

Policy No. 43: Dog Management

POLICY MANUAL

Policy No. 43	Dog Management
Purpose	The purpose of this Policy is to establish a Dog Management Policy for the municipal area that complies with the <i>Dog Control Act 2000</i> .
Department	Development and Regulatory Services
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POLICY

1. Definitions

As per *Dog Control Act 2000*.

Assistance Dog A dog which is an *assistance animal* as defined in section 9 of the *Disability Discrimination Act 1992* (Cth).

2. Objective

The objective of this Policy is to ensure effective compliance with the *Dog Control Act 2000* (the Act), supporting the community's wellbeing and safety by:

- ensuring dog owners fulfill their obligations under the Act;
- preventing harm or disturbance caused by dogs to people, other animals and property;
- minimising noise, and other nuisances caused by dogs;
- encouraging responsible dog ownership; and
- providing accessible exercise and recreational areas for dogs, including clearly designated on-lead and off-lead areas.

3. Scope

This Policy applies to all individuals responsible for a dog within the Meander Valley Council, including both residents and visitors.

4. Principles

This Policy will apply in accordance with the following principles:

- 4.1 Community Wellbeing: recognising the health and social benefits of dog ownership;
- 4.2 Balance: promoting a balanced approach between dogs, dog owners, and the community; and
- 4.3 Compliance: Supporting enforcement and adherence to the Act.

5. Policy

5.1 Principles for Responsible Dog Ownership

The Council is committed to promoting responsible dog ownership through the following Principles for Responsible Ownership of Dogs:

Dog owners are expected to adhere to the following:

- *Register and microchip dogs aged six months or older, unless exempt.*
- *Keep dogs securely housed and contained.*
- *Always ensure dogs wear their Council identification tags.*
- *Provide necessary veterinary care, adequate food, water and exercise.*
- *Take reasonable action to prevent nuisance behaviours.*
- *Ensure effective control of dogs is maintained in public places.*
- *Clean up after their dogs.*

5.2 Education and Community Engagement

The Council will provide education on responsible dog ownership as a preventive approach to common dog-related issues. Education tools include:

- Signage in dog-exercise areas;
- Day-to-day interactions with Council Rangers;
- Printed guides and resources outlining the *Dog Control Act 2000* requirements;
- Regular information on social media, and Councils website;
- School presentations upon request, promoting responsible dog ownership to young audiences.

5.3 Managing Complaints, Nuisance and Community Safety

5.3.1 Nuisance Barking

Barking dogs can be a difficult issue to deal with as every situation is different. The Act specifies a barking nuisance as a noise that consistently occurs or continues to such an extent that it unreasonably interferes with the peace, comfort or convenience of any person in any premises or public place.

Barking Complaints Will Follow a Structured Response:

1. In the first instance, residents should contact the owner of the dog directly to resolve the problem, as this is proven to be the most effective approach and also assists to maintain neighbourhood harmony.

2. If unable to resolve the issue of a barking dog directly with the owner, then the Council should be notified. The Council may elect to contact the dog owner to discuss their dog's behaviour and make suggestions as to how owners can remedy any problems.
3. A person may make a formal complaint to the Council; this must be lodged on the Council's official complaint form and the appropriate fee must be paid. Any fee paid will be refunded in the event that a complaint is substantiated.
4. In response to a formal complaint, the Council may require the person making the complaint to keep a record of instances for a period of not less than 14 days (or otherwise determined by the Council). In considering this action, the Council will have regard to any other collaborating evidence. The Council will then determine the appropriate response.

5.3.2 Managing other Nuisance Complaints

Other activities of dogs can cause annoyance and discomfort to members of the community, most commonly via dogs roaming and not being contained to their property, owners failing to pick up dog faeces or dogs causing distress to others by behaving in a manner that may cause injury or pose a safety concern to a person or another animal. In such situations, people may make a complaint to the Council.

In the first instance people should attempt to resolve the problem directly with the owner.

The Council will consider every complaint received relating to an alleged nuisance caused by a dog, however, may not act upon anonymous or unsubstantiated complaints. Issues raised by complainants will be investigated in a manner which ensures that all facts are considered to avoid vexatious and/or false complaints being supported. A Council Officer may make enquiries as to the validity of a complaint by speaking to the dog owner, the complainant and surrounding neighbours and/or witnesses.

Where necessary, the Council will institute proceedings against a dog owner for an offence relating to a nuisance or when dogs attack, threaten people or animals or compromise community safety and health.

Enforcement actions the Council may take include:

- issuing a warning, an abatement or infringement notice;
- impounding roaming dogs; and/or
- prosecuting when an offence or the impact of an offence is significant.

