



NORTHERN MIDLANDS COUNCIL

POLICY MANUAL

DOG MANAGEMENT POLICY AND CODE OF RESPONSIBLE DOG OWNERSHIP

Originated Date: Adopted (as Policy 30)

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Amended 15 December 2010 – Min. No. 351/10
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Reviewed XX XXX 2025 – Min. No. XXX

Applicable Legislation: *Dog Control Act 2000*
Local Government Act 1993
Dog Control Regulations 2021
Animal Welfare Act 1993
Animal Welfare (Dogs) Regulations 2016
Land Use Planning and Approvals Act 1993
Guide Dogs and Hearing Dogs Act 1967
Personal Information Protection Act 2004
Archives Act 1993
Law of Animals Act 1962
Disability Discrimination Act 1992

Objective The objectives listed in this section have been developed to guide the Dog Management Policy and to ensure that Council consistently and effectively fulfils its responsibilities under the *Dog Control Act 2000*, particularly with regard to the protection of residents' rights.

The objectives of the Policy are:

1. To ensure that owners of dogs comply with their obligations under the *Dog Control Act 2000*.
2. To prevent the danger caused by dogs to the public and to other dogs and animals.
3. To minimise the distress and nuisance caused by dogs to the public.
4. To actively promote the responsible ownership of dogs.
5. To provide for the reasonable exercise and recreational needs of dogs.
6. To Provide routine patrols during normal business hours.
7. To Provide an emergency after-hours dog management service to collect dogs at large provided that the dog has been secured.
8. To provide an emergency after-hours dog management service if a dog attack occurs.

Administration: Governance

Review Cycle/Date: Every five years in accordance with section 7(5) of the *Dog Control Act 2000* or before if any change of legislation occurs

1. INTRODUCTION

Section 7 of the *Dog Control Act 2000* specifies that Council must implement a policy relating to dog management in the Northern Midlands. The Northern Midlands Council has identified a number of goals to ensure residents and visitors are protected, and to ensure Council consistently and effectively fulfils its responsibilities under the *Dog Control Act 2000*.



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2. DEFINITIONS

Where indicated (*), the definition is derived from section 3 of the *Dog Control Act 2000* (the Act):

- **Accredited Trainer:** A trainer accredited to train dogs in Level 3 and 4 obedience.
- **Adoption Dog:** Any dog adopted from the Dogs Home of Tasmania, RSPCA, Greyhound Adoption Program, or other recognised dog welfare facility.
- **Animal*:** Any live vertebrate animal other than a human being.
- **Animal Control Officers:** Council's Animal Control Officers of whom are delegated by the General Manager to manage animals within the Municipality.
- **Animal Welfare Act 1993:** Part 2 section 6 (Duty of Care) under that Act.
- **Annual due date:** In any given year, the date that dog registration fees are due.
- **Annual registration expiry date:** In any given year, the date that dog registrations expire.
- **Approved*:** Approved by the Director of the Local Government Division, Tasmanian State Government.
- **Assistance Dog:** A dog which is an 'assistance animal' as defined in section 9 of the *Commonwealth Disability Discrimination Act 1992* (Commonwealth).
- **Attack*:** Includes bite, menace or harass.
- **Authorised person or officer*:**
 - A Police Officer
 - A General Manager
 - A person appointed by a General Manager to be an authorised person
 - A person who is a ranger under the Nature Conservation Act 2002
 - A person who is a ranger under the National Parks and Reserves Management Act 2002, or
 - A person appointed as a bailiff of Crown lands under the Crown Lands Act 1976.
- **Concession dog:** A dog owned by a person who is an eligible pensioner as defined under Regulation 4 of the Local Government (Rates and Charges Remissions) Regulations 2014.
- **Companion Dog:** is a dog that is primarily kept for a person's company, protection, or entertainment rather than for work or breeding purposes.
- **Council:** The municipality of Northern Midlands Council.
- **Dangerous Dog*:** A dog declared dangerous under sections 29 or 30 of the Act.
- **Declared area*:** An area declared under Division 2 of Part 3 of the Act.
- **De-sexed dog*:** A dog that has been rendered permanently incapable of reproduction.
- **Dog*:** An animal of the species *Canis familiaris* or *Canis familiaris dingo*.
- **Domestic animal:** An animal kept as a domestic pet.
- **Effective Control*:** Effective control as referred to in section 4 of the Act.
- **Entire Dog:** A male or female dog that has not been de-sexed (neutered or spayed).
- **Exercise area*:** An area declared under section 20 of the Act.
- **Formal Notice of Complaint:** A complaint referred to under section 47 of the Act.
- **General Manager*:** The general manager of a council appointed under the Local Government Act 1993 (LG Act).



