

Dog Management Policy

2015

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DEFINITIONS

In this Policy –

<i>“animal”</i>	means any live vertebrate animal other than a human being;
<i>“appropriate fee”</i>	means a fee determined by the Council under Section 80 of the <i>Dog Control Act 2000 (DCA 2000)</i> ;
<i>“approved”</i>	means approved by the Director of the Local Government Division;
<i>“at large”</i>	means at large as referred to in section 5 of the <i>DCA 2000</i> ;
<i>“attack”</i>	includes bite, menace or harass;
<i>“authorised person”</i>	means – (a) a police officer; or (b) a general manager; or (c) a person appointed by a general manager to be an authorised person; or (d) a person who is a ranger under the <i>Nature Conservation Act 2002</i> ; or (e) a person who is a ranger under the <i>National Parks and Reserves Management Act 2002</i> ; or (f) a person appointed as a bailiff of Crown lands under the <i>Crown Lands Act 1976</i> ;
<i>“breeding dog”</i>	means a pure bred dog used for breeding purposes, the owner of which has a registered stud with the Tasmanian Canine Association;
<i>“built-up area”</i>	means an area in which– (a) there are buildings on land next to the road; and (b) there is street lighting at intervals not over 100 metres for a distance of at least 500 metres or, if the road is shorter than 500 metres, for the whole road;
<i>“collar”</i>	means a collar of leather or other durable material;
<i>“complaint”</i>	means a complaint referred to in section 47 of the <i>DCA 2000</i> ;
<i>“dangerous dog”</i>	means a dog declared to be a dangerous dog under section 29 or 30 of the <i>DCA 2000</i> ;
<i>“declared area”</i>	means a declared area under Division 2 of Part 3 of the <i>DCA 2000</i> ;
<i>“de-sexed dog”</i>	means a dog rendered permanently incapable of reproduction;

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<i>“Director”</i>	means the Director of Local Government;
<i>“dog”</i>	means an animal of the species <i>Canis familiaris</i> or <i>Canis familiaris dingo</i> ;
<i>“Dog Control Act 2000”</i>	means the principal legislation relating to the control of dogs in Tasmania.
<i>“effective control”</i>	means effective control as referred to in section 4 of the <i>DCA 2000</i> ;
<i>“exercise area”</i>	refers to an area declared under section 20 of the <i>DCA 2000</i> ;
<i>“General Manager”</i>	means the General Manager of the Council appointed under the <i>Local Government Act 1993</i> ;
<i>“guide dog”</i>	means – (a) a guide dog as defined by the <i>Guide Dogs and Hearing Dogs Act 1967</i> ; or (b) a dog training to be a guide dog;
<i>“hearing dog”</i>	means – (a) a hearing dog as defined by the <i>Guide Dogs and Hearing Dogs Act 1967</i> ; or (b) a dog training to be a hearing dog;
<i>“hunting dog”</i>	means a dog used principally for hunting;
<i>“Infringement notice”</i>	means a notice referred to in Division 2 of Part 4 of the <i>DCA 2000</i> ;
<i>“laceration”</i>	means a wound caused by – (a) the tearing of body tissue; or (b) multiple punctures caused by more than one bite from a dog;
<i>“lead”</i>	means a lead, leash, cord or chain of sufficient strength to restrain a dog;
<i>“licence”</i>	means a licence to keep on premises – (a) more than 2 dogs over the age of 6 months; or (b) more than 4 working dogs over the age of 6 months;
<i>“occupier”</i>	in relation to premises, includes a person who has, or is entitled to, possession or control of the premises;
<i>“owner of a dog”</i>	means a person referred to in section 6 of the <i>DCA 2000</i> ;
<i>“pensioner”</i>	means a person in receipt of a Federal Pension as defined in the <i>Local Government Act 1993</i> ;

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<i>“pound”</i>	means a pound established under the <i>Local Government Act 1993</i> ;
<i>“premises”</i>	includes land or any part of any premises or land;
<i>“prohibited area”</i>	means an area declared under section 22 of the <i>DCA 2000</i> ;
<i>“public notice”</i>	means a notice published in the daily newspaper;
<i>“public place”</i>	means– (a) a public place as defined in the <i>Police Offences Act 1935</i> ; and (b) a road; and (c) a road-related area;
<i>“register”</i>	means a register kept under section 15 of the <i>DCA 2000</i> ;
<i>“registered dog”</i>	means a dog registered in accordance with the <i>DCA 2000</i> ;
<i>“registration disc”</i>	means a disc or tag referred to in section 10(1) of the <i>DCA 2000</i> ;
<i>“restricted area”</i>	means an area declared under section 23 of the <i>DCA 2000</i> ;
<i>“restricted breed dog”</i>	means a dog declared to be a restricted breed dog under section 29A of the <i>DCA 2000</i> ;
<i>“road”</i>	means– (a) 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; and (b) a part of the kerb; and (c) an unsealed part of a sealed road;
<i>“road-related area”</i>	means – (a) an area that divides a road; or (b) a footpath or nature strip adjacent to a road; or (c) a footpath or track that – (i) is not a road; and (ii) is designed for use by cyclists or pedestrians; and (iii) is open to the public;
<i>“serious injury”</i>	means – (a) an injury requiring medical or veterinary attention in the nature of – (i) a broken bone; or (ii) a laceration; or (iii) a partial or total loss of sensation or function in a part of the body; or (b) an injury requiring medical or cosmetic surgery;

