

Responsibilities for cat and dog owners



A guide for pet
owners in Eurobodalla

Companion animal owner responsibilities

The Companion Animal Act 1998 covers how companion animals are identified and registered, as well as the basic rules of dog and cat ownership.

This booklet gives an overview of your responsibilities as a dog or cat owner, and relevant laws.

On-the-spot fines you can incur

Eurobodalla Shire Council has a statutory responsibility to manage animals that can impact on the community.

We believe it is better to work with pet owners and share information rather than issuing fines. However, under the *Companion Animals Act*, a Council officer may impose fines for:

- an animal not being microchipped
- selling an animal that is not microchipped
- an unregistered animal
- failing to notify Council of any changes to an animal's registration or identification
- giving false or misleading information to register an animal
- a dog without collar and tags
- a dog not under effective control
- a dog in a prohibited place
- failure to remove dog faeces.



Cats

Microchipping and registration

Cats must be microchipped by the time they are 12 weeks old.

If ownership is transferred before a cat is 12 weeks old, the cat must be microchipped before the transfer.

Cats must be registered with your local council by the time the cat is 6 months old.

If you owned your current cat on 1 July 1999, they are exempt from needing to be microchipped and registered.

Identification

Cats must wear a form of identification, such as a collar and tag, that provides the name of the cat and the address or phone number of the cat's owner.

Outside your property

Cats are permitted to be outside their owner's property. In New South Wales there are no cat curfews, but Council can restrict individual cats to their owner's property where the cat has been shown to be causing damage or killing wildlife.

Dogs

Dogs are the largest cause of complaints to Council, but by meeting your legal responsibilities, you can keep your pet and neighbours safe and happy.

Microchipping and registration

Dogs must be microchipped by the time they are 12 weeks old.

If ownership is transferred before a dog is 12 weeks old, the dog must be microchipped before the transfer.

Dogs must be lifetime registered by the time they are 6 months old.

Working dogs and registered racing greyhounds are not required to be microchipped and registered with Council, but we recommend that you do this for the dog's protection.

Cleaning up after your dog

If a dog defecates in a public place the owner must immediately remove the faeces and dispose of it properly. In some public areas where dogs are allowed, Council provides disposal bags for dog poo, but owners should always carry their own bags.

Exercise areas and beaches

There are lots of beaches and areas in Eurobodalla where you can take your dog.

For up-to-date maps, visit www.esc.nsw.gov.au/pets and always follow instructions for pet owners that are sign posted in public areas.

No more than four

One person can have a maximum of four dogs under their control in a public place. This includes dogs on a leash and dogs off leash in permitted leash-free areas.

Wandering dogs

Roaming dogs can be a danger to themselves and to other people. They can be hit by cars, baited, stolen, or simply lost.

To keep your dog contained safely, you can:

- maintain adequate fences, including tall fences or a fence that leans inwards if your dog is a good jumper
- concrete a seam under the fence if your dog loves to dig
- provide a dog run on your property – two posts connected by a strong wire about a meter off the ground, with a leash attached that can slip along easily and stoppers at each end to stop the lead getting tangled around the posts.

The law

Under the Companion Animals Act 1998, dog owners must:

- have your dog microchipped
- register your dog with the Council
- attach a tag with your address or phone number to the dog's collar
- keep your dog on a leash when it is outside your property, the leash must be held by someone who can always control the dog
- pick up after your dog when it defecates in a public place
- make sure your dog does not enter school yards, shopping centres, get within 10 metres of children's play equipment
- keep your dog at least 10 metres away from food preparation or food consumption areas, such as restaurants and cafes.

Dangerous dogs

Council may declare your dog dangerous if it has attacked a person or animal or repeatedly threatened to attack.

We will notify you before declaring your dog dangerous, and give you the opportunity to respond or appeal.

If your dog is declared dangerous, you must:

- restrain your dog on your property to prevent it attacking people or animals
- display signs warning of the dangerous dog
- make sure your dog wears a prescribed collar at all times
- leash and muzzle your dog at all times when it is outside your property
- have your dog desexed
- not leave your dog in the sole charge of someone under 18 years old
- not transfer ownership of your dog
- notify Council of any changes to where your dog is kept, if it is lost, if it attacks again or dies.

These rules are to protect the safety of people and other animals. If the owner of a declared dangerous dog does not follow these requirements, Council may order other controls, or have the dog euthanased and/or issue fines.

Barking dogs

Why dogs bark

Barking is one of the ways dogs communicate. Dogs can bark because they are bored, protecting their property, or want some attention. However, a barking dog may also be trying to tell us that they are:

- chained to a fixed point without enough room to move, or kept in a space that is too small
- being provoked – deliberately or unintentionally – by people or roaming dogs
- under-exercised or not exercised at all



- untrained
- lonely
- sick
- hungry or thirsty
- generally neglected or experiencing another kind of abuse.