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- **Guide dog***: A guide dog as defined by the Guide Dogs and Hearing Dogs Act 1967, or a dog training to be a guide dog.
- **Hearing dog***: A hearing dog as defined by the Guide Dogs and Hearing Dogs Act 1967, or a dog training to be a hearing dog.
- **Hunting dog**: A dog use to flush game: -"approved hunting dog" means a hunting dog that, immediately before 1 July 2011, has been tattooed by an approved organisation with a tattoo that identifies the dog as being a part of that organisation.
- **Impound**: To confine a dog within an authorised dog transport vehicle, or at a dog impound facility.
- **Incentive**: A mechanism that motivates or encourages an individual to register a dog or comply with the Act.
- **Lead***: A lead, leash, cord, or chain of sufficient strength to restrain a dog.
- **Licence***: A licence to keep on premises:
 - more than 2 dogs over the age of 6 months, or
 - more than 4 working dogs over the age of 6 months.
- **Microchipping**: An identification chip inserted in a dog in an approved manner.
- **Owner of Dog***: A person referred to under section 6 of the Act.
- **Pound***: A pound established under the LG Act.
- **Premises***: Includes land or any part of any premises or land.
- **Prohibited area**: An area declared under section 22 of the Act, which, despite anything in the Act, dogs other than guide dogs, hearing dogs or assistance dogs, are prohibited from entering.
- **Public notice***: A notice published in a daily newspaper.
- **Public Place***: A public place as defined by the Police Offences Act 1935; a road; or a road-related area.
- **Recognised animal welfare organisation**: An animal welfare organisation recognised by Council.
- **Register***: A register kept under section 15 of the Act.
- **Registered dog***: A dog registered under the Act.
- **Registration disc***: A disc or tag referred to under section 10 of the Act.
- **Relevant registration period**: Refers to a current registration year.
- **Residential zone**: Residential Zone [i.e., the General Residential Zone, the Inner Residential Zone, or the Low-Density Residential Zone as defined under the Tasmanian Planning Scheme – Northern Midlands (as amended)].
- **Restricted area (at all times)**: An area declared under section 23 of the Act, which, despite anything in the Act, dogs other than guide dogs, hearing dogs or assistance dogs, are restricted from entering at all times.
- **Road***: An area that is developed for, or has as one of its main uses, the driving or riding of motor vehicles and is open to, or used by, the public; a part of the kerb; or an unsealed part of a sealed road.
- **Road-related area***: An area that divides a road; a footpath or nature strip adjacent to a road; or a footpath or track that:
 - is not a road,
 - is designed for use by cyclists or pedestrians, and
 - is open to the public



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- **Shopping centre*:** A collection of shops in an enclosed area covered by a roof or forming a courtyard or square, excluding any area provided for the parking of vehicles.
- **Training area*:** An area declared under section 21 of the Act.
- **Treatment:** Veterinary attention or surgery provided to a dog.
- **Veterinary surgeon:** A person registered as a veterinary surgeon under the *Veterinary Surgeons Act 1987*.
- **Working dog*:** A dog used principally for:
 - droving or tending livestock
 - detecting illegal substances
 - searching, tracking, or rescuing, or
 - working with police officers.
- **Young Dog:** A de-sexed and microchipped dog under 12 months of age, voluntarily presented to Council for registration.

