

# Policy

## Draft Tweed Shire Council Animal Impounding Facility (The Pound) Rehoming and Minimising Euthanasia Policy

Version 1.0

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## 1 Policy Aims and Objectives

This policy aims to provide clear procedures for the release to owners, sale and release to Organisations for Rehoming of Companion Animals ("animals") which are impounded or surrendered to the Tweed Shire Council Animal Impounding Facility (TSCAIF), otherwise known as The Pound.

The objectives of the Policy are to:

Manage Council's requirement to impound roaming and surrendered companion animals and provide secure holding facilities pending:

1. The return of as many animals as possible to their owners and enable pet owners to reclaim lost animals;
2. The sale of as many as possible unclaimed suitable animals to the general public or releasing the animals to Organisations for rehoming; and
3. The reduction of euthanasia rates of animals where possible and appropriate.

In summary, Council's philosophy is that fit and healthy animals should be sold or released to Organisations for rehoming. Council nevertheless reluctantly accepts that, in certain circumstances, euthanasia is necessary.

## 2 Scope

This policy applies to all companion animals which are impounded or surrendered to the TSCAIF.

### **Tweed Shire Council Animal Impounding Facility**

TSCAIF was established under the provisions of the Act.

The Impounding Facility is located off Leddays Creek Road and Bartletts Road, Eviron and is adjoined by Council's Waste and Landfill Facility.

The impounding facility commenced operation in 1960s.

The impounding facility has evolved as both an impounding centre as well as a sale centre, in conjunction with the not-for-profit organisation, Friends of the Pound (FoP), who commenced activity at the impounding facility in July 2000.

FoP has a primary purpose to re-home animals, and provides volunteers to assist Council Pound Attendants in the general care of animals and cleaning of the facility.

It also provides direct services and education of the public in desexing, microchipping and registration of animals.

A good working relationship has been established with Council through a Memorandum of Understanding.

The impounding facility is open to the public between 10.00am and 4.00pm all days except public holidays.

The impounding facility only impounds dogs and cats that are impounded or abandoned or surrendered in the Tweed Shire.

Tweed Council is currently advancing a Masterplan for the broader Waste facilities site, which is likely to necessitate the relocation of the impounding facility to another part of the site.

### 3 Policy Statements

At all times, the impounding and holding procedures set by the Companion Animals Act 1998 and Companion Animals Regulation 2008 shall be observed.

The only times that Council Compliance Staff will not take a found animal directly to the Pound is when it can be readily returned to its residence and owner in the field, or when the animal is injured or considered too sick to enter the Pound. In these cases, the animal will be taken to one of Council's contracted vet services providers, and Council will only fund any basic consultancy fees incurred.

Should members of the public come across an injured animal, they should transport the animal to the nearest veterinary service.

#### **3.1 Roaming or Impounded - Un-Microchipped Companion Animals**

##### **3.1.1 Holding Period**

When Compliance staff locate a roaming or retrieve an impounded animal, the animal is scanned for a microchip. If there is no microchip or the animal does not have a collar/tag or the like, it will be taken to the impounding facility where it will be held for 7 days, after which it can be legally sold, released to Organisations for Rehoming or euthanised.

##### **3.1.2 Advertising**

An animal suitable for sale will be advertised as soon as practicable to ensure maximum exposure. Advertising will include the gender, best estimation of breed and age and date of availability.

#### **3.2. Roaming or Impounded - Microchipped Companion Animals**

If an animal is identified as having a microchip number, staff will attempt to contact the owner to arrange the return of the animal to its home. This may attract a release fee under Council's Fees and Charges and any fines as may be applicable.

Staff may also advise the owner via written instruction or telephone calls that the animal is in the impounding facility.

After being held in the Pound for 14 days, the animal becomes the property of Council, ceasing to be that of the registered owner. The animal can then be legally sold, released to Organisations for Rehoming or euthanised.

### **3.3 Advertising**

A companion animal suitable for sale will be advertised as soon as practicable to ensure maximum exposure. Advertising will include the gender, best estimation of breed and age and date of availability.

## **4. Surrendered Animals**

Animals surrendered by their owners to the impounding facility become the property of Council. Animals suitable to be sold or released to Organisations for Rehoming will be subject to the same procedures as for un-microchipped animals.

