

KNOX
your city



Domestic Animal Management Plan

2017-2021



Executive summary

The Knox City Council Domestic Animal Management Plan (DAM Plan) has been developed in line with the legislative requirement that all Councils develop a DAM Plan every four years. The DAM Plan details Council's strategies for the management of dogs and cats, including providing education to the community, promoting responsible pet ownership, and minimising problems generated by irresponsible pet owners.

Knox City Council has used a consultative process in the development of this Plan to consider opinions and concerns from residents and all relevant groups and individuals. Through the consultation process many Knox residents emphasised that dogs and cats are important members of their family.

Animal management is now a specialised industry that has evolved from merely collecting stray dogs and addressing compliance issues. Council plays a key role in protecting and promoting responsible animal ownership in the community, essential to maintaining sustainable communities and a healthy environment.

The Plan broadly outlines the following eight areas of focus:

1. Training of authorised officers;
2. Registration and identification;
3. Nuisances;
4. Dog attacks;
5. Dangerous, menacing and restricted breed dogs;
6. Overpopulation and high euthanasia;
7. Domestic animal businesses; and
8. Other matters (e.g. Council Orders).

In addition to many ongoing actions that are part of Knox's daily animal management activities, this Plan introduces the following key Plan actions:

- The annual animal registration process be improved through increased public education activities and incentives to increase the numbers of animal registrations.
- Investigate further discounted registrations for those on an aged pension or disability pension.
- The introduction of a sunset to sunrise cat curfew.
- The introduction of an animal behaviourist to investigate and resolve customer requests received by Council (e.g. barking dogs, aggressive dogs).
- Establish design and management protocols associated with Knox Dog Parks.
- Progress the development and establishment of additional designated, 'destination' off leash dog parks for the primary use of dog owners.
- Review and determine Council's role in domestic violence relating to family pets.

The Plan also considers approaches that will aim to ensure that dog attacks and dangerous, menacing and restricted breed dog matters are promptly dealt with, in line with community expectations.

Owners are spending more money on their pets. According to, *Pet Ownership in Australia (2016)*, in 2015 Australians spent approximately \$12.2 billion on pet products and services, an increase of 42% since 2013.

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Quotes published in this document were received from the
Knox City Council Domestic Animal Management Plan Community Survey, 2017

Introduction

Knox is a municipality located approximately 25kms from the Melbourne GPO. Knox is one of the most populous municipalities in Victoria with over 157,000 residents living in eleven localities.

Knox residents are proud of their city's leafy green image. They are protective of the nearby Foothills and other special places of biological significance. It is a community concerned for the welfare of others with residents from 130 different countries who speak 54 languages. Of Knox's residents, one quarter were born overseas; about 20% of these being from non-English speaking backgrounds.

Knox has an area spanning 114 square kilometres and includes the suburbs of Ferntree Gully, Upper Ferntree Gully, Boronia, The Basin, Rowville, Wantirna, Wantirna South, Lysterfield, Knoxfield, Scoresby and Bayswater. About half are families with children and 25% of Knox residents are aged 55 years and older. Currently 4.2% of the population in Knox require assistance in their day to day lives due to disability. It is forecast that the population will reach 177,050 by 2031.

For the 2016/2017 registration period, Knox had 18,839 dogs registered and 6,266 cats registered. For the same period Knox had a total of 22 domestic animal businesses registered.

They included:

- 8 pet shops
- 11 dog training businesses
- 7 boarding facilities.


Council's Community Laws team is part of the City Safety and Health Department and is located within the City Development Directorate. Community Laws is aligned to the City Safety and Health values and promotes and protects the safety, health and amenity of the community so the objectives of the Knox Vision can be realised. This will be achieved through integrated planning, community education and engagement, service provision, community

capacity building, regulation and enforcement. Community Laws delivers varied departmental roles within Council, which includes the enforcement of state and local legislation. The department's roles include animal management, traffic enforcement, local laws and school crossing supervision.

The Community Laws Department consists of the following authorised Animal Management Officers:

- 1 Coordinator, Community Laws
- 1 Team Leader Community Laws and Animal Management
- 1 Team Leader, Parking Management
- 6 Community Laws/ Animal Management Officers.

The department is further supported by a dedicated business support and prosecutions team.



“A house
without a pet is
not a home.”

This Plan also supports the delivery of several goals in the Knox Community and Council Plan 2017-2021. The Community and Council Plan establishes eight goals to guide the planning and delivery of services for the municipality, and the DAM Plan will support the achievement of these goals by:

Knox Community and Council Plan 2017-2021

Delivered through the Domestic Animal Management Plan 2017-2021

<p>Goal 1 We value our natural and built environment</p>	<p>The Plan recognises the need:</p> <ul style="list-style-type: none"> to restrict cats access during sunset to sunrise, to minimise impact on our native wildlife
<p>Goal 2 We have housing to meet our changing needs</p>	<p>The Plan recognises the need:</p> <ul style="list-style-type: none"> for policy that preserves/ ensures neighbourhood amenity (e.g. barking dog impacts) as housing and associated pet population densities increase
<p>Goal 4 We are safe and secure</p>	<p>The Plan recognises the need:</p> <ul style="list-style-type: none"> to promote and ensure the human care and treatment of all pets to help families make their pets safe in times of family violence for active management of dogs in public places
<p>Goal 6 We are healthy, happy and well</p>	<p>The Plan recognises:</p> <ul style="list-style-type: none"> the need for additional dog play parks, and maintain public off-lead areas the health and wellbeing, economic and social benefits of pets, including the benefits associated with: <ul style="list-style-type: none"> assisting older people to remain pet owners and live independently social and support networks that develop through pets increased physical activity levels associated with pet ownership

Domestic Animal Management Plans

Under Section 68A of the Domestic Animals Act, every Council must prepare a domestic animal management plan, as follows:

68A Councils to prepare domestic animal management plans

1. Every Council must, in consultation with the Secretary (of the Department of Primary Industries), prepare at 4 year intervals a Domestic Animal Management Plan.
2. A Domestic Animal Management Plan prepared by a Council must:
 - a. set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and
 - b. outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and
 - c. outline programs, services and strategies which the Council intends to pursue in its municipal district:
 - i. to promote and encourage the responsible ownership of dogs and cats; and
 - ii. to ensure that people comply with this Act, the regulations and any related legislation; and
 - iii. to minimise the risk of attacks by dogs on people and animals; and
 - iv. to address any over-population and high euthanasia rates for dogs and cats; and
 - v. to encourage the registration and identification of dogs and cats; and
 - vi. to minimise the potential for dogs and cats to create a nuisance; and
 - vii. to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and
 - d. provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and
 - e. provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
 - f. provide for the periodic evaluation of any program, service, strategy or review outlined under the Plan.
3. Every Council must:
 - a. review its Domestic Animal Management Plan annually and, if appropriate, amend the Plan; and
 - b. provide the Secretary with a copy of the Plan and any amendments to the Plan; and
 - c. publish an evaluation of its implementation of the Plan in its annual report.





1

Training of authorised officers

Section 68(A)(2)(b) of the Act requires Council to outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district.

The animal management staff within the Community Laws team are multi-skilled, and in addition to animal management matters, administer and enforce a range of other legislative requirements.

Knox Community Laws officers undertake regular training relevant to their role, including:

- Animal handling
- Customer service
- Conflict resolution
- Investigations
- Prosecutions.



What respondents say about animal management services in Knox.

- Pets in the Park is a great community event - 95%
- Council recognise the importance of pets - 78%
- Council animal management staff are helpful and provide good assistance - 77%
- I know who to contact in Council if I have concerns about animals in the community - 60%
- Council's website should have comprehensive information about caring for pets - 88%

Ref: DAMP Community Survey, 2017

Current & planned training

Knox City Council requires all authorised officers to possess adequate qualifications and skills, and ensure officers undergo appropriate training/ re-training relevant to their role. The table below highlights authorised officer training requirements for Knox Authorised Officers.

Core capabilities (required training or equivalent experience essential)

Approved Officer Training - Basic	Current Status (2017)	Planned
Certificate IV <ul style="list-style-type: none"> • Animal Control • Government (Statutory Compliance) • Government (Investigation) • Government (Court Compliance) 	Eight officers either have a minimum certificate IV qualification or in excess of five years' relevant experience	Training assigned as required and determined through Performance Development Review Process
Animal Management training and information days	All officers have the opportunity to attend this training	Offered regularly by the relevant State Government agency
Municipal Association of Victoria and Local Government Professionals training and Information days	All officers have the opportunity to attend this training	Offered regularly by the relevant State Government agency
Baton training	All officers have completed this training	Refresher training done annually
Situational awareness	All officers have completed this training	Refresher training done annually
Nationally accredited first aid and CPR training	All officers have the opportunity to attend this training	Training assigned as required and determined through Performance Development Review Process
Induction program for new staff, including familiarisation with work instructions and animal management tasks	All officers have completed this training	All new staff inducted upon commencement
Australian Institute of Animal Management - Annual Conference	All officers have the opportunity to attend this training	Participation when available

Approved Officer Training - Basic	Current Status (2017)	Planned
Industry training: <ul style="list-style-type: none"> • Animal handling • Animal assessment • Statement taking • Prosecution • Computer skills • Time management • Restricted breed dog identification • DNA collection • Emergency management animal handling 	Ongoing	Training assigned as required and determined through Performance Development Review Process
OH&S - dealing with aggressive customers, dealing with aggressive animals	As required	Training assigned as required and determined through Performance Development Review Process
Customer Service - including Conflict Resolution	As required	Training assigned as required and determined through Performance Development Review Process

“ The welcome from our dog when we arrive home is always wonderful. ”

“ We cannot imagine life without a dog. ”

Our plans

Training of authorised officers objectives

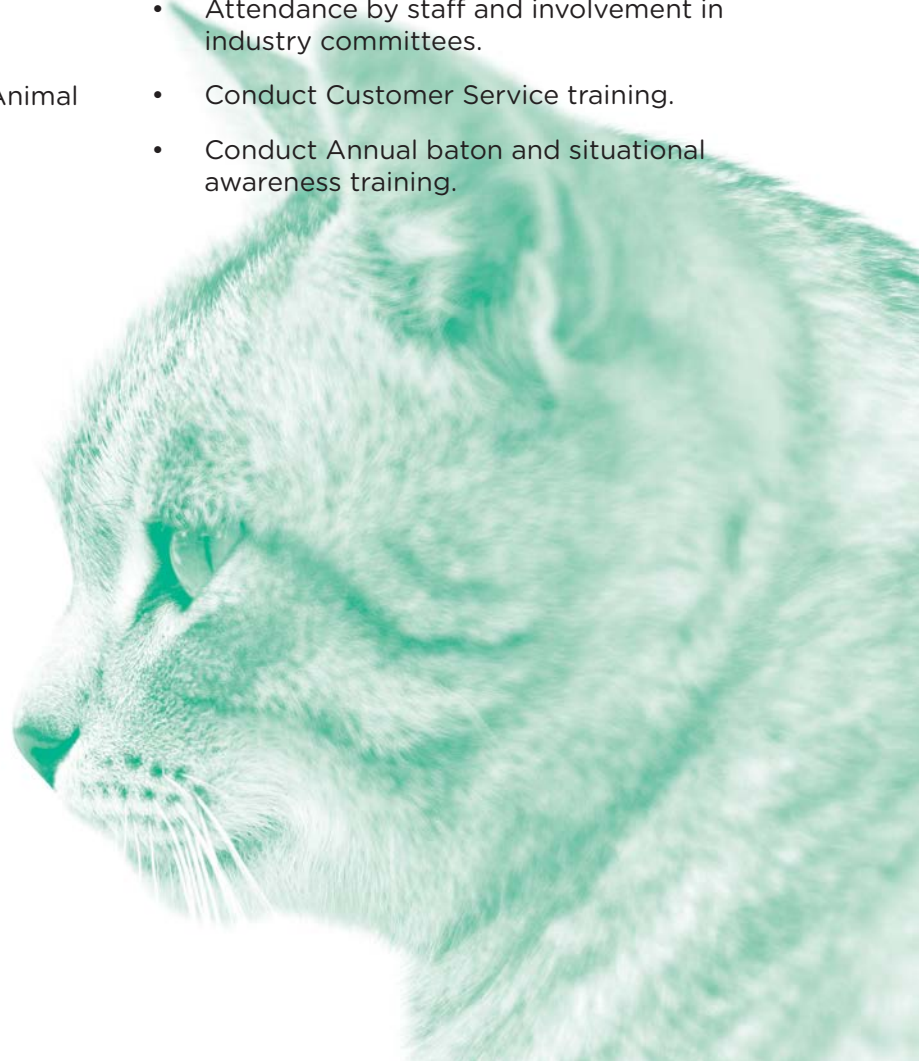
To ensure that all staff involved in animal management have the knowledge and skills necessary to carry out their work, and to deliver service at best practice standards achieved through the application of continuous improvement techniques.

Current/ ongoing activities:

- Seek relevant Certificate IV qualifications (or equivalent) relevant to the role when recruiting new staff.
- Attendance of relevant animal management training and information days offered by the relevant State Government agency.
- Attendance of Animal Management Officers at Municipal Association of Victoria and Local Government Professionals training and information days.
- Attendance of Animal Management Officers at the Australian Institute of Animal Management annual conference.

Planned programs and initiatives:

- Provide all staff with access to Council's Learning and Development calendar.
- All staff to complete Council's on-line eLearning training opportunities.
- Provide the opportunity for Animal Management Officers to attend relevant animal management training and information days offered by the relevant State Government agencies.
- Municipal Association of Victoria, Local Government Professionals, RSPCA and other relevant training sessions, workshops and seminars attended by officers.
- Enhance Animal Management Officers skills in animal behaviour – including, identifying risk behaviours and managing nuisance animals.
- Enhance Animal Management Officers mediation skills.
- Attendance by staff and involvement in industry committees.
- Conduct Customer Service training.
- Conduct Annual baton and situational awareness training.



Objective 1: Ensure all Officers involved in animal management are appropriately qualified and skilled

Activity	When	Evaluation
Develop training plans for each officer	Ongoing as part of PDR process	Through the Performance Development Review Process (PDR – a formal Council performance review process) skills gaps will be identified and training plans developed for each individual

Objective 2: Review working arrangements for all staff and associated impact on operations

Activity	When	Evaluation
Introduction of an Animal Behaviourist	2018/19	Complex matters able to be resolved
Review of current working arrangements	2017/21	Review conducted annually to ensure that service delivery meets needs
Determine future operational arrangements for Officers	2017/21	Review conducted annually to ensure that service delivery meets needs





2

Registrations & identification

Section 68A(2)(c)(v) of the Act requires Council to outline programs, services and strategies to encourage the registration and identification of dogs and cats. - also addresses *Section 68A(2)(a),(c)(i),(c)(ii),(d),(f)*

Current situation

The Domestic Animals Act 1994 requires all dogs and cats to be registered with Council at 3 months of age, with renewals due annually on 10 April. When a pet is registered with Council they are required to be microchipped and are provided with a Council identification tag. Knox makes every effort to reunite lost cats and dogs with their owners that are registered and wearing their Council tag.

Animal registration fees go toward the ongoing operational costs associated with the running of Knox's animal management services which includes:

- Animal management staff to support the collection and return of stray animals to owners.
- The costs of running both an animal pound service, and an after-hours animal collection service.
- Enforcement of the Domestic Animal's Act 1994 and Prevention of Cruelty to Animals Act 1996.
- Investigation and prosecution of animal matters, including dog attacks, or the keeping of unregistered animals.
- Registration and inspection of domestic animal businesses (including pet shops, boarding kennels, dog trainers and breeders).
- Investigation of animal complaints including barking dogs, trespassing complaints and animal welfare concerns.

