

## Why do we need a DAM Plan? The development of Domestic Animal Management Plans (DAM Plans) in legislation for Victorian Councils

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### Abstract

Animal Management Officers (AMOs) gaining the respect of members of their community is one thing, but gaining the respect of their Chief Executive Officer or the Councillors can be hell. AMOs have been trying to distance themselves from the 'dog catcher' tag for years, and with the introduction of legislation mandating that Councils develop and adopt a Domestic Animal Management Plan to address issues relating to companion animals, this legislation may go some way to achieving this. The Domestic Animal Management Plan, affectionately known by Victorian AMOs as that "DAM Plan", sets out a framework to achieve effective animal management and compliance with legislation. Look out AMOs: here comes the new age of animal management and your chance to be part of it.

### Background

The *Domestic (Feral and Nuisance) Animals Act 1994* was amended on 2 November 2005 to include the requirement for Councils to develop and adopt a DAM Plan. The following extract comes from the second reading speech of the Primary Industries Acts (Further Amendment) Bill as read by the Hon Bob Cameron, Minister for Agriculture:

"A requirement that each Council develop a domestic animal management plan is to be inserted to further serve the animal management objectives of the Act. Specifically, the management plan is intended to address the problem of overpopulation of unowned cats in many municipalities. It will also provide greater transparency for the use of funds collected through registration and will be directed at managing domestic cats, dogs and businesses from which councils collect annual registration fees. The plan will be required to include the council's policies on the administration of the act and regulations and other mechanisms for the management of the domestic animal population."

Extract from Victorian Legislation and Parliamentary Documents website

### Why do we need a DAM Plan?

In 2003, all 79 Victorian Councils were asked to complete a survey associated with the animal management services they provide in their communities. The intent of this survey was to benchmark all Councils across the State to find the 'line in the sand'. To enable meaningful comparisons of the responses, Councils were divided into like-groups based on population, size and type (McMurray 2004).

The outcome of the survey produced valuable statistics that confirmed some 'gut feels' that we had in the industry and also gave us a few surprises. The 5 key findings that were identified from the survey results included:

- Low registration rates of dogs (64% - although an increase from 50% before the introduction of the legislation in 1996) and cats (41% - cat registration was introduced in 1996);
- A lack of provision of services for cats, especially in rural areas;
- High numbers of dog and cat wandering at large complaints;

- Major difficulties faced by Rural Councils to provide animal management services; and
- Low levels of training provided to Animal Management Officers (an average of 25.22 hours of training annually per AMO).

Another major concern was the negative attitude or the lack of support provided by Council as an organisation to their Authorised Officers. 57% of Councils did not specifically identify their Animal Management Service in their Corporate Plans even though most would say that the Local Laws Department (where most AMOs are situated) would receive the second highest number of calls from residents after the Depot. For most Councils, pet registration is usually the second highest form of income behind rates, except for metropolitan Councils where fees from parking would rank higher than pet registration. Similarly 71% of Victorian Councils stated they did not have a Domestic Animal Strategy in place.

The State Government saw the need to amend the *Domestic (Feral and Nuisance) Animals Act 1994* to improve the administration and enforcement of the Act and enhance the management of cats and dogs in our community. The new provision made the development and adoption of a Domestic Animal Management Plan (DAM Plans) by Council mandatory.

Planning enables Council (and for that matter all organisations), through a structured process of self-analysis, to identify their strengths and weaknesses. Understanding their strengths and weaknesses means Councils are better able to determine future directions. Planning is a process most commonly associated with looking forward - mission statements, vision statements and the like. Looking forward is certainly integral to good planning, but it involved more than that (McKenzie-McHarg 2006).

Sound strategic planning also involves looking back (retrospective), looking inside (self-analysis) and looking outside (environment, community, etc). Only through this process of self-analysis can organisations meaningfully and realistically look forward and set directions for the future (McKenzie-McHarg 2006).

The Domestic Animal Management Plan is a formalisation in legislation of many of the approaches Councils in Victoria were taking in implementing the *Domestic (Feral and Nuisance) Animals Act 1994*. Some Councils have strategic planning documents and others have basic work flowcharts that detail how a complaint must be handled. Both go some way to providing a consistent application of the Act, but how does the public know about this and how do they know what is being done with the revenue received from pet registration?

Mandating that Councils must develop and adopt a Domestic Animal Management Plan at 3 yearly intervals will go some way to ensure that the pets in our community and the Authorised Officers employed will be given their due consideration by upper levels of management within each Council.

Section 68A of the *Domestic (Feral and Nuisance) Animals Act 1994* sets out the requirements of what a Council must include when preparing a DAM Plan.

