

Item 5.

Policy – Adoption- Companion Animals Policy

File No: S103490.004

Summary

This report recommends that Council adopt the revised Companion Animals Policy (Policy).

The City's existing Policy was adopted by Council on 16 June 2014. Its purpose is to encourage and reinforce the responsible management of companion animals for the benefit of the community through education and information, consistent with the City's responsibilities under the *Companion Animals Act 1998* (NSW).

The existing Policy has been reviewed and updated to incorporate legislative changes, as well as guidelines issued by the Division of Local Government since 2014. No other changes are proposed.

The Companion Animals Policy must be regularly reviewed and adopted by Council.

The draft Policy at Attachment A is consistent with the previous Policy. The proposed changes to the Policy are detailed in the report and have been incorporated into the draft Policy.

Recommendation

It is resolved that:

- (A) Council endorse the draft updated Companion Animals Policy, as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make minor amendments to the Companion Animals Policy, as required from time to time, subject to all Councillors being informed of any such changes.

Attachments

Attachment A. Draft Companion Animals Policy

Background

1. The City's Companion Animals Policy (the Policy) has been in place since December 2011 and was last reviewed in June 2014. It has now been reviewed as part of the regular periodic review of all administrative policies. Minor changes have been made to ensure the document aligns with the Companion Animals Act 1998 (NSW) as well as guidelines issued by the Division of Local Government, since 2014.
2. The amendments to the Policy include:
 - (a) updated definitions of "dog attack", "dangerous dog", "menacing dog" and "restricted dogs";
 - (b) new legislative requirement for cats to be registered by 4 months of age;
 - (c) two new definitions of "off-leash area" and "authorised officer" - to ensure clearly defined and consistent terminology is used throughout the document; and
 - (d) clarification that designation of off-leash areas will require approval by the City's Chief Executive Officer.

Key Implications

Strategic Alignment - Sustainable Sydney 2030 Vision

3. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
 - (a) Direction 1 - A Globally Competitive and Innovative City - This policy aims to encourage and reinforce the responsible management of companion animals for the benefit of the broader community through education and public information. In a Globally Competitive and Innovative City there is a place for everyone including companion animals.

Organisational Impact

4. The Policy sets the approach taken by the City to promote, encourage and reinforce the responsible management of companion animals through education and mutual understanding of the roles and responsibilities of all members of the community. It is important for the content of this Policy to continue as it is regularly referred to by both City staff and the community.
5. The content within the Policy is not duplicated in other policies. The Companion Animals Policy is related to the City's Compliance Policy and Companion Animals Guidelines, however, combining the content of this Policy with others is not considered appropriate.

Risks

6. The current policy contains definitions that are not consistent with the definitions in the Companion Animals Act 1998 (NSW). If the Policy is not amended, it will not be legally up to date and there would be a risk that the City would be guided by incorrect information about responsible management of companion animals. This could lead to an accidental infringement of the relevant legislation.

Social / Cultural / Community

7. Ineffective management of Companion Animals can have a negative impact on the community including perceptions of poor safety. This Policy aims to reduce these impacts. This policy will inform the community of the rights and responsibilities of the owners of companion animals.

Budget Implications

8. Implementation of the amendments to the Companion Animals Policy has no significant budget implications.

Relevant Legislation

9. The Companion Animals Policy relates to all enforcement action taken in accordance with Council's statutory functions under legislation, including but not limited to:
 - (a) Companion Animals Act 1998 (NSW);
 - (b) Local Government Act 1993;
 - (c) Companion Animals Regulation 2018; and
 - (d) Impounding Act 1993.

Public Consultation

10. The draft Companion Animals Policy has not been placed on public exhibition. Proposed amendments to the existing policy have only been made to align the policy with changes to the relevant legislation.

DAVID RIORDAN

Director City Services

Mary-Anne Priest, Manager City Rangers