COMPANION ANIMALS MANAGEMENT
PLAN
2014 - 2017

1.0 Objective, Methodology and Background 3

2.0 Responsible Pet Ownership 5

3.0 Identification and Registration 7

4.0 Animals in Public Places 9

5.0 Menacing, Dangerous and Restricted Dogs 11

6.0 Nuisance Dogs 13

7.0 Lost, Found, Unwanted and Impounded Animals 16

8.0 Cat Management 18
1.0  Objective, Methodology and Background

Objective

The Companion Animals Management Plan addresses issues associated with companion animal ownership against the framework of Council’s legislative requirements under the NSW Companion Animals Act 1998.

The Plan also details Council’s initiatives and actions that are being undertaken to meet these legislative requirements and which promote responsible companion animal ownership.

Aims

The aims for the Companion Animals Management Plan are:

- To ensure Council meets its obligations under the Companion Animals Act 1998;
- To promote and facilitate responsible pet ownership of dogs and cats;
- To investigate the best mix of regulatory and non-regulatory approaches to achieving responsible pet ownership in the Cessnock City local government area;
- To promote the permanent microchip identification and lifetime registration of all companion animals;
- To recognise the role of companion animals within our community and the benefits of owning a companion animal.

Methodology

In 2010 Cessnock City Council adopted the current Companion Animal Management Plan. A review of the document was required to update the plan and to incorporate subsequent legislative changes. The review has also provided an opportunity to remove duplicated and outdated information and also to streamline and re-order the document in order to make it more reader friendly.

The Companion Animals Management Plan is considered a “living document”. It is anticipated that the document be reviewed in line with the 4 year Delivery Program or earlier in the event that legislation should substantially change.

Background

The Companion Animals Act is operative throughout New South Wales. Under this Act a companion animal is defined as a dog or a cat. The introduction of the Act changed the way dogs are managed by local authorities and for the first time introduced controls over domestic cats.

Cessnock City Council developed a Companion Animals Management Plan in December 2008 to improve outcomes in the area of companion animal management within the Cessnock City local government area. This plan was successful in winning
the Australian Companion Animal Management Plan of the year for the period 2008/2009. This plan was subsequently revised and adopted by Council on 20 January 2010.

Statistically Australia has one of the highest levels of pet ownership in the world with approximately 63% of households owning a dog or cat. Furthermore, NSW has one of the highest levels of pet ownership in Australia with approximately 33% of households owning a companion animal (Australians and their pets – The Facts, Australian Companion Animal Council Inc).

The Companion Animals Database shows that Cessnock City Council has over 27,000 dogs and 4,800 cats within the community; however it is acknowledged that there are likely to be more unregistered pets that we are unaware of. It is extremely difficult to accurately report on the number of animals residing within the Local Government Area as companion animal owners often fail to update the register when they change address, when the animal changes ownership or when their animal is deceased.

The Cessnock Local Government Area is a prosperous region with a blend of urban and rural qualities and a strong commitment to environmental protection and enhancement.

There is approximately 1,966 square kilometers of land area and a population of 50,840 (2011 ABS Census). Approximately 24% of the land within the cessnock local government area is reserved as national parks. The environment is a sensitive one and can be greatly impacted upon by companion animal issues.

Cessnock City Council is a ‘pet friendly’ Council and recognises the important role pets play in the daily lives of many residents. Council also recognises its responsibility to preserve our environment and the delicate balance between companion animal ownership and our commitment to the environment.
2.0 Responsible Pet Ownership

The NSW Companion Animals Act heralded a new era for Council’s management of domestic cats and dogs. The days when animal control consisted largely of annual dog registrations is over and animal management of both dogs and cats now involves a wider range of issues including:

- Provision of public facilities such as off leash exercise areas;
- Dealing with lost and found animals;
- Effective and safe animal handling;
- Management of barking dog complaints;
- Investigation of Dog Attacks.

Council’s Rangers investigate animal complaints and issues reported to Council as well as undertaking routine and proactive patrols.

In the 2013 calendar year Cessnock Council Rangers dealt with 1723 customer complaints/reports regarding animal issues (151 of these were for dog attacks).

While many of the matters reported to Council can be investigated and resolved promptly (i.e. matching up animals reported lost and found), other issues such as roaming dogs, barking dog complaints and dog attacks require a more detailed and thorough investigation which can often be complex and time consuming.

