



GLENORCHY CITY COUNCIL

DOG MANAGEMENT POLICY

To ensure a caring and safe environment, where any negative impacts caused by irresponsible dog ownership is minimised and the rights and obligations of dog owners and non-dog owners is respected

(Adopted by Council on 20 February 2017)

CONTENTS

Definitions	4
Introduction	6
Council's Role.....	6
Statutory and Policy Compliance	7
Code of Responsible Dog Ownership	7
Dog Choice	7
Dog Care	8
Consideration of Others	8
Dog Identification	9
Declared Dog Areas in Glenorchy Municipality	9
Declaring Dog Areas within Glenorchy Municipality	10
Exercise Areas	10
Prohibited Areas	10
Restricted Areas.....	10
Training Areas	10
Road, Road-Related or Otherwise Undefined Areas	11
Fee Structure	11
Fee Categories and Required Evidence	11
Dog Registration, Refunds and TRansfers.....	11
Refunds of Registration Fees	12
Transfer of Dogs to Glenorchy City Municipality	13
Dog Impound Reclaim Fee.....	13
Replacement Registration Disc Fee	13
Kennel Licence Fees.....	13
Formal Notice of Complaint Fee	14
Kennel Licences	14
Objections to Kennel Licence Applications.....	14
Kennel Licence Categories	14

Kennel Licence Restrictions	15
Cancellation of a Kennel Licence	15
Appeal Rights of Cancellation	15
Temporary Exemptions for Kennel Licences.....	16
Kennel Construction Requirements.....	16
Capture, Care and Return of Stray and/or Injured Dogs	16
Returning Captured Dogs Home.....	17
Foster Care Arrangements for Dogs	17
Dog Complaint Management	18
Nuisance Barking	18
Dangerous and Restricted Breed Dogs.....	19
Dangerous Dog Enclosure.....	19
Emergency After Hours Service	20
Schedule 1 – Declared Areas	21
Prohibited Public Areas	21
Prohibited Council Areas	21
Off-Lead Exercise Areas.....	21
On Lead Exercise Areas.....	22
Restricted Areas.....	23
Training Areas.....	23

DEFINITIONS

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

Term	Definition
Accredited Trainer	<ul style="list-style-type: none"> A Trainer who is accredited, as determined by the Animal Management Section, to train dogs in Level 3 and 4 obedience.
Adoption Dog	<ul style="list-style-type: none"> Any dog adopted from the Tasmanian Canine Defence League (TCDL - Dogs Home of Tasmania), RSPCA shelter or Greyhound Adoption Program
Animal*	<ul style="list-style-type: none"> Any live vertebrate animal other than a human being
Animal Management Section	<ul style="list-style-type: none"> Council's Animal Management Section of whom are delegated by the General Manager to manage animals within the Municipality
Animal Welfare Act 1993	<ul style="list-style-type: none"> Part 2 section 6 (Duty of Care) under that Act
Annual due date	<ul style="list-style-type: none"> In any given year, the date that dog registration fees are due
Annual registration expiry date	<ul style="list-style-type: none"> In any given year, the date that dog registrations expire
Approved*	<ul style="list-style-type: none"> Approved by the Director of the Local Government Division, Tasmanian State Government
Assistance dog	<ul style="list-style-type: none"> Either a 'guide dog' or a 'hearing dog'
Attack*	<ul style="list-style-type: none"> Includes bite, menace or harass
Authorised person or officer*	<ul style="list-style-type: none"> 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 <i>Nature Conservation Act 2002</i> A person who is a ranger under the <i>National Parks and Reserves Management Act 2002</i>, or A person appointed as a bailiff of Crown lands under the <i>Crown Lands Act 1976</i>
Concession dog	<ul style="list-style-type: none"> A dog owned by a person who is an eligible pensioner as defined under Regulation 4 of the <i>Local Government (Rates And Charges Remissions) Regulations 2014</i>
Council	<ul style="list-style-type: none"> The municipality of Glenorchy City Council
Dangerous dog*	<ul style="list-style-type: none"> A dog declared to be dangerous under section 29 or 30 of the Act
Declared area*	<ul style="list-style-type: none"> An area declared under Division 2 of Part 3 of the Act
De-sexed dog*	<ul style="list-style-type: none"> A dog that has been rendered permanently incapable of reproduction
Dog*	<ul style="list-style-type: none"> An animal of the species <i>Canis familiaris</i> or <i>Canis familiaris dingo</i>
Domestic animal	<ul style="list-style-type: none"> An animal or bird kept as a domestic pet
Effective control*	<ul style="list-style-type: none"> Effective control as referred to in section 4 of the Act
Entire dog	<ul style="list-style-type: none"> A male or female dog that has not been de-sexed (neutered or spayed)
Exercise area*	<ul style="list-style-type: none"> An area declared under section 20 of the Act
Formal Notice of Complaint	<ul style="list-style-type: none"> A complaint referred to under section 47 of the Act
General Manager*	<ul style="list-style-type: none"> The general manager of a council appointed under the <i>Local Government Act 1993</i> (LG Act)
Guide dog*	<ul style="list-style-type: none"> A guide dog as defined by the <i>Guide Dogs and Hearing Dogs Act 1967</i>, or