5.3.3 *Managing Dangerous Dogs*

A small portion of dogs may pose a threat to the community through aggressive behaviour. Dog behaviour that is threatening or results in an attack on people or animals causing injury, damage, distress or death is not acceptable and will be managed.

It is important that, where dogs are perceived (through their behaviour) as dangerous, that the Council or Police are informed to enable a thorough investigation to take place and any necessary action to be taken to ensure public safety.

The Council may declare a dog as dangerous if the dog has caused serious injury to a person or another animal or there is reasonable cause to believe that the dog is likely to cause serious injury to a person or another animal.

When managing a potential or declared dangerous dog/s, the Council may take one or more of the following actions:

- issue a warning or an infringement notice;
- initiate prosecution action where there is evidence of a contravention of the Act;
- declare an offending dog to be dangerous;
- seize and detain a dog suspected or known to have attacked a person or animal to ensure safety and to enable an investigation to occur;
- enforce compliance with requirements of the Act relating to a dangerous dog; and/or
- euthanise the offending dog.

5.4 Municipal Pound

The Council will operate a municipal pound in accordance with the requirements of the *Dog Control Act 2000* and the *Local Government Act 1993*.

Dog owners will be encouraged to contact the Council in the event of losing their dog to expedite the reuniting of impounded dogs with owners.

Where a dog is impounded and not claimed, the Council will make reasonable efforts to secure an alternative home for the dog through a rescue organisation.

If a dog has been impounded by the Council and is identifiable, a Council Officer will make contact with the owner as soon as practicable.

A dog owner will be required to pay any fees and charges relating to the impoundment and daily maintenance of a dog. Any veterinarian fees incurred during impoundment are the responsibility of the owner.

5.5 After-Hours Service

The Council will operate a limited after-hours service for emergency situations, eg. dog attacks.

After-hours attendance by a Council Officer or contractor will be at the officer's discretion considering the risk and circumstance.

The Council will not attend after-hours for barking complaints. Residents experiencing barking nuisance should contact the Council the next business day.

Dog(s) at large will only be collected if they are appropriately restrained. Collected dogs will be taken to the municipal pound. If a collected dog is identifiable, a Council Officer will make contact with the owner on the next business day.

5.6 Sick or Injured Animals

If your dog is sick or injured, please take it to your local vet. If you believe a dog is suffering neglect or abuse, please contact the RSPCA Animal Cruelty Helpline on 1300 139 947 to report.

RSPCA Animal Welfare Inspectors are authorised, under the *Animal Welfare Act 1993*, to investigate acts of animal cruelty, then seize or request the surrender any vulnerable animals to the Council's Officers. The RSPCA will accept community surrenders if there is space available.

5.7 Registration and Fees

Dog registration and other fees are set for each financial year as part of the adoption of fees as charges in accordance with section 205 of the *Local Government Act 1993*.

The fees will be advertised and standard registration renewal notices will be provided to all those who have registered a dog previously.

Dog owners are encouraged to register their dogs early in the financial year: a discount for registration fees is applicable if paid prior to the 31 July each year.

Registration fees and concession discounts will be set by Council considering the following:

- a discount will be provided for de-sexed dogs;
- pensioners will receive a discount on one dog: other dogs will be charged at the applicable rate;
- owners who keep guide dogs, assistance dogs or hearing dogs are not charged;
- owners of dogs kept for breeding purposes which are registered with Dogs Tasmania [Tasmanian Canine Association (TCA)] will be levied a fee that recognises the purpose for which they are kept. The fee will, however, be discounted from that which would normally apply to an entire animal;
- greyhounds registered with the Office of Racing Integrity will be charged a discounted rate; and
- dogs considered *working dogs* on farms or elsewhere will be charged at a discounted rate where the dog's status is demonstrated to the Council.

Owners seeking concessional (discounted) registration may be required to produce written evidence of eligibility as prescribed in the Act, eg. breeders must produce a current Stud Prefix issued by the TCA.

Registration and subsequent renewals for declared dangerous dogs are subject to satisfactory review of enclosure and adherence to requirements of the declaration notice.

Where a dog is registered with less than three months remaining in the financial year, then a pro-rata rate will be applied.

Fees also apply for kennel licences, impounding of dogs and daily maintenance should a dog be impounded for consecutive days.

Lifetime Registration

Owners may elect to pay one-off registration fee for the life of a dog. Lifetime registration is a flat fee and is not subject to other discounts. To be eligible, the microchip number of the dog must be provided to the Council.

Lifetime registration is not available for dogs declared dangerous dogs or restricted dog breeds.

