
- Investigation and evidence gathering training.
- Prosecution courses.
- Information technology training.
- Industry related seminars, conferences and briefings from Animal Welfare Victoria and Australian Institute of Animal Management.





## Our Plans

### > Objective 1

**Develop and ensure Animal Management Officers have experience in animal behaviour and handling to assist in community education.**

Activity	When	Evaluation
Review database of each officer's completed training, along with proposed additional training opportunities	December 2021	Annually review, to ensure accuracy and to determine whether proposed training goals have been met for each officer
Staff attendance at industry related seminars and training, such as: <ul style="list-style-type: none"> <li>• Breed Identification</li> <li>• Annual AIAM Conference</li> <li>• Animal Welfare Vic Seminars</li> </ul> Other options: <ul style="list-style-type: none"> <li>• Certificate IV in Animal Control and Regulation course</li> <li>• Animal and Livestock handling (training)</li> <li>• Carry Out Pound Procedures</li> <li>• Aggressive dog handling techniques</li> </ul>	As offered	Annual review of attendance with training register

Authorised Officer Training	Current	Planned
<b>OH&amp;S</b> Dealing with aggressive customers	Completed 2020	Annual refresher
<b>Industry Training</b> <ul style="list-style-type: none"> <li>• animal handling and catching</li> <li>• prosecutions</li> <li>• statement taking</li> <li>• Evidence gathering</li> </ul>	Completed June 2020	Annual refresher
Australian Institute of Animal Management annual conference	TBC- via webinar	
Aggressive dog training and handling	Completed March 2021	Annual refresher or as required
Animal behaviour and assessment	Completed March 2021	Annual refresher or as required
How to promote responsible pet ownership and educate	TBC	Planned 2022
Domestic Animals Act 1994, Impounding of Livestock Act and Local Laws refresher training	Annual Refresher	Planned 2022



**> Objective 2**

**Develop existing authorised officers from the Afterhours Animal Emergency staff to ensure adequate backfilling or additional staffing is possible throughout animal shelter and management when required.**

Activity	When	Evaluation
Allocate a variety of tasks for the Officer to have completed during the development period	Ongoing	Review completion of each task to ensure Officer is developing adequate skillset required
Ensure current afterhours staff are included in monthly team meetings and inhouse training sessions	Monthly	Ensure that each shift crossover has up to date knowledge on current jobs/ concerns etc



## ► Registration and identification

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)(i),(c)(ii),(d),(f)

## Registration and identification

All dogs and cats over the age of three months must be registered with the City of Ballarat as per state legislation; newly registered animals must also be micro-chipped before registration can be accepted.

New animal registrations for cats and dogs can be made in person at Council offices as follows:

- The Phoenix, 25 Armstrong St South Ballarat Central between 8.30am – 5pm, Monday – Friday; or
- Ballarat Animal Shelter, 5a Gillingham Place, Alfredton 3350 between 9am-4pm, Monday -Friday; or
- by mail with the appropriate payment and copies of relevant proof required to: City of Ballarat, PO BOX 125 Ballarat, VIC, 3353; or
- Online via councils ESERVICES option at: <https://eservices.ballarat.vic.gov.au/ePathway/Production/Web/default.aspx> ; or
- Renewals can be paid via BPAY, eService's or in person with options included on the renewal form sent annually.

Under the *Domestic Animals Act (1994)*, animal registration periods expire on April 10 each year. Animal renewal notices are sent out every year in March, allowing pet owners to renew their pets' registration via the internet or in person. A lifetime tag is issued, and this is easily replaced if lost or chewed off.

Council's Animal Services team audits the registration renewal process every year to ensure that the registrations are renewed. Council is also currently reviewing the registration system to simplify the process.

Animals found unsecured or 'at large' from their property and are identifiable by means of an allocated City of Ballarat identification marker have a higher chance of being reunited with their owners and therefore not impounded. When dogs and cats are outside of the owner's premises, Council identification tags must be worn as outlined in section 20 of the *Domestic Animals Act (1994)*.

The registration of animals provides the City of Ballarat with an understanding of the level of pet ownership in the community and, in turn, this helps Council plan for services, information and programs associated with pets in particular areas of the community.

Registration fees help fund the services provided by Council in relation to animal management and the Domestic Animals Unit responsible pet ownership campaigns and programs provided within Ballarat.

In 2021, an audit conducted by Australian microchipping agencies showed an approximate figure of 2500 animals microchipped in, but not registered to, the City of Ballarat. This audit has resulted in the introduction of a project to determine whether these animals are still residing in Ballarat or have moved on. A clear representation of animals in City of Ballarat will indicate if our staffing module is sufficient.

The above figures show a slowly growing number of registered pets within the municipality but are not accurately representing actual numbers.

### ► Current education/promotion activities

Current education/promotion of registration and identification activities include:

- Publicising the requirement to register pets over the age of three months in local news and media outlets.
- Animal registration renewal notices are mailed out in March each year to currently registered animals.
- Registration included in all purchased/adopted dogs and cats from Ballarat Animal Shelter.
- A promotion of education and why registration is important for all reclaimed animals from the Ballarat Animal Shelter.
- Facebook posts regarding registration.
- Education to homes/owners about animals returned.
- Providing training from experienced animal management officers for owners with repeat escapees.



