



# Companion Animals Management Plan

*2025-2029 - cats and dogs*





*the city within a  
World Heritage  
National Park*

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Make walking and play time part of your daily routine. It is good for you and for them. For that extra stretch dog off-leash areas are available.



Stimulate their senses through a variety of toys. Small nesting and hiding spaces can make them feel secure.



Keep dogs contained within the property. Provide good nutrition and adopt acceptable hygiene practices.



Keep cats contained. Provide them with thoughtful and stimulating indoor spaces and outdoor enclosures.



# Introduction

The Companion Animals Management Plan is a four-year strategy for the Blue Mountains local government area (LGA). The Plan explains how Council, as a local authority, manages dogs and cats, ensuring animal wellbeing and addressing community concerns, while balancing the rights of owners and non-owners.

It aims to provide the community with clear information about the rights and responsibilities of owning a companion animal under the *Companion Animals Act 1998* (the Act) and the *Companion Animals Regulation 2018*.

It sets a series of actions based on the recurring themes of responsible pet ownership and keeping pets safe at home. Key outcomes include:

- ← All cats and dogs within the City of the Blue Mountains are microchipped and registered on the NSW Pet Registry.
- ← Owners are aware of their responsibilities and look after their pets so they do not adversely impact on the amenity of other residents.
- ← The City's cats and dogs are managed to minimise impacts on the environment and wildlife and respect the 'Rights of Nature'.
- ← Pet owners have access to safe areas where they can exercise their pets, both on-leash and off-leash, without compromising public amenity or safety.
- ← Maintain industry standards and optimal operations at Council's animal impound facility.
- ← Partner with like organisations to promote initiatives that protect wildlife, improve neighbourhood amenity and keep pets safe at home.
- ← A reasonable and proportionate response is implemented to address issues of non-compliance.

The Blue Mountains LGA covers 1,430 square kilometres with a population of 78,440 and 31,570 households. Around 74% of the city is classified as a

World Heritage National Park.

There are an estimated 28,500 microchipped pets, with 58% being dogs. It is important that companion animals are afforded a quality of life that reflects their intrinsic value as sentient beings.

To minimise the environmental impact owners can also make conscious eco-choices in pet care, from sustainable pet food and toys to responsible waste management and containment, thereby protecting local ecosystems and wildlife.

## Other lead agencies

The lead agency for animal welfare is the RSPCA and the Animal Welfare League. Reports of animal abuse should be directed to them. Likewise feral cat and wild dogs are managed under the *Local Land Services Act 2013*, contact the NSW Government Local Land Services for advice and assistance.

**Comprehensive reviews of companion animals legislation and new standards are likely during the Plan's term.**

**Should this occur, the plan will be updated to reflect the legislative changes. In the event of an inconsistency between the Act and this document, the Act will take precedence.**

# Companion Animals Management Plan actions

*2025-2029 - cats and dogs*

The document is designed to guide actions from July 2025 to June 2029. The Plan aims to shape ongoing work and provide strategic direction.

It is divided into sections, each covering specific issues. Key actions are listed, with performance indicators to help track progress toward the goals.

Where possible, key actions match existing resource levels. Where funding or additional support is required this is indicated.

# 1. Microchip and register

In NSW it is mandatory that all dogs and cats be microchipped by 12 weeks of age or before being sold / given away, and registered.

Microchipping and registration is a two step process that can be done at the same time. It provides a permanent, reliable form of identification, increasing the chances of reuniting with your pet if it gets lost or separated during an emergency.

**STEP 1** — A vet or authorised identifier can microchip your pet. The microchip is a small, rice-grain sized device implanted under the skin, containing a unique identification number. This number is entered onto the NSW database by the vet or authorised identifier.

**STEP 2** — It is then the owner's responsibility to login to the NSW Pet Registry to register their pet. Lifetime registration fees apply with additional fees for non-desexed cats and dogs.

This convenient online process means owners can take a new pet home confident that the pet is officially registered and its profile is under the owner's name and address.

## Buying or adopting a pet

To ensure a healthy and happy pet, buy from a reputable breeder or rehoming organisation. Research their practices, ask about health clearances, genetic testing or behavioural assessments.

Anyone advertising to sell or give away an animal online must obtain a rehoming number from the Office of Local Government NSW (OLG). Registered breeders and rehoming organisations must comply with the *Companion Animals Act 1998*, including microchipping and registration.

## Transfer of ownership

When selling or giving away a pet, the current owner must transfer the microchip number and registration to the new owner. This can be done instantly online using the NSW Pet Registry.

## Update contact details

Bringing a lost pet back to its owner quickly reduces stress and anxiety for both the pet and the owner. Each year over 100 roaming dogs are returned direct to their homes by Council Rangers. Where identification and registration details are out of date, the pet will be transported to the pound. To keep pets out of the pound environment, it's essential that the home location of the pet is kept current.