Term	Definition
	<ul style="list-style-type: none"> • A dog training to be a guide dog
Hearing dog*	<ul style="list-style-type: none"> • A hearing dog as defined by the <i>Guide Dogs and Hearing Dogs Act 1967</i>, or • A dog training to be a hearing dog
Impound	<ul style="list-style-type: none"> • To confine a dog at a dog impound facility
Incentive	<ul style="list-style-type: none"> • A mechanism that motivates or encourages an individual to register a dog or comply with the Act
Lead*	<ul style="list-style-type: none"> • A lead, leash, cord or chain of sufficient strength to restrain a dog
Licence*	<ul style="list-style-type: none"> • A licence to keep on premises: <ul style="list-style-type: none"> ○ more than 2 dogs over the age of 6 months, or ○ more than 4 working dogs over the age of 6 months
Microchipping	<ul style="list-style-type: none"> • An identification chip inserted in a dog in an approved manner
Owner of a dog*	<ul style="list-style-type: none"> • A person referred to under section 6 of the Act
Pound*	<ul style="list-style-type: none"> • A pound established under the LG Act
Premises*	<ul style="list-style-type: none"> • Includes land or any part of any premises or land
Prohibited area*	<ul style="list-style-type: none"> • An area declared under section 22 of the Act
Public notice*	<ul style="list-style-type: none"> • A notice published in a daily newspaper
Public place*	<ul style="list-style-type: none"> • A public place as defined by the <i>Police Offences Act 1935</i> • A road, or • A road-related area
Recognised animal welfare organisation	<ul style="list-style-type: none"> • An animal welfare organisation recognised by Council
Register*	<ul style="list-style-type: none"> • A register kept under section 15 of the Act
Registered dog*	<ul style="list-style-type: none"> • A dog registered under the Act
Registration disc*	<ul style="list-style-type: none"> • A disc or tag referred to under section 10(1) of the Act
Relevant registration period	<ul style="list-style-type: none"> • Refers to a current registration year
Residential zone	<ul style="list-style-type: none"> • the General Residential Zone, the Inner Residential Zone, or the Environmental Living Zone under the Glenorchy Interim Planning Scheme 2015
Restricted area	<ul style="list-style-type: none"> • An area declared under section 23 of the Act
Road*	<ul style="list-style-type: none"> • 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*	<ul style="list-style-type: none"> • An area that divides a road • A footpath or nature strip adjacent to a road, or • A footpath or track that: <ul style="list-style-type: none"> ○ is not a road, ○ is designed for use by cyclists or pedestrians, and ○ is open to the public
Shopping centre*	<ul style="list-style-type: none"> • 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*	<ul style="list-style-type: none"> • An area declared under section 21 of the Act

Term	Definition
Treatment	<ul style="list-style-type: none"> • Veterinary attention or surgery provided to a dog
Veterinary surgeon	<ul style="list-style-type: none"> • A person registered as a veterinary surgeon under the <i>Veterinary Surgeons Act 1987</i>
Working dog*	<ul style="list-style-type: none"> • a dog used principally for: <ul style="list-style-type: none"> ○ droving or tending livestock ○ detecting illegal substances ○ searching, tracking or rescuing, or ○ working with police officers
Young Dog	<ul style="list-style-type: none"> • A de-sexed and microchipped dog under 12 months of age, voluntarily presented to Council for registration

INTRODUCTION

Under the section 7 of the Act, Council is required to develop and implement a Policy relating to dog management in its municipal area. The Policy is required to include:

- a code relating to responsible ownership of dogs
- the provision of declared areas
- a fee structure, and
- any other relevant matter.

The Policy is also required to be reviewed by Council at least once every five years and is subject to public consultation considerations.

Council is committed to this statutory requirement and has developed the Policy in partnership with its community taking into account the rights and obligations of dog owners, non-dog owners and dogs.

Council recognises the positive aspects of companion animal ownership and in particular dog ownership may have on individuals. Research has suggested that some of the health benefits include: learning and developing empathy, care and social responsibility in young persons, security, and improving over-all well-being to many others, particularly with the elderly.

Council also recognises that in the absence of responsible pet ownership dogs can cause problems. Associated issues with a large and increasing urban dog population may include (but not limited to):

- noisy barking and other nuisance behaviours
- stray dogs, and
- unhealthy environments.

COUNCIL'S ROLE

Council's role with respect to managing dogs within the municipality includes:

- promoting, educating and enforcing the message of responsible dog ownership within the community
- reducing the negative impacts caused by dogs, and
- apply the provisions of the Act supported with the relevant Council's Policies and Procedures.

STATUTORY AND POLICY COMPLIANCE

Responsible dog owners **must** comply with the requirements of laws and regulations as set by governing bodies, and accept that Councils are required to enforce these provisions. Relevant statutory legislation, by-laws and policy that cover responsible dog ownership includes (but not limited to):

- *Dog Control Act 2000* www.thelaw.tas.gov.au
- *Local Government Act 1993* www.thelaw.tas.gov.au
- *Animal Welfare Act 1993* www.thelaw.tas.gov.au
- *Guide Dogs and Hearing Dogs Act 1967* www.thelaw.tas.gov.au
- Animal Management By-Law No 1 of 2014 www.gcc.tas.gov.au
- Dog Management Policy www.gcc.tas.gov.au

CODE OF RESPONSIBLE DOG OWNERSHIP

Council recognises that pet ownership is an important part of our Community and dog ownership in itself often provides enrichment to the lives of people. To many, dogs offer companionship, protection, and assistance to their owners, which can improve the quality of human lives on both a mental and physical level.

However, if dogs are not managed responsibly and provided with due care and enrichment, they can exhibit behaviours that may have a significant negative impact on individuals or the broader community.

The Code of Responsible Dog Ownership (the Code) is important in outlining best practice principles and acceptable community expectations as to what responsible dog ownership means to Council and its community. It is underpinned by a sensible approach to practical dog ownership including: dog choice, dog care, respect for others and regulatory compliance. The purpose of the Code is:

- to provide guidelines for dog owners and prospective dog owners to understand the importance of being a responsible dog owner, and
- to provide a caring and safe environment for their dog/s, where the desired outcome is a healthy, happy, suitably-trained dog/s that do not negatively impact on its surrounding community.