<i>“shopping centre”</i>	means 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;
<i>“training area”</i>	means an area declared under section 21 of the <i>DCA 2000</i> ;
<i>“tranquilliser device”</i>	means any device that inserts a measured dosage of tranquillising drug into the body of an animal;
<i>“veterinary surgeon”</i>	means a person registered as a veterinary surgeon under the <i>Veterinary Surgeons Act 1987</i> ;
<i>“working day”</i>	means a day on which the public office of the Council is open for business;
<i>“working dog”</i>	means a dog used principally for – (a) droving or tending stock; or (b) detecting illegal substances; or (c) searching, tracking or rescuing; or (d) working with police officers.

OBJECTIVES

The objective of the Central Coast Council’s Dog Management Policy, in conjunction with the *Dog Control Act 2000* and the *Local Government Act 1993*, is to:-

“ensure a caring and safe environment, where any conflict caused by dogs within the community is minimised, and the rights of dog owners and non-dog owners are respected”.

1 – Introduction

There has been a steady increase in dog ownership over recent years and the Central Coast Council (the Council) recognises the many benefits of companion animal ownership. However, with a large and increasing urban animal population there will always be associated problems.

The Council is committed to ensuring responsible pet ownership, so that these problems are minimised. This view has been endorsed by the community and is noted within the Central Coast Strategic Plan 2014-2024;

“Improve the value and use of open space”;
“Contribute to a safe and healthy environment”; and
“Contribute to the preservation of the natural environment”.

The *DCA 2000* requires that councils develop a dog management policy and that adequate community consultation takes place. The Council is committed to this requirement and has aimed at producing this Policy in partnership with the community ensuring quality of life for dog owners, non-dog owners and the animals themselves.

This Policy does not set out to reproduce all of the detail contained within the *DCA 2000*, and therefore it should be noted that the Act will be the determining basis for application in the event of any omission of detail from this Policy.

2 – Code of Responsible Dog Ownership

(1) BACKGROUND

Irrespective of how much positive education on responsible dog ownership the community is exposed to, there will always be an element of our society that is unresponsive and unco-operative. Such people either fail or simply refuse to conform to acceptable codes of behaviour and reasonable community expectations.

It is this minority group that make it necessary to have legislation in place to govern the keeping of dogs in our community. The Council is committed to maintaining community standards by means of positive education wherever possible, however at times it may be necessary to instigate legal proceedings to change some people's attitudes and unacceptable behaviour. The Council is equally committed to "education by prosecution" if required.

The principal legislation used to control dogs within the community is the *Dog Control Act 2000*. Also at the Council's disposal is the *Local Government Act 1993*, Council by-laws and the *Animal Welfare Act 1993* (in co-operation with the RSPCA Inspectorate).

(2) COMPLAINTS

With an ever increasing urban animal population there will invariably be problems associated with them. It is expected that with a balance of proactive and reactive education and enforcement this will minimise the impact of inappropriate dog behaviour.

The Council recognises the right of community members to seek assistance in dealing with nuisances created by dogs. Animal Control Staff will at all times adhere to the Council's Customer Service Policy. Complaints will be actioned, but not necessarily resolved, as quickly as it is practical to do so. This will generally be dictated by the nature of the nuisance.

The Council exists to represent the community and ensure that quality services are provided. This is best achieved by open communications between Council staff, the complainant and the dog owner/s. Anonymous complaints limit the ability of Animal Control staff to promptly investigate and deal with complaints. The Council maintains the right to ask for the complainant's name, address and telephone number. It is essential that staff have access to this information so that they may clarify details, seek further information and to advise the outcome of investigations into the complaint. This information is strictly confidential and not passed onto any other member of the community without the permission of the complainant.

Animal Control Staff will not deal with complaints of a frivolous or vexatious nature.

(3) *NUISANCES*

On receipt of an initial complaint Animal Control Staff will, depending on the circumstances of the complaint, contact the complainant by letter or make a personal visit to the property and will:

- . 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 of their legal responsibilities
- . Provide recommendations and advice to modify/prevent nuisance behaviour
- . Advise the dog owner of subsequent action should any nuisance not be abated
- . Where possible report to the complainant on action taken.

By using this approach it is anticipated that the majority of complaints may be dealt with quickly and satisfactorily without the need of instigating legal proceedings whilst maintaining community harmony.

Subsequent complaints of a similar nature about the dog will be dealt with at the discretion of Animal Control Staff. As the frontline investigator they are the best people to determine the most appropriate course of action.