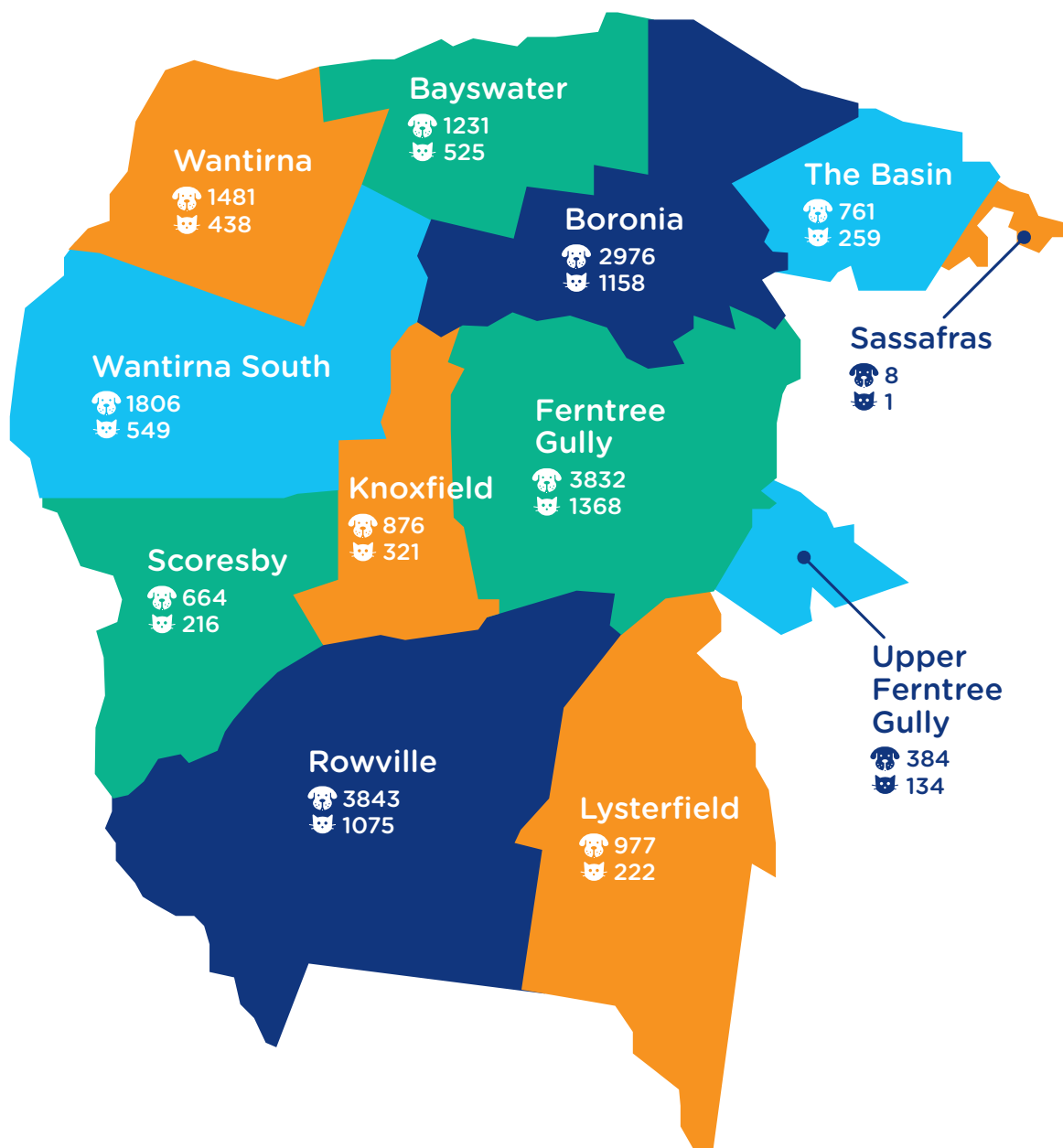
- Facilities across Knox including dog parks (off lead parks and fenced dog parks), and dog poo bins and bag dispensers.
- Knox's Pets in the Park festival - which is a free community event promoting responsible pet ownership.
- Subsidised desexing voucher scheme for concession card holders, and discount incentive schemes for new registrations.
- Individualised registration tags for each registered dog and cat within Knox.



Table 1: Animal registration comparison rates from 2012/13 to 2016/17

Registrations	2012/13 registration period	2013/14 registration period	2014/15 registration period	2015/16 registration period	2016/17 registration period
Dogs	19,011	19,559	19,037	19,150	18,839
Cats	5,878	6,125	6,124	6,266	6,266

Knox dog and cat registrations by suburb



Pet registration incentive

Currently Council offers a registration incentive to encourage the registration of pets. Any dog or cat, which has been newly acquired from a registered domestic animal business, will receive free registration when registered within 28 days from the date of purchase. This program has been in place for a number of years and will continue throughout the life of this Plan.

Registration renewals

Council currently send registration renewal notices to dog and cat owners prior to their annual 10 April renewal, together with a SMS reminder and final reminder notice for those that remain unpaid.

Council trialled SMS messaging for the first time in 2016 and it was highly effective. SMS were again used in 2017 prior to reminder notices being mailed out. This approach resulted in a reduction of 1499 reminder letters being issued. This initiative is both resource and cost effective.

For those registration renewals that remained active in Council's database but unpaid, follow up door knocks were undertaken and infringements were issued for any unregistered animals identified.

Our Orders, Local Laws, Council Policies and Procedures Orders

Domestic Animals Act 1994 section 10A(1) - Appendix B.

The order provides that Knox City Council will not, after 10 April 2011, accept the registration of a cat unless the cat is desexed or exempted under the Domestic Animals Act 1994 from any requirements to be desexed. Any cat that is not desexed cannot be registered. Failing to register can result in penalties under the Act.

Local laws

Knox City Council General Provisions Local Law 2010 - Appendix A

- 20.3 Without a permit a person must not keep on land more than:
- 20.3.1 2 dogs;
 - 20.3.2 2 cats.

- 20.4 Where a permit is issued for more than 2 dogs and/ or 2 cats, any additional animals beyond the initial 2 are to be desexed unless otherwise permitted by Council.

Our current education/ promotion activities

Knox City Council has a number of education and promotional activities in place.

- Responsible pet ownership is promoted through Pets in the Park; an event held annually. Other Council events such as Knox Festival and Stringybark Festival are attended as required.
- Promotion of registration and responsible pet ownership in Council's Knox News publication.
- Participation in information sessions about responsible animal ownership for both children and the community.
- Provision of subsidised desexing scheme for concession card holders in association with the MAV and Australian Veterinary Association (AVA).
- Website: Council's website contains a wide variety of information in relation to responsible pet ownership and animal registration. Registration forms can also be downloaded from the website.
- Provision of a range of registration payment options.
- Micro-chipping: Discounted micro-chipping is available at the annual Pets in the Park event.
- Patrols: Proactive and complaint based park patrols are undertaken throughout the year.
- New resident kits: Information relating to the registration of pets and responsible pet ownership is provided to new residents.
- New animal registrations are provided with information on responsible pet ownership.
- Domestic Animal Business notifications: The Act requires Council is notified of new pet ownership by Domestic Animal Businesses. A new owner letter is sent out providing them with a registration form, registration incentive scheme information along with general responsible pet ownership information.

- Domestic Animal Businesses and Veterinary Clinics are provided with a supply of Council's registration forms to provide to their customers.
- Social Media: Council promotes a number of responsible pet ownership topics via social media, including Facebook and Twitter.
- Media Releases: Print media releases are issued throughout the registration year when required.
- All authorised officers are provided with mobile technology enabling access to animal owner details in the field.
- Introduction of a late fee in 2017 for overdue registrations to encourage renewal by 10 April.
- Enforcement and follow-up of advertisements for dogs and cats for sale, to ensure correct microchip details are published.

Our current compliance activities include:

- Council will investigate and carry out enforcement action when identifying unregistered dogs or cats.
- Issuing of annual registration renewal notices and follow-up overdue notices.
- Sending out SMS reminder messages.
- All non-renewals are followed up by door knocks or phone calls.
- Door-knocks conducted to locate and identify unregistered pets.
- The issuing of infringement notices for unregistered dogs and cats or for failing to wear their registration tag.
- Animal registration database is continually updated as the status of animals change.
- Domestic Animal Business notifications: Following up on the registration of a dog or cat after the owner has been sent their new owner letter.
- Ensure all impounded or seized dogs and cats are registered prior to being released to their owner.

- Review the registration fees annually.
- Council provides significantly discounted registration fees for animals that are both microchipped and desexed.
- Ensure the correct State Government Levy is charged on the animal registrations.

Summary

During the implementation of the 2013-2017 Domestic Animal Management Plan registration of dogs and cats has been a strong focus area. Council will continue to focus on animal registration over the life of this Plan and is seeking to increase public education and promotion. Further to this Council will investigate incentives to provide additional benefits to pet owners for registering their pets. Knox recognises that there is currently a significant number of unregistered animals in the municipality. To address this the Plan aims to increase the awareness of the requirement to register dogs and cats, promote the benefits of their registration, and to increase the number of registrations.

“ Pets teach all children about compassion & responsibility. ”

Our plans - registration & identification

Objective 1: Increase the number of animal registrations within the municipality

Activity	When	Evaluation
Reconcile data contained in national microchip registries with Council's registration database to identify unregistered animals, and restricted breed dogs.	Annual	All microchipped animals within Knox are registered
Develop an annual registration process to improve the timeliness and compliance of registration. This would incorporate: <ul style="list-style-type: none"> • Issuing of annual registration renewal notices and follow-up overdue notices • The option to have registration renewal notices emailed • Sending out SMS reminder messages • Follow up of non-renewed registrations by door knocks and phone calls. 	Annual	Increased number of dog and cat registrations registered by 10 April
Offer discounted registration fees for newly acquired animals purchased/ adopted within 4 weeks. Consider additional incentives such as: <ul style="list-style-type: none"> • Further discounting of registration fees for those on an aged pension or on a disability pension • Free initial registration for any dog or cat purchased from an animal shelter with an S.84Y agreement with Council • Further expanding the current registration incentives offered by Council. 	Ongoing 2019	Increased number of dog and cat registrations
<ul style="list-style-type: none"> • Explore the expansion of registration opportunities for the community, including online initial registration and mobile applications. • Investigate systems to support the online payment of multiple animal registrations in one transaction. 	2017/2018	Uptake of online animal's registrations Better automation of online payment processes
Continue the current MAV and AVA desexing voucher scheme, with existing financial support of Council, to provide financial incentives to concession card holders in the desexing of their animals.	Ongoing	Monitor community uptake of scheme

Objective 2: Educate and promote the benefits, value and opportunities of dog and cat registration to pet owners

Activity	When	Evaluation
Increased public awareness of the benefits of registration and responsible pet ownership. This includes the development of a communications strategy, incorporating social media posts, information on Council's website and Lost Animals in Knox Facebook.	Ongoing	Increased number of dog and cat registrations
Reunite registered and identifiable (wearing Knox Council tag) impounded cats and dogs with their owners. Registered animals returned to their owner will not be issued with a fine* on the first occasion, but will be provided with an official warning.	Ongoing	Increased number of dog and cat registrations and lower the number of impounded animals * Fines may apply when negligence is established or matters are subject to further investigation, such as a dog attack.
Installation of signs at dogs parks advising that unregistered dogs will be fined.	2018	Number of fines issued.

Objective 3: Clarify Local Law policies relating to animal registrations

Activity	When	Evaluation
Develop and review policies for: <ul style="list-style-type: none"> • Unregistered animals • Registered animals not wearing a tag • Appointment of agents for registration • Application for registration and renewal of registration for dogs and cats • Seizing and impounding of unregistered and/ or unidentified dogs and cats • Others as identified 	Ongoing	Updated standard operating procedures and protocols and annual review planned





3

Nuisance

Section 68A(2)(c)(vi) of the Act requires Council to outline programs, services and strategies to minimise the potential for dogs and cats to create a nuisance. - also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

Current situation

Council has been successful in dealing with nuisance complaints and promoting responsible pet ownership for a number of years. This has seen a reduction in the number of nuisance related complaints received over the last five years, as outlined in the table below. With the expected population growth, pet numbers are also expected to increase over the life of this Plan.

Table 1: Number of nuisance related complaints per calendar year

Complaint	2012	2013	2014	2015	2016	Change 2012-2016
Cats - Cage request	196	181	196	174	150	-24%
Cats - Cats pick up	244	218	230	241	199	-19%
Dogs - Barking	597	605	513	424	394	-34%
Dogs - Pick up	799	744	668	524	601	-24%
Dogs - Wandering at large	453	397	381	316	266	-41%

The following table outlines the number of infringements issued over the last five years relating to nuisance. These statistics are based on calendar years.

Table 2: Nuisance related infringements

Complaint	2012	2013	2014	2015	2016	Change 2012-2016
Wandering at large/ not securely confined to premises day time	565	467	512	421	484	-81
Wandering at large/ not securely confined to premises night time	66	56	65	52	59	-7

Nuisance barking

In recent years there has been a decrease in the number of complaints relating to nuisance barking. A barking dog complaint requires the complainant to submit noise log sheets, and if the matter remains unresolved statements and attendance at court is required. Council also uses sound recording equipment to assist with nuisance investigations and to establish an offence.

Barking dog investigations can be quite resource intensive taking significant time to resolve. The majority of barking dog complaints resolve simply, as in many cases the owner has not been aware that their dog was barking and then takes appropriate steps to address the issue. Ongoing barking issues that do not resolve quickly can affect the wellbeing of the individual and community.

This Plan proposes to explore the use and associated costs of an animal behaviourist to assist in the resolution of more complex nuisance matters received by Council. This could include ongoing barking dog complaints and issues with antisocial and aggressive dogs. Evidence gathered from Charters Towers Council, Queensland, has found that better outcomes are being achieved by contracting an animal behaviourist as an intermediary in dealing with such matters.

Dog litter

The issue of dog litter and decaying pet waste can potentially pose both health and environmental risks to the community. It is a requirement under the Knox General Provisions Local Law 2010 to carry a plastic bag or similar to pick up after dogs and this is enforced during officer patrols. Council currently provide poo bags via dispensers at Knox's dog play park and will continue to do so.

Further to this, the Plan proposes to provide Pooch Pouches (or similar items) for dog owners. The pouch can be attached to a dog's collar and holds plastic bags for the owner to use for the collection of dog litter.

Dog play park

Further to the opening of Knox's first dog play park in 2010, this Plan proposes the development of a strategic plan and policy for additional destination/ dog play parks in Knox. Regular park users meet and socialise their dogs frequently, forming their own networks and encouraging socialisation amongst themselves. While the dog play park has been generally well received by the community, both two and four legged, dog play park usage will continue to be monitored to ensure that the setting provides the best community outcomes.

Nuisance cats

Council regularly receives complaints from residents regarding nuisance cat issues. In response to this Council has offered a cat trap hire service to residents to assist them in the management of feral and nuisance cats.

This Plan proposes to further address the issue of feral and nuisance cats by introducing a cat curfew order, requiring all cats to be confined within their property boundary between sunset and sunrise. This order aims to prevent cats wandering at night and nuisances such as spraying and fighting, and to protect native wildlife.

Council promotes the use of cat enclosures and cat proof fencing as effective cat containment measures. Community consultation in developing this Plan found that 85% of survey respondents supported the introduction of a cat curfew.

“ Pets are great companions & are very therapeutic to people. ”

Our Orders, Local Laws, Council Policies and Procedures Orders:

- Compulsory desexing of cats (Domestic Animals Act 1994 section 10A(1) – Appendix B) This order provides that:

Knox City Council will not, after 10 April 2011, accept the registration of a cat unless the cat is desexed or exempted under the Domestic Animals Act 1994 from any requirements to be desexed.

- **Dogs in public places** (Domestic Animals Act 1994 section 26 – Appendix C)

This order provides that dogs are permitted to be off lead, but under effective control in a public park or recreation reserve, subject to conditions.

Local laws:

Knox City Council General Provisions Local Law 2010 – Appendix A.

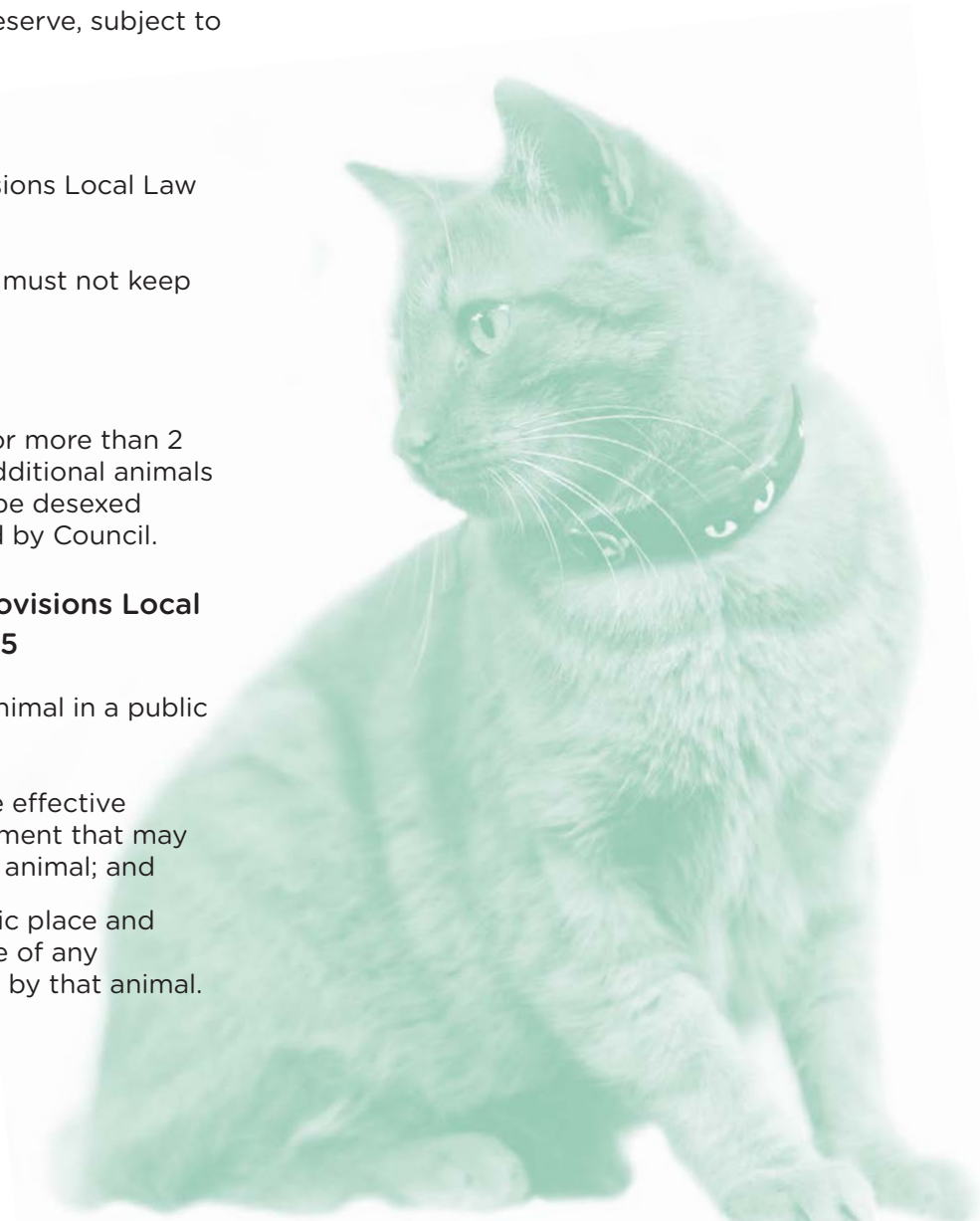
- 20.3 Without a permit a person must not keep on land more than:
- 20.3.1 2 dogs;
 - 20.3.2 2 cats.
- 20.4 Where a permit is issued for more than 2 dogs and/ or 2 cats, any additional animals beyond the initial 2 are to be desexed unless otherwise permitted by Council.