In many of the cases reported to Council irresponsible pet ownership is a contributing factor and many potential neighbourhood disputes can be resolved or improved by the pet owner taking appropriate action to resolve the problem.

Cessnock City Council seeks to encourage and promote responsible companion animal ownership in recognition of the community’s expectation to have a safe and healthy environment for people and their pets, whilst maintaining public amenity for all residents and visitors to our City. To ensure the comfort, safety and health of the whole community the Companion Animals Act places certain legislative responsibilities on all pet owners.

Cessnock City Council also provides financial support to Hunter Animal Watch (a member of the Society of Animals Australia) to operate a subsidised pet desexing program so as to financially assist pensioners and the unemployed. Details are on Councils website.

Compliance with legislative requirements will always be the backbone of companion animal management; however there is now a greater emphasis on the development of non-regulatory approaches and public education.

Cessnock City Council believes that there is a place for both enforcement and education to be used as tools in achieving compliance with regulations and encouraging responsible pet ownership.

Council Rangers enforce the provisions of the Companion Animals Act and can issue ‘on-the-spot’ fines for certain breaches and particularly to repeat or habitual
offenders. In some cases where pet owners repeatedly fail in their responsibilities under the law Council may take action in the local court to ensure compliance.

However, in keeping with the education and enforcement ethos Rangers also provide educational information in relation to allegations of nuisance dogs and cats before any enforcement action is taken. Council’s website contains lots of useful information and links to relevant forms, publications and websites.

**Key actions**

2.1 Complaint investigation

2.2 Pro-active patrols

2.3 Community Education and information via annual, press/media releases:

  • Responsible pet ownership,

2.4 Updated information on Council’s website

2.5 School programs

2.6 Continued support of Hunter Animal Watch
3.0 Identification and Registration

Identification and registration are crucial components of animal management and under the Companion Animals Act all cat and dog owners must complete a “two-step” process to identify and register their pet.

The “first-step” is microchipping, which is required by legislation and provides a means of permanent identification. Microchipping ensures that companion animals are readily able to be identified and returned to their owners should they become lost.

The Act requires that all dogs and cats are microchipped by the age of twelve weeks, or earlier if there is a change of ownership. The only exception is for cats that were owned prior to the commencement of the legislation on 1 July 1999. The owners of these cats are required to have their pet identified and can choose either a microchip or a collar and identity tag.

The Act requires microchipped animal’s details to be entered onto the Companion Animals Register within seven days of implantation. Any subsequent change in ownership can then be forwarded to any council for data entry onto the Register.

The Register is used as a database for returning lost pets and identifying offending animals. It is therefore important that owner’s details are kept up to date. Cessnock City Council has a commitment to having all microchip data entered onto the Register in line with the requirements of the Act. Council also has a commitment to update all notified information changes in a timely fashion. This ensures that any lost pet in the city area has a greater chance of being successfully re-united with its owner.

The “second-step” is lifetime registration. Under the Companion Animals Act all dogs and cats must be registered for life by six months of age. All cats born, bought or sold after 1 July 1999 must be microchipped and lifetime registered.

Lifetime registration incurs a once only fee that can be paid at any Local Council. The animal owner must be 18 years of age or over.

The fees for lifetime registration are set by the State Government. The State Government holds the Companion Animals Register under statutory control and Local Councils act as agents for the State Government. Cessnock City Council accepts payments for lifetime registrations on behalf of the State Government and enters identification and registration details onto the Register in accordance with the Regulations contained in the Companion Animals Act.

A monthly reconciliation of fees is undertaken and payment forwarded to the Department of Premier and Cabinet. Every quarter the State Government returns to Council a portion of the money collected. Fees for the management of the register and other administration costs are withheld. Legislation does not stipulate the amount councils receive from the Government; however it is usually about 80%. This provides a source of funding for Council to undertake a range of education and enforcement activities and assists with the administrative costs of maintaining the Companion Animals Register.

Identification & registration facilitates the return of lost animals to their owners and helps to reduce the number of animals impounded and potentially euthanased.
Over the last four years Cessnock City Council has run a number of “Free Microchipping Days” for the pets of City residents. Additionally, any unchipped animals impounded by Council are microchipped and must be registered before being returned to their owners.