Should Animal Control Staff conclude that little or no progress is being achieved, they may request the complainant lodge a Formal Notice of Complaint with the Council, in accordance with the *DCA 2000*. A Formal Notice of Complaint is to be on the approved form, accompanied by the appropriate fee and state the nature of the nuisance. Additional information must be supplied by the complainant if so requested by Animal Control Staff. The complainant must also be prepared to appear in court as a witness if legal proceedings are instigated. It is only by this means that more formal action can be initiated.

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

On receipt of a Formal Notice of Complaint the matter will be dealt with expediently and in accordance with standard operating procedures of the Council's Animal Control Staff.

Upon confirmation that the complaint has substance the Council will refund the fee that accompanied the complaint to the complainant and serve an Abatement Notice on the owner or person in charge of the dog.

A person served with an Abatement Notice must comply with the notice, or lodge an appeal to the Magistrates Court (Administrative Appeals Division) within 14 days after service of the Notice on any one or more of the following grounds:

- (a) That a nuisance does not exist;
- (b) That an action required by the Abatement Notice is unreasonable; and/or
- (c) That the period stated in the Abatement Notice is unreasonable.

Should the Magistrates Court modify or withdraw the Abatement Notice the Council shall comply with the decision of the Court.

(4) *FEES*

All fees payable under the *DCA 2000* will be determined by the Council. The schedule of fees will be set annually prior to the end of May in each year and will be in line with the financial year, (i.e. 1 July to 30 June).

Fees subject to this section include:

- . Registration fee
- . Formal Notice of Complaint
- . Kennel licence application and renewal
- . Impounding maintenance fee
- . Replacement tag fee.

In addition to setting a schedule of fees, the Council will also determine categories of dog registration, discounted registration fees and the required evidence in order to claim a discounted registration fee.

The Council promotes the microchipping of dogs and will assist in maximising the take-up of these options by hosting microchipping days in association with local veterinary clinics and a national provider for microchipped dogs.

The Council promotes dog obedience training and will assist in maximising the take-up of these options by providing registration discounts for dogs that have gained appropriate certification from a registered dog trainer.

Refund of registration fees will only be provided for dogs that have died or those that have been de-sexed in the current year of registration. Refunds are only available on completion of the appropriate form lodged with the Council by the owner of the dog subject of the claim. Any refund provided is on a pro-rata basis as at the time of application.

(5) *REGISTRATIONS AND MICROCHIPPING*

The greatest benefit for dog owners to have their dogs registered and micro-chipped is the rapid identification of the animal. If for whatever reason the

dog escapes and is wearing a collar with a current registration tag and implanted with a microchip, it can be quickly reunited with its owner.

The owner of a dog that is wearing a current registration tag will be advised by the Council of its whereabouts should the dog be reported to or impounded by Council staff. Attempts to reunite the dog with its owner will be made in preference to impounding the dog, pursuant to the standard operating procedures of the Council's Animal Control Staff.

All dogs must be registered at the age of 6 months. This must be done by the end of the month in which the dog turns of age. An application for registration is required to be completed and submitted to the Council. The registration year is from 1 July to 30 June the following year.

All dogs must be microchipped at the age of 6 months. This must be done in an approved manner with an approved microchip, and the person who implants the microchip must enter the prescribed details in an approved database. The microchipping of a dog is generally a one-off procedure and lasts a lifetime.

The Council will issue renewal notices to all owners of dogs currently known to the Council, during June of each year. In addition, public advertisements will be published in the circulating daily newspaper and details posted on the Council's website prior to the end of June each year.

Registrations are transferable, free of charge from owner to owner and between councils, provided that they are in the current year. Registrations are not transferable from dog to dog. In the case of a child's pet a parent or guardian must be the responsible owner of the dog.

(6) *CONTROL OF DOGS*

The Council is committed to providing a caring and safe community. To achieve this, the Council will enforce its regulatory functions in relation to the *DCA 2000*. A person who owns or has charge of a dog must ensure that the dog remains under effective control and does not cause a nuisance.

The owner or person in charge of a dog must ensure that:

- (a) The dog is on a lead no longer than 2 metres held by a person able to control the dog when on a road or road-related area in a built-up area, or any other public place;
- (b) The dog is tethered to a fixed object by a lead no longer than 2 metres for not more than 30 minutes in a public place;
- (c) They have no more than 2 dogs on lead on a footpath;
- (d) They have no more than 4 dogs in their charge in a public place;
- (e) A bitch on heat is confined away from a public place;
- (f) When on private premises the dog is securely confined to those premises;

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- (g) When in or on a vehicle the dog is restricted sufficiently so that it is unable to leave the vehicle or attack any person or animal outside the vehicle;
- (h) The dog is in close proximity, sight distance and immediately responsive to the person's commands in an area where a dog is not required to be on a lead;
- (i) They immediately remove and dispose of any faeces left by the dog in a public place or place not owned by the person;
- (j) The dog is wearing a collar fastened around its neck to which is attached the dog's registration disc when in a public place;
- (k) The Council is notified in writing within 14 days on the death, loss, removal, change of address, change of owner, or transfer to another municipal area;
- (l) The dog does not rush at, or chase, a moving motor vehicle or bicycle in a public place;
- (m) The dog does not rush at or chase any persons, or attack or bite any person or animal;
- (n) The dog is not taken into prohibited areas;
- (o) The dog is not taken into restricted areas otherwise than in accordance with the restrictions;
- (p) The dog does not create a nuisance in a public place or when on private premises by behaving in a manner that is injurious or dangerous to the health of any person, or 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.