**> Current compliance activities**

Current compliance activities for registration and identification include:

- Educational follow-ups to repeat unregistered animals.
  - Working with other organisations within Ballarat to increase awareness and benefits of registration, including with Department of Families, Fairness and Housing (DFFH), Uniting, Aboriginal Housing, and others.
  - Reconciling and data cleansing from microchipping companies with council registration data.
  - Requiring impounded and unregistered animals to be micro-chipped and registered prior to release.
  - Issuing official warnings with educational advice as opposed to first offence infringements for animals found unregistered.
  - Prosecuting owners of unregistered animals where infringements remain unpaid, and animals remain unregistered.
- Investigating Domestic Animal Business notifications of animals being sold or given away to residents in the municipality.
  - Monitoring advertisements relating to animals for sale to ensure microchip numbers are provided.
  - Proactive and reactive park and street patrols to follow up registration and ensure identification is being worn.
  - After hour animal services and patrols.

**> Summary**

The number of unregistered animals that enter the City of Ballarat's pound remains at a consistently high rate, indicating that many unregistered animals exist within the municipality. This highlights the need for active education in the community, compliance-checks and enhanced community awareness to encourage pet owners to seek advice and education from Council in an effort of gaining compliance.



## Our Plans

### > Objective 3

#### Increase animal registration and responsible dog ownership awareness in the community

Activity	When	Evaluation
Educate residents of the animal registration renewal period by means of advertising/media releases and mailing of renewal notices.	March-May Yearly	Review communication options available each year to determine most effective advertising.
Invite and host community and school groups into the Ballarat Animal Shelter to explain what happens to unidentified animals.	Monthly	Positive review and feedback from groups.
Social media posts to create awareness from the Ballarat Animal Shelter page.	Quarterly	Reaches a broader audience and promotes a positive side to registration.
Ensure animal registrations have been renewed.	September – October Yearly	Follow up door knock and audit of suburbs with renewals not paid.
Attend Dog Obedience and Puppy training centres.	3 – monthly	Hand out information to new dog owners. Foster positive relationships between Animal Management officers and local organisations.
Repeated non-registration matters to be withdrawn as infringements and re-issued as charges at the Magistrate's Court.	Month after date	Provide media releases to send the strong message for responsible pet ownership and compliance.
Primary school education programs	Annually	Animal Management Officer presentation to explain why registration is important and how it can help your pet.
High school education programs	Each term	Students from local high schools spend time volunteering at the Ballarat Animal Shelter. Educate and explain pound and shelter life.



**> Objective 4****Increase in dog and cat registrations**

Activity	When	Evaluation
Ensure all seized and impounded animals are registered to their owner prior to release.	Prior to every release	Current process ensures compliance
Offer responsible pet ownership rewards to pet owners found doing the right thing	Yearly	Reward system to encourage registration
Host a Pet Expo/Micro-chipping Day	2022 March and November	Numbers in attendance at the Ballarat Animal Shelter and number of animals microchipped



CITY OF BALLARAT below excerpt **ANIMALS**  
Community Local Law 2017 Part 2 – Vehicles, Activities on Roads and Stock Movements  
PART 2 –PROPERTY, ANIMALS AND WASTE COLLECTION

## **ANIMALS**

### **22. KEEPING ANIMALS**

- 22.1. An owner or occupier of any land must not, without a Permit:
  - 22.1.1. keep or allow to be kept more than 6 different types of any Animal on any one parcel of land of 2 hectares or less at any time; and
  - 22.1.2. must not keep or allow to be kept any more in number, for each type of Animal, than is set out in the Table of Animal Types and Numbers in this Clause

**Penalty: 10 Penalty Units**

### **23. ANIMAL ACCOMMODATION**

- 23.1. An owner or occupier of land must ensure that any Animals (excluding only dogs or cats) and birds kept on that land are:
  - 23.1.1. kept in a secure shelter, structure or enclosure; and
  - 23.1.2. confined to the land unless they are under the effective control of a Person.

**Penalty: 10 Penalty Units**

- 23.2. An owner or occupier of land in an Urban Residential or Rural Residential area, must ensure that any animal shelters, structures or enclosures on that land are maintained to the satisfaction of an Authorised Officer or Delegated Officer.

**Penalty: 10 Penalty Units**

*Note that confinement and control of dogs and cats are regulated under the Domestic Animal Act 1994 and may include additional Council Orders made pursuant to that Act.*

### **24. NOISE AND SMELL FROM ANIMALS**

An occupier of any land on which any Animal is kept must not allow any noise, smell or discharge to emanate from the Animal or animal accommodation which is offensive to persons who occupy adjacent or nearby land.

**Penalty: 10 Penalty Units**

### **25. ANIMAL EXCREMENT**

- 25.1. A Person in charge of any Animal must not allow any part of the excrement of the Animal to remain on any Road or Council Land.