Cessnock City Council runs a regular Registration Program in which letters are sent to the owners of animals that are identified and over six months of age, but not registered. A report is run from the database which lists all animals within the Cessnock City Council LGA that were identified within a particular date range. The report excludes any animals that are registered or that have been updated on the database as deceased or missing. A reminder letter is sent to the owners providing fourteen (14) days in which they can register their animal without penalty and warning that failure to do so is an offence under the Companion Animals Act. No enforcement action is taken until after the specified period has lapsed and a second report run to exclude any animals that have been registered or updated during this timeframe.

As well as increasing compliance with the legislative requirement to register companion animals the programme has also proven to be an effective tool in maintaining the Companion Animals Register. Many people simply forget to advise Council when they change address, when their contact details change or if their animal is deceased. Similarly when an animal is sold or given away the Act states that it is the responsibility of the “old owner” to advise of any change of ownership. Many owners who have sold or given away their pet are surprised to find, often years later that the animal has never been transferred out of their ownership.

Key actions

3.1 Promotion of identification and microchip requirements in educational materials – brochures, press/media releases
3.2 Continuation of regular Registration programs
3.3 Continuation of Free Microchip days as funding and staffing permits
3.4 Provide updated information on Council’s website
3.5 Microchipping and registration of unidentified seized/collected and impounded animals before releasing to owners
3.6 Continued maintenance of Companion Animals Register in a timely manner
4.0 Animals in Public Places

In accordance with Section 14 of the Companion Animals Act there are a number of public areas where dogs are prohibited, including:

- Children’s play areas (within ten metres of any children’s playing apparatus);
- Food preparation or consumption areas (unless it is a public thoroughfare such as a road, footpath or pathway);
- Recreation areas where dogs are declared prohibited;
- Public bathing areas (including beaches) in which the local authority has ordered that dogs are prohibited and in which, or near the boundaries of which, there are conspicuously exhibited by the local authority at reasonable intervals notices to the effect that dogs are prohibited;
- School grounds (unless with the permission of the person controlling the grounds);
- Childcare centres (unless with the permission of the person controlling the centre);
- Shopping areas where dogs are prohibited (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop) and;
- Wildlife protection areas (where signposted);
- Any area designated by a local authority where dogs are prohibited.

These restrictions do not apply to Police or Corrective Services dogs, or to assistance animals being used by a person with a disability.

Recent amendments to the legislation now allow Café and restaurant operators to make the decision whether or not to allow dogs to enter their outdoor dining area.

Where café and restaurant operators decide to allow dogs in their outdoor dining area, the following conditions must be complied with:

- The outdoor dining area must not be enclosed and must be able to be entered by the public without passing through an enclosed area;
- Dogs must be on a leash at all times;
- Dogs must be on the ground at all times;
- Dogs can be provided with drink but not food;
- Dangerous and restricted dogs are prohibited.

Dogs are permitted in most Council parks and reserves provided they are on a leash and under the effective control of a person over the age of sixteen. A dog is not considered to be under effective control of a person if the person has more than four dogs under his or her control. Owners must remove their dog’s faeces and dispose of them in a responsible manner. Where dog owners fail to remove their pet’s faeces Rangers can issue infringement notices in line with the provisions of the Companion Animals Act.

Designated off-leash areas are recognised as providing important benefits in allowing dogs space to exercise and socialise with other dogs and humans.
There are also benefits for humans including exercise, socialising with other dog owners and allowing owners to engage in social activity with their pets.

The provision of off-leash facilities and allowing dogs to exercise and interact in an off-leash environment can also assist in alleviating boredom and its associated anti-social behaviours such as excessive barking. It can also be considered important as a compliance tool - by providing reasonable off-leash opportunities, Council can expect and appeal for compliance with leash requirements in other areas.

Under the Companion Animals Act all Councils are required to provide at least one off-leash facility. While dogs are permitted to be off leash in these areas, the Companion Animals Act specifies that they must still be under the effective control of a competent person.

Cessnock City Council provides six off-leash areas:

- Varity Park, Swanson Street Weston;
- Greta Central Park, Nelson Street Greta;
- Standford Merthyr Park, Colliery Street Stanford Merthyr;
- Manning Park, Blackwood Avenue Cessnock;
- Miller Park, New England Highway Branxton; and
- Hall Park, Stephens Crescent Cessnock

**Key actions**

4.1 Random patrols of public areas where dogs and/or off-leash activity is prohibited

4.2 Complaint investigation

4.3 Provision of off-leash areas in accordance with legislative requirements

4.4 Provide updated information on Council’s website

4.6 Community Education and information via annual press/media releases:

- Promotion of off-leash areas;
- Faeces Management
- Responsible Pet Ownership
5.0 Menacing, Dangerous and Restricted Dogs

Changes to the Companion Animals Act means that there are now increased control provisions for declared menacing, dangerous or restricted dogs with higher penalties for non-compliance. Council can declare a dog kept in its area as menacing or dangerous in accordance with a strict legislative framework.