Seizure of Dogs – Pursuant to the *DCA 2000* authorised officers have the power to seize and impound any dog:

- . that is at large;
- . that has attacked or chased any person or animal; or
- . that there is reason to believe may attack or chase any person or animal.

Regular patrols of the Central Coast area will be maintained by Animal Control Staff to ensure compliance by dog owners with provisions of the *DCA 2000*.

Impounded dogs that are currently registered and microchipped will be held for a period of 5 working days before any further action. Dogs that are not registered will be kept for a minimum period of 3 working days. During the respective period of impoundment the nature of a dog will be observed and assessed by the Council's Animal Control Staff for nuisance and / or aggressive behaviour.

Where a dog has not displayed nuisance and / or aggressive behaviour the Council works together with appropriate authorities to make suitable unclaimed dogs available for adoption following a reasonable period of detention within the Council's Pound.

Should a facility be unable to be obtained for the adoption within a reasonable period of detention, or the dog has been observed to display nuisance and / or aggressive behaviour, unclaimed dogs shall be euthanised by a local veterinary surgeon.

Veterinary surgeons requested to euthanise unclaimed dogs are given an opportunity to undertake their own assessment and claim the dog and take responsibility for re-homing.

(7) *DANGEROUS DOGS*

A dog may be considered dangerous because of an obvious act or incident in which it has threatened, attacked and in some cases caused serious injury or death to a person or another animal. This physical act is an expression of aggression and in some cases this aggression may have been contributed to by human intervention. There are several triggers for aggression in dogs which may be more prominent depending on the breed. They are:

- . Territorial aggression
- . Protective aggression
- . Fear aggression
- . Predation aggression
- . Dominance aggression
- . Learned aggression.

No matter what the trigger, or the level of human intervention, it is not an acceptable community standard that dogs which display aggression be allowed to be in a position to carry out the physical act. The Council, in its commitment to ensuring a safe environment, endorses legislation in relation to dangerous dogs.

Animal Control Staff investigating a dog attack incident will make a recommendation to the General Manager or their delegate as to whether the dog should be declared a dangerous dog. Any recommendation should be made after consultation with the victims, witnesses and the dog owner, and is also to take into consideration:

- . The severity of the incident
- . The history of the dog
- . The degree of human intervention
- . Any other mitigating circumstance
- . The desired outcome and the *need* for legal proceedings.

A general manager of a council may declare a dog to be a dangerous dog if:

- 1 The dog causes serious injury to a person or another animal; or
- 2 There is reasonable cause to believe that the dog is likely to cause serious injury to a person or another animal.

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The owner of a dog declared to be dangerous has the right to appeal the decision to a Magistrate. The appeal must be lodged within 14 days of notification of the declaration.

The owner of a declared dangerous dog must comply with all relevant conditions of the *DCA 2000* and this Policy. The Council will act in accordance with standard operating procedures to any breaches of these conditions.

Properties where a declared dangerous dog lives will be inspected from time to time by Animal Control Staff to ensure compliance with conditions of the *DCA 2000* and this Policy.

The Council will maintain a register of declared dangerous dogs in accordance with standard operating procedures. Any request for details from this register must be made in writing to the General Manager.

(8) *GUARD DOGS*

For a dog to be a worthy guard dog it must exhibit certain characteristics of which the need to dominate is a major one. They are required to be strong, courageous, disciplined and intelligent animals. These dogs are easily trained and would exhibit learned territorial/protective aggression. The professionally trained guard dog should pose no greater threat than any other dog when it is "off duty".

Unfortunately most guard dogs encountered receive very little or no training and their natural characteristics coupled with no discipline make them a threat given a particular situation. The Council endorses legislation in relation to guard dogs.

The owner of a dog, which is used to protect non-residential property, must notify the Council that they have a guard dog. The General Manager or their delegate will declare that dog to be a dangerous dog. The owner must comply with all conditions relating to a guard dog as prescribed by the *DCA 2000*.

Details of guard dogs will be maintained in the Dangerous Dog Register. Properties where guard dogs are kept will be inspected from time to time to ensure compliance with conditions of the *DCA 2000* and this Policy.

Once notified in writing by the owner of a guard dog that the dog is no longer used to guard non-residential properties, the General Manager or their delegate may revoke the declaration that the dog is a dangerous dog.