Owners can login via their Service NSW account to update their address, report a pet lost, or record a pet's death on the NSW Pet Registry.

**In the Blue Mountains, less than half the number of cats and dogs microchipped are registered. Registering your pet on the NSW Pet Registry is essential for responsible pet ownership.**

**Failure to do so can result in a penalty fine.**

# 1. Microchip and register: Key actions

*All cats and dogs within the City of the Blue Mountains are microchipped and registered on the NSW Pet Registry.*

Key action		Timeframe / comment
1.1	Implement digital media campaigns for owners to register their pets and keep address details current on the NSW Pet Registry.	Ongoing - within existing resources
Performance Indicator		Measurement tool
1.A	The number of cats and dogs both microchipped and registered increases.	NSW Pet Registry

## 2. Community living

While keeping companion animals can be satisfying and rewarding, it can also impact the immediate neighbourhood if a thoughtful approach to community living is not adopted.

Each year, the Council receives and investigates over 750 complaints about the keeping of animals. Most of these complaints relate to stray, roaming, attacking or barking dogs.

### Noise

Noise pollution from companion animals is usually reported by an adjoining resident because it intrudes into their awareness, is heard against their wishes and affects their comfort. In the Mountains, background noise levels throughout the community are often quite low, even in the urbanised areas. Traditional noise attenuation strategies of separation and acoustic treatment are not usually practical for the control of animal noise.

The control of animal noise is enforced under the *Companion Animals Act 1998*, for cats and dogs on private property or the *Protection of the Environment Operations Act 1997*, for breeders and other types of animals. Nuisance notices can be issued.

To support a nuisance notice, you will need evidence demonstrating a substantial and unreasonable interference with your property rights, including details of the frequency, duration, and intensity of the nuisance, and potentially evidence from other affected neighbours.

### Roaming

Roaming pets affect the surrounding neighbourhood by engaging in skirmishes, defecation, urinating and damage to gardens. The consequences include:

- ← Threatening, harassing and attacking behaviour.
- ← Traffic hazard.
- ← Loss or injury.

- ← Pollution from defecation, urination and rummaging through bins.
- ← Transmission of diseases.
- ← Damaging gardens and predation on smaller wildlife.
- ← Increase in the feral cat / wild dog population.

A reduction in the number of roaming cats and dogs will increase the level of pet safety, reduce harm to wildlife and the environment and build tolerance in the community for animal ownership.

Nuisance orders and penalty fines can be issued for the following reasons:

Nuisance cats and dogs	Applies to dogs	Applies to cats
Habitually at large	✓	
Making a persistent noise	✓	✓
Defecating on another person's property	✓	
Chasing a person, vehicle or animal	✓	
Endangering the health of any person, animal	✓	
Repeatedly causes damage to anything outside the premises	✓	✓

### Animal numbers

Some complaints also relate to the number of animals kept on a single property and their impact on the environment and the amenity of the immediate neighbourhood due to such factors as excessive and objectionable noise, odour, unsightliness, unhygienic conditions, inadequate distances to habitable rooms in nearby properties or lack of containment.

As a guide no more than three cats or dogs per property is recommended. This does not mean that keeping animals in excess of these numbers is prohibited. Rather a range of criteria is considered before a notice or order is issued under the *Local Government Act 1993*. These include evidence that

the animals are not being actively cared for, impacts on the health and safety of the local neighbourhood and / or impact on the natural environment.

### **Desex pets**

To avoid indiscriminate breeding of unwanted litters smaller breeds of dogs should be desexed around 5-6 months of age with larger breeds potentially around 9-12 months. Cats should be desexed before they reach sexual maturity, which can be as early as 3 months.

### **Keeping dogs happy**

Dogs can become lonely or bored if left alone for long periods. They like to explore and enjoy new experiences. Set up play and enrichment activities in the backyard such as a treasure hunt for treats. Make walking and play time part of your daily routine. It is good for you and for them. For that extra stretch dog off-leash areas are available. For a list of locations go to [www.bmcc.nsw.gov.au](http://www.bmcc.nsw.gov.au)

If you do have to 'pop out to the shops' leave the radio on or even an old jumper with your scent in their basket may help reduce anxiety. While you are at work, consider recruiting a dog walker or ask a friend to help exercise or entertain them during the day. Take them on holidays or if this is not possible seek out a house sitter or board them with a friend or at a reputable boarding kennel.

Your dog will need a place to call home which includes shelter from all weathers (indoor or outdoor), access to outside space to naturally exercise and water at all times, secure fencing, a bed and an environment free of hazards.

### **Keeping cats safe**

A recurring theme of the Plan is keeping cats safe at home with appropriate indoor spaces and outdoor enclosures. Cats don't need to roam to be happy. They are happiest when they are in the safety of their own domain. There are plenty of other reasons

as to why it is good to keep cats contained at home.

- ← It reduces the risk of them getting sick, injured or run over.
- ← They live longer and healthier lives.
- ← It keeps our wildlife safe.