DOG CHOICE

The first decision that a prospective dog owner should make is whether a pet dog will suit the owner's personal circumstances: e.g., suitable property, meets the household budget, lifestyle and family needs etc. It may well be that a dog is not the best choice of pet and thus all considerations should be considered carefully.

Selecting a suitable dog breed is another important consideration. Some of the questions that a prospective dog owner should consider include (but not limited to):

- is a particular breed of dog suitable for keeping in a residential area
- what sort of residence does the owner have?
- what size is the property's yard?
- how much daily exercise can the owner give the dog?
- how active is the owner?
- are there young children or elderly people in the residence?
- does the dog need to be suitable for protecting a property?
- what size of dog?

- how much grooming would the dog receive?

It is important to remember that a prospective dog owner is committing to a long-term companion animal relationship and must be prepared to commit to meeting the dog's needs. Different breeds of dogs will vary from an 8 year to a possible 20 year lifespan.

In summary, the more suited a dog is to a prospective dog owner's circumstances and the more *that* individual is committed to meeting that dog's needs, the easier and more enjoyable it will be for the owner, the dog, surrounding neighbours and the community in general.

Council notes that the Royal Society for the Prevention of Cruelty to Animals (RSPCA) maintains information on how to select a dog and that there are a number of other useful sites on the Internet to assist in the process. Alternatively, contacting an animal shelter or veterinary practice for guidance may be of assistance.

DOG CARE

Council recognise that there are a number of basic steps in caring for dogs:

- a dog should be provided with daily companionship and quality time with its owner
- a dog's health may be maintained with regular exercise, play time, grooming, vet checks, vaccinations, worming and de-fleaing (internal and external parasite control). Dog care specialists recommend that dogs are exercised at least twice a day to ensure the well-being of a dog
- a dog needs adequate year round shelter – warm, covered protection in winter and accessible shade in summer. Ensure shelter is ventilated, dry and the entrance is away from wind and rain
- a balanced and complete diet is essential for a dog. Some foods types and/or quality are simply not good for dogs
- a dog needs access to plenty of fresh water (a clean bowl and replenished on a daily basis)
- dog waste should be cleared from its yard every day
- ideally, dogs should be provided with suitable dog toys and/or raw bones etc. for entertainment and mental stimulation (this can help with preventing boredom and any associated nuisance behaviours), and
- dogs should not be left unattended in motor vehicles.

CONSIDERATION OF OTHERS

A dog owner has a number of obligations in ensuring the consideration of others in the community:

- a dog should be well-trained and is sociable with people and other dogs. It should not be allowed to jump up or act aggressively towards people or other animals
- a dog must always be walked on a lead, unless in a declared off-lead exercise area (where a dog must respond to an owner's command and is kept under effective control at all times)
- appropriate disposal of dog faeces both in a public place and on private property. Council supply dog waste bins around Council parks and reserves for this purpose, and
- when at home, a dog must be securely contained within the owner's property boundary
- ensuring that a dog does not create a nuisance by persistent or continuous barking (or otherwise) to such an extent that it would unreasonably interfere with the peace, comfort or convenience of any person in any premises or public place.

Council promotes the de-sexing (neutering) of dogs as this generally improves the dog's health, life-span and reduces nuisance behaviours from occurring.

Council also does not support 'back yard breeding' or 'puppy farms' as they often create mental and physical health issues for dogs and cause an increase in dog nuisances in the community.

DOG IDENTIFICATION

Under the Act, whilst in a public place, dogs are required to wear a collar fastened around its neck to which is attached is the dog's registration disc.

The registration disc is supplied by Council and contains the following mandatory information: the name of Council, the registration number of the dog, and the expiry date of registration. Council encourages dog owners to also fit a separate tag displaying the dog owner's contact number, the dog's name and the dog's microchipping information.

Also under the Act, the owner of a dog that is over six (6) months of age must ensure that the dog is implanted in an approved manner with an approved microchip.

Council is of the view that microchipping is a secure and effective means of permanent dog identification. Whilst external dog identification tags have immense value (as most people can read a tag), collars and tags are sometimes lost or removed by the owner when the dog is at home.

Dog owners must advise Council as per the Act of any changes to the dog's identification details, e.g.:

- change in dog owner's address or contact details
- dog changes owner, or
- any other change in circumstances, i.e., death of dog, or lost.

DECLARED DOG AREAS IN GLENORCHY MUNICIPALITY

The Act defines specific classes of declared areas, and Council is the only authority that can determine declared areas within the Glenorchy municipality, with the exception of prohibited public areas.

Under section 28 of the Act (Prohibited Public Areas), a person must not take a dog into:

- any grounds of a school, preschool, kindergarten, crèche or other place for the reception of children without the permission of a person in charge of the place
- any shopping centre or any shop
- the grounds of a public swimming pool
- any playing area of a sportsground on which sport is being played, or
- any area within 10 metres of a children's playground.

Under that section of the Act, certain things do not apply:

- a guide dog that is accompanying a wholly or partially blind person or is in training for that purpose
- a hearing dog that is accompanying a wholly or partially deaf person or is in training for that purpose
- a pet shop
- the premises of a veterinary surgeon
- a pet-grooming shop, or
- any other premises related to the care and management of dogs.