The Council will provide an initial issue of a lifetime dog tag upon registration. A fee will apply for the provision of any replacement tag.

5.8 Monitoring and Evaluation

Information relating to dog management will be included in the Annual Report.

The report will include the following information:

- number of dogs registered,
- number of dogs impounded,
- number of Infringement Notices issued,
- number of formal complaints received,
- financial evaluation of the provision of animal control services,
- number of kennel licences issued,
- a summary of dogs declared to be dangerous.

6. Declared Areas

Under the Act, the Council may declare and regulate areas within its municipal boundary to be:

1. a prohibited area;
2. a restricted area; or
3. a dog exercise/training area – unrestricted.

The Council may add or remove declared areas of the municipality pursuant to section 24 of the Act.

The Council recognises the need to designate areas for owners to enjoy a range of recreational activities with their dogs and acknowledges that a well exercised dog is less likely to create a nuisance.

A combination of off-lead (unrestricted) and on-lead (restricted) areas have been provided throughout the municipal area. Areas may also be declared as prohibited to dogs due to their location or environmental significance. Maps of the declared areas are included in Appendix A.

6.1 Dog Exercise/Training Areas – Unrestricted (off-lead)

Dogs, other than a dangerous dog, restricted breed dog or greyhound, may be exercised off-lead, providing they remain under effective control.

The following areas have been declared as exercise/training areas pursuant to sections 20 and 21 of the Act:

- 6.1.1 Alveston Drive, Deloraine (part of Deloraine Community Complex site). Also accessed from Rickman Street, Deloraine (Map 1, Appendix A).
- 6.1.2 Pitcher Parade, Prospect Vale (to the east of Wetlands area) (Map 2, Appendix A).
- 6.1.3 River Reserve, between Foote Street and Browne Street, Hadspen (Map 3, Appendix A).
- 6.1.4 Westbury Town Common, off Mary Street, Westbury (Map 4, Appendix A).
- 6.1.5 Lomond Views Private Open Space, off Chris Street, Prospect Vale – Proposed fenced dog exercise/training area (Map 5, Appendix A).
- 6.1.6 Moore Street, Westbury (off the corner of Mary Street) (Map 6, Appendix A).

6.2 Restricted Areas

The following areas have been declared as restricted areas pursuant to section 23 of the Act where dogs are not permitted at all times:

The playing surface of the sportsgrounds at:

- 6.2.1 Prospect Vale Park, Harley Parade, Prospect Vale (Map 7, Appendix A).
- 6.2.2 Westbury Recreation Ground, Franklin Street, Westbury (Map 8, Appendix A).
- 6.2.3 Deloraine Recreation Ground, Racecourse Drive, Deloraine (Map 9, Appendix A).
- 6.2.4 Bracknell Recreation Ground, Louisa Street, Bracknell (Map 10, Appendix A).
- 6.2.5 Hadspen Recreation Ground, Clare Street, Hadspen (Map 11, Appendix A).

The following areas have been declared as restricted areas pursuant to section 23 of the Act where dogs are permitted provided they remain on a lead at all times:

- 6.2.6 Deloraine Riverbank and Wild Wood, publicly accessible area both eastern and western sides of the Meander River, adjacent to West Parade (western side) and East Parade (eastern side), including Train Park and Rotary Park (Map 12, Appendix A).

7. Legislation

Dog Control Act 2000

Disability Discrimination Act 1992 (Cth)

Local Government Act 1993

8. Responsibility

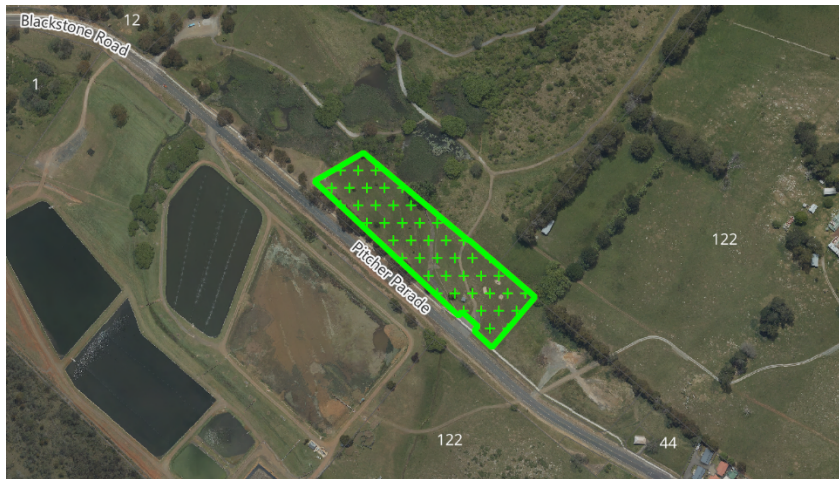
Responsibility for the operation of the Policy rests with the Director Development and Regulatory Services.