3. **2-CODE OF RESPONSIBLE DOG OWNERSHIP**

Council is committed to promoting responsible dog ownership and has adopted the Code of Responsible Dog Ownership ("the Code") to outline best practice principles and reflect community expectations. The Code provides clear guidance on what responsible ownership means within the Northern Midlands community, underpinned by a practical approach to dog choice, care, respect for others, and compliance with regulations. Its purpose is to help dog owners and prospective owners understand the importance of responsible ownership and to ensure a caring, safe environment where dogs are healthy, well-trained, and do not negatively impact the community. This Code requires dog owners to:

- Ensure that the dog is kept under control at all times and when in a public place it must be on a lead not exceeding 2 metres.
- Ensure that the dog is registered in accordance with the *Dog Control Act 2000*, with a financial incentive provided for owners to de-sex dogs that are not being kept for intentional breeding purposes
- Ensure that the dog receives necessary care and attention in accordance with good veterinary practice, and is supplied with adequate food, clean water and shelter.
- Ensure that the dog receives adequate exercise.
- Ensure the dog, by age 6 months, has an approved microchip implanted.
- Take all reasonable steps to ensure that a dog does not cause a nuisance to any other person, whether by persistent or loud barking/ howling or by any other means.
- Take all reasonable steps to ensure that a dog does not injure, endanger, intimidate, or otherwise cause distress to any person.
- Take all reasonable steps to ensure that a dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife.
- Take all reasonable steps to ensure that a dog does not damage or endanger any property belonging to any other person.
- Comply with all regulations under the *Dog Control Act 2000*, including the requirement for the person in charge of a dog to immediately remove and dispose of faeces left by the dog in a public place or in a place not owned by the person.

To ensure that prospective dog owners or carers are aware of their responsibilities, the following statement will be included on both the paper and online Dog Registration Forms:

"I have read and understand my rights and obligations as a responsible dog owner and will abide by the rules and



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regulations set out in the Northern Midlands Council dog policy, and The Dog Control Act 2000. I will abide by the rules relating to effective control of dogs on and off a lead.

Information relating to the Northern Midlands Council Dog Policy and The Dog Control Act 2000 can be found at the following link: <https://northernmidlands.tas.gov.au/living/animals/dog-control>."

4. **3- EDUCATION**

Council makes available a pamphlet which includes information on:

- the requirements of the *Dog Control Act 2000*;
- the code of responsible dog ownership;
- the role and function of Council and Council's responsibilities to the community regarding dog management;
- services available to assist community members to be responsible dog owners.

Council Officers will, upon request, visit local schools to make presentations to students on dog ownership issues and responsibilities.

5. **4- FEE STRUCTURE**

Council strives to set dog registration fees that are affordable for dog owners, yet provide a return for the costs associated with the delivery of dog control services.

Dog owners are encouraged to register their dogs early in the financial year. Encouragement in this regard is offered by the way of a discount if registration fees are paid prior to the 31st of August each year.

In developing registration fees each year Council utilises the following principles:

- Owners of de-sexed dogs are levied an amount as affordable as possible.
- Owners who choose to keep entire dogs (either male or female) are required to pay a higher level of fees.
- Pensioners are provided with an opportunity to register their first dog at a discounted rate.
- Owners with disabilities who keep either guide dogs or hearing dogs are not charged.
- Owners of dogs kept for breeding purposes and registered with the Tasmanian Canine Association are 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.
- Owners of Greyhounds registered with the Tasmanian Greyhound Racing Board are provided with an opportunity to register the animal at a discounted rate.
- Owners of working dogs are provided with an opportunity to register the animal at a discounted rate.
- Owners of certified hunting dogs are provided with an opportunity to register the animal at a discounted rate.

Owners seeking concessional registration need to produce written evidence of eligibility as prescribed in the Act. In the case of working dogs, a demonstration of working stock may be required. Breeders must produce a current Stud Prefix issued by the TCA.