(9) *REQUIREMENTS FOR KEEPING DANGEROUS & RESTRICTED BREED DOGS*

The owner of a dog declared dangerous or a restricted breed dog must ensure that:

- (a) De-sexed – the dog is de-sexed within 28 days of being served notice of the declaration.
- (b) Warning Signs – approved signs are displayed at all entrances to the property where the dog is kept. These are available only through the Council.
- (c) Collars – the dog wears an *approved* collar at all times. These are available only through the Council.

The owner of a dog declared dangerous dog must also ensure that:

- (a) Childproof Enclosure – When not in a public place and not under adult supervision, or in the case of a guard dog, when the dog is not performing guard duties, it is to be housed in a *childproof enclosure* that complies with the prescribed requirements.

The owner or person in charge of a dangerous or a restricted breed dog must ensure that the dog, when in a public place is:

- (a) muzzled; and
- (b) on a lead not exceeding 2 metres held by hand and is sufficient to control and restrain the dog; and
- (c) under the control of a person at least 18 years of age.

(10) *CHILDPROOF ENCLOSURE*

A childproof enclosure is to meet the following minimum standards:

- . Be fully enclosed and childproof;
- . Walls, roof and gate to be constructed of brick, timber, iron or 3.15mm chain mesh or 4mm weldmesh with a maximum spacing of 50mm;
- . The floor is to be constructed of concrete to a minimum depth of 50mm and graded to allow drainage;
- . The walls are to be fixed to the floor or constructed to be no more than 50mm above the floor;
- . The gate is to be self-closing and have affixed to it a lock which is to be locked from the outside whenever the dog is in the pen;
- . Have a minimum floor area of 10 square metres;
- . Have a minimum height of 1.8 metres;
- . Have a minimum width of 1.8 metres;
- . Contain a raised (50mm) weatherproof sleeping area.

(11) *KENNEL LICENCES*

Any person wanting to keep more than 2 dogs on premises, or in the case of working dogs, more than 4, must apply to the General Manager for a licence to do so.

The application is to be in the approved form and accompanied by the appropriate fee. If required the applicant must advertise by public notice their intent to apply for a licence and the address, the number and breed of dogs to which the application relates. The advertisement must also call for any objections to the granting of the licence.

Persons residing or owning land within 200 metres of the boundary of the premises to which the 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 set out the reasons for the objection.

The General Manager will not consider a kennel licence application until 28 days after the publication of the public notice, and all validly received objections will be considered. A property inspection will be carried out to ensure that kennel requirements are complied with and that adequate provisions for the health, welfare and control of the dogs on the premises are provided.

If granted, the period of the licence will expire on 30 June following the date of granting the licence and is renewable annually on payment of the appropriate annual fee.

Property inspections will be conducted within 3 months of the licence being renewed to ensure that:

- . No dogs other than stipulated in the licence are being kept on the property
- . All dogs over 6 months of age on the property are registered
- . Provisions for the health, welfare and control of the dogs is maintained
- . No nuisance to any other person is likely to be caused.

The General Manager or their delegate may cancel a licence if satisfied that:

- . Provisions of the *DCA 2000* or other relevant Act are not complied with;
- . Conditions of the licence are not being complied with;
- . The situation or condition of the premises is creating a nuisance; or
- . It is in the public interest that the licence be cancelled.

An applicant or holder of a licence may, by notice in writing to the Magistrates Court (Administrative Appeals Division), appeal to a Magistrate any decision by the General Manager or their delegate to:

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- . Refuse to grant or renew a licence
- . Cancel a licence

Kennel Requirements

The following specifications are considered the minimum required for the construction of kennels and yards on licensed premises:

- . The kennel or yard is to be at least 9 metres from any neighbouring dwelling house
- . The kennel or yard is to be at least 2 metres from any boundary of the premises on which the yard is constructed
- . The premises is to be enclosed in such manner so as to contain any dogs kept in the kennel or yard
- . The kennel or yard is to be constructed in such a way as to provide effective methods of cleaning and disinfection
- . There is to be sufficient room to allow dogs reasonable freedom of movement
- . There is to be a raised (50mm) weatherproof sleeping area
- . Adequate ventilation and insulation is to be provided to maintain a comfortable internal temperature free from condensation
- . A sanitary method of disposal of excreta and waste is to be provided.

In certain circumstances planning approval may also be required prior to the construction of kennels and yards.

The General Manager may issue a kennel licence for the keeping of a specified number of dogs on premises which do not comply with some or all of the above minimum specifications provided that, the General Manager or their delegate is satisfied that 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.

(12) PROHIBITED PUBLIC AREAS

Dogs are not permitted under the *DCA 2000* into certain public areas at any time, the only exception being special assistance dogs, i.e. guide dogs and hearing dogs which are permitted access with their owners.

Prohibited public areas are:

- . 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; or
- . Any shopping centre or any shop other than a pet shop, veterinary clinic, pet grooming shop, or other premises related to the care and management of dogs; or
- . The grounds of a public swimming pool; or
- . The playing area of a sports ground on which sport is being played; or

- . Any area within 10 metres of a children's playground.

(13) *DECLARED AREAS*

The Council may declare certain areas that allow, restrict or prohibit the access of dogs.