DECLARING DOG AREAS WITHIN GLENORCHY MUNICIPALITY

With respect to declaring areas within the Glenorchy Municipality, in addition to the prescribed requirements under the Act, Council also take the following into consideration:

- providing an environment where dog owners can train and socialise their dogs in appropriate desirable behaviours, and to also provide an opportunity for on-going enrichment for dogs by reducing boredom, releasing energy and reducing overall stress levels
- recognising the health benefits of dog owners in a means to promote exercise, relaxation and socialisation
- recognising dog owners as a legitimate group within the community and provide suitable access to public open space for their dogs
- aiming for integration with other park users wherever possible
- protecting natural flora and fauna and areas of historical and cultural significance
- balancing the limitation of suitable available public open space and the need to retain some areas as dog-free areas, for use by other community groups, and
- identifying and declaring suitable, available public land which may be incorporated as either on or off-lead dog exercise areas.

All declared dog areas within the Glenorchy Municipality are contained within Schedule 1 of this Policy, as amended from time to time.

EXERCISE AREAS

Under the Act, Council may declare an area to be an area where dogs may be exercised subject to any specified conditions. Within the municipality, Council has established two (2) types of exercise areas:

- on-lead – a dog can only be exercised whilst walked on a lead, subject to conditions under the Act, and
- off-lead – a dog may be exercised off-lead, but must be kept under effective control, prevented from harassing or attacking, and respond immediately to the owner’s commands.

PROHIBITED AREAS

Under the Act, Council may declare an area containing sensitive habitat for native wildlife to be an area where dogs are prohibited from entering. The only dogs that are allowed into a declared prohibited area are assistance dogs (i.e. guide dog or hearing dog).

RESTRICTED AREAS

Under the Act, Council may declare an area to be an area where dogs, other than guide dogs or hearing dogs, are restricted from entering:

- during specified hours, days or seasons, or
- during specified hours, days or seasons unless they are on a lead.

TRAINING AREAS

Under the Act, Council may declare an area to be an area where dogs may be trained subject to any specified conditions. In Council’s case, training areas are where dogs may be trained either on or off lead.

ROAD, ROAD-RELATED OR OTHERWISE UNDEFINED AREAS

For any other Council controlled areas that are not defined within this Policy and/or does not have signage, dogs are permitted on-lead only and must remain under effective control.

FEE STRUCTURE

Council has long maintained a fee structure in relation to Animal Management services and governance, including various aspects of dog management. All fees identified in this Policy and as may be referred to under the Act, will be determined by Council in accordance with this Policy and Council's 'Fees and Charges Policy', as amended from time to time.

Council takes into consideration a number of factors when setting the relevant fees under this Policy including:

- reducing the impost on Council's general rates revenue through the receipt of dog fees, thus reducing the amount of rates revenue being applied to Animal Management service expenses
- adopting 'user pays' principles wherever practicable, and to maintain revenue in real terms,
- recognising responsible dog ownership and acknowledging this in the determination of fees, and
- understanding some dog owners have limited income opportunities.

Council also currently provides fee initiatives in the way of a two tiered registration fee structure based on timely payment of renewals

FEE CATEGORIES AND REQUIRED EVIDENCE

Council fees subject to determination within this Policy are:

- Dog Registration, Refunds and Transfers
- Dog Impound Reclaim Fee
- Replacement Registration Disc Fee
- Kennel Licence Applications and Renewals, and
- Formal Notice of Complaint Fee

DOG REGISTRATION, REFUNDS AND TRANSFERS

All dogs over the age of six (6) months **must** be registered with Council as per section 8 of the Act.

In the case of a dog reaching six (6) months of age, the dog must be registered on or before the last day of the month in which the dog turns 6 months of age.

The lesser fee of registration is available for:

- a) in the case of a renewal of dog registration, dogs registered before the annual due date.
- b) the owners of young dogs who voluntarily register their dog (first time registration) aged between six (6) and eight (8) months of age, in which the dog must be registered before the dog turns eight (8) months of age. Documentation of the proof of age of a dog must be presented when requested by Council, for the applicable fee to be approved.
- c) the owner of a dog which is not a young dog, who voluntarily registers their new dog (first time registration) within two (2) months of obtaining the dog. Documentation of the proof of the date that the dog was obtained must be presented when requested by Council, for the applicable fee to be approved.

- d) 50% off the lesser fee of registration is available for dogs registered after January 1, where either b) or c) applies.

The owner of a dog that is **not** de-sexed and microchipped dog aged under twelve (12) months, and who moves residence into the Glenorchy Municipality and registers their dog, is **not** eligible for the lesser fee of registration, as under the Act the dog was required to have been registered with a Council at six (6) months of age: section 8(1).

Council has determined the following additional categories of dogs and the required evidence prior to registration (if applicable):

Dog Category	Required Evidence Prior to Approval
Entire Dog	<ul style="list-style-type: none"> Not applicable
De-sexed Dog	<ul style="list-style-type: none"> A Certificate of Sterilisation or certified signed letter issued by a Veterinarian Surgeon, or other acceptable demonstrated evidence that the dog is totally and permanently incapable of reproducing due to age or medical condition
Concession Dog	<ul style="list-style-type: none"> The dog owner must produce in the same name as the dog owner evidence of being an eligible pensioner as defined under Regulation 4 of the <i>Local Government (Rates And Charges Remissions) Regulations 2014</i>. This is nominally: <ul style="list-style-type: none"> a current Commonwealth pensioner concession card, a current Commonwealth health card, other evidence of being a war widow or widower under those Regulations, or other evidence of being a totally and permanently incapacitated person under those Regulations
Assistance Dog	<ul style="list-style-type: none"> Evidence of registration with an approved guide dog/hearing dog organisation
Working Dog	<ul style="list-style-type: none"> The dog owner must satisfy Council that the dog is a bona fide working dog as defined under the Act
Obedience Trained Dog	<ul style="list-style-type: none"> A relevant certificate that the dog has successfully completed a Level 3 or 4 obedience course conducted by an accredited trainer at the time of registration, in order to be eligible for a once-off one year free of registration fee, up to the end of the annual registration expiry date
Adoption Dog	<ul style="list-style-type: none"> Evidence that the dog was adopted, in order to be eligible for a once-off one year free of registration fees, up to the end of the annual registration expiry date
Young Dog	<ul style="list-style-type: none"> Evidence that the dog is under 12 months of age, de-sexed and microchipped, in order to be eligible for a once-off one year free of registration fee, up to the end of the annual registration expiry date

In the case of an unregistered dog, where the dog is over the age of six (6) months, the registration fee must be paid within 14 days of notification by Council.