**Penalty: 10 Penalty Units**

- 25.2. A Person in charge of any Animal on any Road or Council Land must carry a Litter Device suitable to clean up any excrement left by his or her Animal and must produce such Litter Device upon request of any Authorised Officer or Delegated Officer.

**Penalty: 10 Penalty Units**

- 25.3. Exemption: Livestock outside a Built Up Area is exempt from Sub-clauses 25.1 and 25.2, except that, in the case of Livestock road crossings, Sub-clause 25.1 will apply if the Animal excrement left on a Road is sufficient to cause a genuine risk to public road safety, including but not limited to, being a contributory factor in any road accident.

## 26. ADEQUATE FENCING

- 26.1. Where any Animal, including any Livestock, is kept on any land, the owner or the occupier of the land must ensure that the land is secured or fenced in a way that will prevent the Animal from escaping from the land.

**Penalty for first offence:**

**10 Penalty Units Penalty for second and subsequent offence: 15 Penalty Units**

- 26.2. Where the Animals kept on any land are sheep, cattle, horses or other large Animals, the owner or occupier of the land must ensure by adequate Fencing that no Animal escapes onto, or remains unattended, on a public Road. Penalty: 20 Penalty Units
- 26.3. No offence is committed under Sub-clause 26.2 where it can be shown that extreme or unusual circumstances beyond the control of the owner or the occupier, such as wildfire, flood or dog attack, directly resulted in the escape of the Animal through otherwise adequate Fencing.
- 26.4. If an Authorised Officer or Delegated Officer is of the opinion that land used for the grazing or keeping of livestock is not adequately fenced then, in addition to any penalty that may be imposed, the Authorised Officer or Delegated Officer may issue a Notice to Comply directing the owner or occupier of the land to do any or all of the following:
- 26.4.1. install, repair, replace or modify fences and gates;
  - 26.4.2. remove any livestock from the land; or
  - 26.4.3. direct that the land may not be used for the grazing and keeping of livestock until required works have been completed.



## > Nuisance animals

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)

## Nuisance animals

> Table 3

NUISANCE ANIMALS – CURRENT SITUATION						
	Barking dog requests received	Roaming and at large dog and cat requests received	Excess animal request raised	Animal Nuisance requests received	Livestock on road requests received	Afterhours Animal requests
2011/2012	257	544	15	41	40	No data recorded
2012/2013	251	576	59	129	93	No data recorded
2013/2014	278	587	55	215	91	8
2014/2015	278	531	34	216	85	144
2015/2016	314	562	71	203	114	442
2016/2017	282	1082	67	227	69	711
2017/2018	310	999	79	174	75	681
2018/2019	298	1169	104	160	72	749
2019/2020	278	1278	97	200	81	579
2020/2021	261	863	101	237	38	457

The *Domestic Animals Act (1994)*, regulates nuisances for both dogs and cats relating to noise, trespassing and wandering animals. The City of Ballarat has also introduced several Local Laws and Orders to help minimise and prevent nuisances which are outlined below.



### > Cat curfew

In April 2009, the City of Ballarat introduced an order under Section 26 of the *Domestic Animals Act (1994)* in relation to a cat curfew. Cat owners must ensure that their pets do not leave their premises at any time between sunset and sunrise for the safety of cats, the protection of wildlife, and to eliminate related nuisance complaints such as noise and trespassing.

Each cat that is adopted from the Ballarat Animal Shelter, will come with education on the cat curfew in the adoption pack.

See above Local Laws excerpt **ANIMALS**

Council offers a cat trapping program that is managed by the Animals Services team. Cat traps can be hired from the Ballarat Animal Shelter and instructions on how to humanely and safely trap a roaming cat are provided as well as demonstrations on how to successfully use the trap.

Cat trapping is the most effective method to reduce the number of stray and nuisance cats in our community. Persons wishing to enquire about the hire of cat traps can contact the Ballarat Animal Shelter on (03) 5334-2075 during business hours.

### > Dogs in public places

On 26 November 2014, the City of Ballarat (**Council**) made an Order under section 26(2) of the *Domestic Animals Act 1994 (Act)*. This Order is effective from 10 April 2015. 422 G 8 26 February 2015 Victoria Government Gazette NOTICE UNDER **DOMESTIC ANIMALS ACT 1994**.

(Designated Off Leash Area (See Appendix 1) and orders made below in **Other Matters**.)

### > Local Laws relating to nuisance animals

City of Ballarat Local Law Number 2017; Part 2 -Animals, limits the number of dogs and cats on a residential property to 2 (two) without a permit.

Owners seeking permission from Council to keep more than the prescribed amount requires neighbours' consent and Authorised Officer approval. Where a permit has been issued and a proven nuisance complaint founded, a permit can be revoked, and owners made to remove the additional animal/s.

To ensure current breeding measures are adhered to, a breeder's excess animal permit has been created to ensure that micro breeders are compliant with current legislation. This permit requires a Pet Exchange Registry number to be provided upon application and any change of animals at the property must be reported immediately to update the data base and inform of new whereabouts.

City of Ballarat Local Law Number 2017 Section 25 requires owners of dogs to carry litter collection devices at all times when outside of their premises, to ensure that such animal litter be collected and disposed of appropriately.