Knox City Council General Provisions Local Law 2010, as amended in 2015

- 21.1 A person in charge of an animal in a public place must:
- 21.1.1 carry a facility for the effective removal of any excrement that may be deposited by that animal; and
 - 21.1.2 collect from the public place and appropriately dispose of any excrement deposited by that animal.

Knox City Council General Provisions Local Law 2010, as amended in 2015.

- 22.3 If an authorised officer reasonably believes that barking by a dog constitutes a nuisance, the authorised officer may direct the owner of the dog to place or allow the placement of a barking count device on the dog for the period specified by the authorised officer.
- 22.4 Any person to whom a direction is given under clause 22.3 must comply with that direction.



Policies and procedures:

The procedure for investigating nuisance barking complaints is reviewed regularly to ensure best practice. This process is currently under review and will be reviewed annually.

Our current education/ promotion activities:

- The Community Laws team run the annual Pets in the Park event, which provides information relating to nuisance issues.
- Website: Council's website has a wide variety of information in relation to dog and cat nuisances and responsible pet ownership. Information is also provided to assist with nuisance issues along with contact details for training organisations registered as a Domestic Animal Business in Knox.
- New resident kits: Information relating to dog and cat nuisances and responsible pet ownership is provided in new resident kits.
- Domestic Animal Business notifications.
 - Council is notified of new pet owners by Domestic Animal Business's. A new owner letter is sent out providing responsible pet ownership information.
- Promote DIY cat enclosure and cat proof fencing brochures via council website and hard copies available on request.
- Provision of information in relation to barking dogs.
- Encourage desexing of pets to reduce nuisance complaints.
- Dog poo bag dispensers and bags will be provided at Council's dog play park.

Our current compliance activities:

- Reactive enforcement: Addressing the issue of a nuisance dog or cat when a complaint is lodged.
- Reports of dogs wandering at large or not securely contained are investigated immediately. Fines may be issued to owners of offending dogs. If the animal is impounded the owner must also pay a reclaim fee.

- Issues of dog containment relating to inadequate fencing are investigated and the owner provided with relevant information.
- Reports of dogs off lead are investigated and the owner may be fined when they are able to be identified.
- Reports of dog owners not removing dog litter are investigated and owners may be fined when they are able to be identified.
- Sound recording devices are available for nuisance barking complaints.
- Cat traps are available to the community to assist with nuisance cat complaints.
- Issuing of a Notice to Comply to assist in resolving complaints if required and fines issued for non-compliance.
- Local Law permits required for excess animals.
- Encourage parties to seek mediation where possible to resolve nuisance issues.
- Prosecution at the Magistrates' Court for those matters that remain unresolved.
- Link all complaints to the animal's registration.

Summary

This Plan seeks to introduce a sunset to sunrise cat curfew to assist in reducing nuisance cat problems. Council will continue to seek compliance and provide education and information to address a range of nuisance complaints.

The ongoing use of technology including sound level monitoring devices, the introduction of the animal behaviourist and the regular review of processes will assist in ensuring that nuisance matters are resolved as efficiently and as soon as reasonably possible.

Council remains committed to providing more opportunities for dog play areas, as these benefit dogs and their owners, providing socialising opportunities and strengthen community connectedness.

Our plans - nuisance

Objective 1: Improved response to barking dog complaints

Activity	When	Evaluation
Introduction of an Animal Behaviourist	2018/19	Complex matters able to be resolved
Conduct an assessment of barking dog complaint processes to ensure current best practice	Ongoing	Improved processes to resolve barking dog matters
Community education through: <ul style="list-style-type: none"> Participation at Knox Pets in the Park Council website and social media Brochures/ handouts Development of a communications strategy 	Ongoing	Participation by the Community Laws team at the event Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
Use of sound recorders to assist barking dog investigations, as required	Ongoing	Increased quality of evidence gathered
Review and update information to assist owners and complainants of barking dogs	Ongoing	Review and update current material

Objective 2: Ensure dogs are adequately contained - wandering at large, not securely contained, inadequate fencing

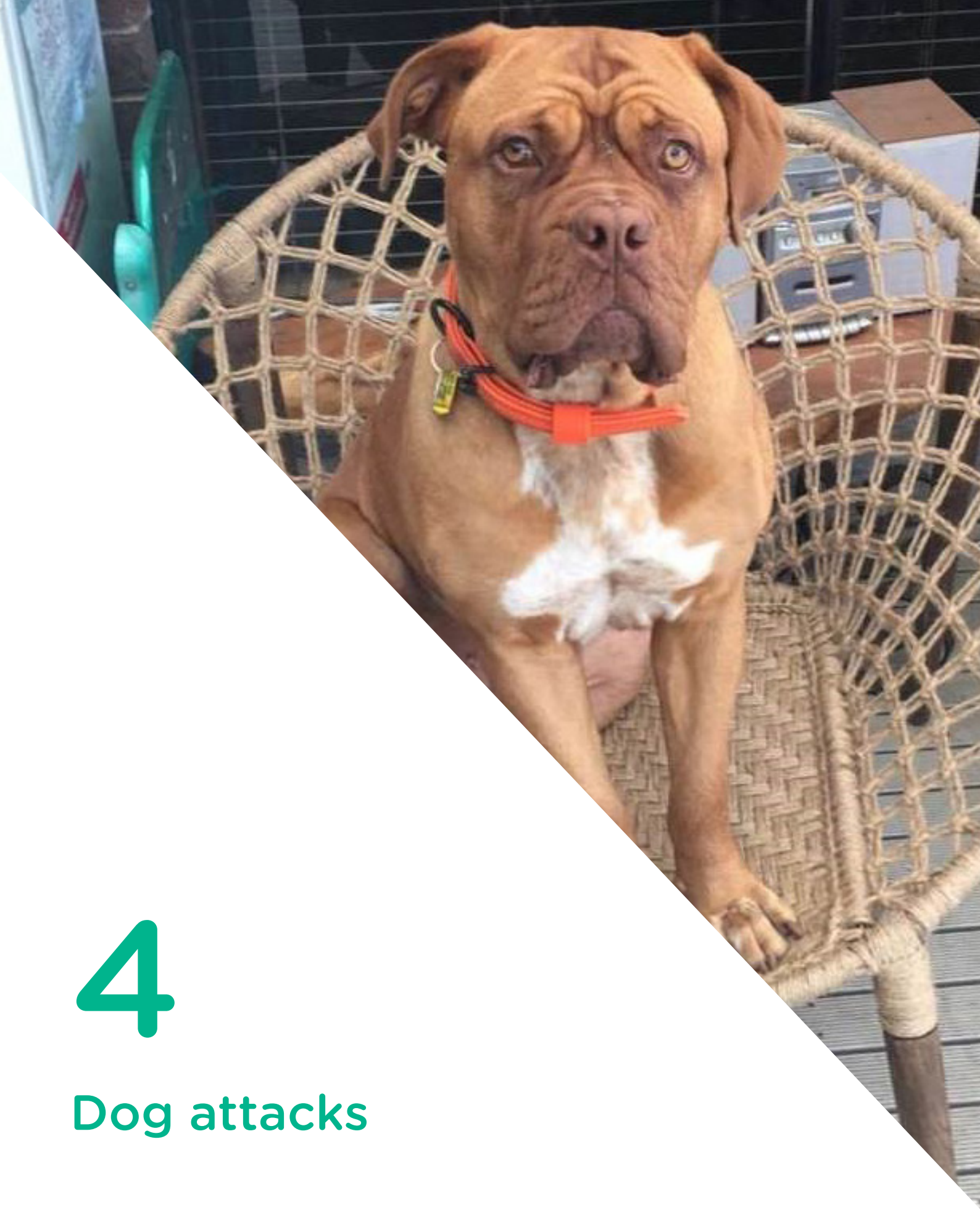
Activity	When	Evaluation
Community education through: <ul style="list-style-type: none"> Participation at Knox Pets in the Park Council website and social media Brochures/ handouts Development of a communications strategy 	Ongoing	Participation by the Community Laws team at the event Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
Provide advice to pet owners on pet care during thunderstorms, fireworks and holiday periods	Ongoing	Updated information on social media and website
Impounding dogs wandering at large or not securely confined and taking enforcement action against owners	Ongoing	Number of dogs impounded and infringements issued
Identify repeat offenders for increased enforcement action	Ongoing	Increase in compliance of repeat offenders

Objective 3: Dogs off lead/ use of open spaces for dogs

Activity	When	Evaluation
Establish operational management protocols associated with Knox dog parks (for both smaller fenced dog parks and larger destination parks)	2018	Criteria established for the operational management of dog parks
Progress the development of a strategic plan and policy for the establishment of additional designated 'destination' off leash dog parks for the primary use of dog owners	2018/2021	Strategic plan and policy developed and implemented over the 4 years of this Plan
Community education through: <ul style="list-style-type: none"> • Participation at Knox Pets in the Park • Council website and social media • Brochures/ handouts • Development of a communications strategy 	Ongoing	Participation by the Community Laws team at the event Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
Provide pooch pouches (or similar) to dog owners. Pooch pouches are small bags that hold plastic bags and can be clipped to the dog lead	Ongoing	Bags provided with new registrations or on request

Objective 4: To reduce cat nuisance problems within the community

Activity	When	Evaluation
Introduce a sunset to sunrise cat curfew. Including: <ul style="list-style-type: none"> • The development of a communications plan to promote the introduction of the curfew • Amend pet registration forms to advise of curfew requirements • Update new animal letters and new resident kits advising of curfew requirements • Provide information on DIY cat enclosures and cat proof fencing 	2018/19	Reduction of night time cat nuisance complaints Successful media strategy in place Registration forms updated Letters updated Information provided on website and hard copies on request
Community education through <ul style="list-style-type: none"> • Participation at Knox Pets in the Park • Council website and social media • Brochures/ handouts • Development of a communications strategy 	Ongoing	Participation by the Community Laws team at the event Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
Provide residents with nuisance cat problems with loan cat traps	Ongoing	Review customer requests annually



4

Dog attacks

Section 68A(2)(c)(iii) of the Act requires Council to outline programs, services and strategies to minimise the risk of attacks by dogs on people and animals.

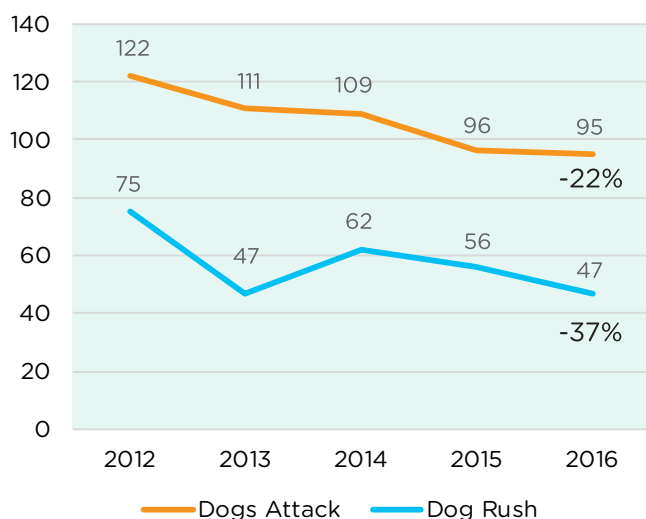
- also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

Current situation

Dog attacks and dog aggression in public places represent the highest risk in animal management – both to the community, other animals and to the Animal Management Officers who must investigate and resolve these issues. Council investigates all reported dog attacks and prosecutes those of a serious nature in the Magistrates’ Court. Council may seize and impound any dog suspected of being involved in a dog attack or dog rush until the outcome of the prosecution.

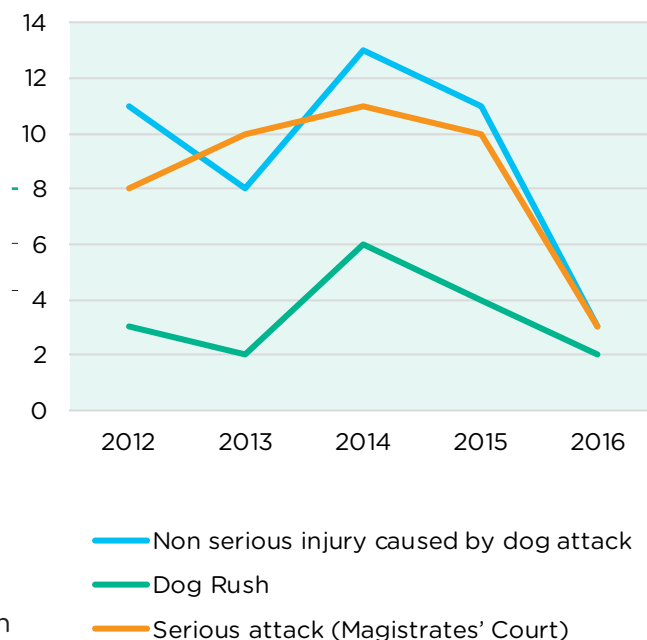
The following graph outlines the number of complaints received over the last five years relating to dog attacks and dog rushes (a dog that approaches a person to a distance of less than 3 metres in an aggressive manner). The majority of attacks are associated with dogs not adequately socialised that are not contained to their owners’ property, at large, or not under effective control.

Dog attack related complaints



The instances of dog attacks and dog rushes have been steadily falling since 2012. This is consistent with the reducing trend in the number of reported dog pick-ups and dogs at large over the same period.

Dog attack and dog rush enforcement action



The following graph outlines the enforcement action that Council has undertaken in relation to dog attack and rush matters. This represents both infringements issued and direct prosecution in the Magistrates’ Court for serious dog attacks.

Our Orders, Local Laws, Council Policies and Procedures Orders:

- Dogs in public places (Domestic Animals Act 1994 section 26 – Appendix C)

This order provides that dogs are permitted to be off lead, but under effective control in a public park or recreation reserve, subject to conditions.

- Local Laws
Knox City Council General Provisions Local Law 2010 – Appendix A
- 20.5 Without a permit a person must not keep on land more than:
- 20.3.1 2 dogs;
- 20.3.2 2 cats.
- 20.6 Where a permit is issued for more than 2 dogs and/ or 2 cats, any additional animals beyond the initial 2 are to be desexed unless otherwise permitted by Council.

“ Pets are like having a permanent friend, someone to talk to & not feel like your all alone. ”

Policies and procedures:

Dangerous dog declaration and destruction process

Council will determine at the commencement of a prosecution for a serious dog attack whether an order to destroy a dog will be sought from the Court. Any prosecution that involves the recommendation for a destruction order must be authorised by the Manager City Safety and Health or the Director City Development. The dog owner will be informed of Council’s position and also advised that in the event that Council is unsuccessful in obtaining a destruction order, Council will consider declaring the dog dangerous.

To determine whether a dog will be declared dangerous, the owner of the dog owner will be invited to provide written and/ or oral submissions to the decision maker (Domestic Animals Act Submissions). This will usually occur within 48 hours of the Court outcome. The submissions process is discussed with the dog owner and scheduled before the Court outcome to ensure that the matter is dealt with as soon as possible and to avoid holding the dog at the pound for longer than necessary.