Declared areas are included in this Policy as existing areas. These areas will be reviewed during the life of the Policy. Areas may be added to or removed from the Policy during the life of the Policy if considered appropriate.

Declared areas for any future Dog Management Policy will be reassessed during the normal review period of the Policy. Notification of declared areas will be by public notice in the daily newspaper circulating throughout the Central Coast area.

All currently declared areas are listed in Annexure A to this Policy. The types of declared areas are as follows:

- (A) **PROHIBITED AREAS** – The Council may declare a natural area reserve or recreational reserve, an area where dogs are not permitted at any time.

Owners of dogs must not take their dogs into a prohibited area.

- (B) **EXERCISE AREAS** – The Council may declare off-lead exercise areas to be provided for the use of dog owners to exercise their dogs in a safe and acceptable manner.

Owners of dogs must ensure that their dogs remain under effective control at all times and do not create a nuisance to nearby residents and other users.

- (C) **RESTRICTED AREAS** – The Council may declare areas where dogs are permitted at certain times of the day and / or year and require dogs to be kept on a lead. For example a waterfront area may allow access to dogs between 6.00am and 8.00am during the months of October through to March.

Owners of dogs must not take their dogs into a restricted area otherwise than in accordance with the declaration.

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- (D) TRAINING AREAS – The Council may declare a training area for the purpose of obedience or agility trial training. These areas may be for the use of a club, business or individuals and may be subject to specified conditions.

In the case of breaches of certain declared areas, the Council's Animal Control Staff will firstly try and resolve such breaches through education, depending on the circumstances of the breach, and will:

- . Inform the dog owner of the nature of the breach
- . Determine the extent of any nuisance
- . Advise the dog owner of their legal responsibilities
- . Provide recommendations and advice to modify/prevent further breaches
- . Advise the dog owner of subsequent action should any further breach occur.

By using this approach it is anticipated that the majority of breaches may be dealt with quickly and satisfactorily without the need of instigating legal proceedings whilst maintaining community harmony.

(14) EDUCATION

It is easy to take for granted the role of animals in our society, whether they are used for working purposes or as companion animals. Pet ownership numbers have risen significantly over the last 20 years with the result today of more than two-thirds of Australian households possessing a pet.

Studies have shown that pet ownership improves the quality of human lives on both a psychological and physical level. However if pets are not managed responsibly and are permitted to create a nuisance a negative affect occurs which impacts on urban life.

Dog ownership can impact on all members of the community. The Council recognises it is important to provide information and education regarding responsible pet management to all sectors of the community. The Council is committed to implementing strategies identified in Community and Strategic Plans, and in doing so seeks to address dog management problems before they occur.

Mechanisms used to provide education to all members of the community include:

- . Brochures on responsible dog management
- . School-based learning packages
- . Static displays
- . Public meetings
- . Individual counselling
- . Raising community awareness by media advertising

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- . Regular news articles and obedience tips in the local newspaper
- . Referring to statutory bodies and associated professionals
- . Positive reinforcement for those that do the right thing.

The Council will also provide up to date information on the *Dog Control Act* and related prohibited/restricted areas with the mail-out of the registration forms each year.

(15) *ADVERTISING / CONSULTATION*

For the purpose of ensuring a well-educated and informed community in regard to issues relating to dog management, the Council will advertise any intention or decision that may have significant impact on the community. Where appropriate a process of consultation will ensue from the date of advertising and submissions from members of the community will be considered.

Advertising will be by means of the local daily newspaper circulating throughout the Central Coast area. Some examples of where advertising may occur are:

- . Annual registration fees
- . Other relevant fees
- . Incorporating or revoking a declared area
- . Review of this Policy.

(16) *AFTER HOURS SERVICE PROVISION*

The Council will provide an emergency after-hours animal management service for the following situations only:

- . Dog attack – provided that the offending dog has been secured or remains in the immediate area.

Note: in the event of any injury to a person the Police should be called.

- . Livestock – which is straying and posing a traffic hazard or threatening a person's safety.

Members of the public who have secured a stray dog outside of the Council's normal working hours are encouraged to take the dog to the Council's dog pound (which is located at the Council's Works Depot in Short Street, Ulverstone) on the next working day between the hours of 8.00am and 4.30pm. Alternatively they can keep the dog and contact the Council's Animal Control Staff.

Sick and injured animals – Enquiries regarding sick and injured animals should be directed to the RSPCA or the animal taken to a veterinarian practice.

In the event that the RSPCA cannot be contacted or the animal cannot be transported to the nearest veterinary practice, the Council's Animal Control Staff are to be notified.

(17) *MICROCHIPPING*

All dogs must be microchipped at the age of 6 months.

(18) *DOG LITTERING*

The Council recognises community concerns over dog litter in any public place, especially public places where non-dog owners share the amenity with dog owners, and will endeavour to address these concerns through:

- . The introduction of strategically placed dog litter receptacles in exercise areas
- . Positive reinforcement for dog owners that do the right thing
- . The issuing of infringement notices to those dog owners who fail to meet their responsibility under the *DCA 2000*.