Construct a cat run or enclosure to prevent your cat from roaming. Before proceeding, contact Council to determine the type of approval required (if any). Ensure a clean and safe environment, provide regular playtime and mental stimulation, offer a balanced diet, and maintain a consistent routine with plenty of love and attention.

## 2. Community living: Key actions

*Owners are aware of their responsibilities and look after their pets so they do not adversely impact on the amenity of other residents.*

Key action		Timeframe / comment
2.1	Identify and target education and enforcement action in areas having higher complaint profiles and pet population density.	Ongoing - within existing resources
Performance Indicator		Measurement tool
2.A	Analysis of trends on the number of complaints.	Review of 2025-2029 Plan
2.B	Number of roaming dogs returned to owners.	Council records

*Over 200 species of birds across  
Australia are currently threatened with  
extinction and many more are in decline.*

*Lets take preditation by domestic cats out  
of the narrative - keep them safe at home..*



# 3. Wildlife protection

The City of the Blue Mountains is nestled within a world heritage listed National Park. This unique setting brings with it responsibilities for pet owners to protect the natural environment by managing their companion animals appropriately.

Most of the City's urban areas have a bushland interface. If allowed to roam, companion animals can have a significant impact on wildlife. Cats are especially effective hunters. Studies show that free-roaming domestic cats can kill on average more than 100 native animals each year.

Small to medium sized native animals that dogs and cats prey on, such as insects, reptiles, birds and mammals, play an important role in maintaining the overall health of our natural systems.

The impacts of dogs and cats on our bushland areas go beyond direct predation on native animals. If not properly placed, pet food provides a ready source of food for other non-native bushland predators and invasive species, such as foxes, rats, Indian Mynas and feral cats. These animals will usually breed in response to food sources, and increased food availability results in increased population densities. Increases in feral animal populations can also have significant impacts on public health and amenity.

Our bushland areas have evolved as "low nutrient" environments. Dog and cat faeces and urine are a source of nutrients which can impact on our native plants, encourage weeds and reduce water quality. The scent from dogs and cats can increase stress on native animals, and may even encourage them to relocate, causing a decline in the biodiversity values of bushland.

The *Companion Animals Act 1998* (the Act) states that the protection of native birds and animals is an objective of animal welfare policy in the State of NSW, so owners of companion animals must make every effort to prevent their animals from adversely impacting on wildlife.

## Community cats / cat colony

Community cats refers to unowned, free-roaming cats, also known as strays, that live outdoors and are not owned by anyone. They are often cared for by individuals. A group of cats that live together is referred to as a cat colony. These colonies which can range from a few to over 50 cats, often develop survival skills and generally live unassisted by humans.

Community cats and cat colonies are incompatible with the values of a world heritage area. Cats must be microchipped and registered to an owner. Strays should be taken to the pound for assessment and for potential rehoming to a safe and caring environment. It is unlawful to capture a stray cat and rerelease it into the wild.

## Wildlife Protection Areas

The Act also allows the Council to create 'Wildlife Protection Areas'. These areas are established for the protection of wildlife and enable Council to regulate and/or prohibit cats and/or dogs from those areas.

For a list of Wildlife Protection Areas go to [www.bmcc.nsw.gov.au](http://www.bmcc.nsw.gov.au)

**Predation by feral cats and predation and hybridisation by feral dogs are listed as a key threatening process under Schedule 3 of the *Biodiversity Conservation Act 2016*.**

## 3. Wildlife protection: Key actions

*The City's cats and dogs are managed to minimise impacts on the environment and wildlife and respect the 'Rights of Nature'.*

Key actions		Timeframe / comment
3.1	Investigate opportunities for additional Wildlife Protection Areas.	Years 1 - 4- funding required
3.2	Initiate behavioural change programs to encourage environmentally responsible pet ownership to minimise the impacts of cats and dogs on eco-systems and native wildlife.	Years 1-4- within existing resources
3.3	Promote cat containment as best practice cat management in the Blue Mountains local government area.	Years 1-4- within existing resources
3.4	Advocate for strengthening of cat management regulations in the <i>Companion Animals Act 1998</i> , particularly as it relates to restricting roaming cats and the requirement for cat containment on the owner's property.	Years 1-4- within existing resources

Performance Indicator		Measurement tool
3.A	Maintain or increase in the number of Wildlife Protection Areas (WPA).	Number of WPA
3.B	Number of programs delivered to raise community awareness and behavioural change on environmentally responsible cat and dog ownership.	Record in Council's Annual Report
3.C	Advocacy outcomes for strengthening of the cat management regulations in the <i>Companion Animals Act 1998</i> .	Report in 2025-2029 review

# 4. Public spaces

Animals need to be able to interact within the City more freely, but with some rules that keep the level of interaction comfortable for all.

By practicing good pet etiquette, we can make public places enjoyable for everyone — whether they walk on two legs or four.