The decision maker on a dangerous dog declaration will be the Director, Corporate Development or the Manager Governance and Innovation. The decision maker must have had no involvement with the matter during the prosecution process.

Our current education/ promotion activities:

- Provide information on dog attacks and promote responsible pet ownership at Knox Pets in the Park.
- Website: Information is available relating to the containment of dogs, the dog attack process, how to report a dog attack, investigations and potential outcomes.
- Promote dog obedience training and the importance of early socialisation of dogs.
- Promote desexing of dogs to reduce aggressive tendencies and wandering at large.

- New resident kits: Information relating to responsible pet ownership is provided in new resident kits.
- Domestic Animal Business notifications: Council is notified of new pet owners by Domestic Animal Businesses. A new owner letter is sent out providing them with responsible pet ownership information
- Brochures/ information sheets.
- Officers attend information sessions for children and the community to inform people about how to behave around their dogs and unknown dogs.
- Conduct random patrols in parks and reserves where there are reported incidents or concerns about dogs off lead.
- Where appropriate request a Court Order for the destruction of offending dogs involved in a serious attack.
- Communicate with other Councils in relation to declared dogs which have moved out of or into Knox.
- Where appropriate declare offending dogs as menacing or dangerous dogs.
- Ensure the Victorian Declared Dog Registry and in house registry is kept up to date with records for all declared dogs in Knox.

Our current compliance activities:

- Reactive enforcement: Owners of dogs involved in alleged rushes or attacks are provided with information relating to the investigation process, potential outcomes and information relating to the declaration of menacing or dangerous dogs.
- Provide an immediate response to reported dog attacks or rushes.
- Reports of dogs wandering at large are addressed immediately during business hours, in an attempt to reduce the number of potential attacks or rushes. An officer is on call for after-hours issues.
- Impound dogs found wandering at large or not adequately confined to their premises.
- Seize dogs involved in an attack or a rush, pending further investigation and/ or prosecution.

- Conduct random, unannounced inspections of all properties where declared dogs are housed or where Court orders have been issued in relation to containment of offending dogs.
- Link all complaints to the animal's registration.

Summary

Dog attacks are one of the most serious matters facing the community and Animal Management Officers. As a result, Council's procedure for dealing with dog attacks is a priority and Officers respond immediately to ensure any risk or potential risk to the community is minimised. As with other key processes, the way dog attacks are investigated are regularly reviewed to ensure matters are referred for appropriate action in a timely manner.



Our plans - dog attacks

Objective 1: Reduce the incidents of dogs wandering at large and dog attacks

Activity	When	Evaluation
Community education through: <ul style="list-style-type: none"> • Participation at Knox Pets in the Park • Council website and social media • Brochures/ handouts • Development of a communications strategy 	Ongoing	Participation by the Community Laws team at nominated events Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
Review dog attack investigation process to ensure timely investigation of all dog attacks	Ongoing	Process updated and reviewed annually
Investigate the benefits of referring Court outcomes to media team to prepare media releases	Ongoing	Internal process developed to publicise Court outcomes
Enforcement - increased patrols in public areas Provide 24 hour access to an animal management officer	Ongoing	Proactive patrols at off leash and on leash parks will be scheduled as part of routine work
Investigation of all reported dog attack matters and the prosecution of those serious in nature and issuing of infringements for those minor in nature	Ongoing	Numbers of infringements issued and prosecutions undertaken for all dog attack matters with adequate evidence
Officers exercising their power to seize and impound dogs suspected of being involved in a dog attack or dog rush	Ongoing	Number of animals seized
Undertake property inspections to ensure adequate containment of problem dogs and aggressive dogs	Ongoing	Reduction in repeat offending
Advocate to State Government for statewide advertising campaigns to highlight the impact of dog attacks in the community and responsible dog ownership. This includes the importance of reporting dog attacks, dog containment, dog socialisation and training	2019	Provide submission to State Government



5

**Dangerous, menacing
& restricted breed dogs**

Section 68A(2)(c)(vii) of the Act requires Council to outline programs, services and strategies to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations - also addresses *68A(2)(a),(c)(i),(c)(ii),(d),(f)*

Current situation

Council follows up all reports of dangerous, menacing and restricted breed dogs promptly to reduce risk to the community. In addition, all declared dogs on Council's database are inspected annually to ensure that they are compliant with the relevant legislation and regulations.

Of the 18,839 dogs registered, six of these have been declared dangerous, one declared menacing and three are restricted breed dogs.

Dangerous dogs can be three types of dogs:

- A dog declared dangerous by Council due to a serious attack
- A dog kept as a guard dog for the purposes of guarding non residential premises
- A dog trained to attack or bite any person.

Council may also declare a dog to be a dangerous dog if the dog is a menacing dog and the owner is in breach of the associated regulations or if the dog has been declared a dangerous dog under the law of another State or Territory of the Commonwealth.

Menacing dog is a dog declared menacing by Council because:

- The dog has rushed at or chased a person
- The dog bites any person or animal causing a non-serious injury
- The dog has been declared a menacing dog under a law of another State or Territory of the Commonwealth.

Restricted breed dog: is a dog that is any one of the following breeds:

- Japanese Tosa;
- Fila Brasileiro;
- Dogo Argentino;
- Perra de Presa Canario (or Presa Canario);
- American Pit Bull Terrier (or Pit Bull Terrier)

Council's authorised officers undertake the Ministerial approved Canine Anatomy Identification Training course under section 98A(4)(b) of the Act. This training assists officers in the identification of restricted breed dogs and the application of the restricted breed dog standard.



“ My dog
is
my rock. ”

Table 7: Dogs declared over the last five years

Declaration	2012	2013	2014	2015	2016	2017
Menacing	0	1	0	0	0	0
Dangerous dog on residential property	0	0	0	3	2	1
Dangerous dog on non-residential property	0	0	0	1	0	0
Dangerous dog attack trained	0	0	0	0	0	0
Restricted breed dog	2	0	0	0	2	0

Declared dogs	2012/2013 registration period	2016/17 registration period
Menacing dogs	3	1
Restricted breed dogs	6	3
Dangerous dogs	6	6

“ With my dog I’m able to connect to others. ”

“ My dog enables me to enjoy time outdoors. ”

Our Orders, Local Laws, Council Policies and Procedures

Policies and procedures

Council will determine at the commencement of a prosecution for a serious dog attack whether an order to destroy a dog will be sought from the Court. Any prosecution that involves the recommendation for a destruction order must be authorised by the Manager City Safety and Health or the Director City Development. The dog owner will be informed of Council's position and also advised that in the event that Council is unsuccessful in obtaining a destruction order, Council will consider declaring the dog dangerous.

To determine whether a dog will be declared dangerous, the owner of the dog owner will be invited to provide written and/ or oral submissions to the decision maker (Domestic Animals Act Submissions). This will usually occur within 48 hours of the Court outcome. The submissions process is discussed with the dog owner and scheduled before the Court outcome to ensure that the matter is dealt with as soon as possible and to avoid holding the dog at the pound for longer than necessary.

The decision maker on a dangerous dog declaration will be the Director, Corporate Development or the Manager Governance and Innovation. The decision maker must have had no involvement with the matter during the prosecution process.

Our current education/ promotion activities:

- Promote responsible pet ownership at Council's annual Pets in the Park event.
- Website: Information is available relating to menacing dogs, dangerous dogs restricted breed dogs.
- Brochures/ information sheets.
- Officers will participate in information sessions for children and the community to inform them how to behave around their dogs and unknown dogs.
- Ensure the owners of a declared dog are aware of their legal obligations in owning and housing the dog. They are provided with

extensive information in relation to their requirements as well as information advising them of the possible outcomes should they breach the requirements.

Our current compliance activities:

- Reactive enforcement: Owners of dogs involved in alleged rushes or attacks are provided with information relating to the process involved with the investigation, potential outcomes and information relating to the declaration of menacing or dangerous dogs.
- Ensure all declared dogs are recorded on the Victorian Declared Dog Register, including any changes to details.
- All declared dogs are recorded on an in house register.
- Dogs are declared on an as needs basis: following an investigated dog attack, a newly acquired guard dog or as a result of identifying a restricted breed dog which may legally be kept.
- Inspections of declared dogs are conducted on an annual basis.
- Communication with other Councils in relation to declared dogs which have moved out of or into Knox.
- Proactive inspections of industrial areas to identify undeclared guard dogs.
- Issuing of infringement notices or summons when in breach of the Domestic Animals Act or Regulations.

Summary

Authorised officers will conduct annual inspections of Council's declared dogs to ensure that they are kept in compliance with the relevant Regulations and to ensure community safety. Owner non-compliance is addressed by way of education and enforcement if required.

Officers will receive the Ministerial approved Canine Anatomy Identification training course when available. This training assists officers in the identification of restricted breed dogs and the application of the restricted breed dog standard.

Our plans - dangerous, menacing & restricted breed dogs

Objective 1: Identify and register all declared dogs within the municipality

Activity	When	Evaluation
Restricted breed dog identification training for all animal management officers.	Ongoing	Training completed as required
Use microchip registries to identify restricted breed dogs or potential restricted breed dogs within the municipality.	Ongoing	Ongoing review of microchip databases
Community education through: <ul style="list-style-type: none"> • Participation at Knox Pets in the Park • Council website and social media • Brochures/ handouts • Development of a communications strategy 	Ongoing	Participation by the Community Laws Team at nominated events Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
Monitor all new registrations for potential restricted breed dogs	Ongoing	Inspections of any dogs identified as potential restricted breed dogs
Review of Council animal registration data of non-residential areas to identify non-declared guard dogs	Ongoing	Six monthly audit of industrial areas and patrols where required
Ensure all declared dogs are recorded on the Victorian Declared Dog Registry	Ongoing	Register is up to date and accurate
Information relating to declared dogs provided to owners to ensure compliance	Ongoing	Information provided

“ Pets need as much care & training as children. ”

“ My pets are my life. ”

Objective 2: Effectively inspect and audit all declared dog premises annually to ensure they are following containment requirements

Activity	When	Evaluation
Conduct unannounced inspections of all declared dogs to ensure compliance with the Domestic Animals Act 1994 and Regulations	Annually	Audit completed and full compliance with all legislative requirements achieved
Prosecute any significant breaches of the Domestic Animals Act 1994 or Regulations when required	Ongoing	Prosecutions completed
Refresher information provided regarding obligation of owning a declared dog when required	Ongoing	Information provided





6

Overpopulation
& high euthanasia

Section 68A(2)(c)(iv) of the Act requires Council to outline programs, services and strategies to address any over-population and high euthanasia rates for dogs and cats. - also addresses *68A(2)(a),(c)(i),(c)(ii),(d),(f)*

Current situation

In recent years, there has been a reduction in euthanasia rates for both impounded cats and dogs. This can be attributed to a range of activities, including a dedicated effort by Council's animal management officers to reunite registered animals wearing their Knox Council tag with their owners, increased levels of enforcement for dogs at large, and greater community responsibility in relationship to pet ownership.

Although the euthanasia rates for cats has decreased, it is still considerably higher when compared to that of dogs. Of the 402 cats impounded at Council's pound in 2016-2017, only 65 (16%) were reclaimed by their owner, of which only 27 of these were registered when impounded. A further 215 (53%) cats found new homes and were adopted and 88 (22%) were euthanised in the past year. The low rate of reclaimed cats suggest that most are not microchipped and registered, or owner contact details are not being kept up to date. In comparison dogs are more likely to be reunited with their owner, with 501 (80%) of the 630 dogs impounded in 2016-2017 being reclaimed by their owner. A further 71 (11%) dogs were adopted and only 39 (6%) were euthanised over this period of time.

Whilst Council's pound attempts to re-home all animals that are not reclaimed it is not always possible as the Code for Shelters and Pounds prevent animals with health and temperament issues from being re-homed. Percentages do not total to 100% as some animals were held in foster care to assist in the likelihood of the animal being adopted or were awaiting adoption as at 30 June 2017. Following is a table summarising the total number of dogs and cats admitted to Council's pound for the 2012-2013 and 2016-2017 periods.

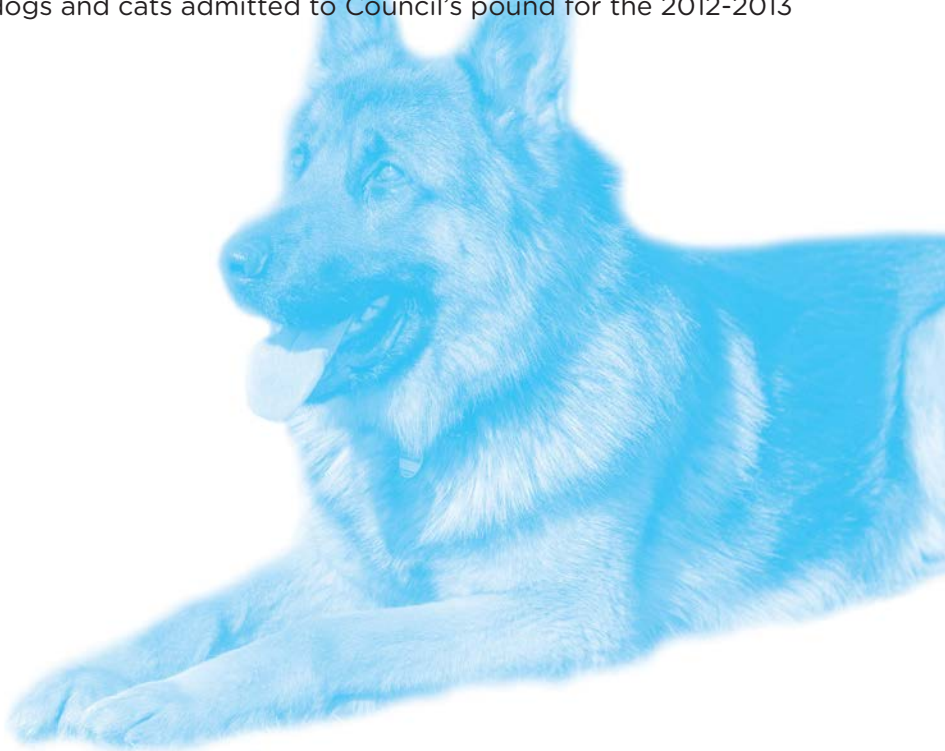


Table 8: Impounded animals

Dogs	2012-2013	2016-2017	Cats	2012-2013	2016-2017
Brought in by Council	622	543	Brought in by Council	212	234
Brought in by public (stray and surrender)	162	87	Brought in by public (stray and surrender)	224	168
Total	784	630	Total	436	402
Adopted	130	71	Adopted	236	215
Euthanised	98	39	Euthanised	142	88
Reclaimed	579	501	Reclaimed	59	65
Total	807	611	Total	437	368

Desexing

A Council Order requiring the compulsory desexing of cats prior to registration has been in place in Knox since April 2011. Pet owners in Knox may be eligible for a MAV/ AVA (Municipal Association of Victoria and Australian Veterinary Association) desexing voucher to assist them in the desexing of their cat or dog. This scheme provides financial assistance to concession card holders with the desexing of their animals at a reduced rate. The provision of desexing vouchers will continue in this Plan.

Semi-owned cat population

The semi-owned cat is one that someone within the community will feed because they feel sorry for it, however they are not willing to take full responsibility for that cat by way of taking on ownership of it or having it desexed or registered. Many people don't realise that by feeding the cat they are in fact contributing to the overpopulation of un-owned or semi owned cats in the community. Feeding un-owned cats keeps them healthy and strong enough to reproduce. Council's Animal Management team will help anyone who needs assistance with a semi-owned or un-owned cat in their neighborhood. Cat traps are available to the community to assist with the trapping of feral, un-owned, semi-owned or nuisance cats.

“People who live alone need something to hug.”

Our Orders, Local Laws, Council Policies and Procedures Orders

Domestic Animals Act 1994 section 10A(1)
The order provides that Knox City Council will not, after 10 April 2011, accept the registration of a cat unless the cat is desexed or exempted under the Domestic Animals Act 1994 from any requirements to be desexed.

Local Laws

Knox City Council General Provisions Local Law 2010, as amended in 2015. Without a permit a person must not keep on land more than:

- 20.3.1 2 dogs;
- 20.3.2 2 cats.

Where a permit is issued for more than 2 dogs and/ or 2 cats, any additional animals beyond the initial 2 are to be desexed unless otherwise permitted by Council.

Our current education/ promotion activities

- Promote responsible pet ownership at Council's annual Pets in the Park event.
- Website –Excess animal permit forms can be downloaded from the website.
- Promote the benefits of desexing:
 - Reduction of unwanted litters
 - Fewer animals euthanised
 - Reduced aggression
 - Reduced wandering
 - Cost benefits
 - Health benefits.
- Door-knocks are conducted to locate and identify unregistered pets.
- State Government initiatives at Council's Pets in the Park event and on Council's website.
- Promote unidentified and unclaimed impounded animals on Council's Lost Animals in Knox Facebook page.