(19) *SIGNAGE*

The Council recognises the fact that clear and relevant signage is vital to the community's understanding of the rights and obligations of both dog and non-dog owners and will address this through:

- . The introduction and maintenance of appropriate signs at all restricted areas
- . The introduction and maintenance of appropriate signs at all prohibited areas
- . The removal of all outdated signage
- . The ongoing review of signage in all areas.

(20) *EXERCISE AREAS*

The Council recognises the value of exercise areas, both on-lead and off-lead areas, for owners and their dogs.

The Council also recognises that while beaches and bush reserves often provide the most popular walking areas, there are concerns over the interaction of dogs with native fauna and with other family interests.

By providing a greater range of off-lead, on-lead and fenced exercise areas, the Council can assist by reducing the pressure on some of those areas where conflict might arise.

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The Council has created two new off-lead exercise areas at:

- . The Ulverstone Sports Complex off Alice Street, Ulverstone; and
- . The Penguin Sports Complex, Ironcliffe Road, Penguin.

The Council can enhance this further by:

- . Considering the conversion of the former Ulverstone Transfer Station and the former Penguin Refuse Disposal Site to off-lead areas
- . The creation of appropriately designed exercise areas restricted to dogs and their owners
- . The creation of further on-lead areas for the exercising of dogs
- . The review of all restricted and prohibited areas on a five yearly basis.

ANNEXURE A

DECLARED AREAS

PROHIBITED AREAS:-

- . *Picnic Point Beach, West Ulverstone between Picnic Point and the Leven River.*
- . *Buttons Beach, Ulverstone, between Buttons Creek and Victoria Street.*
- . *Midway Beach, Sulphur Creek, west of Creamery Road through to Howth.*
- . *All Council recreational reserves, sign posted to indicate no dogs allowed.*

EXERCISE AREAS:-

- . *Watcombe Beach, Penguin.*
- . *Buttons Beach, Ulverstone, from the Leven River to Victoria Street.*
- . *Shared Pathway between Ulverstone and Turners Beach.*

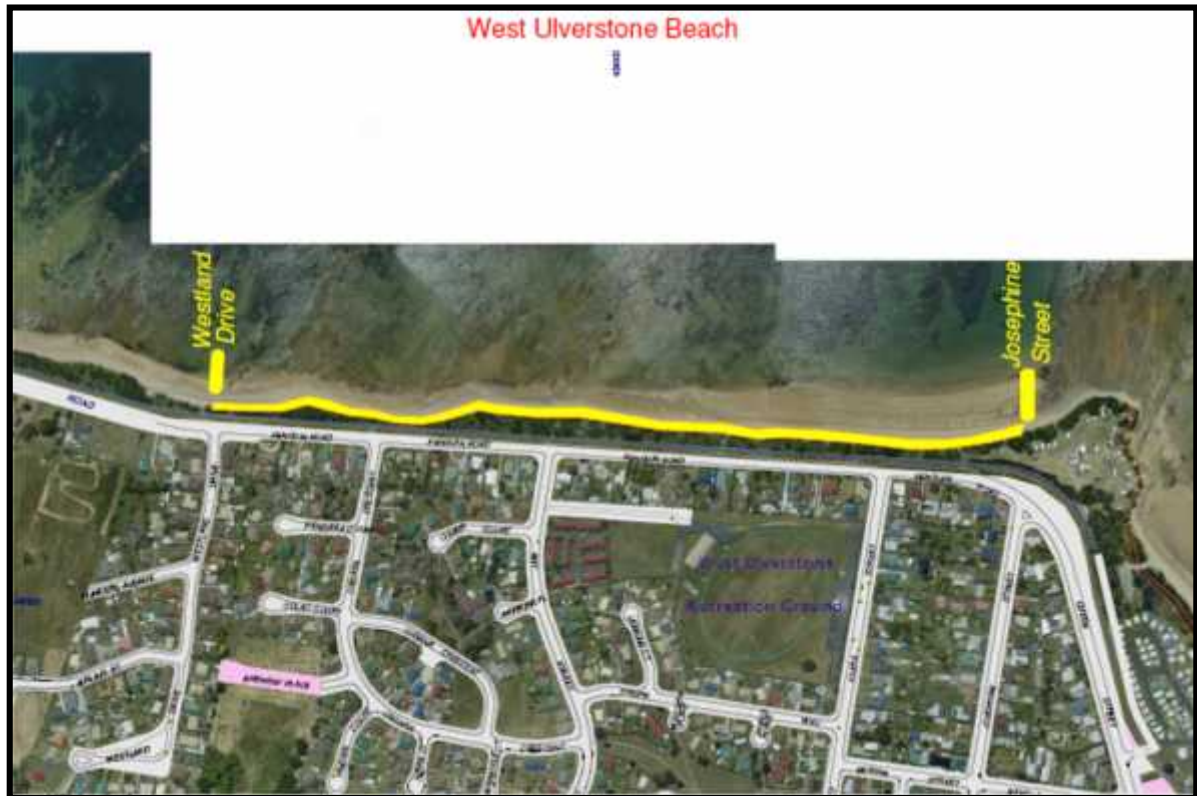
RESTRICTED AREAS:-

- . *West Ulverstone Beach between Josephine Street and Westland Drive.*
- . *Midway Beach, Sulphur Creek, east to Creamery Road.*
- . *Penguin Beach.*
- . *Turners Beach from the Forth River to Claytons Rivulet.*
- . *Buttons Beach, East Ulverstone, from Buttons Creek to the Fish Pond.*