REFUNDS OF REGISTRATION FEES

Council will provide refunds to owners of dogs that have died, been de-sexed or surrendered back to Council's pound (as described below) during the relevant registration period. No other refund of monies paid in respect of this Policy is permitted:

- Death of dog** – Where it is verified that a dog with current registration has died, a refund equal to one twelfth of the registration fee paid for each remaining month in the relevant registration period will be paid upon application by the owner. Unless exceptional circumstance permits, the registration disc must be surrendered to Council.

- De-sexing of dog – Where it is verified that a dog with current registration has been de-sexed, a refund, calculated at one twelfth of the difference between the original category and the de-sexed category fee, for each remaining month in the relevant registration period will be paid upon application by the owner. The original fee will apply up to and including the month of application.

The above refunds for death or de-sexing of dog will be calculated at the time of application by the owner, not the date of death or sterilisation of the dog.

- Surrender of newly adopted dogs – Where it is identified that the owner of a dog who has adopted and registered a new dog from Council's official Pound, within fourteen (14) days of the adoption date deems the dog to be unsuitable for the owner or the dogs' new living arrangement, may apply to Council for a refund of 75% of the original registration fee paid.

TRANSFER OF DOGS TO GLENORCHY CITY MUNICIPALITY

In cases where the owner of a dog relocates to the Glenorchy Municipality from another Local Government Area within Australia, and it is verified that the dog has a current registration in that area, the registration will be transferred upon application by the owner, with no fee payable for that relevant registration period. A registration disc fee relevant to Glenorchy City Council will apply. As stipulated under the Act, owners of dogs having previously registered their dog under a Lifetime Registration Schedule will be required to adapt to the statutory requirement of an Annual Registration Schedule.

DOG IMPOUND RECLAIM FEE

The owner or person acting on behalf of the owner of any dog impounded at Council's official pound facility must pay the reclaim fee at the time of reclaiming a dog. Council's Senior Animal Management Officer has the final authority to approve or deny any application of a payment arrangement to pay this fee.

RETURN DOG HOME FEE

The Animal Management Section may determine a discretionary arrangement to return a dog back home to its owner. A fee for this service is payable to Council within fourteen (14) days of the date of the return of the dog. A penalty may be issued on the owner of a dog under section 36(1) of the Act should this fee not be paid within the prescribed time frame.

REPLACEMENT REGISTRATION DISC FEE

The registration disc issued at the time of initial registration of a dog is a lifetime tag. This means that whilst the disc remains in good condition it will stay with the dog for life. In cases where the disc is damaged, destroyed or lost, the disc will be replaced upon application and payment of the set fee by the owner.

KENNEL LICENCE FEES

Under sections 50 and 51 of the Act, any person wishing to keep more than two (2) dogs on a premises, or in the case of working dogs, more than four (4), must apply to the General Manager for a licence to do so. Applications must be on the approved form and accompanied by the set fee. Kennel licences are required to be renewed annually.

The fee structure for a kennel licence for racing Greyhounds is set to also include the registration fees, otherwise payable in respect of the racing Greyhounds kept at the property.

FORMAL NOTICE OF COMPLAINT FEE

If, at the recommendation of relevant Council staff that a Formal Notice of Complaint is required to be lodged in order to resolve a nuisance, then the complaint should be submitted to the General Manager on the approved form and accompanied by the set fee (section 47 of the Act) . This fee is fully refundable provided that the complaint is not proved to be of a vexatious or frivolous nature.

KENNEL LICENCES

Under sections 50 and 51 of the Act, any person wishing to keep more than two (2) dogs on a premises, or in the case of working dogs, more than four (4), must apply to the General Manager for a licence to do so.

Applicants renting properties must submit with their application, written approval from the landlord (or authorised agent of the landlord), permitting them to keep the number and type of dogs at the property, as referred to in the application.

Council will **not** consider a kennel licence application until 28 days after the publication of the public notice in the major local newspaper, and all objections have been considered. Council has the right to refuse an initial kennel licence application where a breach of the Act has been previously identified.

In processing an application, Council will conduct an initial property inspection to ensure that kennel licence conditions are complied with and adequate provisions for the health, welfare and control of the dogs on the premises are provided. The below conditions will also be enforced during an inspection:

- no dogs other than stipulated in the licence are being kept on the property
- all dogs over six (6) months of age on the property are registered
- the premises are fit for the purpose of keeping the number and type of dogs applied for
- provisions for the health, welfare and control of the dogs are maintained and sustainable, and
- no dog-related or kennel licence nuisance to any other person is likely to be caused.

Annual Kennel Licence inspections may be carried out, randomly or pre-arranged with the owner, at the discretion of Council.

If granted, the period of the Kennel Licence will expire on 30 June annually.

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 14 days of the public notice being published. It is to be in writing to the General Manager and details reasons of the nature of the objection.