Our current compliance activities:

- Reactive enforcement: Owners of excess numbers of pets are advised of the requirement to apply for a permit during the investigation of a complaint.
- Cat traps available from Council for residents with nuisance/ feral cat problems.
- Investigate complaints relating to excess number of animals.
- Enforcement of Local Laws in relation to numbers of animals on a property.
- Enforcement of registration and requirement to wear a registration tag.
- Significantly higher registration fees for entire animals to encourage desexing.
- Investigate reports of unauthorised backyard breeders to determine whether they should be registered as a Domestic Animal Business.

Summary

During the life of this Plan all cats in Knox will be required to be desexed as per the Council Order. Desexed animals with microchips will qualify for an ongoing reduction in registration fees, which is expected to provide a strong incentive for owners to have animals desexed and registered. Council works closely with its pound provider to develop business practices with an increased focus on rehousing animals and to ensure euthanasia rates are kept to a minimum. Knox also offers a desexing voucher scheme providing holders of an eligible card with subsidised desexing of their pet.



“ We cannot
imagine life
without
a dog. ”

Our plans - overpopulation & high euthanasia

Objective 1: Increase desexing rates of registered dogs and cats

Activity	When	Evaluation
Maintain Council's compulsory desexing of cats order	Ongoing	Ensure all registered cats are desexed
Reduced registration fees for desexed and microchipped animals	Ongoing	Increase in number of desexed animals registered
Promote the MAV/ AVA desexing voucher schemes	Ongoing	Audit use of vouchers
Promote the benefits of desexing	Ongoing	Audit accuracy of website information annually

Objective 2: Reduce euthanasia rate at Council's pound facility

Activity	When	Evaluation
Work closely with Council's pound provider to ensure a focus on rehousing animals and a reduction in euthanasia rates	2017-2021	Ensure pound provider has processes in place to minimise euthanasia rates
Promote unidentified and unclaimed impounded animals on Council's Lost Animal in Knox Facebook page	Ongoing	Facebook page updated regularly
Investigate free initial registration for any dog or cat purchased from an animal shelter with an 84Y agreement with Council	2019	Increased number of dogs and cats registered at adoption
Promote the adoption of animals at Council's pound through the Lost Animals in Knox Facebook page	2018	Regular links on Council's Facebook
Promote the MAV/ AVA desexing voucher schemes	Ongoing	Audit use of vouchers
Promote the benefits of desexing	Ongoing	Audit accuracy of website information annually

Objective 3: Promote the importance of up to date microchip information

Activity	When	Evaluation
Community education through: <ul style="list-style-type: none"> Participation at Knox Pets in the Park Council website and social media Brochures/ handouts Development of a communications strategy 	Ongoing	Participation by the Community Laws Team at nominated events Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
Contracted pound facility to ensure microchip information is accurate and up to date upon the release of an impounded animal	Ongoing	Regular review of contract services

Objective 4: Manage and promote the awareness of semi-owned cat populations

Activity	When	Evaluation
Introduce a sunset to sunrise cat curfew. Including: <ul style="list-style-type: none"> The development of a communications plan to promote the introduction of the curfew Amend pet registration forms to advise of curfew requirements Update new animal letters and new resident kits advising of curfew requirements Provide information on DIY cat enclosures and cat proof fencing 	2018/19	Successful media strategy in place Registration forms updated Letters updated Information provided on website and hard copies on request
<ul style="list-style-type: none"> Support and promote State Government initiatives at Council's Pets in the Park event and on Council's website. 	Ongoing	Annually review material available from State Government
Community education through: <ul style="list-style-type: none"> Participation at Knox Pets in the Park Council website and social media brochures/ handouts Development of a communications strategy 	Ongoing	Participation by the Community Laws Team at nominated events Regular review of the website/ social media information Ensuring availability of brochures at Council offices and at events
<ul style="list-style-type: none"> Provide residents with loan cat traps to assist in the trapping of feral, un-owned, semi-owned or nuisance cats 	Ongoing	Review customer requests annually



7

Domestic animal businesses

Section 68A(2)(c)(ii) of the Act requires Council to outline programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation - also addresses *68A(2)(a),(c)(i),(d),(f)*

Current situation

Council ensures that all Domestic Animal Businesses (DABs) located within Knox are registered with Council. Inspections are carried out upon registration, as well as annually to ensure compliance.

Council will investigate all reports of suspected backyard breeders and follows up on all cats and dogs sold to Knox residents, ensuring that they have been microchipped and registered.

In 2017, Knox had a total of 26 domestic animal businesses registered.

They included:

- 8 pet shops
- 11 dog training businesses
- 7 boarding facilities

Our Orders, Local Laws and Council Policies and Procedures:

- Inspections of all new DABs
- Annual audits of DAB premises
- Utilisation of reporting tools provided by State Government for inspections.

Our current education/ promotion activities:

- All Domestic Animal Businesses provided with the relevant Code of Practice.

- Brochures/ flyers and registration forms provided to DABs, including prospective DAB proprietors.
- State government fact sheets available on Council's website.

Our current compliance activities:

- All Domestic Animal Businesses must be registered with Council.
- Annual inspections are conducted at all Domestic Animal Businesses.
- Follow up on non-compliance as required.
- Enforcement action, including issuing infringements and prosecutions for non-compliance.
- Proactive monitoring of the illegal sale of pets.
- Complaints from the public relating to a Domestic Animal Business are investigated within 48 hours.
- Follow up of all cats and dogs sold by DABs to Knox residents, ensuring that they have been microchipped and registered.

Summary

All Domestic Animal Businesses within Knox are inspected annually. Inspections are conducted regularly to ensure compliance with the relevant Code of Practice. Non-compliance is rarely found to occur, however where detected, Council will endeavour to work with the business to achieve compliance. Where this approach fails, enforcement action will be taken.

Any proposed new DAB will need to demonstrate compliance with legislative requirements of both Council's planning department and Community Laws.

Our plans – domestic animal businesses

Objective 1: Identify and register all Domestic Animal Businesses (DABs) in the municipality

Activity	When	Evaluation
Identify all businesses that should be registered as DABs in the municipality, by reviewing all relevant information sources. Follow up will determine registration requirements	Ongoing	DABs registered and compliant
Proactive monitoring of the illegal sale of pets and ensuring those identified are compliant	Ongoing	Enforcement/ education action taken where appropriate
Investigate all reports of suspected backyard breeders	Ongoing	Enforcement/ education action taken where appropriate

Objective 2: Annually inspect and audit all registered Domestic Animal Businesses to ensure compliance with relevant Codes of Practice

Activity	When	Evaluation
Annually inspect and audit all registered DABs	Ongoing	Audits completed and enforcement action taken for non-compliance

Objective 3: Inspect residential properties where excess animals are registered to determine if they should be a registered Domestic Animal Business

Activity	When	Evaluation
Identify properties where more than two dogs or more than two cats are registered to determine if they are an animal breeder requiring registration as a DAB	Ongoing	Regular audits completed by officers



8

Other matters

Section 68A(2)(e) provides for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary.

Benefits of pet ownership – encouraging a healthy community

Many studies have been undertaken which provide a wealth of knowledge supporting the benefits of pet ownership and their use in therapy. A number of different studies have found a link between better health, both physical and mental, and pet ownership.

Goal 6 of the Knox Community and Council Plan includes, the provision of opportunities to access unstructured sports and leisure activities.

Together with the Domestic Animal Management Plan it is envisaged that the Knox community will embrace the importance of pet ownership in providing a healthier and fitter community.

Animal welfare issues

Council's Animal Management Officers are authorised under the Prevention of Cruelty to Animals Act to deal with any animal cruelty or welfare issues. Officers work with the RSPCA for more complex matters. There are occasions where Council is called upon to assist with the collection of injured animals that are then required to be transported to seek veterinary attention. Council has a good relationship with local veterinary clinics for those injured animals requiring urgent assistance.

Animal welfare and domestic violence

This Plan acknowledges that Council will further review and determine its role with regards to domestic violence, where owners and their pets are impacted.

A study conducted by Eastern Domestic Violence Service (EDVOS) showed that 53% of women in violent relationships reported pets being hurt or killed, and 46% reported their pets had been threatened. Research also shows that many women will not remove themselves or their children from a family violence situation because of threats to the safety of their pets. Perpetrators of family violence frequently use threats or inflict actual physical harm on pets in order to coerce and control their family.

To support this initiative Council aims to increase the community's awareness and promote services that are available for women and animals exposed to domestic violence.

Council Order – dogs in public places

The Council Order stipulates the areas in which dogs can be exercised off lead. It is also a requirement for any dog to be under effective control.

Restrictions applicable to off leash dog access results where some dogs are known to harass, chase and injure or kill wildlife when allowed to exercise off lead, through areas where wildlife is known to inhabit. Dogs exercised on lead and contained to their property will be a lesser threat to the environment.

Exercising a dog in an off leash area should only be done if the owner can maintain effective voice control of the dog at all times. The dog should not be allowed to bother, worry or annoy another person or a dog.

Off leash areas are shared space and it is important that dog owners are respectful of other people using that space.

The Council Order will be reviewed to ensure that it is clear and easy to understand.

Current situation

Our current Council policies and procedures:

- Council Order – Dogs in Public Places Domestic Animals Act 1994 s26 (Appendix C)
- Council Order – Compulsory Desexing of Cats Domestic Animals Act 1994 s10A(1) (Appendix B)
- Emergency Animal Management Sub Plan – this Plan defines the roles and responsibilities of Animal Management Officers and support staff during an emergency. The Plan is reviewed annually to be aligned with the Victorian Emergency Animal Welfare Plan to ensure Local Government responsibilities are addressed.

Our current education/ promotion activities:

- The message of responsible pet ownership is actively promoted at Council's Pets in the Park event.
- Council website and social media.

Our current compliance activities:

- All animal complaints are investigated. Serious issues such as dog attacks, rushes and injured animals are dealt with as a high priority.
- Council is a member of the Eastern Regional Compliance Group. This leadership group comprises representatives from seven eastern municipalities and meets quarterly to discuss animal management matters.
- All Animal Management Officers are authorised under the Prevention of Cruelty to Animals Act 1986 (POCTA).
- Animal Management Officers will investigate any reports of alleged animal cruelty and will enforce provisions of the Act. On occasions where advice may need to be sought the Animal Management Officer will liaise with the RSPCA Inspectorate for guidance or assistance.

Summary

While animal ownership is a benefit to the community, it is important that responsible animal owners ensure their dogs are under effective control when exercised in any open space.

Over recent years, emergency planning has been highlighted as an important role for Council animal management service areas. Annual training exercises are held in which a number of Councils and other government and welfare agencies participate. Animal Management staff participate in these exercises setting up mock holding areas for pets of all sizes. These sessions have proven to be a valuable learning tool.

“A house without a dog is not a home.”

“The welcome from our dog when we arrive home is always wonderful.”

Our plans - other

Objective 1: Encourage responsible management of pets through Council Orders

Activity	When	Evaluation
Maintain Council's dogs in public places (off lead) order	Ongoing	Review the order as required to meet community needs
Maintain Council's compulsory desexing of cats order	Ongoing	Ensure all registered cats are desexed
Introduce a new Council Order for a sunset to sunrise cat curfew	2018/19	Reduction of night time cat nuisance complaints

Objective 2: To have an emergency management plan in place

Activity	When	Evaluation
Emergency Animal Management Sub Plan	Ongoing	Plan up to date
Regular emergency management training is conducted which includes Knox and neighbouring Councils as well as other government and community support agencies	Ongoing	Training completed

Objective 3: Promote emergency planning within the community to ensure the welfare of animals in the event of an emergency

Activity	When	Evaluation
Community education: <ul style="list-style-type: none"> Council website and social media Brochures/ handouts 	Ongoing	Audit of website to ensure up to date information on a six monthly basis and social media posts when required



9

Annual review of plan
& annual reporting

Section 68A(3) every Council must:

1. review its Domestic Animal Management Plan annually and, if appropriate, amend the plan
2. provide the Department of Primary Industries' Secretary with a copy of the plan and any amendments to the plan
3. publish an evaluation of its implementation of the plan in its annual report.

Council will review this Plan annually with a full review being done in year four. Action items within the plan have time lines which will be reviewed on a regular basis throughout the life of the plan.

The relevant State Government Secretary will also be advised and provided a copy of any other amendments to the Plan which may arise during the review process.

Table 9: Evaluation of implementation of Domestic Animal Management Plan (July annually - for inclusion in annual report)

	Comments
For each activity, was it completed?	Yes/ No
If no, provide an explanation for each activity not completed.	
Did you complete each objective successfully?	Yes/ No
If no, provide an explanation.	
If yes, describe level of success.	
Are any amendments required for the DAM Plan? If so, please describe.	
If DAM Plan has been amended, has a copy been provided to the Secretary?	

Objective 1: Comply with Section 68A(3) of the Act

Activity	When	Evaluation
Review the Plan annually and if required amend the Plan	Annually	Plan amended as required
Provide the State Secretary with a copy of the Plan and any amendments of the Plan	November 2017	Plan submitted to State Government
Publish an evaluation of the implementation of the Plan in the annual report	Annually	Evaluation published within the annual report

How was this review undertaken?

The development of this Plan was informed by relevant legislation, researching, benchmarking with other council's and a range of community engagement activities. This review was enabled through both internal and contracted external resource.

Media campaigning

The review process, which commenced in mid-April 2017 and concluded on the 31 May 2017 used a multi-pronged approach to gather relevant data used to inform the progression of the Plan.

Activities used to capture a broad community input, included the following:

- Inviting community comment through advertising in the Knox Leader.
- Engaging Knox's community to have their say through Council's Electronic Social Media channels.
- Conducting a flyer drop to all Knox householders, inviting public comment.
- Advertising at the DAM Plan review at Knox Civic Centre, Knox libraries and other council community facilities.

Stakeholder forums

A series of stakeholder forums were held at the Knox Civic Centre during the consultation period. Stakeholders that were invited to comment at these forums included:

- All of community
- Specialist Animal Agencies
- Council officers that may be impacted by animal management activities
- City Safety and Health staff that deal with animal management matters on a daily basis.





10

Attachments

Attachment A: General Provisions Local Law 2010 (as amended 2015)

Attachment B: Section 10 order - compulsory desexing of cats

Attachment C: Section 26 order - dogs in public places



Attachment A

General Provisions Local Law 2010 (as ammended 2015)



KNOX CITY COUNCIL

GENERAL PROVISIONS
LOCAL LAW 2010

**INCORPORATING THE GENERAL PROVISIONS
(MISCELLANEOUS AMENDMENTS) LOCAL LAW 2015**

01 July 2010



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Knox City Council

General Provisions Local Law 2010

Knox City Council resolves:

PART 1 - PRELIMINARY

1. Local Law

This General Provisions Local Law is a local law made under Part 5 of the *Local Government Act 1989* and Part 3 of the *Domestic Animals Act 1994*.

2. Objectives

The objectives of this **Local Law** are to provide for the:

- (a) safe and fair use and enjoyment of **public places**;
- (b) safe and fair use of **roads**;
- (c) regulation of street activities;
- (d) keeping and control of animals;
- (e) fair and reasonable use and enjoyment of **land**;
- (f) protection of **Council assets**;
- (g) control of **building sites**; and
- (h) uniform and fair administration of this Local Law.

3. Commencement

This **Local Law** commences on 01 July 2010.

4. Revocation of Local Law

On the commencement of this **Local Law**, Council's General Provisions Local Law Number 1 2004 and General Works Local Law 2001 are revoked.

5. Application of Local Law

5.1 This **Local Law** applies throughout the **municipality**.

5.2 This Local Law does not apply where any act or thing otherwise prohibited or regulated by this **Local Law** is authorised by any Act, Rule, Regulation or **Planning Scheme**.





5.3 The document titled “General Provisions Local Law 2010 Administrative Policy Guidelines” as published from time to time forms part of this **Local Law**.