## Public places

The Act requires a dog that is in a public place to be under the effective control of a competent person by means of an adequate chain, cord or leash that is attached to the dog and that is being held by (or secured to) the person.

A dog is not considered to be under effective control if that person is under 16 years of age and / or has more than 4 dogs under his or her control. (Different rules apply to declared dangerous, menacing and restricted breed dogs).

## Prohibited areas

There are a number of locations where the *Companion Animals Act 1998* (the Act) prohibits cats and dogs that are not registered as assistance animals, a police or a corrective services dog. These

include in or within 10 metres of children’s play areas. Other prohibited areas are listed below.

## Off leash and dog friendly walks

There are off leash and on leash dog friendly walks in key locations throughout the mountains. In off leash areas dog owners do not have to restrain their animal on a leash, but the dog must remain under ‘effective control’. Meaning within sight at all times and return when called with one call. Owners must act in a responsible manner to ensure that the dog does not cause injury, nuisance or harm to any other animal, person or the environment.

Dogs must be kept on a leash in all other walking locations.

## Waste management

Faeces from companion animals is a significant environmental and public health issue. The pollution of urban yards, footpaths, parks, and reserves by animal faeces can result in pollution of waterways by stormwater run-off along with odour issues.

If a dog defecates in a public place the Act requires the person who is in charge of the dog at the time to

### Prohibited areas

	Applies to dogs	Applies to cats
Food preparation and consumption areas, unless it is a public thoroughfare such as a road, footpath or pathway in which case appropriate food laws apply.	✓	✓
‘Wildlife protection areas’ as defined under the Act.	✓	✓
In or within 10 metres of children’s play areas.	✓	
Recreation and public bathing areas where signage prohibits dogs.	✓	
School grounds, unless with the permission of the person controlling the grounds.	✓	
Child care centres unless with the permission of the person controlling the centre.	✓	
Shopping arcades/complexes where animals are prohibited unless secured in a vehicle, or with the permission of the person controlling the place or going to or from a vet or pet shop.	✓	

immediately remove the dog's faeces and properly dispose of them into a rubbish receptacle suitable for that waste.

### Safe pet interaction

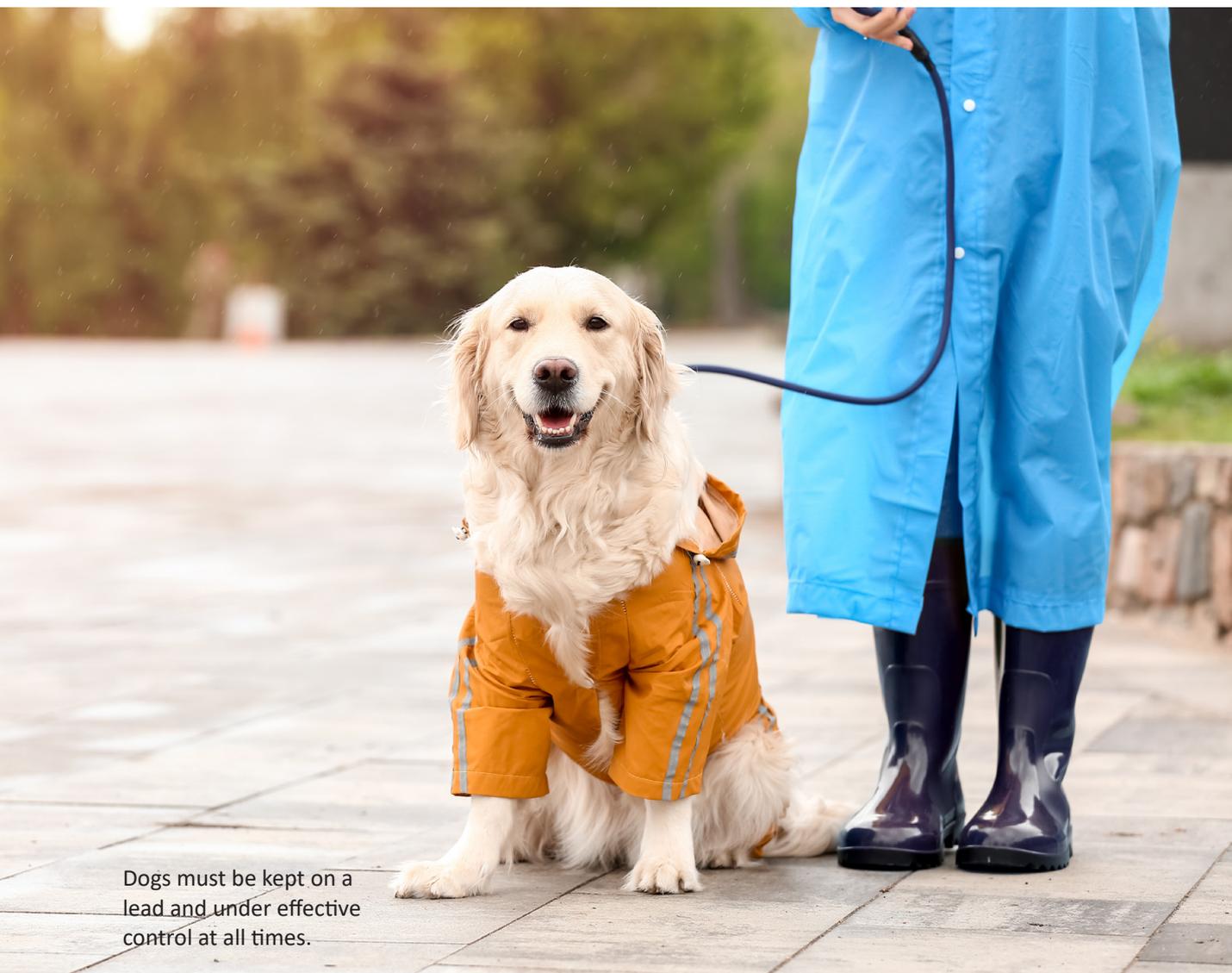
The majority of dogs do not bite people or other animals, however, all dogs have the potential to do this, irrespective of their breed, gender, temperament or history.