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

KENNEL LICENCE CATEGORIES

The following categories of Kennel Licence may apply:

- KL1 – up to 5 domestic dogs

- KL2 – more than 5 domestic dogs
- KLG1– up to 5 Greyhounds, and
- KLG2 – more than 5 Greyhounds

KENNEL LICENCE RESTRICTIONS

Council notes that with respect to the Glenorchy community there is a balance between maintaining control over the numbers of dogs kept in an ever increasing higher density urban environment, ensuring 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 categories KL2 and KLG2 will not be permitted in a Residential Zone (i.e. the General Residential Zone, the Inner Residential Zone, or the Environmental Living Zone as defined under the Glenorchy Interim Planning Scheme 2015 (as amended))
- licensees currently holding a Kennel Licence category KL2 or KLG2 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 land 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 of two, by natural attrition of existing animals.

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) months' 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.

APPEAL RIGHTS OF CANCELLATION

Under section 59 of the Act, should 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 information is available on the Court's website: www.magistratescourt.tas.gov.au.

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. Temporary exemptions may also be approved by the General Manager or delegate in support of an official Foster Dog program provided by Council's official impound facility, or official facility as determined by Council.

KENNEL CONSTRUCTION REQUIREMENTS

In addition to any requirements under the Glenorchy Interim Planning Scheme 2015 (as amended) and the *Building Regulations 2014*, the following specifications are considered the minimum requirements for the construction of kennels on licensed premises. The below requirements also apply on premises where a kennel licence is not held.

- the kennel or enclosure is to be at least nine (9) metres from any neighbouring dwelling house
- 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/s or enclosure
- the kennel or enclosure **must** be constructed in such way as to provide effective methods of cleaning and disinfection
- there **must** be sufficient room to allow reasonable freedom of movement for all dogs
- there **must** be a raised (50mm) weatherproof sleeping area
- 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.

CAPTURE, CARE AND RETURN OF STRAY AND/OR INJURED DOGS

Whilst all reasonable care is undertaken to ensure the health and wellbeing of all stray and/or injured dogs at large, Council or its Authorised Officers whilst during the process of attempting to capture or impound any dog at large, are **not** deemed responsible for any accidental injury or death caused to a dog.

An Authorised Officer may use any required method, tool or equipment, commercial animal food or liquid to capture any dog found to be at large. Council or its Authorised Officers are **not** responsible for any food allergy incurred to the dog as a result of attempting to capture a dog.

If a dog is injured as a result of attempted capture or as a result of another circumstance, the dog will be dealt with appropriately with a duty of care in accordance with Part 2 section 6 of the *Animal Welfare Act 1993*.

Under this Act, an Authorised Officer may transport an injured dog to a veterinary surgeon for treatment and provide ownership details to the veterinary surgeon to assist in the initiation of any required treatment. A dog where required, may be impounded after the dog has been observed or treated by a veterinary surgeon. The

owner of a treated dog is required to pay any associated cost relating to any treatment, to the relevant veterinary practice.

An Authorised Officer may, as required provide or seek ownership and/or registration details, and/or any past history relating to a dog/s with another Local Government Authority in order to carry out any relevant investigation under the Act.

With respect to the capture and detention of any stray dog, under section 35 of the *Dog Control Act 2000*, if after five (5) working days after the notice has been given to the owner, the owner does not reclaim the dog, the General Manager may sell, destroy or otherwise dispose of the dog. As a matter of policy, if the owner contacts Council within that period, Council may extend the period of impoundment for an additional five (5) working days to allow the owner to make necessary arrangements to collect the dog and/or minimise the likelihood of dog escaping from happening again. Section 35(4) of the Act allows the General Manager to sell, destroy or otherwise dispose of a captured dog without an identifiable owner after three (3) working days.

RETURNING CAPTURED DOGS HOME

Under section 35 of the Act, an Authorised Officer may seize and detain any dog at large. Generally, any dog seized by Council will be subject to an identity check where practicable to ascertain ownership and any history of non-compliance.

Dog at Large Category	Ordinary Council Practice
Registered, microchipped and no significant history of non-compliance	<ul style="list-style-type: none"> Resources permitting, Council will attempt to be return back home if within Glenorchy municipality Dog will be impounded if an attempted contact is unsuccessful with the owner, or satisfactory arrangements cannot be set
Unregistered, and/or un-microchipped, and/or with a history of non-compliance	<ul style="list-style-type: none"> May be impounded to ensure that the relevant aspects of non-compliance can be enforced by Council
Unregistered with microchip address details within nearby vicinity of capture	<ul style="list-style-type: none"> Resources permitting, Council will attempt to be return back home Dog will be impounded if an attempted contact is unsuccessful with the owner, or satisfactory arrangements cannot be set The registration of the dog will normally be followed by Council
Unregistered with microchip address details not nearby vicinity of capture	<ul style="list-style-type: none"> Dog will be impounded by Council

FOSTER CARE ARRANGEMENTS FOR DOGS

To assist in the rehabilitation and welfare of subject dogs, Council recognises that on occasion members of the community may seek to temporarily foster dogs on behalf of recognised animal welfare organisations.

For this arrangement to occur, the following mandatory requirements **must** be met:

- prior to the temporary transfer into the Glenorchy municipality, permission must be given by Council to both the respective animal welfare organisation **and** the proposed foster carer, and
- the foster dog must be registered and microchipped in accordance with the Act.

Penalties may be imposed on the owner of the dog as defined under the Act whom enables an unregistered dog to be fostered into the Glenorchy municipality without prior authorisation by Council.

DOG COMPLAINT MANAGEMENT

Council recognises the right of community members to seek assistance in dealing with nuisances created by dogs.

In line with Council's Customer Service Charter and any relevant legislation, policies or procedures, Council's Animal Management Section will ensure that quality services are provided in a timely manner, resources permitting. This is best achieved by maintaining open communications between Council staff, complainants and dog owners. However, the Animal Management Section will **not** normally respond to complaints made anonymously **unless** exceptional circumstances prevail, as determined by the Senior Animal Management Officer.