6. Definitions

In this Local Law –

”**advertising sign**” means any placard, board, mobile billboard, sign, card or banner, whether portable or affixed or attached to any **land**, which:

- (a) provides information about a business or industry; or
- (b) advertises goods, service, an event or a competition;

”**alcohol**” means a beverage intended for human consumption with an alcoholic content greater than 0.5% by volume at a temperature of 20° Celsius;

”**animal housing**” means any structure erected for the purpose of housing animals;

”**approved collection point**” means the naturestrip outside the **land** to which the waste service is being provided or at a **Council** approved alternative designated collection point;

”**approval**” has the same meaning as **permit**;

”**asset**” means a physical item that is owned, maintained or controlled by Council and provides or contributes to the provision of physical services to the community;

”**authorised officer**” means a person appointed by **Council** under section 224 of the *Local Government Act 1989*;

”**barbecue**” means any structure or device, erected or fixed outdoors, portable or mobile, which has as its primary purpose the cooking of food for human consumption;

”**boat**” means a vessel for travel on any type of water;

”**building site**” means **land** on which **building work** is being carried out or which is being prepared for **building work** to be carried out;

”**building work**” includes any work for which a building permit is required under the *Building Act 1993*, or equivalent legislation and includes any work with respect to construction, demolition, renovation, alteration or removal of any building or structure;



“**bulk rubbish container**” means a bin, skip or other container used for the deposit of waste, but excludes an approved **garbage bin** used in connection with **Council’s refuse** collection service;

“**camping**” means using a **caravan**, tent, swag, motor vehicle, shipping container, shed or like structure for residential accommodation (either temporary or permanent) by a person or persons, and ‘**camp**’ has a corresponding meaning;

“**caravan**” includes a mobile home and moveable dwelling;

“**collection week**” means Monday to Friday on the dates specified by **Council** as the dates on which waste collection services will be provided;

“**commercial waste**” means any **refuse**, rubbish, slops or other waste matter arising from or generated by any trade, industry or commercial undertaking;

“**commercial waste receptacle**” means a purpose-built receptacle for the deposit of trade waste that is ordinarily emptied by mechanical means;

“**Council**” means Knox City Council;

“**declared dog**” means a:

- (a) restricted breed dog; and/or
 - (b) a menacing dog; and/or
 - (c) a declared dangerous dog:
- under the *Domestic Animals Act 1994*;

“**declared significant tree**” means a tree declared by **Council** as a significant tree;

“**declared significant vegetation**” means vegetation that is declared by **Council** as significant vegetation;

“**domestic animal**” means a dog or cat;

“**environmental weed**” means any weed that is declared by **Council** as an environmental weed and is the subject of public notice as such in a newspaper generally circulating within the **municipality**;

“**garbage bin**” means a wheeled mobile garbage bin supplied by **Council** for the collection of domestic garbage;

“**green waste**”:

- (a) *placed in **green waste bin*** - means leaves, grass clippings, weeds, prunings, branches, bark, and any other similar materials which are no greater than 100mm in diameter and 300mm in length; and
- (b) *placed on naturestrip for collection* - means grass cuttings and other garden waste items which **Council** prescribes from time to time as **green waste** for the purposes of this **Local Law** and placed in the manner required by **Council**;



“**green waste bin**” means a wheeled mobile **garbage bin** supplied by **Council** for the collection of **green waste**;

“**goods**” includes but is not limited to produce, articles, items, tables, chairs, planter boxes, umbrellas, heaters, ashtrays and anything similar;

“**guidelines**” means the General Provisions Local Law Administrative Policy Guidelines 2010;

“**hard garbage**” means **refuse**, rubbish or waste items which **Council** prescribes from time to time as **hard garbage** for the purposes of this **Local Law**;

“**incinerator**” means an outside structure, device or piece of equipment which is designed, adapted, used or capable of being used for the burning of any unwanted material or substance and which is not a **barbecue**;

“**independent collection bin**” means a bin or container placed out for the purpose or apparent purpose of the collection of donated materials for a charity or other community organisation;

“**land**” means any **land** other than a **public place** or land vested in the Crown, and includes **land** which is privately owned or occupied, and structures and fixtures on such **land**;

“**large bird**” means any pigeon, cockatoo or other bird of similar or larger size of any age but does not include **poultry** of any age;

“**livestock**” has the same meaning as in the *Impounding of Livestock Act 1994*, namely an animal (including a bird) of any species used in connection with primary production or kept for recreational purposes other than a dog or a cat (includes but is not limited to horses, cattle, sheep, donkeys, mules, goats, pigs and deer of any age);

“**Local Law**” means this General Provisions Local Law 2010;

“**machinery**” means machine or machine parts considered as a group;

“**motoring assistance organisation**” means an organisation established to provide or providing roadside mechanical assistance for the sole purpose of enabling the motorist to proceed with his or her journey or to move the vehicle to another location, and includes but is not limited to the Royal Automobile Chamber of Commerce, the entity trading as “Holden Assist”, and any operator of tow trucks or similar **vehicles**;

“**motorised toy vehicle**” means any recreational **vehicle** which may be propelled or operated by internal combustion, steam, gas, oil, electricity or any other power and which is normally used for recreational purposes;



“**municipality**” means the municipal district of **Council**;

“**net gain**” means where the overall gains are greater than overall losses for vegetation and habitat;

“**nuisance**” includes any behaviour or condition which is liable to be dangerous to health, offensive or injurious to personal comfort;

“**outdoor area**” includes any entertainment deck, garage, workshop, pergola, gazebo or similar structure whether enclosed, partially enclosed or not enclosed;

“**penalty unit**” means a penalty unit within the meaning of the *Sentencing Act* 1991;

“**permit**” means a permit or **approval**, authorised or required under this **Local Law**, and issued in accordance with the provisions of it;

“**person in charge of building work**” means:

- (a) a person in charge of a **building site**; or
- (b) a person who causes **building work** to be carried out on any **land**; or
- (c) the person whose name appears on any building permit taken out on the subject **land** where **building work** is to be undertaken; or
- (d) the owner of a **building site** or, if a company is the registered proprietor of the **building site**, each director of that company.

“**Planning Scheme**” means the Knox Planning Scheme;

“**poultry**” includes chickens (but not **rooster/s**), ducks, geese, peacocks, pheasants and turkeys and anything similar of any age;

“**public litter and recycle bin**” means a bin that has been provided by **Council** in a **public place** for the deposit of litter or recyclables by the public;

“**public place**” means:

- (a) a **road**; and/or
- (b) **land** which is owned, occupied, maintained or managed by Council;

“**recreational vehicle**” includes any **vehicle** that cannot be registered and used on a **road**;

“**recyclable goods**” means any substances or articles declared by **Council** from time to time to be **recyclable goods** for the purposes of this **Local Law**;

“**recycling bin**” means a wheeled mobile recycling bin or other receptacle supplied by **Council** for the collection of **recyclable goods**;

“**recycling facility and transfer station**” means any **land** operated by or on behalf of **Council** from time to time as a recycling and waste centre;



“**refuse**” means all waste or rubbish produced or accumulated in or on any property but excludes:

- (a) nightsoil, sewage and animal excreta; and
- (b) slops or liquid wastes; and
- (c) waste generated from **building work** (including bricks, concrete, rocks, timber and other building materials or waste); and
- (d) waste generated from the restoration, repair or servicing of motor **vehicles**; and
- (e) ash, unless it is cold, dampened and wrapped or contained in a manner which prevents its escape; and
- (f) trade waste; and
- (g) **recyclable goods**; and
- (h) oil, paints, solvents and similar substances; and
- (i) any broken glass or other sharp object, unless it is wrapped in impermeable material, or contained entirely within an impermeable receptacle from which it cannot escape; and
- (j) disposable nappies, unless any faeces have been removed from the disposable nappies and they are wrapped in impermeable material; and
- (k) any waste that cannot be contained in an approved **garbage bin** due to its size, shape, nature or volume; and
- (l) medical or veterinary waste; and
- (m) any waste which is hazardous, dangerous or infectious; and
- (n) any **hard garbage** or **green waste**; and
- (o) any other substances declared by **Council** from time to time not to constitute refuse for the purposes of this **Local Law**;

“**residential land**” means any land used primarily for residential purposes;

“**road**” has the same meaning as in the *Local Government Act 1989*, namely:

- (a) a street;
- (b) a right of way;
- (c) any **land** reserved or proclaimed as a street or road under the *Crown Land (Reserves) Act 1978* or the *Land Act 1958*;
- (ca) a public road under the *Road Management Act 2004*;
- (d) a passage;
- (e) a cul de sac;
- (f) a by-pass;
- (g) a bridge or ford;
- (h) a footpath, bicycle path or nature strip; and
- (i) any culvert or kerbing or other **land** or works forming part of the **road**;

“**rodents**” includes rabbits, guinea pigs, mice, rats and hamsters and other mammals characterised by incisors adapted for gnawing and nibbling;

“**rooster**” means a male chicken of any age;



“**sell**” includes:

- (a) sell by means of any machine or mechanical device; and
- (b) barter or exchange; and
- (c) agree to sell; and
- (d) offer or expose for sale; and
- (e) keep or have in possession for sale; and
- (f) directing, causing or attempting any such acts or things;

“**shopping trolley**” means a wheeled container or receptacle supplied by a retailer enabling the transportation of **goods** or other items;

“**small bird**” means any budgerigar, canary, finch or other similar size or smaller bird;

“**temporary vehicle crossing**” means any material that is used to protect a **road**, kerb, channel or footpath while **building work** is being undertaken that has been constructed and maintained to the satisfaction of **Council**;

“**toy vehicle**” means a **vehicle**, other than a bicycle, ordinarily used at play and includes a tricycle, scooter, skateboard, roller skates and roller blades;

“**unmanaged honeybee swarm**” means a colony of honeybees hiving or swarming in a location not in accordance with the *Apiary Code of Practice* nor under management of a registered apiarist attempting to comply with the *Apiary Code of Practice*.

“**unsightly**” means a state or condition characterised by the presence of one or more of the following features or similar features of a property, and that in the opinion of an Authorised Officer the property has:

- (a) excessive unconstrained rubbish such as paper, cardboard, plastic bags, styrene, domestic garbage, second hand containers; and/or
- (b) excessive second hand timber or second hand building material; and/or
- (c) discarded, rejected, surplus or abandoned solid or liquid materials; and/or
- (d) graffiti on exterior walls or fences; and/or
- (e) excessive machinery, machinery parts or similar; and/or
- (f) anything being built which is left incomplete and constitutes a detriment to the appearance of the surrounding area; and/or
- (fa) excessive dead, diseased or dying vegetation; and/or
- (fb) excessively long grass and/or weeds; and/or
- (fc) a disused excavation; and/or
- (fd) a building or other structure of thing which is a detriment to the appearance or amenity of the surrounding area; and/or
- (g) any other thing making the **land** visually repugnant

but excludes an enclosed building or structure on the **land** which complies with regulations made under the *Building Act 1993* or *Planning and Environment Act 1987*;





“**vehicle**” includes any conveyance propelled or drawn by animal, mechanical, electrical or other power, (such as a **boat**) but excludes a skateboard, roller blades, roller skates or similar; and

“**vehicle crossing**” means a **Council** approved properly constructed surface for vehicular access to **land**.



PART 2 - PUBLIC PLACES

7. Behaviour

7.1 A person must not:

- 7.1.1 behave in a **public place** in such a manner as to interfere with another person's reasonable use of that **public place**;
- 7.1.2 behave in a **public place** in such a manner as to endanger or be likely to endanger a person's health or life, property, or an animal;
- 7.1.3 while present in a **public place** act contrary to a sign erected in that **public place**.

8. Trading Activities

8.1 Without a **permit** a person must not in a **public place**:

- 8.1.1 display or **sell** any **goods** or services;
- 8.1.2 place out any **advertising sign** or other promotional sign;
- 8.1.3 place out any tables and/or chairs for the purposes of outdoor eating/drinking by customers; or
- 8.1.4 place or allow to be placed a seat, umbrella, table, chair, planter box, heater, ash tray or other items associated with trading activities.

or cause or authorise another person to do so.

8.2 Until evidence is given to the contrary it will, for the purposes of clause 8.1, be presumed that if any:

- 8.2.1 **goods** or services are displayed or sold;
- 8.2.2 **advertising sign** or other promotional sign is placed out;
- 8.2.3 tables and/or chairs are placed out for the purposes of outdoor eating/drinking by customers; or
- 8.2.4 seat, umbrella, table, chair, planter box, heater, ash tray or other item associated with trading activities is placed or allowed to be placed



in a **public place** the person responsible for the display, sale, placing out or placing or allowing to be placed is the person in charge of the business whose goods or services are being displayed or sold or whose business is being advertised or promoted or whose custom or trading activity is obviously involved (as the case may be).

8.3 For the purposes of clause 8.1, **Council** may declare, by resolution, **land** that is privately owned but being used for public purpose as a **public place**.

8.4 Any privately owned **land** declared under clause 8.3 must be:

8.4.1 advertised in a newspaper generally circulated within the **municipality**; and

8.4.2 advised to the owner of the **land** as shown on **Council's** rates records at the time of the declaration.

9. Alcohol

9.1 Without a **permit** a person must not consume or carry an open receptacle containing **alcohol** in any **public place** except at the times and in the places determined by **Council** and advertised in a newspaper generally circulating within the **municipality**.

10. Independent Collection Bins

10.1 Without a **permit** a person must not place, cause or allow to be placed an **independent collection bin** in a **public place**.

11. Collections of Money

11.1 Without a **permit** a person must not in a **public place** solicit or collect money or any articles from any person, or cause or authorise another person to do so.

12. Vehicle Crossings

12.1 Without a **permit**, a person must not construct or relocate any **vehicle crossing** or **temporary vehicle crossing**.

12.2 Each owner or occupier of **land** must keep in good condition any **vehicle crossing** or **temporary vehicle crossing** which services that **land**.



12.3 **Council** or an **authorised officer** may direct:

12.3.1 the construction of a **temporary vehicle crossing** or **vehicle crossing**;

12.3.2 the repair or reconstruction of a **temporary vehicle crossing** or **vehicle crossing**; or

12.3.3 the removal of a redundant **temporary vehicle crossing** or **vehicle crossing**, and the reinstatement of any kerb, channel, footpath or other area to the satisfaction of **Council**

by the owner or occupier of any adjacent **land** at his or her cost.

12.4 An owner or occupier of **land** to whom a direction is given under clause 12.3 must comply with that direction.

13. **Property Numbers**

13.1 **Council** or an **authorised officer** may from time to time allot a number to **land** and may from time to time allot a different number to **land** or otherwise change the numbering.

13.2 The owner or occupier of **land** to which a number has been allotted by **Council** or an **authorised officer** must mark the **land** with a number so as to be clearly visible and legible from the **road** on which the **land** has its frontage.

14. **Vehicles in Public Places**

14.1 An **authorised officer** may remove from any **public place** any registered or unregistered **vehicle** that has been left standing in that **public place** and constitutes a hazard or a danger to others.

14.2 A person must not park a **vehicle** or leave a **vehicle** other than a boat, **caravan** or trailer, standing in any **public place** for more than 14 consecutive days.

14.3 A person must not park a boat, **caravan**, or trailer in any **public place** for more than 7 days in any 28 day period.

14.3A A person must not ride, drive or park any **vehicle** in or on any **public place** other than in an area set aside for vehicle parking or any designated roadway.



- 14.4 Without a **permit**, a person must not repair or maintain a **vehicle** in a **public place** unless that person is from a **motoring assistance organisation**.
- 14.5 An owner or person in charge of a **vehicle** must not offer that **vehicle** for sale from a **public place**.

15. Camping

- 15.1 Without a **permit**, a person must not **camp** in a **public place**.

16. Obstructions – Public Place

- 16.1 Without a **permit**, a person must not leave or permit to be left any:
- 16.1.1 shipping container in a **public place**; or
- 16.1.2 other thing which encroaches on or obstructs the free use of a **public place** or that reduces the breadth, or confines the limits of a **public place**.

17. Shopping Trolleys

- 17.1 The owner of a **shopping trolley** must ensure that his, her or the business name and contact number are clearly marked on the **shopping trolley**.
- 17.2 A person must not leave a **shopping trolley** in a **public place** except in an area designated for the leaving of **shopping trolleys**.
- 17.3 A **shopping trolley** that has been abandoned may be impounded.
- 17.4 The owner of a **shopping trolley** must not allow the **shopping trolley** to be left in a **public place** except in an area designated for the leaving of **shopping trolleys**.

18. Bulk Rubbish Container and/or Skip Bins

- 18.1 Without a **permit** or **Council** accreditation, a person must not place a **bulk rubbish container** in a **public place**.





19. Use of Toy Vehicles or Aircraft

- 19.1 Without a **permit**, a person must not fly an internal combustion engine model aircraft in a public place unless that **public place** is an area designated for that purpose by **Council**.
- 19.2 Without a **permit**, a person must not use or allow another person to use a **toy vehicle** in a **public place** in such a way as to obstruct, inconvenience, hinder, endanger, alarm or prevent the free passage of other users of the **public place**, or damage property.
- 19.3 Without a **permit**, a person must not ride or use or allow another person to ride or use an unregistered motorised **toy vehicle** on a **road** or in a **public place** in such a way as to obstruct, inconvenience, hinder, endanger, alarm or prevent the free passage of other users of the **public place**, or damage property.

19A Fireworks

- 19A.1 Without a **permit**, a person must not discharge or cause or allow to be discharged any fireworks in a **public place**.