Strategies for safe pet interaction and bite avoidance include appropriate breed selection, early socialisation, training and desexing.

When interacting with dogs in public places focus on reading the body language of the dog (eyes, head position, backline, tail, posture and attitude) to help avoid potentially threatening situations.

The 'Dogs in Public Space Strategy' directs the provision of off-leash and dog free areas across the City.

For further information on the strategy and the location of off-leash and on-lead dog friendly walks go to [www.bmcc.nsw.gov.au](http://www.bmcc.nsw.gov.au)



Dogs must be kept on a lead and under effective control at all times.

## 4. Public spaces: Key actions

*Pet owners have access to safe areas where they can exercise their pets, both on-leash and off-leash, without compromising public amenity or safety.*

Key actions		Timeframe / comment
4.1	Ensure that signage of Council parks/reserves and off-leash areas is prominent, clear and easily understood.	Ongoing review and upgrade - within existing resources
4.2	Update the Dogs in Public Spaces Strategy (2017).	Year 1 - within existing resources
4.3	As guided by the Dogs in Public Spaces Strategy, implement strategies for dog off-leash, on-leash and dog free recreation areas.	Years 1-4 - subject to funding
4.4	Conduct targeted patrols of off-leash and dog free recreation areas to ensure pets are appropriately managed within these spaces.	Ongoing - within existing resources

Performance Indicator		Measurement tool
4.A	Number of penalty fines/warnings issued for dogs in public places.	Revenue NSW records
4.B	Number of patrols of off-leash areas.	Council records
4.C	Relevant actions of the Dogs in Public Places Strategy are implemented.	Report in 2025-2029 review



**BLUE MOUNTAINS  
ANIMAL CARE  
CENTRE**



# 5. Impound services

The Blue Mountains Animal Care Centre (BMACC) was established on the 5 July 2024. Located at 121 Mort Street Katoomba, the Centre reopened as a Council managed pound for seized and stray cats, dogs and livestock in the Blue Mountains local government area (LGA). The facility can accommodate around 40 cats and 40 dogs.

The service also works in partnership with other LGA's to provide accommodation and care to animals in pounds that are operating at or beyond capacity. A fee for service is charged.

## Seized and stray cats and dogs

Where an animal is microchipped and registered, every effort is made to return the animal to the owner, provided that the place of residence is current on the NSW Pet Registry and affords suitable containment. In most other circumstances, the animal will be transported to BMACC for collection by the owner within the prescribed time limits.

The *Companion Animals Management Act* (the Act) provides that identified animals be held for a minimum of 14 days and unidentified animals kept for 7 days. During this time posts of lost animals are published on digital media.

## Surrendered animals

BMACC only accepts surrendered animals in exceptional circumstances. Two spaces are allocated with a waiting list in place. Redirection strategies are advised and encouraged such as home to home transfer and outreach assistance. Our aim is to keep animals out of the pound environment. Separation from the home environment can cause pets unnecessary stress and anxiety.

Before a surrender is accepted owners or executors will need to provide evidence of their authority to act. Animals outside the local government area will not be accepted.

## Approach to care

Onboarding for animals at the BMACC includes a 7-day quarantine period to guard against the spread of diseases. When an animal is impounded, it is immediately scanned for a microchip and checked for other forms of identification (such as collars, tags, etc., to try and locate their owner) with a letter sent to the last known address of the owner. Steps are then taken to advertise the animal on digital media.

Animals are also assessed by a vet and are vaccinated, with worm and flea treatments given within the first 7 days. A weekly care form is generated. This form is used by volunteers and Animal Care Attendants to progressively record routines and behaviours. These promote a shared understanding of the animal and track how it is settling into centre life.