Council maintains the right to ask for a complainant's name, address, date of birth and contact number at the time of the receipt of a request. It is essential that Council have access to this information so that staff may clarify details, seek further information and to advise of relevant information as determined, pertaining to the finalisation of an investigation. This information is strictly confidential and can only be used for the purpose of conducting Council business.

Complaints will be managed in accordance with standard operating procedures of Council's Animal Management Section, as defined from time to time. Council will **not** deal with complaints of a frivolous or vexatious nature and any verbal threats made to or against Council, other persons, or its employees are taken seriously, and may be referred to Tasmania Police.

NUISANCE BARKING

On receipt of an initial customer request with respect to nuisance barking, the Animal Management Section will, where required, make a personal visit to the property with the intent to:

- inform the dog owner of the nature of the complaint
- assess the validity of the complaint
- determine the extent of any nuisance
- advise the dog owner/s of their legal responsibilities
- provide recommendations and advice to modify/prevent nuisance barking, and
- advise the dog owner/s of subsequent action should any nuisance not be abated.

Council are of the view that by using this approach the majority of complaints can be dealt with quickly and satisfactorily without the need of instigating legal proceedings, whilst at the same time maintaining community harmony.

Subsequent complaints of a similar nature about a nuisance barking dog will be dealt with at the discretion of Animal Management staff in accordance with Council policy and protocols. Should the Senior Animal Management Officer conclude that little or no progress is being achieved, they may require the complainant to lodge a Formal Notice of Complaint with Council in accordance with the Act. The complainant must be prepared to appear in court as a witness if legal proceedings are instigated should a nuisance be found. It is only by this means that more formal action can be initiated and a likely resolution be achieved.

If a complainant is **not** prepared to lodge a Formal Notice of Complaint and/or not prepared to appear as a witness in court, the Senior Animal Management Officer may determine that no further action can be taken in regard to the complaint.

It should be noted that with respect to nuisance barking by dogs, the relevant threshold is contained within section 46(3)(b) of the Act:

A dog is a nuisance if ... it creates a noise, by barking or otherwise, that persistently 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.

DANGEROUS AND RESTRICTED BREED DOGS

Part 3 Division 3 of the Act deals with the declaration, control and management of dangerous and restricted breed dogs.

Council maintains a register of declared dangerous and restricted breed dogs in accordance with the Act. Properties where declared dangerous dogs reside will be audited from time to time by Council to ensure regulatory compliance for the keeping of such animals.

Applicants renting properties must provide Council with written approval from the landlord, or authorised agent of the landlord, permitting them to keep a dangerous or restricted breed dog at the property.

DANGEROUS DOG ENCLOSURE

Under Regulation 4 of the *Dog Control Regulations 2010*, an enclosure for housing a dangerous dog **must**:

- be sufficient to prevent any dog in it from escaping
- be fully enclosed
- be childproof
- have a minimum height of 1.8 metres and a minimum width of 1.8 metres
- have a floor area of at least 10 square metres for each dog in the enclosure
- have the walls, roof and the door or gate made of brick, timber, concrete, iron or mesh, or a combination of these materials, of sufficient strength and durability to prevent the escape of a dog
- have a sufficient weatherproof sleeping area for each dog in the enclosure
- have a sealed, graded concrete floor
- be situated so as not to require a person to pass through it to gain access to other parts of the property on which it is situated
- if fitted with a door or gate:
 - be fitted with a self-closing and self-latching mechanism for the door or gate
 - be locked from the outside when a dog is inside the enclosure, and
 - have a clearly legible sign saying "Dangerous Dog" displayed on the door or gate
- if the walls, roof or door or gate of an enclosure are made of mesh, the mesh **must** be:
 - chain mesh of at least 3.15mm gauge, with a maximum spacing of 50mm, or
 - weldmesh of at least 4mm gauge, with a maximum spacing of 50mm, and
- there may be a gap of not more than 50mm at the top and bottom of a wall or door or gate of an enclosure to provide ventilation and drainage.

Further to the above requirements (and any other stipulations in the [Glenorchy Interim Planning Scheme 2015](#), the *Building Regulations 2016* or other relevant legislation), the following additional specifications are considered the minimum requirement for the construction of a Dangerous Dog Enclosure:

- the enclosure is to be at least nine (9) metres from any neighbouring dwelling house
- the enclosure must be at least one (1) metre from any boundary of the premises on which the yard is constructed
- the enclosure must be constructed in such way as to provide effective methods of cleaning and disinfection
- 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.

EMERGENCY AFTER HOURS SERVICE

Council will, subject to continuing available of resourcing, provide an emergency after-hours dog management service for the following situation only:

- dog attack or dogs acting aggressively - provided that the offending dog/s has been secured or remains visible within the immediate area.

With respect to sick and injured dogs found after hours, these should be directed to the RSPCA in the first instance, or have the animal taken to a veterinarian practice where possible. The RSPCA Hobart Animal Care Centre contact details follow:

553 Pass Road

MORNINGTON TAS 7018

Phone: (03) 6244 3033

Opening hours: Monday – Sunday 10am to 4pm (Public Holidays closed)

<http://www.rspcatas.org.au/contact/animal-care-centers/hobart-animal-care-centre>

In the event that the RSPCA cannot be contacted or the animal cannot be transported to the nearest veterinary practice, Council's after hours emergency service may be contacted.

SCHEDULE 1 – DECLARED AREAS

PROHIBITED PUBLIC AREAS

- any grounds of a school or crèche or any other place for the reception of children, without the permission of a person in charge of the place
- any shop or shopping centre other than a pet shop, veterinary clinic, pet grooming shop, or other premises related to the care and management of dogs
- the grounds of a public swimming pool
- the playing area of a sports ground where sport is being played, or
- any area within 10 metres of a child's playground.