A dog can be declared dangerous 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 (This provision is not intended to include hunting dogs that are kept and used by responsible owners and are no threat to the public. Legitimate and responsible hunting is dealt with under the Game and Feral Animal Control Act 2002 and its regulations)

Once a dog is declared dangerous the owner must comply with specified conditions. These animals must be desexed and kept in a suitable childproof enclosure. They must be muzzled and on a lead when out of their enclosure and must wear a distinctive red and yellow identification collar at all times. The owner must erect a sign clearly visible from the boundary of the property that says “Warning Dangerous Dog”. The declaration is in force for the whole of the state and not limited to the area in which the dog lives. These animals must not be sold or left in the care of anyone under eighteen years of age.

A dog can be declared menacing if it:

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

Once a dog is declared menacing the owner must also comply with specified conditions. All control requirements are identical to a dog declared dangerous except for the requirements for an enclosure. The enclosure requirements are less strict for a menacing dog.

Authorised officers have discretion in the application of the dangerous and menacing dog declaration provisions to suit the individual circumstances of incidents to which they are responding. The dominant factor is the public interest and the safety of the community.

The following dogs have been declared restricted breeds for the purposes of the Act:

- American Pit Bull Terrier or Pit Bull Terrier;
- Japanese Tosa;
- Argentinean fighting dogs (dogo argentino);
- Brazilian fighting dogs (fila Brasileiro);
• 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;
• Any dog declared by an authorised officer of a council under Division 6 of this part to be a restricted dog;
• Any other dog of a breed, kind or description prescribed by the regulations as restricted for the purposes of this section.

The owner of a restricted dog must comply with all the control requirements of the dangerous dog section of the Act.

Council conducts regular inspections of properties where declared dangerous, menacing or restricted dogs are held to ascertain that all provisions of the legislation are being complied with. On-the-spot fines are issued for any breaches of the Act.

Key actions

5.1 Complaint investigation

5.2 Initial and ongoing bi-annual compliance checks for menacing, dangerous and restricted dogs

5.3 Provide updated information on Council’s website

5.4 Community Education and information via annual press/media releases:

• What to do if a dog attacks;
• Restricted breeds
• Responsible pet ownership
6.0 Nuisance Dogs

Under Section 21 of the Companion Animals Act 1998, a dog is a nuisance if it:

- is habitually at large;
- makes a noise by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises;
- repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept;
- repeatedly chases any person, animal or vehicle;
- endangers the health of any person or animal;
- repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.

Nuisance Orders can be applied when companion animal owners allow their pet to continually breach the Act and remain in force for a period of six months.

Barking Dogs

Persistently barking dogs are one the most reported companion animal issues. Barking dogs can negatively impact on neighbourhood amenity and cause neighborhood disputes.

Barking dog complaints can be difficult and time consuming to resolve. Whilst the complaint appears straightforward, in practice it can be difficult to enforce as nuisance problems are often difficult to define and measure. The words ‘repeatedly’ and ‘habitually’ are important in determining if a nuisance exists.

Dogs bark for many reasons:

- Boredom
- Lack of exercise
- Separation anxiety
- Fleas/skin conditions
- Provocation
- Lack of food/water
- Lack of shelter from the sun and inclement weather
- Lack of companionship
- Lack of proper veterinary care

Responsible pet ownership is a major factor in resolving many barking dog complaints. Upon receipt of such a complaint Council’s Rangers make contact with the owner of the dog to make them aware of the problem to attempt to establish the underlying cause of the behaviour and to provide educational material to help address the problem.

However for Council to take action in relation to ongoing allegations regarding nuisance from barking dogs, the council officer must have a brief of evidence that can prove a breach of the law. The Council must prove that the dog makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or
extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.

Therefore Council officers need to be satisfied that a breach has occurred through either:

- Council’s authorised officer witnessing the breach, or
- Evidence from witnesses in adjoining/adjacent premises. Witnesses must be prepared to give evidence in Court to support their complaint.