PART 3 - ANIMALS

20. Keeping of Animals

- 20.1. An owner or occupier of **land** on which **livestock** is kept must ensure that the **land** is adequately fenced so as to prevent that **livestock's** escape from the **land**.
- 20.2. Without a **permit** a person must not keep any **livestock** on **land** with an available area of less than 4,000 square metres.
- 20.3. Without a **permit** a person must not keep on **land** more than:
- 20.3.1 2 dogs;
 - 20.3.2 2 cats;
 - 20.3.3 5 reptiles or **rodents**;
 - 20.3.4 5 **large birds**;
 - 20.3.5 25 **small birds**; or
 - 20.3.6 5 **poultry**.
- 20.3A The maximum number of cats or dogs in total to be kept on land is five (5), unless a planning permit issued under the provisions of the Knox Planning Scheme allows a greater number.
- 20.4 Where a **permit** is issued for more than 2 dogs and/or 2 cats, any additional animals beyond the initial 2 are to be desexed unless otherwise permitted by **Council**.
- 20.5. Without a **permit**, a person must not keep any **roosters**.
- 20.6. Without a **permit** an owner or occupier of **land** must not construct, reconstruct or allow to remain on that **land** any type of **animal housing**, where that housing is designed for more than the permitted number of animals.
- 20.7. An owner or occupier of **land** must construct and maintain any **animal housing** on the **land**:
- 20.7.1 so that it is in a clean, sanitary and inoffensive condition and does not cause any **nuisance**;
 - 20.7.2 so that its surroundings are clear of any material that may harbour vermin; and



20.7.3 to the satisfaction of **Council** or an **authorised officer** and must keep all food and any animal ordinarily present on the land in vermin and fly-proof receptacles.

21. Excrement

21.1 A person in charge of an animal in a **public place** must:

21.1.1 carry a facility for the effective removal of any excrement that may be deposited by that animal; and

21.1.2 collect from the **public place** and appropriately dispose of any excrement deposited by that animal.

22. Animal and/or Bird Noise and Odour

22.1 The occupier of any **land** on which any animal or bird is kept must not allow noise or odour to emanate from the animal or bird which is a **nuisance** to any person occupying a nearby property;

22.2 Nothing in clause 22.1 applies to any noise or odour emitted by a **domestic animal**.

22.3 If an **authorised officer** reasonably believes that barking by a dog constitutes a **nuisance**, the **authorised officer** may direct the owner of the dog to place or allow the placement of a barking count device on the dog for the period specified by the **authorised officer**.

22.3A If the feeding of an uncaged bird and/or animal by a person is causing a **nuisance** or damage to property, an **authorised officer** may direct the person to cease feeding the bird and/or animal.

22.4 Any person to whom a direction is given under clause 22.3 or 22.3A must comply with that direction.





PART 4 - AMENITY

23. Condition of Land

- 23.1 An owner or occupier of **land** must ensure that the **land**:
- 23.1.1 does not constitute or is not likely to constitute a danger to health or property;
 - 23.1.2 is not **unsightly** or detrimental to the general amenity of the neighbourhood in which it is located;
 - 23.1.3 is not used in any manner so as to cause a **nuisance** or become detrimental to the amenity of the immediate area.
- 23.2 The owner or occupier of any **land** must not allow **camping** on that **land** unless a **permit** has been obtained or **camping** is permitted under the **Planning Scheme**.

24. Environmental Weeds

- 24.1 A person must not **sell** or possess for sale any **environmental weeds**;
- 24.2 The owner or occupier of **land** of 2 hectares or less must not allow or permit the **land** or adjoining nature strip to support the growth of any **environmental weed**.

25. Machinery or Vehicles on Land

- 25.1 Without a **permit**, a person must not use any **residential land** for the storage of more than 2 unregistered, unroadworthy, disassembled, incomplete or deteriorated motor **vehicles** or machinery for more than 2 months;
- 25.2 Without a **permit**, an owner, occupier or person in charge of **land** must not, by mechanical means, paint a **vehicle** or any part of a **vehicle** on that **land**.



26. Open Air Burning

26.1 Without a **permit** an owner or occupier of **land** must not light a fire in the open air or in an **outdoor area** but may light a fire in a:

26.1.1 **barbecue** for the purpose of cooking food for human consumption; or

26.1.2 brazier or chiminea for the purposes of heating;

providing that no **nuisance** is caused by the emission of smoke, soot, ash or odours.

26.2 Revoked - General Provisions (Miscellaneous Amendments) Local Law 2015

26.3 An owner or occupier of **land** must not construct, erect, install, use or permit to be used an **incinerator** on any **land**.

26.4 **Council** or an **authorised officer** may issue a **permit** with conditions or refuse to issue a **permit** based on the specific circumstances of the case having due regard to:

26.4.1 the size of the **land**;

26.4.2 the ability of the landowner to remove the vegetation via more appropriate methods;

26.4.3 the proximity to other landowners and risk of smoke nuisance; and

26.4.4 whether it is a declared fire danger period.

26.5 No **permit** to burn will be issued during a declared fire danger period.

26.6 **Council** or an **authorised officer** may waive the fee for a **permit** issued under this clause where the land to which the **permit** is to apply is greater than 1 hectare in size.

26.7 A person who has lit or allowed a fire to remain alight contrary to the provisions of 26.1 or any conditions in a **permit** must extinguish the fire immediately on being directed to do so by an **authorised officer**.

27. Heavy and/or Long Vehicles

27.1 Without a **permit** a person must not on any **land** keep or do any work on a **vehicle** which is 7.5 metres or more in length or 4.5 tonne or more in gross vehicle mass.



28. Obstructions – Land

- 28.1 Without a **permit**, an owner or occupier of **land** must not allow any vegetation, sign, fence or structure on that **land** to:
- 28.1.1 encroach over any **public place** to a height less than 2.5 metres;
 - 28.1.2 encroach over any **road** comprising the **road** pavement for the traffic of **vehicles** to a height less than 5 metres; or
 - 28.1.3 obstruct the clear view of traffic controls by a person on the adjacent **road**, or substantially interferes with **vehicle** or pedestrian use of any **public place** or with street lighting.
- 28.2 Without a **permit** an owner or occupier of any **land** must not encroach, place or allow to be placed any obstruction or other thing on a **public place**.

29. Noise

- 29.1 An occupier of **land** or the person in charge of a vehicle must not emit or allow to be emitted any excessive noise from that **land**;
- 29.2 An owner and occupier of any **land** and any person in charge of a **vehicle** must comply with any relevant ‘Noise Control Guidelines’ produced by the Environment Protection Authority which ‘Noise Control Guidelines’ form part of this **Local Law**.
- 29.3 Nothing in clause 29.1 applies to any noise to which the *Environment Protection Act 1970* applies.

30. Alarms

- 30.1 Without a **permit** an owner or occupier of any **land** must not install or permit or allow to be installed or cause to be retained in an active state, at or upon any such **land**, any alarm which emits a noise audible beyond the boundary of the **land**, unless such alarm is so constructed or regulated so as to ensure that:
- 30.1.1 whenever a detection device is activated, the intruder alarm is automatically rendered inaudible beyond the boundary of the land within 10 minutes of it being activated; and
 - 30.1.2 the intruder alarm cannot re-activate until the device has been manually re-set.



31. Bees

- 31.1 An owner or occupier of any **land** who allows bees to be kept on that **land** must do so in accordance with the *Apiary Code of Practice*.
- 31.2 Nothing in clause 31.1 applies to a person who allows bees to be kept on **land** where a planning permit has been issued authorising such bees to be kept.
- 31.3 An owner or occupier of any **land** must, upon becoming aware of the existence of an **unmanaged honeybee swarm** on that **land**, take reasonable steps to cause the removal of that swarm.

32. European Wasps

- 32.1 An owner or occupier of **land** must, upon becoming aware of the existence of a European wasps nest on that **land**, take reasonable steps to cause the nest to be destroyed.

33. Rats and Mice

- 33.1 In order to minimise the impact of rats and mice, an **authorised officer** may give reasonable written directions to the owner or occupier of any **land** to:
- 33.1.1 destroy any rats or mice on the **land**; and/or
- 33.1.2 take reasonable steps to remove or rectify any conditions on the **land** which are conducive to the breeding of rats and mice.
- 33.2 A person to whom a direction is given under clause 33.1 must comply with the direction.
- 33.3 Clause 33.1 does not apply to:
- 33.3.1 rats or mice bred or kept exclusively for research, scientific or educational purposes; or
- 33.3.2 rats or mice bred or kept exclusively as domestic pets.



34. Tree and Vegetation Protection

- 34.1 Without a **permit** a person must not cut, trim, lop or prune or allow to be cut, trimmed, lopped or pruned on any **land** a **declared significant tree** or **declared significant vegetation**.
- 34.2 The existence of any **declared significant tree** or **declared significant vegetation** declared must be included on any Land Information Certificate issued in respect of the relevant **land** in accordance with the *Local Government Act 1989*.
- 34.3 Any person found guilty of an offence under clause 34.1 may be required by **Council** to provide restitution of vegetation based on a **net gain** principle.
- 34.4 Any person subject to a requirement under clause 34.3 must satisfy that requirement.

35. Recreational Vehicles and Trail Bikes

- 35.1 A person in charge of a recreational vehicle or trail bike must not ride or operate or allow to be ridden or operated a recreational vehicle or trail bike on **land** in a manner or at a time which interferes or is likely to interfere with the reasonable comfort or convenience of any person on neighbouring **land**.

36. Drainage of Properties

- 36.1 An owner and occupier of **land** must ensure that:
- 36.1.1 the **land** is adequately drained to the satisfaction of an **authorised officer**;
- 36.1.2 the **land** does not discharge water that in the opinion of an **authorised officer** is a **nuisance** to an occupier of adjoining **land**; and
- 36.1.3 water does not discharge from an air conditioner or other equipment on that **land** onto a footpath.





PART 5 – WASTE COLLECTION SERVICE

37. Domestic Garbage

The occupier of every **land** to which **Council** supplies a **garbage bin**:

37.1 may deposit **refuse** in the **garbage bin** and leave the **garbage bin** at an **approved collection point** for collection on days designated by **Council** from time to time as collection days;

37.2 must not deposit items or material in the **garbage bin** other than **refuse**;

37.3 must not leave the **garbage bin** outside the **land** for more than 24 hours before or after a collection day;

37.4 must place the **garbage bin** out for collection in any manner specified by **Council** from time to time;

37.5 must maintain the **garbage bin** in a clean and sanitary condition;

37.6 must ensure that the area where the **garbage bin** is kept on the **land** is kept in a clean and sanitary condition;

37.7 must ensure that the lid of the **garbage bin** is closed other than when **refuse** is being deposited in it or removed from it;

37.8 must ensure that the **garbage bin** is not overflowing so that the lid can be completely closed;

37.9 must ensure that the **garbage bin** is not removed from the **land** except for the collection of **refuse** in accordance with clause 37.1; and

37.10 must not deposit **refuse** in, tamper with or remove any **garbage bin** or other collection bin supplied to other **land**.

38. Recyclable Goods

The occupier of every **land** to which **Council** supplies a **recycling bin**:

38.1 may deposit **recyclable goods** in the **recycling bin** and leave the **recycling bin** at an **approved collection point** for collection on days designated by **Council** from time to time as collection days; and

38.2 must not deposit in the **recycling bin** material other than **recyclable goods**;





- 38.3 must not leave the **recycling bin** outside the **land** for more than 24 hours before or after a collection day;
- 38.4 must place the **recycling bin** out for collection in any manner specified by **Council** from time to time;
- 38.5 must maintain the **recycling bin** in a clean and sanitary condition;
- 38.6 must ensure that the area where the **recycling bin** is kept on the **land** is kept in a clean and sanitary condition;
- 38.7 must ensure that the **recycling bin** is not removed from the **land** except for collection of **recyclable goods** in accordance with clause 38.1;
- 38.8 must remove items or materials left outside the premises that are not **recyclable goods**;
- 38.9 must not deposit **recyclable goods** in, tamper with or remove either the contents of the **recycling bin** or other collection bin supplied to other **land**;
- 38.10 must ensure that the lid of the **recycling bin** is closed other than when recyclable goods are being deposited in it or removed from it; and
- 38.11 must ensure that the **recycling bin** is not overflowing so that the lid can be completely closed.

39. Hard Garbage

The occupier of every **land** to which **Council** provides a **hard garbage** service:

- 39.1 may deposit **hard garbage** at an **approved collection point** for collection no more than 48 hours prior to the week designated by **Council** from time to time as the **collection week**;
- 39.2 must only deposit any item/s on the nature strip in the **collection week** for a **hard garbage** service that are prescribed as **hard garbage**;
- 39.3 must place the **hard garbage** out for collection in a manner specified by **Council** from time to time; and
- 39.4 must remove any item/s deposited in breach of clause 39.



40. Green Waste (not in Council supplied bin)

The occupier of every **land** to which **Council** provides a **green waste** collection service:

- 40.1 may deposit **green waste** at an **approved collection point** for collection on days designated by **Council** from time to time as collection days;
- 40.2 must not deposit any item at or near the **approved collection point** on the collection day for a **green waste** collection service, other than **green waste**;
- 40.3 must not deposit **green waste** at or near the **approved collection point** more than seven days before a collection day;
- 40.4 must place the **green waste** out for collection and arrange it in a manner specified by **Council** from time to time; and
- 40.5 must remove any item/s deposited in breach of this clause upon being directed to do so by an **authorised officer**.

41. Green Waste Bin

The occupier of any **land** to which **Council** supplies a mobile **green waste bin**:

- 41.1 may deposit green waste in the mobile **green waste bin** supplied and leave the mobile **green waste bin** at an **approved collection point** for collection on days designated by **Council** from time to time as collection days;
- 41.2 must not deposit items or material in the mobile **green waste bin** other than **green waste**;
- 41.3 must not leave the mobile **green waste bin** outside the **land** for more than 24 hours before or after a collection day;
- 41.4 must place the mobile **green waste bin** out for collection in a manner specified by **Council** from time to time;
- 41.5 must maintain the mobile **green waste bin** in a clean and sanitary condition;
- 41.6 must ensure that the area where the mobile **green waste bin** is kept on the **land** is kept in a clean and sanitary condition;



- 41.7 must ensure that the lid of the mobile **green waste bin** is closed other than when **green waste** is being deposited in it or removed from it;
- 41.8 must ensure that the mobile **green waste bin** is not overflowing so that the lid can be completely closed;
- 41.9 must ensure that the mobile **green waste bin** is not removed from the **land** except for the collection of **green waste** in accordance with this clause; and
- 41.10 must not deposit **green waste** in, tamper with or remove any mobile **green waste bin** or other collection bin supplied to other **land**.

42. Disposal of Disused Refrigerators and other Compartments

- 42.1 Without a **permit** a person must not cause, suffer or permit a disused refrigerator, ice-chest, icebox, trunk, chest freezer or any other similar article to be placed on any **land, road** or **public place** without first removing every door and lid.

43. Interference with Hard Garbage

- 43.1 A person must not, for commercial purposes, remove or interfere with any hard garbage left out on a **road** or other **public place** for collection by **Council**.

44. Screening of Bins and Receptacles

Council may, by notice in writing, direct the owner or occupier of any **land** to:

- 44.1 install;
- 44.2 repair;
- 44.3 replace; or
- 44.4 modify

a fence or other means of screening an approved **garbage** and/or **recycling bin** or **trade waste** receptacle from public view.

45. Depositing of Waste at the Recycling and Waste Centre

- 45.1 Without a **permit** a person must not deposit any hazardous, dangerous or infectious materials at any **recycling facility and transfer station**.



46. Non Council Domestic Waste Services

- 46.1 Where an owner or occupier of **land** is undertaking his, her or its own refuse collection service in respect of the **land**, the service provided must be at a standard and frequency equivalent to that provided by **Council**.
- 46.2 When a planning permit requires the development of a waste management plan, the owner of the **land** must ensure that refuse services in respect of the relevant **land** are provided in accordance with the waste management plan approved by **Council**.

47. Commercial Waste

- 47.1 If directed by **Council** or an **authorised officer**, the owner of any **land** must ensure that any area where a **commercial waste receptacle** is placed:
- 47.1.1 has an impermeable surface;
 - 47.1.2 is drained to an outlet approved by **Council** or an **authorised officer**;
and
 - 47.1.3 is maintained in a clean, inoffensive and sanitary condition.
- 47.2 Unless registered with **Council** or the holder of a **permit** issued by **Council**, a person may not place a bulk container or skip bin in a **public place**.
- 47.3 A person must not place **commercial waste** in a **public litter and/or recycle bin**.

48. Suspension of Services

- 48.1 If an occupier of **land**:
- 48.1.1 has persistently contravened; or
 - 48.1.2 is persistently contravening

any provision of this Part of the **Local Law**, **Council** may suspend the provision of any waste collection service to the **land**.



48.2 If **Council** suspends the provision of any waste collection service to **land** the suspension may be:

48.2.1 indefinite; or

48.2.2 for such a period as **Council** specifies by a notice given to the occupier of **land** and on such terms as specified by **Council** in any notice given to such occupier.

48.3 Where a suspension takes place, a person must not place out for collection by **Council** any waste collection service containers.