**Set out a method for evaluating whether the animal management services are adequate**

Are we operating to the minimum standard required by the Act? Adequate, adequate to whom?

Councils know who their stakeholders are and conduct many surveys (including the Department of Infrastructure annual survey) to gauge community expectations. The method for evaluating animal management services will be up to the individual Councils to decide, although this provision will ensure animal management services are reviewed against community expectations.

**Outline programs for the training of Authorised Officers for proper administration of the Act**

Do you need much training to pick up dogs?

Yes, it is understood that Animal Management Officers seize dogs. But in Victoria, they also seize cats, impound livestock, investigate complaints, take statements, write briefs of evidence, present evidence in court, prosecute cases, euthanase injured animals, work in a hostile environment usually one up, etc, etc, etc. Where does the term 'dog catcher' fit here: it doesn't.

**Promote and encourage the responsible ownership of dogs and cats**

What is responsible pet ownership?

The term responsible pet ownership is thrown around so often and it means so many different things to different people. It will be up to the Councils to determine their definition of responsible pet ownership and place this definition into their DAM Plan to reflect their community's expectations.

**Ensure owners comply with the Act**

Wouldn't this be great?

In the previously mentioned survey, even Councils with a high registration rates, a Council developed animal management strategy, highly trained Officers and excellent education programs do not have all their dogs and cats registered. The fact is that some people will never comply, although if Councils do not develop appropriate education tools or enforcement techniques they will not meet the requirements of this provision.

**Minimise the risk of attacks by dogs on people and animals**

Isn't having trained Authorised Officers to catch and prosecute the owners enough?

Council will need to develop initiatives to help prevent attacks rather than spending all their time picking up the pieces afterwards. Victoria has over 3,000 dog attacks reported to Councils annually (and many more that are not reported); conducting regular patrols, taking appropriate action after an incident and publicising this action may ensure dog owners think twice about allowing dogs to wander.

**Address any overpopulation and high euthanasia rates for dogs and cats**

This issue is much bigger than my little Council, isn't it?

Victoria is euthanasing over 45,000 dogs and cats annually; most are healthy, good-tempered cats (mainly from the kitten tsunami). Councils will be responsible for determining if they have a problem with high euthanasia rates. If the Council identifies that a large number of healthy, good-tempered animals are being euthanased at their pound the Council may determine there is a need to start a rehoming program or maybe introduce a desexing Order for their municipality.

**Encourage registration and identification of dogs and cats**

How, we've have dog registration for over 30 years and still only 64% are registered?

Throwing up you hands and saying it's too hard will not be enough. A provincial city in Victoria found that a carefully marketed doorknocking program yielded a 44% increase in pet registration without issuing an infringement. This city is now finding that the following year poses new problems associated with getting these animals registered again; it's a never-ending cycle.

**Minimise the potential for dogs and cats to create a nuisance**

Is that dog ever going to stop barking?

Barking dog complaints are often difficult to address; under this provision Councils will have to identify how they will tackle this sensitive issue. There are also other areas of nuisance that need to be addressed under this provision. From the survey, cats wandering onto private property ranked as the second highest complaint dealt with by Councils after dogs wandering at large.

**Effectively identify all declared dogs and ensure they are kept in compliance with the Act**

Aren't we talking risk management at UAM this year?

The *Domestic (Feral and Nuisance) Animals Act 1994* does not specifically state that Councils must inspect the premises where these dogs live. Although, with over 1,000 dogs declared dangerous, menacing or restricted breed across Victoria, all AMOs agree that not inspecting the premises is a huge liability concern for Council.

**Review existing Orders and Local Laws under the Act to see if still desirable**

Are they really working? Do we really need them? Are they a waste of time and resources?

21 of the 79 Councils in Victoria have a cat confinement Order of some type, be it an all day confinement Order to a night curfew. This is a Council decision, although some Councils may not recognise the amount of time that an AMO may need to ensure they can educate the community appropriately to gain compliance and enforce this Order properly once instigated. Also these Orders should be reviewed in light of the previous headings to ensure they are achieving the aims of the legislation.

**Conclusion**

There is no formal requirement for the Council DAM Plans to be audited for compliance by the State Government, although making the provision mandatory in the legislation was identified as a way to ensure Local Government would take action to enhance their animal management service provision.

The development and adoption of DAM Plans by Local Government is seen by the State Government as a valuable tool for AMOs to ensure all levels of management within the Council are aware of their roles and fully support their actions. Similarly, the State Government believes that animal welfare may improve with the appropriate development of a DAM Plan by Councils.