As part of the approach every animal is microchipped, registered, vaccinated and desexed before they are adopted. Behavioural assessments by a qualified specialist are also completed.

Should all efforts to rehome animals not succeed then individual animals will be cared for until the end of their natural life; or up until ownership is transferred to another rescue or shelter service.

## Nutrition, exercise, enrichment and socialisation

Developments in animal welfare science, emphasise the importance of ensuring that standards of care provided to animals in NSW pounds provides positive welfare and aligns with community expectations.

A new enforceable Code of Practice on the care and housing of companion animals is likely. The code is expected to include requirements for exercise yards, housing, quarantine and isolation areas as well as other minimum requirements such as exercise times. In its absence the NSW Animal Welfare Code of Practice No 5 – *Dogs and Cats in Animal Boarding Establishments* serves as the guiding document.



It recommends exercise regimes. Dogs must be walked on a lead for at least 10 minutes twice daily (interactive) and have access to an exercise area for at least 10 minutes twice daily. Whilst the code remains silent on cats, playtime sessions are scheduled for at least two 5 minute sessions a day.

### **Adoption and rehoming**

The adoption process includes a conversation based interview designed so that the needs of both the animal and adopter are understood and compatible. Talked about is the breeds available at the Centre, their size and personality. Also considered is the lifestyle of the adopter and the space and time available to care and exercise the pet.

All cats and dogs are desexed, vaccinated and microchipped on adoption. Fees apply and an animal care kit is provided with some food and other treats to help settle the animal into its new home environment.

Adoption posts and other messaging is published on BMACC Facebook and website pages. Adopters must be at least 18 years of age.

### **Volunteer workforce**

The Blue Mountains community is known for their deep connection to animals and their capacity to lend a hand when help is needed.

Our volunteer program aims to enrich the lives of dogs and cats. Active exercise, enrichment or socialisation activities beyond core care are supported by a volunteer workforce. Enrichment activities can also include cage toys, lick pads, etc., and these are regularly given to stimulate skills, prevent boredom and reduce anxiety.

Volunteers receive mandatory training and are subject to Council's Code of Conduct. Volunteers must be at least 18 years of age. Four volunteering streams are promoted:

← Site care: Includes landscaping work, working

bees and area cleaning.

- ← Strengthening connections: Involves call-outs for group help with fundraising and events.
- ← Animal enrichment: Covers a range of animal care from talking to animals to hands-on work.
- ← Animal wellbeing: Includes home-based care and intensive health care for animals.

### **Reference group**

Centre life is guided by a reference group made up of key community representatives and animal advocacy groups.

The reference group, initially established to assist with the set up of the service, is now an active part of every day operations. Giving advice on best practice, assistance with fund raising, volunteer co-ordination and feedback. This model has proved successful.

### **Payment arrangements**

Fees are generally payable on collection of the animal. For extended stays, payment plans are available that cover accommodation, food and veterinary services for stray and seized animals.

Fees cannot be waived, but they can be reduced or put on hold in certain circumstances. This includes where a person is in receipt of a Commonwealth pension (reduced) or where there are short term delays (on hold) in the pickup of an animal. The fees are reviewed annually and published in Council's Fees and Charges.

### **Protocols**

The service works to a series of standard operating procedures. These include lock-down protocols for disease outbreaks as well in the event of a bushfire. It covers daily care regimes and a raft of other issues that Animal Care Attendants face in their day to day operations.

## **Euthanasia**

Decisions made in relation to euthanasia are based on animal wellbeing or unchangeable aggressive animal behaviours. Criteria considered include animal condition and health as certified by a Vet; the cost and outcomes of intervention strategies / treatment plans with decisions guided by quality-of-life outcomes; animal behaviour, with behavioural assessments recorded and independently assessed and determined by a third party; the spread of transmittable diseases that could have negative impacts on the remaining animal population at BMAAC.

The Act, prescribes that restricted breeds or declared dangerous dogs cannot be sold (rehomed). Where there is doubt as to the breed of the dog a qualified assessor will be used to determine whether the dog is a restricted breed.

The Act also allows for a decision to be made to euthanise a feral or infant animal without waiting the prescribed minimum time periods. Unidentified seized animals that are deemed to be feral as a result of a veterinary or behaviour assessment will be euthanised.

The impound facility manager may euthanise the animal/s without waiting the prescribed mandatory time, where the above situations indicate that it is not humane, or practical to provide immediate or long term care and shelter.

All such actions will be appropriately recorded and reported.

## **Data collection and reporting**

To promote transparency and ease of access to information, each animal is allocated a reference number on entry to the pound. This number is used in promotions with links to digital files kept on each animal.

The file also includes scanned daily care forms and digitally captured health checks, observations,

vaccination details as well as behavioural assessments.

Reports are generated electronically and are based on digital data capture for submission to the Office of Local Government and / or for other analytics and reporting needs.

