



Domestic Animal Management Legislation and Open Space Planning



Bureau of Animal Welfare

Administer three Acts:

- **Domestic (Feral & Nuisance) Animals Act 1996**
- **Prevention of Cruelty to Animals Act 1986**
- **Impounding of Livestock Act 1994**
- **Associated Regulations and Codes of Practice**

Provide policy advice to the Department and Minister for Agriculture on animal welfare and domestic animal management



Dog and Cat Statistics

Estimated Dog numbers	913,000 ¹
Registered dogs	587,000 ²
% households with dogs	37% ¹
Estimated Cat numbers	616,000 ¹
Registered Cats	253,000 ²
% households with cats	23% ¹

¹statistics from www.petnet.com.au, ²statistics from 2004 benchmarking survey, ³statistics from 2002 census



Dog and Cat Statistics

% households with dog &/or cat **52%**¹

% households with children **64%**³

Important information when managing open spaces and juggling ratepayer requirements in regard to park usage.

Support for off-leash areas₄

78% respondents good or very good idea

10% respondents bad or very bad idea

Over 80% of dog aggression incidents in public places occur on footpaths or road bordering the offending dogs property.

Only about **9%** occur in parks or reserves.₄



Statistics

Table 1. Percentage of respondents “strongly concerned” about pets at large issues*

Pets at large issue	%
1. Dog aggression in public places	82%
2. The number of abandoned pets	73%
3. The breeding of unwanted dogs and cats	72%
4. Cat predation on wildlife	66%
5. Unowned cat colonies living in public places	66%
6. Wandering pets getting killed or injured	66%
7. Dog faeces in public places	60%
8. Dog predation on wildlife	58%
9. Wandering dogs and cats spreading diseases	57%
10. Wandering pets causing traffic hazards	55%
11. Wandering dogs spreading garbage	53%
12. Cat trespass on private property	50%
13. Wandering dogs barking or distracting confined pets	46%
14. Wandering cats yowling or distracting confined pets	43%
15. Dogs being exercised in off-leash area parks	27%

*where the response options were “strongly concerned”, “moderately concerned”, “slightly concerned” or “not at all concerned”.



Domestic (Feral & Nuisance) Animals Act 1996 (DFNA)

The purpose of this Act is to promote animal welfare, the responsible ownership of dogs and cats and the protection of the environment by providing for:-

- (a) a scheme to protect the community and the environment from feral and nuisance dogs and cats: and
- (b) a registration and identification scheme for dogs and cats which recognises and promotes responsible pet ownership; and
- (c) the identification and control of dangerous dogs; and



- (g) other related matters



DFNA Powers for open space planning

Section 23 sets out conditions regarding dogs and cats on private property and trespass

Section 24 covers dogs at large

Section 25 covers cats (where an order is in place) at large

Section 26 allows for orders pertaining to public places



DFNA Powers for open space planning

Section 26 - Councils power to make orders which:-

- (a) prohibit the presence of dogs and cats in any public place of the municipal district of the Council
- (b) impose conditions on the presence of cats or dogs in public places in regard to
 - means of restraint
 - times at which they may/may not be present
 - any other conditions specified in the order



DFNA Powers for open space planning

Section 42 - Powers of councils to make local laws for:

- (a) regulating numbers of dogs or cats which may be kept on a premises
- (b) Prohibiting or regulating the keeping of dogs or cats in specified area of the municipality where threatened native fauna are at risk of attack
- (c) requiring owners of dogs to remove and dispose of faeces deposited by their dogs in public places



DFNA Powers for open space planning

Planning Act -Section 173 agreements

VS

DFNA Section 42 powers to make orders Regulating or
Prohibiting cats or dogs in specified areas

Local Government Act 1989 allows Councils to make
local laws provided that they don't contradict existing
superior legislation. (hierarchy of legislation)



Open Space Issues - Dogs

- Leash requirements - councils power to require leashing in all or specified areas of municipality
- Off-lead areas - importance for dogs vs conflicts with other open space usages
- Aggression in public places
- Dog Faeces
- Dog training establishments - Mandatory code



DFNA Restrictions on Dogs

- Dangerous Dogs (declared, guard and attack trained): mandatory on lead and muzzled when off property, at all times must wear specified collar
- Restricted Breed dogs (ie pitbulls) - must be muzzled and on lead when off property.
- Greyhounds - must be muzzled and on leash when off owners property (order exempting muzzling for GAP Greyhounds)
- Menacing Dogs - councils can require on lead and muzzled when off property
- Act also contains requirements for housing of these dogs

Dog Poo Litter Summit and Council

Kit. DPI / Victorian Litter Action Alliance

Council CD litter kit

- Info on dog poo litter research, education, enforcement and regulation, infrastructure and incentives
- Communications section, artwork, flyer, mock fine and press/radio ads
- Full kit is available online at www.litter.vic.gov.au
- Doggie doo flyers and mock fines available from BAW
- 40000 pooch pickup products distributed to councils for campaigns





Open Space Issues - Cats

- Cats are their own species => need consideration in own right => management issues differ from dogs
- Cat nuisance issues:
 - predation
 - noise
 - fights
 - injury
 - trespass
 - spraying/faeces
- Confinement issues



Cat Ownership issues

- Need to understand peoples differing attitudes toward cat ownership and cats themselves.
- Cat legislation more difficult for Council to police.
- Need to educate and change public attitude to cats, cat ownership, registration and confinement.



Cat Confinement

- 85% of metro public or 74 % of cat owners support night confinement of cats.
- 35% of metro public or 16% of cat owners support total confinement of cats.
- Welfare issues of confinement => Public think 24hr confinement is cruel or unnatural.
- There is a lack of research on the welfare of confined cats to refute public attitude.
- Night confinement difficult to police.
- Exercise requirements?



Tackling the Semi-owned cat population problem

- Improved enforcement of cat legislation
- Research
- Identify targeted education programs
 - Training of council officers
 - Keeping of Cats Code of Practice.
 - DIY Cat enclosures.
 - State wide registration incentive scheme.
 - New education strategies based on research
 - Promote the benefits of owning a cat



Improved enforcement

- Need for development of cat management strategies
- Increasing registration of cats has a positive outcomes:
 - Improved identification and resolution of complaints
 - Increased reclaiming rate
 - Reduction in the number of cats euthanased
 - Reduction in the number of semi-owned cats
 - Increased desexing rates 82-88% of registered cats are desexed.
- Legislation change - power to seize unidentified cats when off owners premises



Research

- Public attitude towards regulatory controls
- Public attitude towards cat & dog ownership. (2005)
- Council Benchmarking of Animal Control Services (2001/02 completed)
- Pet acquisition survey (nearly completed)
- Cat confinement welfare implications (commencing 2005)
- Study pertaining to impounded cats statistics (commencing 2005)
- Study on farm cats (currently being finalised)
- Literature review on trap, desex and release programs (currently being finalised)



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