Council sets its dog fees at its ordinary Council meeting held in May of each year. The fees are advertised and standard renewal notices are provided to all those who have registered a dog previously.

6. **5- DECLARED AREAS – OFF LEAD**

Under the Act, Council can declare dog exercise areas on land solely under the jurisdiction of the Council, where dogs can be exercised off the lead if under effective control at all times. (You must be able to demonstrate that your dog is



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immediately responsive to your commands in an off leash area.)

The following areas have been declared:-

Avoca:	Area near river - Storys Creek Road
Campbell Town:	Open area to North of Blackburn Park
Cressy:	Stock Route (Longford end only as signposted)
Evandale:	Honeysuckle Reserve (off Leighlands Road) Saddlers Court Reserve
Longford:	Union Street (fenced area between Union Street and Railway line) Coronation Park (Catherine Street)
Perth:	Mulgrave Street Reserve (fenced land between Mulgrave Street and Arthur Street)
Ross:	Community Sports Ground (excluding the playing oval)

Council will continue to investigate the suitability of these and other areas and their facilities for this purpose and undertake upgrades or declare new sites as needed.

7. ~~6.~~ MUNICIPAL DOG POUND

Council has a contract arrangement with a local dog pound to meet its obligations under the *Dog Control Act 2000*.

After 3 days, if the owner cannot be identified, every effort is made to secure an alternative home for dogs which are impounded and have not been claimed. However, dogs will be euthanised as a last resort when required.

When a dog owner has lost their dog, they are encouraged to call Council in the first instance on 6397 7303 during business hours, or the after hours Animal Control on call number.

8. ~~7.~~ KENNEL LICENCES

Under the *Dog Control Act 2000*, a person must apply to Council's General Manager for a kennel licence if more than two dogs over the age of six months, or more than four working dogs over the age of six months, are to be kept on their premises.

Council requires a kennel licence applicant to advertise the licence application, including the specific number of dogs and their breed/kind, in the Examiner newspaper. Any person residing within 200 metres of the boundary of the premises may object against the granting of the licence. Council will ~~also letterbox drop~~ **inform by letter** all residences within 200 metres of the premises applying for the licence and will inform by letter owners of properties within the 200 metre range who do not live at the property.

Kennel Licences must be renewed annually, prior to the start of the financial year. If there is a significant change in the breed/type or number of dogs kept since the last licence was issued, the licence holder must submit a new application. Upon payment of the prescribed fee, Council may renew the licence and will carry out random inspections to ensure ongoing compliance with the licence conditions.

Under sections 50 and 51 of the *Dog Control Act 2000*, any person wishing to keep more than two dogs (or more than four working dogs) must apply to the General Manager for a Kennel Licence. Upon request, Animal Control Officers may conduct a preliminary site assessment and provide advice to potential applicants before they lodge a formal application.



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Applicants who rent their property must provide written approval from the landlord (or their authorised agent) confirming that they are permitted to keep the number and type of dogs stated in the application.

Council will not consider a Kennel Licence application until 28 days have passed following the publication of the public notice in the local newspaper or other required advertisement under the Act, and all objections have been reviewed and addressed.

Council reserves the right to refuse a Kennel Licence application where a breach of the *Dog Control Act 2000* has previously been identified, subject to sections 54 and 55(1) of the Act.

When processing applications, Council will take into account the number and type of dogs proposed in relation to the size and suitability of the premises. To ensure the physical and psychological welfare of all dogs involved, Council may also consult authorised officers of the RSPCA where relevant, particularly in relation to any known breaches of the *Animal Welfare Act 1993*.

An initial property inspection will be conducted to confirm compliance with Kennel Licence requirements. The following conditions will be assessed and enforced during the inspection:

- The premises are suitable for housing the number and type of dogs specified in the application;
- Provisions for the health, welfare, and control of the dogs are adequate and sustainable;
- No nuisance is likely to be caused to neighbouring properties;
- Only the dogs listed in the licence are being kept on the property; and
- All dogs over six months of age are registered and microchipped.