Under Council’s adopted Noise Complaints Policy residents are advised that Council requires complaints from two (2) or more affected parties from two (2) or more separate premises for Council to carry out an investigation. Where complaints are lodged in accordance with this policy, noise diaries are provided to affected residents for them to record dates and times that the noise is occurring to determine the noise frequency and its impact. Residents that complete noise diaries must be prepared to give evidence in Court to support their complaint.

If a person with a complaint is not prepared to go to court or the complaints are of a private nature involving only two parties then the customer is advised of the following alternate options available to them to address nuisance from barking dogs:

- The Community Justice Centre is an independent, government funded centre that specialises in settling neighborhood disputes. This approach can avoid lengthy and costly legal processes. Call (02) 4929 1211 or visit the website www.cjc.nsw.gov.au for further information.

- Under Section 268 of the Protection of the Environment Operations Act 1997 an occupier of any premises can take their own action through the Local Courts for noise abatement orders to be issued.

In the event of a “Nuisance” dog being identified Council will commence the statutory process by issuing a Notice of Intent against the dog owner.

A dog owner who has been issued a Notice of Intent may appeal this order in writing to Council within 7 days.

In the event no appeal has been lodged Council will issue a Nuisance Dog Order against the owner of the animal, which will be in place for a period of 6 months from the date of issue. Should the nuisance behaviour continue whilst the order is in place penalties can be imposed and court action may be taken.

In cases where Council cannot prove beyond reasonable doubt that a dog is causing a nuisance the affected party can elect to take civil action by seeking a Noise Abatement Order, as discussed above.

Faeces Management

Uncollected dog faeces are a problem for health, the environment and for amenity reasons. Under the Companion Animals Act owners are required to remove their dogs’ faeces and properly dispose of them. In practice this is extremely difficult to enforce. Some irresponsible dog owners allow their pets to
roam off their property early in the morning and late at night to avoid ranger patrols. The animals then defecate and the owner does not take responsibility for the collection of the faeces. If complaints are received regarding “known dogs”, warning letters can be issued by Council to the owner of the animal. On the Spot penalty notices can also be issued for offences observed by Council’s Rangers, or where evidence is provided to support a formal action by a third party.

Roaming/Straying Dogs

Animals that are persistently roaming or straying should be reported to Council. A dog owner must take all reasonable precautions to prevent a dog escaping from the property on which it is kept. Any animal collected by Council will be scanned for a microchip and where possible arrangements made for it to be returned to its owner. Penalties will apply for breaches under the Companion Animals Act. Any unidentified animal will be impounded and taken to Council’s Pound.

Key actions

6.1 Complaint investigation
6.2 Compliance checks for declared nuisance dogs
6.3 Provide updated information on Council’s website
6.4 Providing education and information regarding nuisance behaviour and prevention strategies
6.5 Community Education and information via annual press/media releases:
   - Solutions and tips for dealing with barking dogs;
   - Faeces Management
   - Responsible pet ownership
   - What to do if you see a straying dog
7.0 Lost, Found, Unwanted and Impounded Animals

Council maintains a register for any animals reported lost or found. This is used to cross reference found animals with those reported lost and can assist in reuniting animals with their owners, particularly those animals which are not microchipped or otherwise identified.

Residents who no longer want, or who can no longer care for their cat or dog can surrender their pets to Council. Animals must be microchipped and registered prior to them being surrendered to Council and proof of ownership is required. A surrender form and a change of owner form must be completed at the time of removal and cats must be secured in a cage or well-ventilated box.

Council Rangers will seize stray dogs from either public or private property but will impound stray cats only if the cat is secured in a cage or container and the owner of the cat is unknown.

Council Officers respond to complaints and also carry out random patrols for straying animals. Any dogs that appear to be injured are assessed and veterinary assistance rendered. Medication will only be administered by a qualified Veterinarian and Council Rangers will not medically treat any animal. The medical costs associated with the medical treatment of any animal referred by council to a veterinarian will be borne by the owner of any animal that can be identified.

Animals that have been run over and killed on the Council’s road network are scanned for a microchip and in the event that the animal is an identified companion animal, the owner is notified.

Animals that are seized under the Act will be returned home if they can be identified (i.e. by microchip or identity tag/collar) but only if the owner or a responsible person is at the property. An exception to this is for a dangerous or menacing dog seized where the owner has failed to comply with a dangerous dog declaration.