Council will provide a 48 hour “cooling off” period from any euthanasia actions for owners to reconsider their actions, and they are able to retrieve their animals within that period, unless the animal is known to have a Dangerous Dog/Menacing Dog/Restricted Dog declarations or involved in recent dangerous activities, for which Council’s regulatory obligations will be carried out.

Council does not actively seek or encourage the surrender of animals by owners, the option of ‘surrendering’ is provided to the dog owner during a dog attack investigation. It is ultimately the owner’s decision.

Owners who wish to surrender their animal must complete Council’s Animal Surrender Form – Owner/Agent of Animal.

## **5. Animal Sale Adoption and Re-Homing and Foster Care – Specific Provisions**

For animals identified as being suitable for sale or release to Organisations for Rehoming, the following procedure will be observed:

### **5.1 Advertising**

5.1.1 Council shall regularly publish a list of animals held in the Impounding Facility that are considered suitable for sale or release to Organisations for Rehoming on its web site. Members of the public wishing to purchase an animal and all rescue agencies wishing to rehome animals held in the facility should utilise this pathway. Publishing of available animals can take place in various forums eg. local newspaper, Council’s Facebook page and website, and via other publicly accessible animal rehoming websites.

5.1.2 Animals may, in addition to the above Council managed media forums, be also listed on other social media outlets and websites.

5.1.3 An animal suitable for sale will be advertised as soon as practicable to ensure maximum exposure and increased chance of rehoming or adoption.

5.1.4 Advertising will include the gender, best estimation of breed and age and date of availability.

## **5.2 Access to Viewing and Meeting Animals**

5.2.1 Any person wishing to view/meet an animal that has been identified from the above advertising mediums is able to do so within the advertised opening hours of the TSCAIF. When attending the impounding facility each person is required to complete Council's Dog and Cat Impounding Facility – Potential Owner Interview form, this form is designed to assist with the animal selection process.

## **5.3 Sale**

5.3.1 Council will permit the sale of an animal to a member of the public; however that person must sign a waiver and indemnify Council that they take the animal in an "as is" condition (Murwillumbah Pound Deed of Sale and Receipt). At the point of sale, the new owner will be required to pay the cost of registration of the animal if not already paid. In accordance with the Companion Animals Act, dogs and cats are required to be microchipped and registered before release.

5.3.2 New owners are recommended that a vet check, vaccinations, heart and intestinal worming treatment of the animal should be undertaken (these all to be paid by the owner).

Council and vets cannot guarantee the animal's health and behaviour as Council and vets do not know the full extent of the animal's background.

## **5.4 Release to Organisations for Rehoming**

5.4.1 The TSCAIF has a long established working relationship with a recognised rehoming organisation, the Friends of the Pound (FoP), who provide an excellent and reliable service in the rehoming and foster care of impounded animals. Council Pound staff will continue to provide the first opportunity to rehome or care for an impounded animal to FoP. FoP also have their own affiliated rescue care groups that they seek assistance from in taking rehoming responsibility on certain occasions. In those instances where FoP and its affiliated organisations are not in a position to take care of an impounded animal, Council Pound staff will then make an offer to other recognised Organisations for Rehoming.

5.4.2 In terms of general procedures, a rehoming organisations approved by Council and will hold an exemption from the Minister under Section 16 (d) of the Companion Animal Regulation. An example of such an organisation in the Tweed Shire is Friends of the Pound.

5.4.3 The rehoming organisation will provide Council with its policy for rehoming and a list of approved persons who act on their behalf. A copy of the rehoming organisation's

public liability insurance which identifies Council as an interested party should be available on request.

5.4.4 Council may enter into agreement with more than one Organisation for Rehoming.

5.4.5 Council will be the sole arbitrator in all sale or release to Organisations for Rehoming matters and all decisions made by Council will be final.

5.4.6 In certain circumstances, such as young, aged or frail animals, foster care arrangements may be organised with Organisations for Rehoming. This will be at the discretion of Council Compliance staff who will contact rehoming organisations to seek interim foster care arrangements.

5.4.7 All animals leaving the Council facility must be microchipped and registered as per the legislation. Registration is exempted to approved section 16(d) compliant organisations and after claiming the animal, this function becomes the responsibility of the agency prior to selling the animal out.