It is natural for a dog to bark, but these listed causes should not be a part of a dog's life.

If you suspect a dog is being mistreated, contact the RSPCA on 02 9770 7555 or 1300 278 3589 or visit www.rspcansw.org.au/contact

What to do to limit barking

Chronic or excessive barking can disturb a dog's owners and people who live nearby.

To encourage your dog not bark, you can:

- reward it for being quiet
- make your dog feel happy and relaxed by providing it with its own den (such as a small room, like a laundry)
- provide soft bedding and water
- make this the only water available so it has to go inside its den to get water
- feed your dog in its den

- lock the dog inside its den for about 15 minutes after being fed, so the dog associates its own den with food and a routine
- if you need to keep your dog in its den for a long time, provide it with toys to stay entertained or food (such as a bone) that will keep it content for a long period.

Curing the barking habit

If you feel that your dog is well cared for, but continues to bark excessively, you can try:

- removing any direct line of sight between the dog and children or other animals, because being able to see them might provoke barking
- taking the dog to a recognised animal trainer to discourage bad habits
- providing noise insulation for the kennel or den
- taking your dog to the vet – it could be sick.

You can find more information and tips about caring for dogs on the RSPCA website: www.rspcansw.org.au/learn

Noisy dogs and the law

The laws that apply to dogs causing disruptions to other people are intended to make life better for dogs, owners, and their neighbours.

If you are annoyed by noise or behaviour from a neighbour's dog, there are several things that you can do.

Talk to the dog's owner

The dog's owner may not realise that their dog is bothering you and, in many cases, will be happy to work with you to solve the problem.



Contact a Community Justice Centre

If the problem continues, you can contact a government-funded centre that specialises in settling differences between neighbours, without entering into legal processes. The Community Justice Centre will encourage mediation, where you meet with the dog's owner and a Justice Centre representative to try and solve the problem. This process will not cost you any money and has a high success rate. You can contact a Community Justice Centre by phoning 1800 990 777.

Contact your local court

Noise abatement order

If you want to take action independently, you can seek a noise abatement order from the local court. The court may issue this order when a person satisfies the court that a dog is making an offensive noise, as defined under the *Protection of the Environment Operations Act 1997* (eg, noise that is harmful to, likely to be harmful to, or interferes with the comfort of people outside the premises that the noise is coming from).

If the court is satisfied that the dog is causing an offensive noise it may order the owner to stop the noise within a specific time or prevent the noise from recurring. If the person fails to comply with the order they could face prosecution or fines.

To apply for an abatement order, contact your local court or speak to your legal adviser.

You can find out more information about noise abatement orders on the Environmental Protection Authority's website, www.epa.nsw.gov.au

Contact your local council

If mediation is unsuccessful and the problem continues, contact us on 02 4474 1000.

We investigate complaints by collecting evidence such as written statements from neighbours, asking you to keep a diary to document when noise occurs, and visiting the property where the dog is kept.

If a complaint is substantiated, Council can issue a nuisance order or prevention notice which requires an owner to take action to stop the behaviour that is causing problems. Council can fine the owner if the problem behaviour continues.

Nuisance order

A nuisance order can relate to a range of dog behaviours that are causing a problem for the community. Before issuing a nuisance order, Council must let the dog owner know:

- that we intend to issue the order
- what aspects of the dog's behaviour need to change to prevent the disturbance continuing
- that they have the right to object to the proposed order by submitting their written objection within 7 days of Council notifying them that we intend to issue an order.



If we receive an objection, Council must consider if it is still appropriate to issue the nuisance order.

Once a nuisance order is issued, it remains enforceable for six months and cannot be appealed. If the owner does not comply with the order they are liable for fines.

Prevention notice

A prevention notice relates to noise. It requires the owner to take action to address barking or other noises caused by a dog. A prevention notice can also apply where several dogs are involved and a specific noisy dog cannot be identified.

Conditions may be added in a prevention notice, such as providing regular food and water facilities, sufficient space, freedom, and adequate shelter.

Contacts

Community Justice Centres

T: 1800 990 777 or 02 8688 4755

Translating Interpreting Service: 131 450

TTY users: phone 1800 671 964

F: 02 8688 9615

E: cjc_info@agd.nsw.gov.au

www.cjc.nsw.gov.au

Environment Protection Authority

T: 02 9995 5000 or 131 555

TTY: phone 133 677 then ask for 131 555

Speak and listen users: phone 1300 555 727
then ask for 131 555

E: info@environment.nsw.gov.au

www.epa.nsw.gov.au

59 Goulburn Street

PO Box A290

Sydney South 1232

Eurobodalla Shire Council

T: 02 4474 1000

(after hours 1800 755 760)

E: rangers@esc.nsw.gov.au

www.esc.nsw.gov.au/pets