When an animal is seized the Officer will scan the animal for a microchip. If a chip is identified the owner’s details will be obtained from the Companion Animal Register, contact will be established and arrangements made to return the animal.

Where the owner cannot be contacted or if there is no identification the animal is impounded and taken to Council’s pound at the RSPCA Rutherford Hunter Shelter which is located at 6-10 Burlington Place Rutherford NSW 2320. Ph: (02) 4939 1574 or (02) 4939 1555.

Every effort is made to contact owners, however, when the relevant statutory periods have expired, animals become the property of the RSPCA and the animal can be offered for sale, retained by the RSPCA, given away or euthanased.

The Companion Animals Act 1998 requires holding periods of:
• Fourteen (14) days for identified animals seized and held in a council pound;
• Seven (7) days for unidentified animals seized and held in a council pound.

Animals surrendered by their owners are permitted to be re-homed straight away.

The Companion Animals Management Plan provides for the humane destruction of animals which have little or no prospect of re-homing, or where it would be inhumane to keep the animal confined for the statutory period.

If Council Rangers or anyone in the community has concerns about the welfare of an animal they may report it to the RSPCA or the Animal Welfare League NSW to investigate. Council does not have authority to enter premises to seize animals that may be the subject of neglect or cruelty. The RSPCA or the Animal Welfare League NSW are the appropriate authorities to contact in those instances. They will ensure the welfare of the animal is checked and any necessary action taken.

Council’s website provides relevant contact numbers and a link to the RSPCA website.

Key actions

7.1 Collection of found and surrendered animals;
7.2 Reuniting found/seized animals with owners where possible;
7.3 Transportation of unowned animals to Council Pound;
7.4 Microchipping and registration of impounded animals before releasing to owners;
7.5 Microchip scanning of deceased animals on roads within local government area
7.6 Maintenance of CAR register to report/update status of missing animals;
7.7 Provide updated information on Council’s website
7.8 Community Education and information via annual press/media releases:

• What to do if you have lost or found an animal;
• What to do if you see a straying dog;
8.0 Cat Management

The introduction of the Companion Animals Act introduced controls over domestic cats and for the first time placed certain responsibilities upon the owners of cats including the need for identification and lifetime registration.

Cats born before the commencement of the legislation on 1 July 1999 are exempt and do not require registration. The owner is required however to have their cat identified by either a microchip or a collar and identification tag. Cats born before 1999 lose their exemption if they are impounded by the local Council or if they are found in breach of the Act. They also lose their exemption if they are sold or given away. This means they then must be microchipped and lifetime registered.

Similar to dogs cats can be declared a nuisance if they engage in certain activities. Under Section 31 of the Companion Animals Act 1998 a cat is a nuisance if it:

- Repeatedly damages anything outside the property on which it is ordinarily kept;
- Makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.

The legislation makes provision for the issuing of ‘Nuisance Orders’ when the owners of cats are guilty of preventing the above nuisance behaviours. Nuisance Orders are in effect for six months and may require the owner to keep the cat on its own premises.

In accordance with Section 30 of the Companion Animals Act there are a number of public places where cats are prohibited, including:

- Food preparation or consumption areas and
- Wildlife protection areas

Under the current provisions of the Act Council has no obligation to impound stray or roaming cats. Unlike dogs cats may move about freely as it is not an offence for them to be on properties other than where they are ordinarily kept, except for the above “prohibited areas

Whilst the legislation does not prohibit cats from being outside and there is no official “cat curfew”, Council recommends that all cats be kept indoors, especially at night when they are more likely to fight and attack wildlife. In order to warn wildlife, cat owners are also encouraged to put a collar with two bells on their cat.

The problem of unwanted kittens from over-breeding is a perennial one and Cessnock City Council encourages responsible pet owners to consider desexing their cats.
### Key actions

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.1</td>
<td>Complaint investigation</td>
</tr>
<tr>
<td>8.2</td>
<td>Microchipping and registration impounded cats before releasing to owners</td>
</tr>
<tr>
<td>8.3</td>
<td>Collection of found and surrendered cats and the transportation of unowned cats to Council Pound</td>
</tr>
<tr>
<td>8.4</td>
<td>Microchip scanning of deceased cats on local Council roads</td>
</tr>
</tbody>
</table>
| 8.5| Community education and information via annual press/media releases:  
    | • Protection of wildlife;  
    | • Feral cats; |