



NORTHERN MIDLANDS COUNCIL

POLICY MANUAL

DOG MANAGEMENT

Originated Date: Adopted (as Policy 30)

Amended Date/s: Amended 23 April 2007 – Min. No. 111/07
Amended 15 December 2010 – Min. No. 351/10
Amended 27 June 2016 – Min. No. 173/16
Amended 20 August 2018 – Min. No. 222/18
Reviewed 19 August 2019 – Min. No. 242/19

Applicable Legislation: *Dog Control Act 2000.*

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.

Purpose Council is required to manage the provisions of the *Dog Control Act 2000*. This includes the development of a Dog Management Policy for the Municipal area.

The Policy must include at a minimum:

- A code relating to responsible ownership of dogs.
- The provision of declared exercise areas.
- A fee structure.

Administration: Community and Development

Review Cycle/Date: Every 5 years. Next review 2024

CODE OF RESPONSIBLE DOG OWNERSHIP

Council is committed to the objective of promoting responsible dog ownership and has adopted the following code which 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.

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.

FEES

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.
- Failing to provide evidence of microchipping at time of registration incurs an additional fee.

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.



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

The following areas have been declared:-

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)
Cressy:	Stock Route
Ross:	Community Sports Ground
Campbell Town:	Open area to North of Blackburn Park
Avoca:	Area near river- Storys Creek Road

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.

MUNICIPAL DOG POUND

Council operates a Municipal dog pound in accordance with the requirements of 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.

The information pamphlet includes encouragement for dog owners to contact Council in person, by phone, email or Council's face book page in the event of losing their dog. Such action aims to facilitate the re-uniting of impounded dogs with owners.

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 a Wednesday edition of the Examiner newspaper, and any person residing within 200 metres of the boundary of the premises may object against the granting of the licence. Council also will letterbox drop 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.

Council, upon payment of the required fee, renews kennel licences on an annual basis. Council requires the holder of a kennel licence to apply for a new kennel licence if significant change in the breed/kind and/or number of dogs has occurred since the last licence was issued.

Kennel licences are required to be renewed annually at the start of the financial year. During the period of the licence, Animal Control Officers will perform random inspections to ensure that the licence conditions are being met.



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POLICY MANUAL

COMPLAINTS AND NUISANCE PROVISIONS

Council considers every complaint received.

Issues raised are investigated in a pro-active manner which ensures that all facts are considered and the rights of the dog owner and the general public are balanced.

Council makes every effort to ensure vexatious and false complaints are avoided and/or promptly managed.

Council will not act on anonymous complaints

It is essential that Council has access to the Complainant's name, address and contact details as well as the details of the complaint. This information is strictly confidential, unless the matter goes to Court. The Complainant must be prepared to lodge a formal complaint (if required) and/or appear as a witness in any court proceedings.

Animal Welfare issues are to be directed to the RSPCA

Where necessary, Council institutes proceedings against a dog owner for an offence under the *Dog Control Act 2000*:

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, 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 Act.

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 strong control provisions.

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.

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.