Kennel Licence inspections may be conducted randomly or by appointment, at Council's discretion.

If granted, a Kennel Licence will expire on 30 June each year and must be renewed annually to remain valid.

8.1. Objections to Kennel Licence Applications

Under section 52 of the Act, persons residing or owning land within 200 metres of the boundary of the premises to which a Kennel Licence application relates, may object to the granting of a licence. Any objection is to be made within fourteen (14) days of the public notice being published. It is to be in writing to the General Manager and outline detailed and valid reasons for objection.

Council will consider and address objections received in accordance with standard operating procedures and the Act.

8.2. Kennel Licence Categories and Conditions

For the purposes of applying for a Kennel Licence, a **companion dog** is defined as a dog primarily kept for a person's company, protection, or entertainment, rather than for work or breeding purposes.

For the purposes of applying for a Kennel Licence, a **hunting dog** will be included in the Kennel Licence 1 (KL1) – Companionship, as if it were a **working dog**.

A **commercial kennel** refers to a facility that boards dogs for profit. Accordingly, the following categories of Kennel Licence apply:



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KENNEL LICENCE NAME	DESCRIPTION
Kennel Licence 1 (KL1) – Companionship	It is the Licence required for the housing of more than 2 companion dogs or 4 working dogs and includes both companion dogs and working dogs
Kennel Licence 2 (KL2) – Commercial	It is the Licence required for the housing of more than 30 dogs (Boarding facilities only) which occupy a commercial kennel.
Kennel Licence 3 (KL3) – Breeding	It is the Licence required when more than 2 litters in an 18-month period are being bred from the property

Northern Midlands Council views that there is a balance between maintaining control over the numbers of dogs kept in an ever-increasing higher density urban environment. Council considers the reasonable peace and amenity of adjacent neighbours, as well as the general health and wellbeing of dogs. Accordingly, the following Kennel Licence restrictions apply:

- **Kennel Licence 1 (KL1) – Companionship** – Dog numbers exceeding **2 3 companion dogs or 4 working dogs** will not be permitted in a Residential Zone (i.e., the General Residential Zone, the Inner Residential Zone, or the Low-Density Residential Zone as defined under the Tasmanian Planning Scheme – Northern Midlands Council [as amended]).
- **Kennel Licence 2 (KL2) – Commercial and Kennel Licence 3 (KL3) – Breeding** will not be permitted in a Residential Zone (i.e., the General Residential Zone, the Inner Residential Zone, or the Low-Density Residential Zone as defined under the Tasmanian Planning Scheme – Northern Midlands Council [as amended]).
 - licensees currently holding a **Kennel Licence 2 (KL2) – Commercial** or a **Kennel Licence 3 (KL3) – Breeding** category in a Residential Zone (as at the time of Council's endorsement of this Policy) are required to reduce the numbers of dogs kept to within allowable limits by natural attrition of existing animals
- Kennel Licences will not be granted for properties less than a total of 400 square metres in property size, and
 - licensees currently holding a kennel licence in respect of a property less than 400 square metres dimension are required to reduce the number of dogs kept to a ~~minimum~~ **maximum** of two, by natural attrition of existing animals.

8.3. Cancellation of a Kennel Licence

Under section 58 of the Act, the General Manager or delegate may notify a Kennel Licence holder of intention to cancel a licence, if satisfied that:

- the provisions of the Act, or any other relevant Act are not being complied with
- any conditions of the licence are not being complied with
- the situation or condition of the premises is creating a nuisance, and/or
- it is in the public interest that the licence be cancelled.

Before cancelling a Kennel Licence, the General Manager will give:

- to the Kennel Licence Holder one (1) month's notice in writing to show cause why the licence should not be cancelled; and
- consider any representations which the holder may make in that respect.

Under section 59 of the Act, should Northern Midlands Council notify a licensee that it has cancelled or refused to renew a licence, an applicant or licensee may make an appeal to the Tasmanian Magistrates Court (Administrative Appeals Division) for a review of that decision.