### > Council policies for nuisance animal complaints

#### Barking Dogs

The City of Ballarat has worked hard to develop a process which efficiently deals with barking dog nuisances and this is reflected in the reduction of complaints listed above in the table (Table 3).

Council has a standard operating procedure for barking dog complaints to ensure all complaints received are handled in a consistent manner by all Authorised Officers. The procedure steps out the required processes involved to investigate the complaint and liaise with the dog owner and surrounding neighbours. Where nuisances are found to be proven pursuant to section 32 of the *Domestic Animals Act (1994)*, Council can issue notices to the dog owner to abate the nuisance, issue infringements and/or have the matter heard in the Magistrate's Court to seek an order from the Court for the owner to abate the nuisance.

See appendix 2 (nuisance information sheet).

#### Roaming Dogs

The animal management officers deal with approximately 1000 calls per year of roaming or wandering dogs. This does not include aggressive or attacking dogs. A new approach was introduced in 2019 to avoid the issuing of an infringement where education is provided to the dog owner and an open line of communication is created to determine the following:

1. How did the dog get out?
2. Does it have a history of escaping?
3. Is further training required?
4. How can council assist?

In circumstances where repeat offenders (more than one offence) for roaming/trespassing dogs are found and the education and alternate methods have not encouraged the pet owner to adequately secure the cat or dog to its property, Council may initiate enforcement and may pursue the matter in the Magistrates' Court. This may involve seeking an order from the Court to require the owner to carry out works to ensure the animal is not able to escape from the owner's premises.

This current method of education rather than enforcement has been well accepted and has generally been successful, resulting in a reduction of repeat offending.

### > Current education/promotion activities

- Providing barking dog information kits.
- Providing information relating to building cat enclosures.
- Information provided on Council's website.
- Providing information brochures from the DEDJTR to the public.
- Articles in OurBallarat, The Courier, Ballarat Animal Shelter Facebook page.
- Assisting Ballarat Dog Obedience Club by supporting its dog training program through the provision of educational materials and attending 'question and answer' sessions.
- Encouraging the de-sexing of cats and dogs to reduce wandering.
- Participating in the National Desexing program.
- Encouraging dog owners to seek advice from professional dog trainers and trial barking dog citronella collars.
- Encourage 'doggie day camera' to be set up in home to see what is initiating the nuisance behaviour.
- Promoting Doggie Day care facilities, to owners and encouraging involvement as an alternative to being at home.

### > Current compliance activities

- Investigating nuisance complaints within a timely manner.
- Sending out barking dog formal complaint statements and requesting the completion of barking dog logs.
- Reporting outcomes of all prosecutions regarding each area of nuisance to local media to raise awareness in the community of the benefits of preventing dog and cat nuisance.
- Issuing notices to comply, notices of objection and infringements where necessary.
- Providing Cat Trapping program and advice to residents.
- Letter box drop containing information on roaming cats.
- Patrolling parks and streets to ensure dog owners are carrying litter devices to remove such animal litter.
- Patrolling popular off lead areas.
- Monitor social media websites for alleged backyard breeding.
- Prosecution of unresolved ongoing nuisance complaints.

### > Summary

To reduce animal nuisance problems in the community, Council will continue promoting and providing education and compliance activities while striving to improve the activities and identify/trial new initiatives. There is evidence of an increase in reporting to Council which relates back to positive outcomes in similar cases, therefore initiating the new Standard Operating Procedure.



## Our Plans

### > Objective 5

**Control of dogs in public places pursuant to Section 26 of the *Domestic Animals Act 1994*.**

Activity	When	Evaluation
Educate dog owners relating to 2015 Designated Off-Leash Order.	Ongoing	Record feedback from community and animal rangers.
Continue to enforce Order to ensure compliance, roster Officer/s to patrol streets and parks.	Ongoing	Decreased number of animal litter and dog off lead complaints received.
Promotion of off leash areas which are not fenced.	Ongoing	Effective control of dogs in public places feedback and education.

### > Objective 6

**Decrease the timeframe of barking dog investigations from point of lodgement to resolution.**

Activity	When	Evaluation
Reset key performance indicators for Officers to complete barking dog complaints within a 6-week timeframe.	Ongoing	Review complaints annually to evaluate percentage completed within timeframe.
Use barking dog standard operating procedure and revise 2 yearly.	Ongoing	Review complaints to ensure sops were followed.



## › Dog attacks

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)

## Dog attacks

› Table 4

NUMBER OF DOG ATTACKS INVESTIGATED	
	Barking dog requests received
2013/2014	142
2014/2015	150
2015/2016	119
2016/2017	108
2017/2018	137
2018/2019	157
2019/2020	216
2020/2021	181

*\*This does not include afterhours reported dog attacks*

Authorised Council Officers investigate dog attack reports thoroughly. Evidence pertaining to the incident is collated to formulate a brief. This includes taking statements from all parties involved, vet/medical reports, photographs and providing a summary with recommendations.

The brief is then reviewed by an internal Prosecution Panel, comprising representatives from various council departments who provide an unbiased view as well as represent community outlook. This panel creates an escalation point to reinforce outcomes and provides an objective conclusion for the accused.