TRAINING AREAS:-

- . *Fenced off area at northern end of Ulverstone Sports Complex, Flora Street, Ulverstone.*

West Ulverstone Beach between Josephine Street and Westland Drive.



NOTE: From November until the end of March dogs are required to be on lead and can only be exercised on the beach between 7.00am and 8.00pm.

No restrictions for the rest of the year.

Midway Beach, Sulphur Creek – east of Creamery Road.



NOTE: In December/January/February dogs can only be exercised on the beach after 7.00pm and prior to 9.00am.

No restrictions for the rest of the year.

Penguin Beach, Penguin.



NOTE: In December/January/February dogs can only be exercised on the beach after 7.00pm and prior to 9.00am.

No restrictions for the rest of the year.

Buttons Beach, East Ulverstone, from Buttons Creek to the Fish Pond.



NOTE: In December/January/February dogs can only be exercised on the beach after 7.00pm and prior to 9.00am.

No restrictions for the rest of the year.

Watcombe Beach, Penguin.



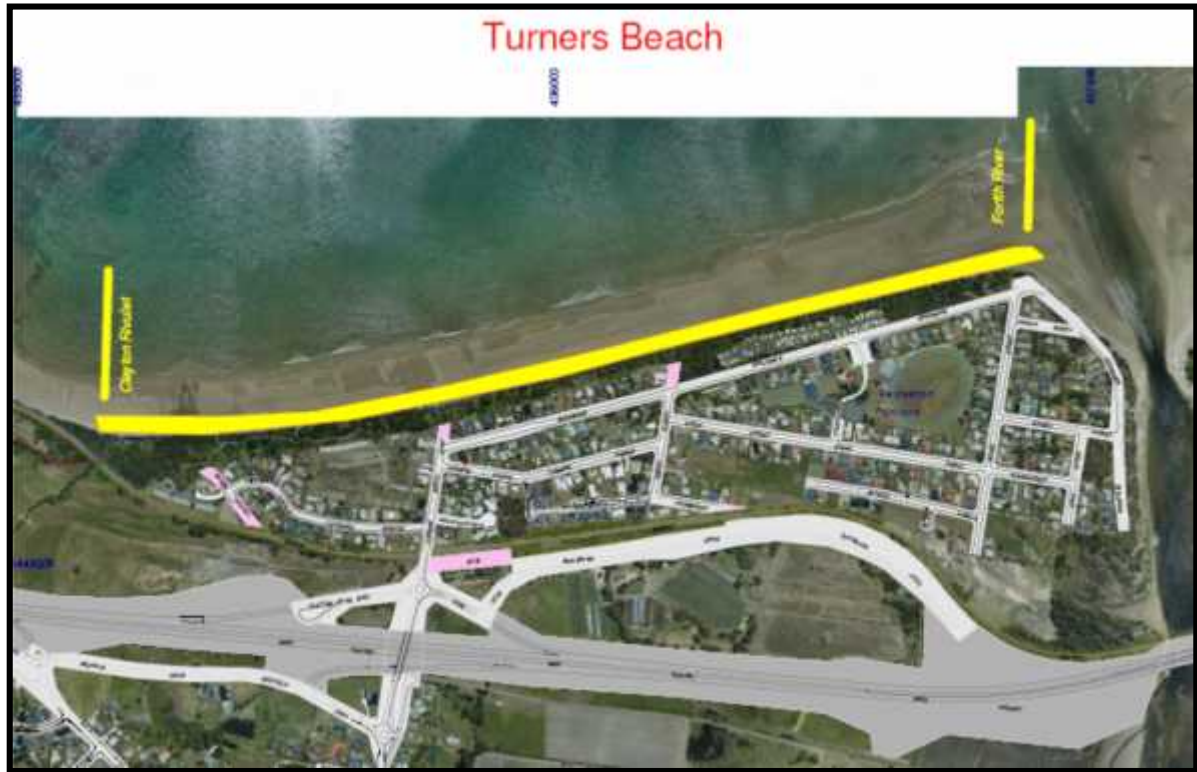
NOTE: No restrictions as to time of use.

Buttons Beach, Ulverstone – from Leven River to Victoria Street.



NOTE: No restrictions as to time of use.

Turners Beach – from Forth River to Claytons Rivulet.



NOTE: In November/December/January/February/March dogs can only be exercised on lead and after 8.00pm and prior to 9.00am.

No restrictions for the rest of the year.