5.4.8 Tweed Shire Council reserves the right not to sell or re-home an animal.

## **5.5 Restrictions to the sale or Rehoming**

5.5.1 No animal may be sold or rehomed to any person without identification and proof of age to be over 18 years old.

5.5.2 No animal may be adopted or rehomed if doing so would be illegal or create undue risks to humans or other animals.

## **6. Euthanasia**

### **6.1 Statutory Requirements and Other Factors Necessitating Euthanasia**

Council is committed to minimising euthanasia rates of healthy and rehomeable companion animals. It is important that all animals are to be considered on an individual, case-by-case basis. The decision to euthanise an animal is not taken lightly or at haste but is done with due consideration of the health and welfare of that animal. It is most often used with terminally unwell or injured animals, where the prognosis is considered irredeemable, and must also be considered for animals with intractable behaviour problems and in accordance with State legislation.

Human safety also needs to be taken into account with aggressive dogs. There are some types of aggression that are almost impossible to treat, and the risk of injuries to humans needs to be taken into account. It would be irresponsible to rehome a dog full well knowing that there was a high risk that somebody could be bitten in the future.

Some dogs also have deeply ingrained, causing violent aggression to other animals, which again can make them impossible to rehome. The risk of other animals being savaged to death needs to be considered when searching for a good answer for such animals.

Circumstances where euthanasia may be considered acceptable include, but are not limited to the following:

- Where an owner presents a pet and requests euthanasia;
- Where a companion animal has been surrendered due to attacking a person or animal (other than vermin);
- Where the companion animal is a restricted breed type dog or has been declared to be a menacing, dangerous or restricted dog under the Act;
- Where a companion animal has behavioural or temperamental characteristic that poses a health or safety risk furthermore that they are not likely to become healthy or treatable even if provided the appropriate care typically provided to pets by reasonable and caring pet owners;
- Where the companion animal is an unidentified cat that is wild, uncontrollable or diseased;
- Where a companion animal is suffering from a disease, injury, or congenital or hereditary condition that adversely affects the animal's health and are not likely to become healthy or treatable even if provided the care typically provided to pets by reasonable and caring pet owners.

## 6.2 Weekly Health, Behaviour and Temperament Assessment Panel Meetings

Council's Pound Attendants are responsible for maintaining records of observations of all impounded animals which can be used to inform Council's regular Panel Assessments.

Each week a Panel Meeting is held, alternatively with one of Council's two contracted vets and Council Pound Attendants.

The purpose of these meetings are to determine the suitability or otherwise for the rehoming of those animals that have exceeded the statutory periods of impounding as required under the Act. Other factors that are considered are those animals that have an urgent medical condition or serious behavioural or temperament condition.

Based on the assessment and advice of Council's contracted vets, there may be an immediate, irredeemable, medical reason necessitating the euthanasia. This decision will be verified and authorised only after consultation with Council's Senior Ranger or Team Leader Compliance.

For those other animals cleared by Council's contracted vets of any urgent or chronic medical condition, a progressive "cooling off" period from euthanasia, based on the following three (3) stages:

<b>Stage 1</b>	<p><b>First Choice Referral Provided To Friends of the Pound</b></p> <p>Friends of the Pound (FOP) shall be given a period of three (3) days to determine whether they wish to adopt an animal that has been determined to have no urgent medical condition, however has been identified as being treatable or manageable, taking account of any behavioural or temperament conditions identified by the Assessment Panel.</p>
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<p><b>Stage 2</b></p>	<p><b>Second Choice Referral Provided to Recognised and Accredited Animal Welfare organisations and Rescue Agencies</b></p> <p>In those instances where FOP is not able to take an animal offered through Stage 1, Councils approved animal welfare organisations shall be notified and given the opportunity to take on the animal within a further period of three (3) days.</p>
<p><b>Stage 3</b></p>	<p><b>Determined for Euthanasia</b></p> <p>Prior determination of statutory requirement necessitating euthanasia.</p> <p>OR</p> <p>Following a seven (7) day period from a Panel Meeting assessment, where no rehoming or adoption request has been secured for an animal through Stages 1 and 2, the animal shall then be euthanised at the first available visit by a contracted vet, unless a chronic and urgent condition requires the action sooner. This action shall require the prior authorisation of either the Senior Ranger or Team Leader Compliance.</p>

### 6.3 Euthanasia Procedures

The euthanasia of animals is to be performed ONLY by authorised officers or veterinarians and the storage, recording and safe keeping of any drugs and chemicals associated with the facility is the responsibility of the Senior Ranger or Impounding Officer.