PART 6 – COUNCIL ASSETS AND BUILDING SITES

49. Building Sites

49.1 Without an **approval**, a **person in charge of building work** must not undertake any **building work** unless the **land** has:

49.1.1 an onsite and functioning toilet facility;

49.1.2 access for the emptying and collection of temporary toilet facilities;

49.1.3 a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility;

49.1.4 a litter container with lid of sufficient size;

49.1.5 emergency contact details clearly displayed;

49.1.6 a temporary or permanent fence to a minimum height of 1.5 metres that is fully contained within the **land**, that secures the **land** and is to the satisfaction of **Council**; and

49.1.7 a temporary or permanent fence where gates or access points in the fence open onto the **land**.

49.2 A **person in charge of building work** must:

49.2.1 undertake all **building work** on the **building site** unless otherwise approved by Council;

49.2.2 store all building related material on the **building site** unless prior **approval** is obtained from **Council**;

49.2.3 place all litter capable of being blown from the **building site** in a suitable litter container;

49.2.4 prevent any sediment, mud, erosion, potential stormwater pollutants or other site run off from leaving the **building site**;

49.2.5 manage any dust or air pollutants from the **building site** to minimise **nuisance**;

49.2.6 ensure **vehicle** access to the **building site** is via a **vehicle crossing** or a **temporary vehicle crossing**;



- 49.2.7 ensure that for the duration of the **building works** the **vehicle crossing or temporary vehicle crossing** is maintained in a clean and safe manner for **vehicles** and pedestrians; and
- 49.2.8 not allow any vehicle to deposit any mud, sediment, slurry or similar material from the **building site** in any **public place**.

50. Defacing / Damaging Land and Assets

50.1 Without a **permit**, a person must not destroy, damage, remove or interfere with:

- 50.1.1 a **public place**;
- 50.1.2 any building, structure or infrastructure or any other thing on a **public place**;
- 50.1.3 anything belonging to **Council** on **land** or in a **public place** unless allowed by **Council**, whether under this **Local Law** or otherwise; and
- 50.1.4 any **Council** property or **assets** located on or in any **land**.

50.2 A person must not authorise or engage any other person to undertake any of the activities in clause 50.1.

51. Trees and Plants in Public Places

51.1 Without a **permit**, a person must not remove, lop, destroy, damage or interfere with any tree or plant in a **public place**.



PART 7 - ADMINISTRATION

52. Permit / Approval

- 52.1 An application for a **permit** under this **Local Law** must be in a form approved by **Council** and accompanied by any appropriate fee prescribed by **Council**.
- 52.2 **Council** may require an applicant to supply additional information or to give public notice of the application.
- 52.3 **Council** may decide to:
- 52.3.1 grant a **permit**; or
 - 52.3.2 grant a **permit** subject to conditions; or
 - 52.3.3 **refuse** to grant a **permit** on any grounds it deems fit.
- 52.4 The holder of a **permit** must comply with all conditions within that **permit**.
- 52.5 **Council** may exempt a person from the requirement to hold a **permit** under this **Local Law**.
- 52.6 An appeal against any decision to refuse a **permit** or to issue a **permit** with conditions must be in writing and forwarded to **Council** within 28 days of notification of **Council's** decision.

53. Direction of Authorised Officer

- 53.1 An **authorised officer** may, by written Notice to Comply, give any reasonable direction to a person in respect of:
- 53.1.1 any matter under this **Local Law**; or
 - 53.1.2 a person's use of a **public place**; or
 - 53.1.3 a **permit** issued under this **Local Law**.

whereupon the person to whom the direction is given must comply with that direction.



54. Power of Authorised Officer – Urgent Circumstances

An **authorised officer** may act to remedy any circumstance which threatens a person's life, health or property, or an animal, or to remedy any unabated **nuisance**, without serving a notice under clause 53, provided that:

- 54.1 the circumstance arises out of a person's failure to comply with a provision of this **Local Law**;
- 54.2 the action taken is no more than the minimum reasonably necessary to remedy the urgent circumstance; and
- 54.3 the person to whom a notice under clause 53 would have otherwise been served is as soon as possible notified of the urgent circumstance and the action taken to remedy it; and
- 54.4 a member of the Victoria Police is present when the **authorised officer** so acts.
- 54.5 Power of entry into a dwelling may be exercised for the purpose of enforcing clause 30.

55. Cost Recovery

The cost associated with any works undertaken by **Council** under this **Local Law** may be recovered from the owner of the property by:

- 55.1 invoicing the owner for all works costs and/or rectification costs; or
- 55.2 placing the works costs and/or rectification costs against the property.

56. Impounding

56.1 **Council** may:

- 56.1.1 impound any item that encroaches or obstructs the free use of a **public place**;
- 56.1.1A impound any item where breaches of the conditions of a **permit** or non-compliance with a Notice to Comply have been detected;
- 56.1.2 release the item to its owner on payment of a fee determined by **Council**, which is not to exceed an amount that reasonably represents the cost to **Council** of impounding, keeping and releasing the item; and



56.1.3 **sell**, destroy, dispose of or give away the impounded item if the owner of the item has not paid the fee within 14 days of service of the notice under clause 56.1.2 or if the owner's identity or whereabouts cannot be ascertained.

56.2 If **Council** impounds an item under clause 56.1 it must serve on the person who is apparently the owner of it a notice in a form approved by **Council** as soon as possible after the impoundment.

56.3 If the identity or whereabouts of the owner of an item impounded under clause 56.1 is or are unknown, **Council** must take reasonable steps to ascertain the owner's identity and or whereabouts prior to exercising its powers under clause 56.2.

56.4 **Council** is entitled to retain out of the proceeds of sale of any impounded item its reasonable costs incurred in impounding, keeping and selling the item.

57. Council Signs

A person must comply with any sign erected in a **public place** by **Council**.

58. Delegation

The powers of **Council** under this **Local Law** to:

58.1 impound an item under clause 56.1;

58.2 issue, refuse or revoke a **permit**;

58.3 issue, sign, revoke, exempt, require or cancel any notice, order or agreement; and

58.4 enforce any matter

are delegated to the Chief Executive Officer of **Council**, every **authorised officer** and any members of the Victoria Police.



PART 8 - ENFORCEMENT

59. Offences

- 59.1 A person is guilty of an offence if the person:
- 59.1.1 does something which a provision of this **Local Law** prohibits to be done;
 - 59.1.2 fails to do something which a provision of this **Local Law** requires to be done;
 - 59.1.3 fails to comply with a Notice to Comply by the due date of that Notice to Comply;
 - 59.1.4 engages in activity without a current **permit** where a provision of this **Local Law** requires that person to obtain a **permit** before engaging in that activity;
 - 59.1.5 breaches or fails to comply with a condition of a **permit** issued under this **Local Law**; or
 - 59.1.6 fails to comply with a direction of an **authorised officer** under clause 53.

60. Infringement Notice

- 60.1 An **authorised officer** may issue an infringement notice for an offence.
- 60.2 All infringement notices are issued under the provisions of the *Infringements Act 2006* and include appeal provisions under that Act.
- 60.3 Payment of the fixed penalty for an infringement notice may be made to Chief Executive Officer, Knox City Council, 511 Burwood Highway, Wantirna South or to a member of **Council's** staff authorised for this purpose at the **Council** offices.

61. Penalties

- 61.1 The fixed penalty for an infringement notice is the amount set out under "Infringement Notice Penalty Units" in Schedule 1.
- 61.2 A person guilty of an offence under this Local Law is liable to the penalties set out under 'Maximum Penalty Units' in Schedule 1.



SCHEDULE 1 - PENALTIES

Clause	Offence	Infringement Notice Penalty Units	Maximum Penalty Units
7.1.1	Behaving in a public place so as to interfere with another person's reasonable use of that space	5	20
7.1.2	Behaving in a public place so as to endanger or be likely to endanger a person's health, life, property or an animal	10	20
7.1.3	In a public place, acting contrary to a sign in that public place	5	20
8.1	Failing to obtain a permit (goods, services, advertising, footpath activities)	5	20
9.1	Failing to obtain a permit (alcohol in a public place)	4	20
10.1	Failing to obtain a permit (collection bins)	5	20
11.1	Failing to obtain a permit (money collections)	5	20
12.1	Failing to obtain a permit (vehicle crossings)	5	20
12.2	Failing to keep in good condition any vehicle crossing or temporary vehicle crossing	5	20
12.4	Failing to comply with a direction (vehicle crossings)	5	20
13.2	Failing to mark the land with a number so as to be clearly visible and legible from the road on which the land has its frontage.	4	20
14.2	Parking a vehicle or leaving a vehicle standing in any public place for more than 14 consecutive days.	2	10
14.3	Parking a boat, caravan, or trailer in any public place for more than 7 days in any 28 day period.	2	10
14.3A	Riding, driving or parking a vehicle in or on any public place other than in an area set aside for vehicle parking or any designated roadway.	2	10
14.4	Failing to obtain a permit (Repairing or maintaining a vehicle)	4	20
14.5	Offering or advertising a vehicle for sale from a public place.	5	20
15.1	Failing to obtain a permit (camping)	1	5
16.1	Failing to obtain a permit (obstructions)	5	20
17.1	Failing to ensure that a name is clearly marked on a shopping trolley.	2	10
17.2	Leaving a shopping trolley in a public place	3	15
17.4	Allowing shopping trolley to be left in a public place	2	10
18.1	Failing to obtain a permit or accreditation (bulk rubbish container)	3	15
19.1	Failing to obtain a permit (model aircraft)	1	5



Clause	Offence	Infringement Notice Penalty Units	Maximum Penalty Units
19.2	Failing to obtain a permit (toy vehicle)	1	5
19.3	Failing to obtain a permit (motorised toy vehicle)	1	5
19A.1	Failing to obtain a permit (fireworks)	10	20
20.1	Failing to ensure that land on which livestock is kept is adequately fenced	2	10
20.2	Failing to obtain a permit (livestock)	2	10
20.3	Failing to obtain a permit (dogs, cats, reptiles, rodents, large birds, small birds, poultry)	2	10
20.4	Failing to desex additional animals where a permit is issued	2	10
20.5	Failing to obtain a permit (roosters)	2	10
20.6	Failing to obtain a permit (animal housing)	2	10
20.7	Failing to construct and maintain any animal housing	5	20
21.1.1	Failing to carry a facility for the effective removal of excrement	2	10
21.1.2	Failure to collect from the public place and appropriately dispose of excrement	2	10
22.1	Allowing noise or odour to emanate from an animal or bird	2	10
22.4	Failing to comply with a direction (animal or bird noise and odour)	5	20
22A.2	Failing to comply with a direction (animal registration)	5	20
23.1.1	Failing to ensure that land does not constitute a danger to health or property	5	20
23.1.2	Failing to ensure that land is not unsightly or detrimental to the neighbourhood	5	20
23.1.3	Failing to ensure that land is not used in a manner so as to cause a nuisance	5	20
23.2	Failing to obtain a permit (allowing camping)	1	5
24.1	Selling or possessing for sale any environmental weeds	5	20
25.1	Failing to obtain a permit (vehicle storage)	5	20
25.2	Failing to obtain a permit (painting a vehicle)	5	20
26.1	Failing to obtain a permit (open air burning)	5	20
26.2	Constructing, erecting, installing, using or permitting to be used an incinerator	5	20
26.5	Failing to comply with a direction (extinguishing a fire)	5	20
27.1	Failing to obtain a permit (heavy or long vehicles)	5	20
28.1	Failing to obtain a permit (vegetation encroachment)	5	20
28.2	Failing to obtain a permit (obstruction)	5	20



Clause	Offence	Infringement Notice Penalty Units	Maximum Penalty Units
29.1	Emitting excessive noise	2	10
29.2	Failing to comply with Noise Control Guidelines	2	10
30.1	Failing to obtain a permit (alarms)	2	10
31.1	Keeping bees other than in accordance with the Apiary Code of Practice	2	10
31.3	Failing to take steps to remove an unmanaged bee swarm	2	10
32.1	Failing to take steps to destroy a European Wasp nest	2	10
33.2	Failing to comply with a direction (rats and mice)	5	20
34.1	Failing to obtain a permit (tree and vegetation pruning)	5	20
35.1	Riding or operating or allowing to be ridden or operated a recreational vehicle or trail bike on land in a manner or at a time which interferes or is likely to interfere with the reasonable comfort or convenience of any person on neighbouring land.	2	10
36.1	Failing to ensure that land is adequately drained, does not discharge water onto adjoining land so as to cause a nuisance and does not discharge onto a footpath.	10	20
37	Failure to comply with requirements of the domestic garbage service	3	15
38	Failure to comply with requirements of the recycling service	3	15
39	Failure to comply with requirements of the hard garbage service	3	15
40	Failure to comply with requirements of the green waste collection service	3	15
41	Failure to comply with requirements of the green waste bin service	3	15
42.1	Failing to obtain a permit (refrigerator disposal)	3	15
43.1	Failing to obtain a permit (hard garbage collection)	3	15
45.1	Failing to obtain a permit (hazardous waste)	10	20
46.2	Failing to ensure refuse services are provided in accordance with a waste management plan	5	20
47.1	Failing to comply with a direction (commercial waste)	10	20
47.2	Failing to obtain a permit or registration (skip bin)	5	20
47.3	Placement of commercial waste in a public litter bin	5	20
48.3	Placement out for collection a waste collection container after a suspension has taken place	5	20
49.1	Failing to obtain approval (building sites)	10	20
49.2	Failing to comply with requirements relating to the management of building sites	10	20



Clause	Offence	Infringement Notice Penalty Units	Maximum Penalty Units
50.1	Failing to obtain a permit (defacing or damaging land or assets)	10	20
50.1	Authorising or engaging a person to deface or damage land or assets	10	20
51.1	Failing to obtain a permit (trees and plants in public places)	10	20
53.1	Failing to comply with a reasonable direction of an Authorised Officer under this Local Law	5	20
57	Failing to comply with a sign erected by Council in a public place	5	20

I certify that this is a true copy of the Knox City Council General Provisions Local Law 2010, which is the consolidation of the following Local Laws:

- General Provisions Local Law 2010, adopted on 25 May 2010; and
- General Provisions (Miscellaneous Amendments) Local Law 2014, adopted on 24 March 2015.

and will take effect on 1 May 2015 in accordance with the requirements of the *Local Government Act 1989*.

Chief Executive Officer



Attachment B

Section 10 order – compulsory desexing of cats

Victoria Government Gazette - No. G 8 Thursday 24 February 2011

Domestic Animals Act 1994

Knox City Council, by resolution dated 24 August 2010, made an Order under section 10A(1) of the Domestic Animals Act 1994. The Order provides that Knox City Council will not, after 10 April 2011, accept the registration of a cat unless the cat is desexed or exempted under the Domestic Animals Act 1994 from any requirement to be desexed.

Exemptions relevant to this Order include:

1. The following cats do not have to be desexed to be registered or to have their registration renewed by a Council in accordance with section 108 of the Domestic Animals Act 1994 –
 - a. a cat that is owned by a person or body that conducts a domestic animal business under which cats are bred and the cat is used for breeding purposes in connection with that business;
 - b. a cat that is owned by a person who is a current member of an applicable organisation and the animal is registered with that organisation;
 - c. a cat that is the subject of written veterinary advice that the health of the cat is liable to be significantly prejudiced if it is desexed.
2. Renewal of an existing registration.
3. Where applicants have an objection to desexing a cat when required to be registered at three months of age, they may apply for a deferral for the first year of registration after which time proof of sterilisation must be provided to Council. Otherwise the cat will be deregistered.

This order has been made in conjunction with ongoing development and implementation of the Knox City Council Domestic Animals Management Plan.

GRAEME EMONSON
Chief Executive Officer

Attachment C

Section 26 order – dogs in public places

Victoria Government Gazette - No. G 15 Thursday 13 April 2006

Notice is hereby given that Knox City Council, at its meeting on 22nd November 2005, resolved to make the following Order under Section 26 of the Domestic (Feral and Nuisance) Animals Act 1994.

This order is effective from 10 April 2006.

1. Dogs shall be kept on lead in public places.

All dogs must be restrained by means of a chain, cord or leash within:

- a. an active reserve where an organised sporting event is being conducted
 - b. a children's play equipment area
 - c. an organised public meeting
 - d. a permanent barbecue or picnic area
2. Public places include footpaths, shopping center's, car parks, bike tracks, walking tracks and conservation bushland areas. Conservation bushland areas include:
 - a. Egan Lee Reserve
 - b. Flamingo Road Reserve
 - c. Gilmore Park Retarding Basin
 - d. J W Manson Reserve
 - e. Koolunga Native Reserve (except the lawn areas)
 - f. Lakewood Reserve
 - g. Wicks Reserve (east and west)
 - h. W G Morris Reserve
 - i. Tim Neville Arboretum
 3. Dogs may be off lead but under effective control in a public park or recreation reserve, subject to the following conditions:
 - a. Dog owners must carry a chain, cord or leash sufficient to restrain the dog should it behave in a threatening manner; and
 - b. Dog owners must remain within effective voice or hand control distance of the dog at all times; and
 - c. A person in charge of the dog must not allow the dog to worry, chase or threaten another person or animal.