An applicant should seek guidance directly from the Magistrates Court and further



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information is available on the Court's website: www.magistratescourt.tas.gov.au.

8.4. Temporary Exemptions for Kennel Licences

The General Manager or delegate may grant a temporary exemption of a licence of up to three (3) months for the keeping of more than the allowed number of dogs, if in the opinion that in doing so will not cause a nuisance or breach under the Act which may negatively impact another person.

8.5. Kennel Construction Requirements

Generally, this section is not applicable to applicants who intend to provide portable standalone dog kennels as shelter for dogs with regard to applying for a Kennel Licence.

If a kennel is being constructed to allow for larger fixed dog housing, in addition to any requirements under the Tasmanian Planning Scheme – Northern Midlands Council (as amended), the following specifications are considered the minimum requirements for the construction of kennels (or retro-fitted sheds) on licensed premises - these requirements also apply on premises where a Kennel Licence is not held:

- the kennel or enclosure **must** be at least one (1) metre from any boundary of the premises on which the yard is constructed,
- the premises **must** be enclosed in such manner so as to contain any dogs kept in the kennel or enclosure,
- the kennel or enclosure **must** be constructed in such way as to provide effective methods of cleaning and disinfection,
- the kennel or enclosure **must** be constructed or situated in a manner that ensures the health and welfare of dogs in respect of adverse weather conditions,
- there **must** be sufficient room to allow reasonable freedom of movement for all dogs,
- there **must** be a raised (50mm) weatherproof sleeping area for dogs,
- adequate ventilation and insulation **must** be provided to maintain a comfortable internal temperature free from condensation and adverse heat, and
- a sanitary method of disposal of excreta and waste **must** be provided.

Council **may** issue a Kennel Licence for the keeping of a specified number of dogs on a premise which does not meet with some or all of the above minimum specifications, provided that, the General Manager or delegate is satisfied that:

- legislative requirements are being met,
- adequate provisions for the health, welfare and control of the dogs is provided, and that no nuisance is likely to occur to any other person in any other premise.

9. DOG AT LARGE

It is a requirement of the *Dog Control Act 2000* that a dog be under effective control at all times whilst in a public place. This means on a lead held by a person able to control the dog or, if in an area where a lead is not required, the dog is within sight of the person and is immediately responsive to the person's commands.

A dog that is not under effective control within a public place or is in or on premises without the consent of the occupier is considered a 'dog at large'.

Whilst Council will, on first offence, seek to reunite dogs at large with their owners with no penalty. However, fees and charges will apply where after hours call out or impounding are required. Subsequent offences may incur further penalties in accordance with the regulations to the *Dog Control Act 2000*.



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10. DANGEROUS DOGS

The *Dog Control Act 2000* makes specific provision for dogs that may be considered a danger to other animals or persons within the community. A dog may be declared dangerous by the General Manager if it has caused serious injury to a person or another animal or there is reasonable cause to believe that the dog is likely to cause such injury.

Council's Animal Control Officer will undertake an investigation of any alleged incident or assertion that such an incident is likely. Matters such as the temperament of the dog, physical evidence, witness and participant statements and past history will inform the investigation. Based on the investigation, the Animal Control Officer will make a recommendation to the General Manager in regard to the making, or otherwise, of a dangerous dog declaration and the application of any other penalties.

If a dog is declared dangerous, the General Manager will serve a notice on the owner of the dog advising of the declaration, the reasons for it and the owners appeal rights before the Magistrates Court.

When a dog is declared dangerous, the owner or person in charge of the dog has to meet specific control provisions in accordance with the *Dog Control Act 2000*.

Animal Control Officers will perform random inspections each year to ensure a declared dog is being kept in accordance with the requirements of housing a dangerous dog.

11. POLICY REVIEW PERIOD

This dog management policy will be reviewed in accordance with the *Dog Control Act 2000 Section 7(4)*. Council is to review its dog management policy at least once every 5 years, or before if any change of legislation occurs.