## 5. Impound services: Key actions

*Maintain industry standards and optimal operations at Council's animal impound facility.*

Key actions		Timeframe / comment
5.1	That Council submit an annual report to the Office of Local Government in accordance with the provisions of the Act by 30 September each year.	Ongoing - within existing resources
5.2	Attract and engage a volunteer workforce through positive experiences and continuous skill development opportunities.	Ongoing - within existing resources
5.3	Determine the approach to sponsorships and donations.	Ongoing - within existing resources
5.4	Design programs aimed at keeping animals out of the pound environment.	Year 1-2 - within existing resources
Performance Indicator		Measurement tool
5.A	Number of animals impounded.	Impound facility data
5.B	Number of volunteer hours.	Reported in annual report of the Council



# 6. Partnerships

Blue Mountains City Council seeks opportunities to partner with like-minded animal organisations or local government areas (LGAs). This can take the form of joint advocacy and/or shared narrative on promotional campaigns.

Such arrangements may also include collective training sessions and case studies aimed at deepening knowledge of animal issues across the region.

Successful programs have also been run with animal welfare organisations to deliver subsidised desexing or microchipping programs for cats and dogs. Council will remain alert to such opportunities in the future.

The Blue Mountains Animal Care Centre also works in partnership with other LGAs to provide relief to out-of-area facilities (for seized and stray dogs and cats) that are operating at or beyond capacity. Service charges apply. This arrangement has the added benefit of improving the cost recovery of the service.

Part of the agreement requires shared social media content to improve and extend rehoming rates.

## Government agencies

The Council is committed to working with the Office of Local Government (OLG) and other government agencies for the benefit of community living and animal wellbeing.

The NSW Pet Registry is the only official digital way to register cats and dogs in NSW. It is managed by OLG. They also provide a range of informational material on responsible pet ownership and statistics on pound activities and dog attacks.

**The aim is to keep pets safe at home and out of the pound environment.**

**Noting that the longer an animal is at a shelter, the more institutionalised it becomes and the less likely it will be rehomed.**

## 6. Partnerships: Key actions

*Partner with like organisations to promote initiatives that protect wildlife, improve neighbourhood amenity and keep pets safe at home.*

Key actions		Timeframe / comment
6.1	Work with government agencies, animal welfare or similar organisations to deliver subsidised desexing, microchipping and registration and responsible pet ownership education campaigns for cats and dogs.	As opportunities arise - dependent on external funding and/or participation of animal welfare or similar organisations
6.2	Advocate and / or facilitate funding for ideal impounding facilities and operations.	Ongoing - within existing resources
6.3	Work with neighbouring local government areas for shared promotional opportunities and learnings.	Ongoing - within existing resources
Performance Indicator		Measurement tool
6.A	Include outcomes in review of the Companion Animals Management Plan.	Report in 2025-2029 review

# 7. Compliance and enforcement

The NSW *Companion Animals Act 1998* (the Act) and the *Companion Animals Regulation 2018* (the Regulation) provide the legislative framework and enforcement provisions for local authorities.

In the Blue Mountains local government area, Council's Environmental Rangers are the lead authorised officers under the Act. They can seize animals; declare dogs a restricted breed, menacing or dangerous; issue warning notices, penalty fines and / or take court action.

The 'Compliance and Enforcement Policy' adopted by Council guides these actions. This policy aims to achieve a reasonable and proportionate response to unlawful activities and issues of non compliance. The severity of the action depends on the seriousness of the offence, repeat offences, the willingness to fulfil compliance outcomes and the level of culpability.

The following outline reflects the legislative directions and some of the compliance issues which Council officers regularly face.

## Seizure of animals

Authorised officers can seize an animal where control requirements aren't met. Seized animals are taken to the Blue Mountains Animal Care Centre, with identified animals held for 14 days and unidentified animals kept for 7 days. If the animal is identified, the owner will be notified at the address listed on the NSW Pet Registry.

The regulatory powers to seize animals do not extend to entering private property to seize an animal that may have been the subject of neglect or cruelty. In any such case, the RSPCA, the Animal Welfare League or the Police is the appropriate authority.

In certain circumstances, an authorised officer may authorise the destruction of a dog that is declared menacing or dangerous.

## Dog attack

Offences related to dog attacks are well defined in the Act. If a dog rushes at, bites, harasses or chases any person or animal (other than vermin), it's considered an offence, regardless of whether any injury is caused.

It is not an offence if the dog is provoked by teasing, is being mistreated, or attacked. The offence provisions also apply to a person/owner who urges a dog to attack.

At any time within 72 hours after the attack or bite the dog must be secured on the property occupied by the dog's owner. If adequate measures are not in place, the dog will be seized by an authorised officer.

Victim and witness statements received by Council on alleged dog attacks will be assessed on their individual merits to determine the nature of any enforcement action.