Possible courses of action Council can choose include:

- Infringements (where non-serious injuries sustained).
- Menacing/Dangerous Dog Proposal and Declaration.
- Prosecution in Magistrates' Court.
- Seek destruction/compensation orders by Magistrate.
- Banning orders under Section 84xa of the DAA.
- Seek mediation between parties.
- Further education and dog training.

Where injuries have occurred to a person or another animal by a dog that is of a serious injury (as defined by the Domestic Animals (Act 1994)), Council Authorised Officers will seize the accused animal pending outcome if the animal is not considered secure to its property and or has a recorded history with council.

The Team Leader of Animal Management currently prosecutes dog attack matters in the Magistrates' Court with successful results and outcomes. This information is provided to State Government. Media releases of such results are also used to educate the community and promote responsible pet ownership.

Animal Management Officers are also trained in the prosecution process to allow for a solid investigation and robust brief preparation and provides a clear directional outcome which may be presented to all parties involved in the attack.

The City of Ballarat has prosecuted over 60 dog attacks in the Ballarat Magistrates court all with a successful outcome. In 2019 the Animal Services team started seeking out Banning Orders for certain cases where it was evident there was a high risk to the community.

### > Current education/promotion activities

- Promote responsible pet ownership by maintaining the three existing fenced off-leash dog parks within the municipality. There has been an increase in dog attack incidences since the introduction of fenced off-leash dog parks. It has been observed that some dog owners do not watch their pet as closely at a fenced dog park as they might if the area was not fenced. New signage has been developed and installed at the three fenced parks. “Meet and greet” training sessions were offered for owners. (See appendix 3). The City of Ballarat will always support off-leash areas, however, there are no immediate plans to develop more fenced dog parks within the municipality, but consideration is being given to the establishment of “off-leash” areas that are not fenced.
- Educational push for residents to report aggressive dogs in the community for follow up by Animal Services team. It is evident that some residents are unaware that council investigates dog attacks and instead report directly to police.
- Reporting outcomes of all dog attack prosecutions to local media to raise awareness in the community of the need to report dog attacks and Council’s action in relation to attacks to promote responsible pet ownership.
- Media releases relating to livestock attacks.
- Providing new residents with animal registration information.
- Promoting the effective confinement and control of dogs.
- Promoting the Domestic Animals Unit Responsible Pet Ownership (RPO) Schools Programs.
- Meeting with Ballarat Dog Obedience Training Club.
- Promoting puppy socialisation and obedience training.

### > Current compliance activities

- Investigating dog attacks thoroughly and providing consistency for the community.
- Seizing and holding attacking dogs pending investigation/prosecution outcome.
- Providing an afterhours service to respond to reports of aggressive or attacking dogs.
- Prosecuting matters pursuant to the *Domestic Animals Act (1994)*.
- Follow up education to owners for wandering dogs to curb any future incidents.
- Issuing education as well as infringements for minor attacks where non serious injury sustained.
- Proactive proposals for Menacing or Dangerous Dogs. The onus is then back on the owners to provide details as to why their dog should not be declared.
- Seeking destruction Orders from Magistrates’ Court where necessary.
- Seeking banning orders for up to 10 years in serious matters.
- Seeking confinement Orders from Magistrates’ Court for dogs continually found wandering or not confined to property.
- Proactive patrols of parks and streets for wandering dogs.
- Proactive patrols for guard dogs on non-residential premises.
- Recording data of reported dog attacks in the municipality.
- Seizing impounded dogs in circumstances where owner’s properties are believed to be unsecure and ensure dog can be secured prior release of the dog back to the owner.

### > Summary

City of Ballarat will continue administering the *Domestic Animals Act (1994)* and ensure compliance is met where any breach is detected.



## Our Plans

### > Objective 7

#### To minimise the incidence of dog attacks in the community

Activity	When	Evaluation
Providing proactive Education/ Compliance Activities.	Ongoing	Compare number of reported dog attack incidents annually.
Educating key dog attack prevention messages (e.g. confinement of dogs to property, leash laws) through media articles, mail outs, website information. Actively patrol areas for roaming, unsecure and/or unregistered dogs.	Ongoing	Looking for a reduction in repeat offenders.
Inform the community of outcomes of dog attacks prosecuted in Court	Ongoing	As occurs
Set key performance indicators for Officers to complete dog attack investigations within a 4-week timeframe where possible	2021	Review complaints annually to evaluate percentage completed within timeframe.

The Ballarat Animal Shelter currently provides long term seized dog accommodation for Victorian municipalities that are unable to provide housing for the following reasons:

- Lack of space
- Lack of unsuitable housing
- Unable to provide enrichment
- Inexperienced handlers
- Inability to one or more of the five main care components of long-term housing.
  - Freedom to express normal behaviours
  - Freedom from fear and distress

In 2020, the Ballarat Animal Shelter had four seized dogs pending court cases. Two of these dogs were from a Council that had to medicate the dogs to transport. These cases are pending court and have been seized and spent nearly two years impounded. The Ballarat Animal Shelter offers support and care for seized animals awaiting outcomes comprising:

1. Large outdoor secure runs
2. Extensive trust building and muzzle training
3. Supervised off leash with muzzle outdoor exercise
4. Enrichment
5. Socialisation

Each case is different, and the Ballarat Animal Shelter staff will assess each case upon arrival and will develop a care plan designed specifically for that animal.

