

Injured Companion Animals not in Council's Care/Impound

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POLICY

PURPOSE

To detail the circumstances where Council will respond to incidents of injured, stray companion animals and provide veterinary treatment at Council's cost to prevent unnecessary pain and suffering to the animal.

BACKGROUND AND RELATED LEGISLATION

Council is required under the Companion Animals Act, 1998 (CAA) to raise awareness of the requirements of the Act and to be aware of the existence of all dangerous, menacing and restricted dogs within the Council area. Council does not have any legal responsibility for animals that are not yet under Council's care and control.

The responsibility of injured animals that are not in Council's control is not the responsibility of Council and this position is supported by the Office of Local Government. Animal welfare is regulated by the Prevention of Cruelty to Animals Act, 1979 (POCTA), with the RSPCA and police having the relevant authority. POCTA protects the welfare of animals requiring that appropriate care be given when required by any person that has injured the animal or is in possession of the animal.

A significant gap has been identified in relation to the response to injured companion animals, after hours in particular. With no RSPCA or other community organisation in the area with the capacity to respond, and local vets unable to attend, the expectation is that Council would take on this responsibility, including the associated veterinary costs, until an owner has claimed the animal. Costs may be recovered from the owner if the animal is claimed.

Related legislation:

- Companion Animals Act, 1998 – Section 6A
- Prevention of Cruelty to Animals Act, 1979 – Sections 5, 14 and 26AA
- Vet Practices Regulation – Schedule 2, Veterinary Practitioner's Code of Professional Conduct

SCOPE

Stray companion animals may become injured by incidents such as vehicle strikes or dog attacks. POCTA requires the driver or a person in charge of an animal to seek appropriate veterinary care when required. Due to the likelihood that this person would be responsible for the associated costs, animals may suffer unnecessarily as it is possible no one may take responsibility for the animal.

This Policy aims to address this gap by allowing Council resources to be utilised for ranger attendance at these incidents. In addition, Council will cover the costs of basic treatment, pain relief or euthanasia until the owner can be contacted, the animal claimed and fees recovered.

It is not the intent of this Policy for Council to financially assist pet owners that cannot pay for urgent vet care, but instead to ensure that an animal is given appropriate care to relieve pain and

suffering until the owner can be contacted and the animal claimed. Council will not assume the responsibility and cost for companion animals whose owner is present, easily identified, or where the animal is in the possession of a person responsible for its care.

Council's responsibilities and procedures for the care of sick and injured animals under its control are not included in this Policy.

POLICY

1. Where notified, Council rangers will respond to incidents of sick or injured stray animals and authorise basic first aid, pain relief or euthanasia in accordance with a vet's recommendations and impound the animal.
2. Costly procedures such as x-rays and surgery will not be authorised by Council and therefore euthanasia may be required if a vet considers it cruel to keep the animal alive without further treatment.
3. Council response times include during business hours and after hours by the ranger on-call where available.
4. Council will not respond or accept veterinary costs where the animal is in the possession of its owner or a person representing the owner or responsible for the animal.
5. Where a stray, sick or injured animal is presented to a vet and the person in possession cannot cover the costs of treatment, and is not the owner or responsible for the animal, Council will accept responsibility for the cost of basic first aid, pain relief or euthanasia to a maximum of \$350, and impound the animal.
6. Council will not accept the surrender of sick or injured animals by their owners. Owners must comply with their responsibilities under POCTA and seek veterinary care. Failure to comply with their responsibilities, such as abandoning an animal, will result in Council reporting the matter to the RSPCA.
7. Veterinary practices are encouraged to make attempts to contact the owner of an animal (eg from a microchip) and obtain authorisation and payment for treatment without involvement from Council. Where an owner cannot be contacted, Council must be advised in accordance with the requirements of the CAA.
8. Once Council accepts responsibility for a companion animal, the animal is considered to be impounded and must not be released to the owner without Council authorisation and impound fees being paid.

RESPONSIBILITIES

Council's Ranger and Impounding Services are responsible for enforcing and enacting this Policy.

Customers may contact Council to report an incident by calling 6801 4000.

Animals other than companion animals are not covered under this Policy. Organisations such as RSPCA, WIRES, NPWS or LLS may be able to assist.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
RSPCA	Royal Society for the Prevention of Cruelty to Animals
POCTA	Prevention of Cruelty to Animals Act, 1979
CAA	Companion Animals Act, 1998
Owner	Each of the following persons is the owner of a companion animal: (a) the owner of the animal (in the sense of being the owner of the animal as personal property), (b) the person by whom the animal is ordinarily kept, (c) the registered owner of the animal.
WIRES	NSW Wildlife Information, Rescue and Education Service
NPWS	National Parks and Wildlife Service
LLS	Local Land Services