

15.2 Dog Management Policy Review

Report Number 15.047/25*

Strategic Plan

1. An empowered, healthy and connected community
4. Vibrant towns and villages
5. A transparent and trusted Council

File Reference 13/33 and 08/10

Responsible Officer Acting Assistant Manager Administration Services

Reporting Brief General Counsel presenting a report on the outcomes of statutory consultation on a review of the Dog Management Policy
GOV-DEV 007

Conflict of Interest No officer declared an interest under the *Local Government Act* 1993 (LGA 1993) in the preparation of this report.

Attachments

1. Engagement Summary Report [15.047/25*.1 - 34 pages]
2. DRAFT Huon Valley Dog Management Policy (1) [15.047/25*.2 - 21 pages]

Background

1. Upon commencement of the *Dog Control Act 2000* (the Act) in April, 2001 the Council was required, by section 7 of the Act, to adopt a Dog Management Policy.
2. The Council has adopted a Policy since that time.
3. The Policy is due for review and at its ordinary meeting of 21 May 2025 by resolution No. 15.023/25* Council resolved as follows:

That:

- a) *The Report on a review of the Dog Management Policy GOV-DEV 007 be received and noted.*
 - b) *Pursuant to section 7 of the Dog Control Act 2000 (the Act), having been reviewed, the Council resolves its intention that the Dog Management Policy GOV-DEV 007 be amended in accordance with the Attachment 3 to this Report (the amended Policy).*
 - c) *Pursuant to sections 20 and 22 of the Act, having been reviewed pursuant to section 26 of the Act, the Council resolves its intention that Exercise Areas and Prohibited Areas be declared as set out in Appendix 1 and Appendix 2 respectively of the amended Policy.*
 - d) *The amended Policy be approved under paragraph b) is to be advertised in accordance with the requirements of section 7 of the Act and notice of intention to make the declared areas under paragraph c) is to be advertised in accordance with the requirements of section 24 of the Act.*
4. The Draft Policy has been subject to formal advertising and consultation and the purpose of this Report is to consider feedback received during that period and to

adopt the reviewed Policy.

Council Policy

5. Council policies are reviewed in accordance with the *Policy Development and Review Policy GOV-CORP 002*.

Legislative Requirements

6. Section 7 of the *Dog Control Act 2000* requires the Council to develop, make and implement a policy relating to the management of dogs in its municipal area.
7. The policy is to include the following:
- A code relating to responsible ownership of dogs
 - The policy in relation to declarations made, or to be made in relation to declares areas including Exercise Areas, Training areas, prohibited areas and restricted areas
 - A fee structure
 - Any other relevant matter.
8. Council is to:
- Invite public submissions relating to the proposed dog management policy or an amendment of the policy
 - Consult with any appropriate body or organisation
 - Consider any submissions and results of any consultation before making the policy or the amendment.
9. Council is to review its dog management policy at least once every 5 years.
10. Under sections 20 to 23 of the Act, the Council may declare Exercise areas, Training areas, Prohibited areas and restricted areas. These areas are included within the Policy.
11. These declarations are to be reviewed at least once every 5 years and the review is being taken at the same time as the Policy.
12. Section 24 of the Act provides that before the Council resolves to make a declaration it is to:
- notify, by public notice, the details of –
 - the area; and
 - any condition relating to the use of that area; and
 - in the case of a restricted area or prohibited area, the reasons for the declaration; and
 - invite submissions to be lodged within 15 working days after the notice is published; and
 - consider any submissions lodged.
13. The two review processes have been undertaken together.

Risk Implications

14. A failure to review the Policy is a breach of the Act. Whilst there are no consequences for failing to review the Policy, Council will not be meeting its governance requirements and addressing any issues that are required to keep the Policy up to date.

Financial and Budgetary Risks

15. Fees and Charges are set annually in accordance with the principles of the Policy. These fees and charges part fund the municipal inspector programme responsible for administration and enforcement of the Act.

Environmental Risks

16. There are no Environmental Risks identified for this report. The Act does however allow Council to declare areas where dogs are prohibited from entering that may include environmental considerations.

Engagement

17. Engagement was undertaken in accordance with the Engagement Report included as Attachment 1 to this Report and is relied upon for the purpose of this Report.
18. Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and at the Customer Service Centre.
19. A copy of the Policy as reviewed will be placed on the Council's website and available at the Council's Customer Service Centre.

Human Resource and Financial Implications

20. Given that this is a general review there are no significant human resource or financial implications for the Council arising out of this Report however advertising is required in accordance with the Act.

Discussion

21. The purpose of this Policy is to provide a Dog Management Policy in accordance with the Act relating to dog management in the Huon Valley Municipal Area.
22. Policy does not set out or reproduce all the detail in the Act of the Regulations and therefore it should be noted that the Act and Regulations will be the determining basis of any specific matter. The Policy however, where applicable, guides those considerations and determinations.
23. The review has taken into account feedback provided during the engagement period as set out in Attachment 1 to this Report.
24. Only minor changes have been required to the Policy following engagement and the final recommended Policy is included as Attachment 2 to this Report.
25. The declared areas are set out in Appendix 1 and Appendix 2 of the amended Policy.



Conclusion and Recommendation

26. It is recommended to receive and note the Engagement Report and Actions contained within it, adopt the Policy as reviewed and amended and to formally resolve declaration of areas under the Act.

15.047/25*

RESOLVED

MOVED: Cr David O'Neill

SECONDED: Cr Debbie Armstrong

That:

- a) **The Report on the outcomes of statutory consultation on a review of the Dog Management Policy GOV-DEV 007 be received and noted.**
- b) **The Summary of Community Engagement Dog Management Policy**
- c) **GOV-DEV 009 Review is received and noted and the actions set out within**
- d) **it are adopted.**
- e) **Pursuant to section 7 of the *Dog Control Act 2000* (the Act), having been reviewed, the *Dog Management Policy GOV-DEV 007* be amended in accordance with the Attachment 2 to this Report (the amended Policy).**
- f) **Pursuant to sections 20 and 22 of the Act, having been reviewed pursuant to section 26 of the Act, the Council resolves to declare the Exercise Areas and Prohibited Areas as set out in Appendix 1 and Appendix 2 respectively of the amended Policy.**
- g) **A copy of the amended Policy be placed on the Council's website and copies be made available for inspection free of charge from Council's Customer Service Centre.**

Cr Toby Thorpe, Cr Paul Gibson, Cr Debbie Armstrong, Cr David O'Neill, Cr Mark Jessop, Cr Andrew Burgess, Cr Amy Robertson and Cr Lukas Mrosek voted for the motion and Nil voted against the motion.

8 / 0 CARRIED UNANIMOUSLY