## > Dangerous, menacing and restricted breed dogs

68A(2)(c)(vii) Outline programs, services and strategies 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.

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

# Dangerous, menacing and restricted breed dogs

## Current situation

City of Ballarat has the following declared dogs currently registered within the municipality:

> Table 5

	2019/2020
Registered restricted breed dogs	0
Registered guard dogs	4
Registered declared dangerous dogs	7
Registered declared menacing dogs	46

The Domestic Animals Act (1994) defines restricted breed dogs as any one of the following breeds:

- Japanese Tosa
- Fila Brasileiro
- Dogo Argentino
- Perro de Prasa Canario (or Presa Canario)
- American Pit Bull Terrier (or Pit Bull Terrier)

City of Ballarat has no restricted breed dogs registered at this stage.

Owners of restricted breed dogs are required abide by specific regulations, in particular; secure enclosures, warning signs on premises, having the dog always muzzled in public and on lead, as defined by the Domestic Animals Act (1994) and the Domestic Animals Regulations (2005).

Section 34A (a) of the Domestic Animals Act 1994 states:

*A dog is a dangerous dog if—  
The dog is kept as a guard dog for the purpose of guarding non-residential premises*

The City of Ballarat currently has 4 declared guard dogs, which are therefore deemed dangerous under the Act. Owners of guard dogs must abide by specific regulations in particular; secure enclosures when not guarding, secure perimeter fencing when guarding, warning signs on premises, having the dog always muzzled in public and on lead, dog must wear the prescribed dangerous dog collar. These dogs are audited annually by the animal management team.

Section 34(1) of the Domestic Animals Act 1994 states:

*A Council may declare a dog to be a dangerous dog—*

*If the dog has caused the death of or serious injury to a person or animal by biting or attacking that person or animal;*

*or (b) if the dog is a menacing dog and its owner has received at least 2 infringement notices in respect of the offence in section 41E;*

**Serious injury means** — (a) an injury requiring medical or veterinary attention in the nature of — (i) a broken bone; or (ii) a laceration; or (iii) a partial or total loss of sensation or function in a part of the body; or (b) an injury requiring cosmetic surgery.

**Laceration** means a wound caused by — (a) the tearing of body tissue; or (b) multiple punctures caused by more than one bite from a dog;



The City of Ballarat currently has 7 declared dangerous dogs currently residing in the municipality. These seven dogs have been declared dangerous post the investigation into a serious dog attack. Serious injury is defined under the Domestic Animals Act (1994) act as the following:

Section 41A (1) of the Domestic Animals Act 1994 states:

*41A Declaration that a dog is a menacing dog*

*(1) A Council may declare a dog to be a menacing dog if—*

*(a) the dog has rushed at or chased a person; or*

*(ab) the dog bites any person or animal causing injury to that person or animal that is not in the nature of a serious injury; or*

*(b) the dog has been declared a menacing dog under a law of another State or a Territory of the Commonwealth that corresponds with this Division.*

City of Ballarat currently has 46 declared menacing dogs within the municipality. Owners of menacing dogs must abide by conditions specified by Council namely, when the dog is outside the premises of its owner, it must be muzzled and always leashed. Extensive training with the owners and dogs is required before a Menacing Declaration can be removed, and our Animal Services team offers assistance and education should the owners want the declaration removed.

Council must register all dangerous/menacing/restricted breed dogs with the Victorian Declared Dog Register (VDDR); this is a database that records all declared dogs for all relevant parties to see. Any dangerous and restricted breed dog entered into the VDDR is declared for the life of the animal and cannot be revoked by Council. Application can be made to VCAT (Victorian Civil and Administration Tribunal) to have the declaration revoked.

### > Current education/promotion activities

- Media releases relating to legislation/changes/updates.
- Media releases relating to differences between Restricted Breed Dogs and Dangerous Dogs.
- Media release on the difference between a Dangerous Dog and an aggressive dog.
- Providing information relating to declared dogs.
- Increased education about escalating behaviours in dogs, ensuring owners are aware of each dog's potential in aggressive behaviour.
- Providing information on what it means to own a restricted breed/Dangerous and or/Menacing dog.

### > Current compliance activities

- Ensuring all declared dogs are registered on the VDDR.
- Ensuring that any dogs leaving the municipality are reported to VDDR.
- Regularly conducting inspections on premises housing declared dogs to ensure compliance.
- Proactive patrols during afterhours for unregistered guard dogs.
- Seizing dogs suspected of being Restricted Breed Dogs.
- Dog declarations made where applicable.
- Prosecution/Infringements issued for any determined breach.
- Assessing suspected restricted breed dogs via the gazetted standard.
- Flagging certain breeds from registration database for assessment.