Appendix A – Declared Areas

1. Dog Exercise/Training Areas - Off-Lead



*Map 1: Alveston Drive, Deloraine (part of Deloraine Community Complex site) – fenced.
Also accessed from Rickman Street, Deloraine.*



Map 2: Pitcher Parade, Prospect Vale (to the east of Wetlands area) – fenced.



Map 3: River Reserve, between Foote Street and Browne Street, Hadspen – fenced.



Map 4: Westbury Town Common, Mary Street, Westbury – un-fenced.

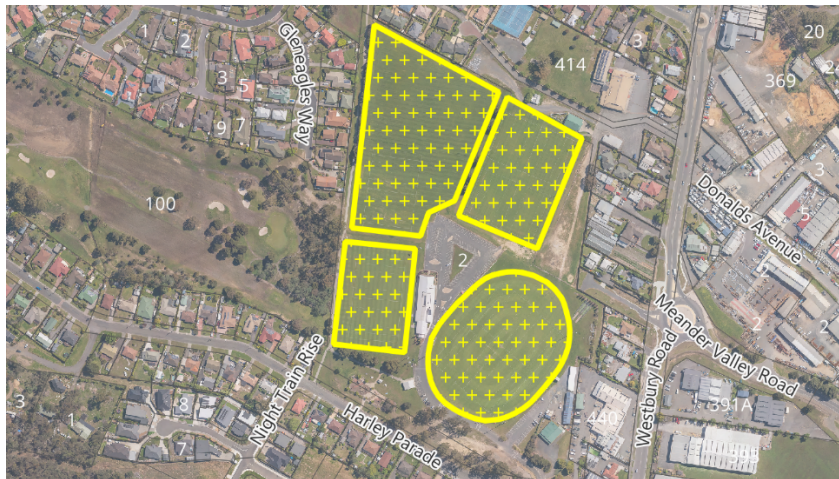


Map 5: Prospect Vale, Lomond Views Private Open Space, off Chris Street, Prospect Vale – fenced.

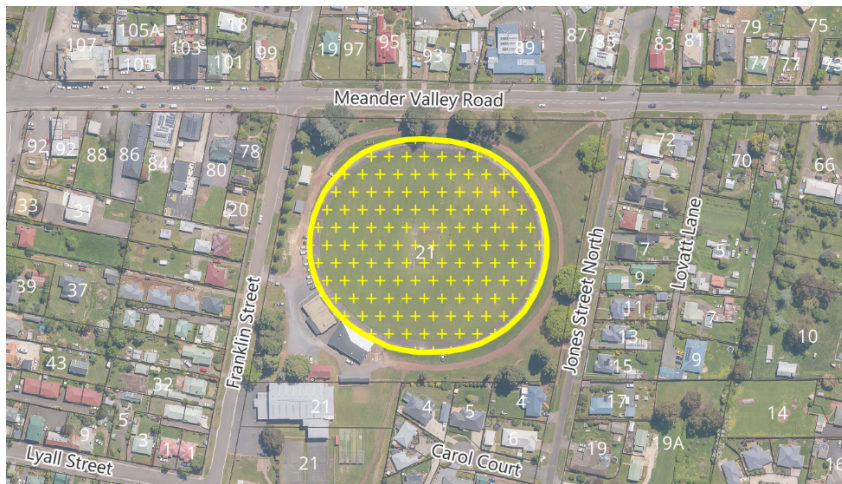


Map 6: Moore Street (off the corner of Mary Street), Westbury – fenced.

2. Restricted Areas - Dogs Restricted From Entering at all Times



Map 7: Prospect Vale Park, Harley Parade, Prospect Vale – playing surface of sportsgrounds – dogs restricted from entering at all times.



Map 8: Westbury Recreation Ground, Franklin Street, Westbury – playing surface of sportsground – dogs restricted from entering at all times – proposed.



Map 9: Deloraine Recreation Ground, Racecourse Drive, Deloraine – playing surface of sportsground – dogs restricted from entering at all times.



Map 10: Bracknell Recreation Ground, Louisa Street, Bracknell – playing surface of sportsground – dogs restricted from entering at all times.



Map 11: Hadspen Recreation Ground, Clare Street, Hadspen – playing surface of sportsground – dogs restricted from entering at all times.

3. Restricted Areas - Dogs are Permitted Provided they Remain on a Lead at all Times



Map 12: Deloraine Riverbank and Wild Wood – restricted area (on-lead).