PROHIBITED COUNCIL AREAS

Site	Location
Abbotsfield Park Sports Ground	Adelphi Road, Claremont
AYC Netball Centre	Fletcher Avenue, Moonah
Cadbury Sports Ground	Cadbury Road, Claremont
Claremont Recreation Ground	Main Road, Claremont
Glenorchy Recreation Ground	Eady Street, Glenorchy
Goulds Lagoon	Main Road, Granton
KGV Sports Grounds	Grove Road, Glenorchy
North Chigwell Soccer Ground	Allunga Road, Chigwell
Poimena Reserve (adjacent to car park)	Wakehurst Road, Austins Ferry
Prince of Wales Bay Recreation Ground	Gepp Parade, Derwent Park
Shoobridge Park (sport oval only)	Austins Ferry Road, Austins Ferry
St Mathews Church	Main Road, Glenorchy
The Intercity Cycleway	
Tolosa Park	Tolosa Street, Glenorchy
Wellington Park Reserve	

OFF-LEAD EXERCISE AREAS

Site	Location
Anear Court Reserve 2	Anear Court, Lutana
Arunta Crescent Reserve	Arunta Crescent, Chigwell
Austins Ferry Park	261 Main Rd, Austins Ferry (adjacent to Gunns Mill)
Berriedale Foreshore Reserve	Off Alcorso Drive, Berriedale
Berriedale Park	Main Road, Berriedale
Box Hill Road Reserve	Power Line easement between Box Hill Road and Battersby Drive, Claremont
Cairnduff Reserve	Brent Street, Glenorchy
Camden Crescent Reserve	Camden Crescent, Moonah
Catherine Street Reserve	Catherine Street, Chigwell
Chapel St Reserve	Chapel Street, Glenorchy
Collinsvale Hall Reserve	Hall Road, Collinsvale
Elliot Road Reservoir Reserve	Elliot Road to Montrose Road
Gepp Parade River Reserve	Gepp Parade, Goodwood
Glenorchy Recreation Reserve	Bowden Street, Glenorchy

Site	Location
Grubbs Quarry	Gerrard Street & Highfield Street, West Moonah
James Austin Reserve	Austins Ferry Road, Austins Ferry
Jim Bacon Memorial Reserve	Devines Road, West Moonah
Katoomba Reserve	Katoomba Crescent, Montrose
Knights Point Reserve	Windermere Beach Road, Claremont, continuation of foreshore walk between Connewarre Bay and Windermere Bay
Lutana Woodlands	Bowen Road, Lutana (also accessed off Lennox Ave)
Montrose Bay Foreshore Community Park	Brooker Avenue, Montrose
Montrose Road Reserve	Montrose Road, Montrose
Norman Circle Reserve	Norman Circle, Glenorchy
Ripley Road Powerline Easement	Ripley Road, West Moonah
Ripley Road Reserve	Ripley Road, West Moonah
Tolosa Park Reserve	Tolosa Street, Glenorchy (left side of Tolosa St only)
Wariga Road Reserve	Wariga Road, Glenorchy
Weston Park	Austins Ferry Road, Austins Ferry
Wilkinsons Point	Brooker Avenue, Glenorchy

ON LEAD EXERCISE AREAS

- all road and road related areas within the Glenorchy municipal area, and
- all Council controlled land not specifically defined within this policy, or not defined by signage.

Site	Location
Amy Street Community Park	Amy Street, West Moonah
Balmain Street Reserve	Balmain Street, Glenorchy (walking track leading to Main Road adjacent to Humphreys Rivulet)
Barossa Road Island Reserve	Barossa Road, Glenorchy
Barossa Road Reserve 81-85	Barossa Road, Glenorchy
Beedhams Reserve	Main Road, Claremont
Benjafield Park	Hopkins Street, Moonah
Berriedale Foreshore	Between Lowestoft Bay, Connewarre Bay and Knights Point
Box Hill Rd Reserve 104B	Box Hill Rd, Claremont (between Box Hill Road and Cullen Street)
Canberra Rd Reserve	Canberra Road, Claremont
Chapel Street Reserve 136	Chapel Street, Glenorchy (adjacent to Humphreys Rivulet)
Claremont Link Vacant land	Claremont Link Road, Claremont/Chigwell
Council Chambers Forecourt	Main Road, Glenorchy
Cullen Street Reserve	Cullen Street, Claremont
Dowsing Point Community Park	Park Road, Dowsing Point (separation required from BBQ and play equipment)
Gerrard Street Reserve 2	Creek Road, Moonah (adjacent to rivulet)
Gibblins Reserve	Gepp Parade, Goodwood
Goodwood Park	Howard Road, Goodwood
Hestercombe Road Reserve	Hestercombe Road, Granton
Loftus Street Reserve	Loftus Street, West Moonah
Main Road Reserve	Main Road, Claremont (adjacent to the rail line near Beedhams Reserve)
N.R. Pearce Reserve	
Nambour Place Reserve	Nambour Place, Glenorchy
Poimena Skyline Reserve	Wakehurst Road, Austins Ferry (formed tracks north of the car park only)

Site	Location
Roseneath Park	Main Road, Austins Ferry
Shoobridge Park – Outside Sports Oval	Austins Ferry Road, Austins Ferry
Sixth Avenue Reserve	Sixth Avenue, West Moonah
St Aubyn Square Park	St Aubyns Square, Moonah
Vieste Drive	Vieste Drive, Glenorchy
Weston Place Reserve	Weston Place, Glenorchy
Windermere Bay Community Park	Cadbury Road, Claremont
Windsor Street Park	Windsor Street, Glenorchy

RESTRICTED AREAS

Nil defined

TRAINING AREAS

Nil defined