## Our Plans

### > Objective 8

#### Ensure declared dogs are compliant to relevant legislation and regulations

Activity	When	Evaluation
Random property inspections of declared dogs to ensure compliance	Annual audit	Checklists / supporting documentation
Prosecute repeat offenders or serious breaches detected	As required	Supporting documentation
After hours patrols for unregistered guard dogs in industrial areas	Delegated patrols	As occurs
Educate the community about what is a declared dog, what it means to own one	Annual	Supporting educational material



## › Overpopulation and high euthanasia

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)

## Overpopulation and high euthanasia

› Table 6

OVERPOPULATION AND HIGH EUTHANASIA – CURRENT SITUATION				
BALLARAT ANIMAL SHELTER	2017/2018*	2018/2019	2019/2020	2020/2021
No. of dogs brought in by Council and public	811	1653	1304	997
No. of dogs reclaimed by owner	488	1162	807	619
No. of dogs adopted	142	375	266	260
No. of dogs euthanised	64	138	81	32
No. of cats brought in by Council and public	824	1421	1331	1160
No. of cats reclaimed by owner	91	197	121	130
No. of cats adopted	376	934	762	664
No. of cats euthanised	113	328	314	92

\*Data from 1st of January 2018 only. No data from 2017 in this financial year.

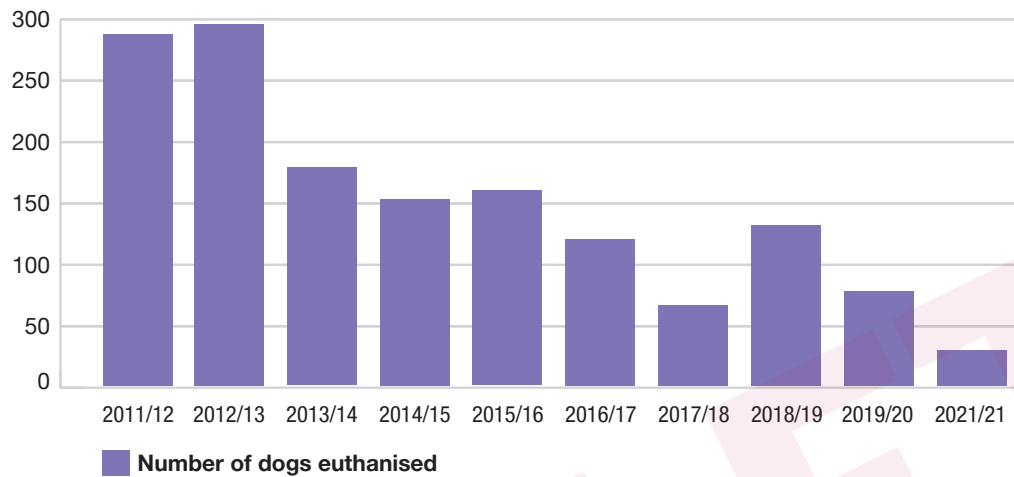
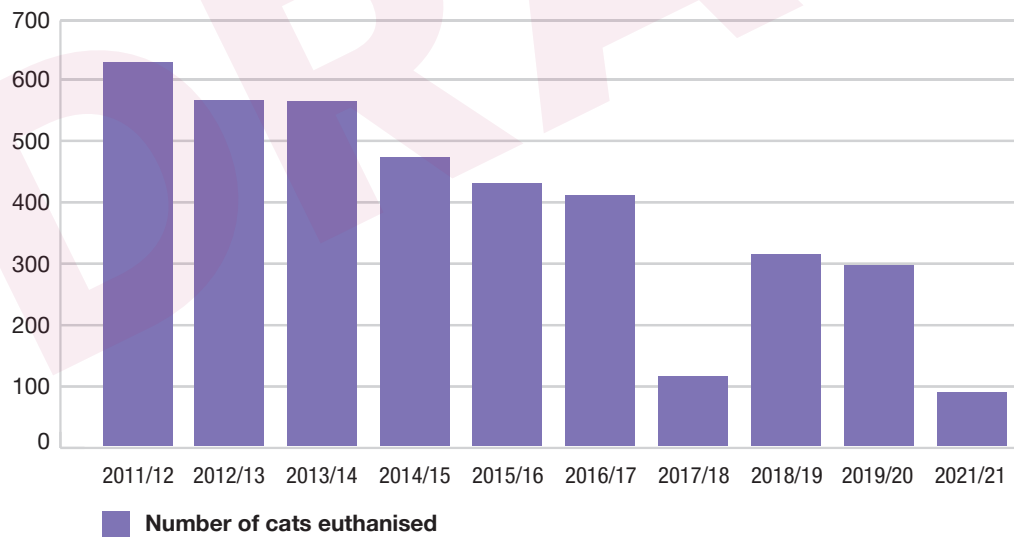