Depending on the severity of the dog attack and the circumstance, dog owners can face up to 5 years imprisonment and / or fines of up to \$77,000 in the most serious of cases.

All confirmed dog attacks are reported to the Office of Local Government.

## Dangerous dogs

Under the Act, a dog can be declared dangerous by an authorised officer of a Council (or a Court), if it:

- ← Has, without provocation, attacked or killed a person or animal (other than vermin), or
- ← Has, without provocation, repeatedly threatened to attack or repeatedly chased a person or animal (other than vermin), or
- ← Is kept or used for the purposes of hunting.

A dog is not regarded as being kept or used for the purposes of hunting if it is used only to locate, flush, point or retrieve birds or vermin. "Vermin" in this

context includes small pest animals only (such as rodents).

The Act also provides for certain procedures to be followed, in which the owner of the dog is given an opportunity to make a written submission as to why a 'Dangerous Dog Order' should not be issued.

Owners responsibilities for dangerous, menacing and restricted dogs are well documented in the Act and the Regulations. Prescribed control requirements include, but are not limited to, the desexing of the dog, the wearing of a distinctive collar, use of a muzzle and lead and kept under the effective control of a competent person (over 18 years of age). There are also specific requirements for property warning signs and dog enclosures with minimum size, access and shelter standards. A certificate of compliance for the enclosure is required to be obtained from the Council.

The Dangerous Dog Order remains with the dog for its lifetime and is recorded on the NSW Pet Registry.

### **Menacing dogs**

A dog can be declared menacing by an authorised officer if the dog:

- ← Has displayed unreasonable aggression towards a person or animal (other than vermin);
- ← Has, without provocation, attacked a person or animal (other than vermin) but without causing serious injury or death.

Like the provisions applying to dangerous dogs, the Act provides an opportunity for the owner to make a submission as to why their dog should not be declared a menacing dog.

Similarly, there are desexing, signposting, collar, reporting and enclosure requirements for menacing dogs specified in the Act and the Regulations.

It remains the owner's responsibility to ensure that these requirements are met.

### **Restricted breeds**

The Act prescribes the following breeds or cross-breeds to be restricted breeds:

- a. American pit bull terrier or pit bull terrier;
- b. Japanese tosa;
- c. dogo Argentino;
- d. Perro do Presa Canario or Presa Canario;
- e. fila Brasileiro;
- f. any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the *Customs Act 1901* of the Commonwealth;
- g. any dog declared by an authorised officer of a council under Part 5 of the *Companion Animals Act 1998* to be a restricted dog;
- h. any other dog of a breed, kind or description prescribed by the regulations for the purposes of this section.

The requirements which apply to dangerous and menacing dogs, also apply to the restricted breed dogs. The Act also provides for an independent breed and temperament assessment should there be a dispute as to the specific breed of the dog.

### **Nuisance orders**

Where compelling evidence is available to substantiate an offence, a cat or dog can be declared a nuisance. Whilst every effort is made to resolve these situations by negotiation, there are occasions when regulatory action is required. In these circumstances, Council is required to observe the principles of natural justice and serve a 'Notice of Intention' on the pet owner. The effect of the process is to give the owner a certain time period in which to lodge a written submission as to why a 'Nuisance Order' should not be issued.

If a Nuisance Order is issued, it will remain in place for 6 months and the owner is expected to undertake whatever action is necessary to change the behaviour of their pet.

### **Warning notices and penalty fines**

There are various offences for which you can receive either a warning notice or penalty fine. These include pets that are not microchipped or registered, dogs not on a leash in public places or not under effective control, roaming dogs, etc.

The approach taken to the issuing of fines is guided by Council's Compliance and Enforcement Policy. Generally for less serious offences a warning will be issued, after that penalty fines may apply.

Penalty fines can be appealed in the court. However, officers in the course of issuing the fine record details of the offence, images are taken and time stamped.

# 7. Compliance and enforcement: Key actions

*A reasonable and proportionate response is implemented to address issues of non compliance.*

Key actions		Timeframe / comment
7.1	Implement legislative directions in the Companion Animals Act, Protection of the Environment Operations Act, Local Government Act and associated Regulations.	Ongoing - within existing resources
7.2	Enforce the enclosure and other requirements for dangerous dogs, menacing dogs and restricted breeds.	Ongoing - within existing resources
7.3	Investigate all dog attacks as a matter of high priority and report confirmed incidents to the Office of Local Government.	Ongoing - within existing resources
7.4	Provide input into legislative reviews or Parliamentary Inquiries and report to the Council on the outcomes and potential impacts.	Ongoing - within existing resources
7.5	Apply enforcement action in accordance with the Council's Compliance and Enforcement Policy.	Ongoing - within existing resources
Performance Indicator		Measurement tool
7.A	Report on compliance and enforcement activities as part of the review of the 2025-2029 Companion Animals Management Plan.	Report in 2025-2029 review