In the unfortunate event of companion animals being subject to euthanasia, in all cases it will be performed by way of lethal injection, in a humane manner and by a suitably licensed veterinarian of authorised Council officer, in that it:

- Is painless;
- Is performed out of public view to avoid distress;
- Produces rapid loss of consciousness and death;
- Interrupts consciousness and reflexes simultaneously;
- Requires minimum restraint;
- Avoids excitement and causes minimal psychological stress to the animals;
- Is appropriate for the age of the animal;
- Exhibits consistent and predictable action;
- Is easily and safely administered by properly trained personnel;
- Causes minimal emotional effects to operator and observers; and

Is done with additional staff to comfort the animal during the process.

## DEFINITIONS

The following definitions are used in this Policy and associated Guidelines:

**The Act means:** the Companion Animals Act 1998.

**Approved animal welfare organisation** means any of the following:

- (a) the Royal Society for the Prevention of Cruelty to Animals, New South Wales,
- (b) the Animal Welfare League NSW,
- (c) the Cat Protection Society of NSW,
- (d) any other organisation approved by the Director-General by order published in the Gazette.

**Cat** means: an animal of the species *Felis catus*, whether or not domesticated.

**Companion animal** means: each of the following:

- (a) a dog,
- (b) a cat,
- (c) any other animal that is prescribed by the regulations as a companion animal.

Note. The fact that an animal is not strictly a “companion” does not prevent it being a companion animal for the purposes of this Act. All dogs are treated as companion animals, even working dogs on rural properties, guard dogs, police dogs and corrective services dogs.

**Council** means:

- (a) the council of an area under the [Local Government Act 1993](#), or
- (b) the Lord Howe Island Board in relation to Lord Howe Island (the Lord Howe Island Board’s area for the purposes of this Act), or
- (c) the person appointed under section 6 (1A) in relation to land within the Western Division that is not within an area under the [Local Government Act 1993](#) (the appointed person’s area for the purposes of this Act).

**Council Pound** means:

- (a) a public or private pound established by a council under the [Impounding Act 1993](#), or
- (b) any other place approved by a council as a place for the holding of animals for the purposes of the [Companion Animals Act 1998](#).

**Dangerous:** in relation to a dog - see section 33 of the [Companion Animals Act 1998](#).

**Dangerous Dog:** means a dog for the time being the subject of a declaration by an authorised officer of a council or a court under the [Companion Animals Act 1998](#). that the dog is a dangerous dog.

**Dog:** means an animal (of either sex, or desexed, and whether or not domesticated) of a species with the scientific name *Canis familiaris*, *Canis lupus familiaris*, *Canis lupus dingo*, *Canis familiaris dingo* or *Canis dingo*, or a synonym of any of those names, and including a hybrid of any of those species.

**Euthanasia:** to cause the deliberate and painless death of an animal.

**Feral:** means wild, or existing in a state of nature and showing no signs of domestication.

**Infant:** means in the first period of existence and refers to an animal that is not able to feed and fend for itself.

**Kitten:** a cat aged less than 16 weeks.

**Puppy:** a dog aged less than 16 weeks.

**Restricted Dog:** is defined in section 55 of the [Companion Animals Act 1998](#).

**Veterinary Practitioner:** means a person who is registered under the [Veterinary Practice Act 2003](#) as a veterinary practitioner.

## RELATED LEGISLATION, CIRCULARS OR GUIDELINES

### Related Policies/Local Laws/Legislation:

- Prevention of Cruelty to Animals Act 1979 (POCTA). Local Government Act 1993
- Companion Animals Act 1998
- Companion Animals Regulation 2008
- Impounding Act 1993
- NSW Animal Welfare Code of Practice No 5 - Dogs and Cats in Animal Boarding Establishments
- Tweed Council Companion Animals Management Plan 2010 (revised 2013).
- Griffith City Council – Rehoming & Adoption of Animals Policy 2016
- Wingecarribee Shire Council – Alternatives to Euthanasia Policy 2015

### Review period

This policy will be review in line with Council's integrated planning and reporting framework and/or in line with associated strategies and associated action plan.