&gt; Table 7

2010–2017 RSPCA STATISTICS								
		2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017
<b>Cats in</b>	Council	152	43	105	140	183	183	158
	Public	1185	1040	844	951	1042	991	952
	<b>Total</b>	<b>1337</b>	<b>1083</b>	<b>949</b>	<b>1091</b>	<b>1225</b>	<b>1174</b>	<b>1110</b>
<b>Dogs in</b>	Council	1082	1137	1067	1134	1008	731	848
	Public	927	804	656	573	558	530	431
	<b>Total</b>	<b>2009</b>	<b>1941</b>	<b>1723</b>	<b>1707</b>	<b>1566</b>	<b>1261</b>	<b>1279</b>
<b>Total in</b>		<b>3346</b>	<b>3024</b>	<b>2672</b>	<b>2798</b>	<b>2791</b>	<b>2435</b>	<b>2389</b>
<b>Cats out</b>	Released	74	107	90	96	109	93	78
	Adopted	371	339	271	409	570	699	584
	Euth/ Other	1015	621	568	566	476	420	406
	<b>Total</b>	<b>1460</b>	<b>1067</b>	<b>929</b>	<b>1071</b>	<b>1155</b>	<b>1212</b>	<b>1068</b>
<b>Dogs out</b>	Released	1240	1260	1114	1151	921	761	828
	Adopted	429	525	318	372	481	429	335
	Euth/ Other	371	291	297	175	152	154	123
	<b>Total</b>	<b>2040</b>	<b>2076</b>	<b>1729</b>	<b>1698</b>	<b>1554</b>	<b>1344</b>	<b>1286</b>

Source: Pound statistics

**> Dog euthanasia rates****> Cat euthanasia rates**



As per the tables on page 28, the City of Ballarat is currently in a great position in relation to euthanasia rates of animals when compared to other large regional Councils, especially dogs. Dog euthanasia rates have consistently reduced since the animal shelter operation was taken back over by the City of Ballarat in 2017.

Whilst cat euthanasia rates are reducing considerably due to rescue groups and foster care networks now being available, the percentage of cats euthanised will continue to be relatively high due to the high stray and/or feral cat population which breed out of human control.

Some proactive measures that the City of Ballarat Animals Services team are exploring and endeavour to have implemented are:

1. Design and construction of a new Regional Animal Shelter to provide better conditions for the animals and staff.
2. Introduction of the National Desexing Program.
3. Foster and rescue network developed by the Ballarat Animal Shelter Team.
4. Reduced reclaim rates to make it easier for owners to collect their cats with the first day being free.
5. Training of staff to recognise fear as opposed to feral in shelter cats.

Cat education and trapping program through Animal Management Officers

Dog euthanasia rates are particularly low due to the success of a high number of dogs being returned to owners and rehoming rates. Over the past three years, there has been a significant rise in the number of dogs being returned to owners due to more reliable identification of impounded animals such as microchips and/or wearing Council identification/registration tags.

The Ballarat Animal Shelter has a successful re-homing program with cats and dogs, which Council supports by including the initial registration fee in the adoption price.

Since the Ballarat Shelter has opened, the euthanasia average has dropped to approximately around 3% in dogs and 8% in cats-which is a huge accomplishment due to the numbers that pass through the shelter's care annually.

### > Current education/promotion activities

- Supporting adoption of animals by including initial year of registration
- Encouraging de-sexing of animals through reduced registration fees
- Promoting benefits of de-sexing
- National Desexing Program
- Promoting appropriate pet selection with controlled meet and greets at the Ballarat Animal Shelter by appointment only. This has shown a successful decrease in returns for poor-fit adoptions. It allows for the Shelter Staff to listen to what the potential adoptees are looking for and match them with the right temperament and breed
- Promoting cat enclosures and demonstrations on how to build cat enclosures

### > Current compliance activities

- Cat trapping program
- Enforcement of cat curfew
- Investigating unregistered breeding establishments
- Microchipping all unregistered impounded animals prior to release to owner
- Enforcing the Local Law relating to prescribed number of animals on a property
- Assessing excess animal applications, factoring in number of entire/de-sexed animals

## Our Plans

### > Objective 9

#### Continue encouraging de-sexing of animals

Activity	When	Evaluation
Reduced fee for puppies awaiting desexing upon advice from Veterinarian up until 12 months old	Ongoing	Number of new animals registered in category yearly
Registration included for all cats and dogs adopted from the Ballarat Animal Shelter	Ongoing	Number of new animals registered in category yearly
National Desexing program roll out	2021	Increase numbers of cats and dogs desexed and include registration in the fees
Education information sessions on why desexing is better than?	Bi-annually	Decrease in unwanted litters
Educate and promote Pet Exchange Register on Social Media	Quarterly	Decrease in unwanted litters

### > Objective 10

#### Identify illegally operated Domestic Animal Breeding (DAB) Establishments in the municipality and ensure compliance and/or closure.

Activity	When	Evaluation
Investigate advertisements of pets for sale	Ongoing	As required
Media campaigns to raise awareness of DAB definition and code of practices that must be adhered too.	As needed	Evaluate number of complaints received and properties inspected
Media campaign to give full information about the dos and don'ts of giving a pet as a Christmas present.	Christmas period	Evaluate response from public to determine if it is effective by way of increased registration and general feedback
Audit DAB randomly to ensure compliance.	Annually	Number of audits compared to number of follow ups required
Work closely with State Government to promote and ensure that PER legislation is followed	Ongoing	Community engagement and follow up