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## COMPLAINTS AND OFFENCES

i) Council acknowledge the right for complainants to privacy and confidentiality of their identifying details.

ii) Council reserves the right to request verifying information from complainants such as written records, statutory declarations or diary entries to provide supporting evidence prior to or during investigating a complaint. This information is to be treated in confidence and only released if authorised by the complainant or required by legal proceedings.

iii) Acceptance and investigation of complaints where people are unwilling to provide specific details to Council to allow verification will be allocated a lower priority and may not be allocated resource for investigation if a resolution is unlikely to be achieved.

iv) Wherever possible, owners of animals involved in an offence will be given educational material and a warning. Repeated failure to meet responsibilities, or when offences of a more serious or intentional nature are committed (e.g. threatening an officer, encouraging or allowing a dog attack etc) there will be no warning issued prior to taking action. Actions available to Council include the seizure and impoundment of dogs or livestock, issue of infringement notices or prosecution.

## ALLEGED DOG ATTACKS

*Please note that due to each incident's unique nature, steps may at times be taken out of this specific order if required.*

i. Council receives a phone call/correspondence regarding an alleged dog attack/harassment incident.

ii. Council ensures that if the dog allegedly involved in the attack/harassment is out wandering at large, it is detained to ensure public safety. In case of serious attacks where there is a lack of confidence, the dog will not put the public in further danger. Council may seize the dog allegedly involved pending further investigation and may detain the dog for up to seven days before deciding the outcome upon the investigation.

iii. Council undertakes an investigation of the site of the attack and gathers details of any witnesses.

iv. Council obtains details from the complainant and arranges an interview. The complainant is required to write a formal statement to assist with the investigation.

v. Council will request a formal statement from any witnesses to the alleged attack/harassment.



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vi. Council attempts to determine ownership of dog involved in the alleged attack.

vii. If the owner can be determined, Council allows the dog owner to be interviewed concerning the alleged attack/harassment.

viii. Council undertakes further investigation as required, including obtaining photographs and medical/veterinary reports as evidence if available/applicable.

ix. Council investigation officer provides Council management with a recommended course of action under Circular Head Council policy. A final decision is made on an outcome.

x. Correspondence is sent to the dog owner allegedly involved in the attack/harassment, informing them of the Council's investigation's outcome, and enforcement action is undertaken if required.

## DOGS AT LARGE

I. Dog owners who have registered their dogs and have affixed a current registration tag to their dog will be provided the extra benefit of Council attempting to contact and return dogs to them in the first instance, rather than impoundment. Exceptions to this guideline are:

   a. Another form of offence has been committed (e.g. dog attack).
   b. Previous warnings have been ignored by the owner.
   c. The owner could not be contacted.

II. Where possible, if a dog's details or owners be known, they will be contacted to arrange collection of dogs reported missing or found roaming at large.

III. Dogs surrendered or not claimed will be considered for re-homing. This will be organised through an approved animal welfare organisation. Suitability of the dog to be re-homed and the costs involved to Council will be considered when making this decision.

## DANGEROUS DOGS

I. Decisions around the declaration of dangerous dogs are taken on merit and are at the discretion of the delegated officer and made on the principle of protecting the community. Other options, which may be considered before a declaration include the voluntary surrender of the dog or alternative measures being implemented and committed to by the owner.

II. The nature and severity of any incident will be considered during the decision-making process. In the interest of resolving these matters with urgency, Council officers, may negotiate an outcome which protects the community and avoids further expense to Council.

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## DECLARED AREAS

I. The decision to declare areas will be made based upon community needs and expectations. Dog management areas, if declared in Circular Head, will be listed in **Appendix B** of Animal Management Policy.

II. Council will strive to uphold a fair balance within the community and the environment and in accordance with the *Dog Control Act 2000*, Council may declare and regulate parts of the municipality to be:

Dogs Off Lead (provided dogs are under effective control).
Dogs on Lead (Dogs on Lead at all times).
Dogs Prohibited (Dogs prohibited from entering other than guide/hearing dogs).

III. The declared areas are to be identified through a traffic light style colour system, as described below:

| | |
|---|---|
| Green | Dogs Off Lead |
| Orange | Dogs On Lead |
| Red | Dogs Prohibited |

IV. Dogs Off Lead areas are allocated for the exercising of dogs off-leash so long as they remain under effective control. Use of Dogs Off Lead areas must be without exclusion, threat or inconvenience to other dogs. The owner or person in charge of the dog/s must immediately address aggressive or nuisance behaviour, excessive barking and remove any faeces.

V. Dogs Prohibited areas are required for the protection of wildlife and native habitats by outlawing dogs within that zone. Other legislation may prohibit entry of dogs (for example National Parks).

VI. Council will supply and maintain signage at appropriate access points to clearly identify declared areas.

VII. Additionally, the *Dog Control Act 2000* prohibits dogs within the following areas:

(a) Any grounds of a school, preschool, crèche or other place where there is a presence of children, unless with the permission of the person in charge of the place.
(b) Any shopping centre or any shop unless a pet shop, veterinary surgery, pet grooming shop or other premises related to the care and management of dogs.
(c) The grounds of any swimming pool.

(d) Any playing area of a sportsground on which sport is being played.
(e) Any area within 10 metres of a children's playground.

## FEES

I. Council determines an annual fee structure for dog management. Fees have been structured to positively incentivise dog registration including a discount period in the early part of the year. Cost recovery is not achieved.

II. The fee structure is determined annually as part of Council setting an annual budget. Fees are published on the Council website www.circularhead.tas.gov.au.

III. As a general principle, no refund to dog registration fees will be due if a dog requiring registration dies or relocates from the municipal area following its annual registration or licence renewal.

## CAT MANAGEMENT

I. Cat management is a State responsibility. Council will not provide cat management services and facilities. However, Council will encourage responsible cat ownership by promoting access to information offered by other service providers.

II. Cat management action may be undertaken in declared areas including the humane destruction of cats found in these areas:

(a) Prohibited Areas – Applies to land within the authority (ownership) of the Council
(b) Cat Management Areas – Can be applied to any part of the Council area.

III. Cat management and prohibited areas, if declared in Circular Head, will be listed in Appendix C of this policy.

## LIVESTOCK MANAGEMENT

I. Council will encourage responsible livestock management, including fencing of land to reduce the risk of livestock escaping and creating a danger to road users. Where necessary Council can apply statutory provisions to the fencing of land.

II. The management of livestock by Council only becomes necessary if police need assists to remove livestock off the road and is a hazard to road users.

III. As a last resort Council can impound stock in accordance with the *Local Government Act 1993* and *Law of Animals Act 1962*.



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# ANIMAL MANAGEMENT POLICY GUIDELINES

## RESOURCE ALLOCATION

I. Within the resources allocated, routine patrols and activities relating to dog management will be focussed on the most at-risk areas such as towns, beaches and settlements where there is a concentration of both people and dogs.

II. Council will only provide an emergency after-hours dog management service in the following circumstances:
   (a) If a dog attack occurs, provided that the alleged offending dog has been secured or remains in the immediate area.
   (b) To collect dogs at large provided that the dog has been secured or remains in the immediate area and arrange collection for the next working day when practicable.
   (c) Assist police if requested.

## REFERENCES AND RELATED DOCUMENTS

Animal Management Policy CP019

## RESPONSIBILITY

The Manager Development and Regulatory Services is responsible for the overall management of this policy.

## REVIEW

This Policy will be a reviewed a minimum of every 5 years in accordance with *section 7* of the *Dog Control Act 2000,* with public input sought.



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