

5.5. APPROVED INSPECTION PROGRAM - DOG REGISTRATION

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DEPARTMENT Environment and Planning

RECOMMENDATION

That Council approves a systematic Approved Inspection Program to be carried out from 20 September 2021, for a period of not more than 6 months from that date, to ensure compliance with the registration requirements of the *Animal Management (Cats and Dogs) Act 2008*.

EXECUTIVE SUMMARY

The *Animal Management (Cats and Dogs) Act 2008* requires that all dogs in Queensland are registered once they are more than 12 weeks old. Exceptions to this include where the dog is being kept by a pound or shelter or if the dog is-

- (a) a government entity dog; or
- (b) a working dog (as defined in the Act); or
- (c) another class of dog prescribed under a regulation.

By accepting and approving the recommendation in this report, Council is providing the necessary power to officers to undertake the approved inspection program.

The program will be advertised to commence in late September 2021 and will remain active, in accordance with the Act, for a period of not more than six (6) months.

BACKGROUND

The *Animal Management (Cats and Dogs) Act 2008* provides the power for Local Governments to conduct Approved Inspection Programs. Programs can either be selective (contained to certain areas or suburbs) or systematic (the entire Shire area).

The last time an Approved Inspection Program for dog registration was conducted in the region was during the early days of the amalgamation with Cairns Regional Council.

Cairns Regional Council conducted an Approved Inspection Program in 2019. As a result, there was an increase in registrations of approximately 33%.

COMMENT

Dog registration is a tool by which Council officers can reunite lost animals with owners and improve overall outcomes for impounded dogs. It also assists with understanding dog ownership demographics and allows Council to adequately plan programs and infrastructure related to companion animal ownership.

It should also be noted that by approving the program, Council officers will have additional powers of entry to private property. The program will only be undertaken by authorised persons and will be conducted during normal working hours (7:30am – 5:00pm), Monday to

Friday. Where officers find a resident home, they will be required to show the occupier their Council ID cards, tell the occupier the purpose of entry and advise the occupier they are permitted entry to the place without the occupier's consent, under the Act.

PROPOSAL

That Council approves a systematic Approved Inspection Program to be carried out from 20 September 2021, for a period of not more than 6 months from that date, to ensure compliance with the registration requirements of the *Animal Management (Cats and Dogs) Act 2008*.

FINANCIAL/RESOURCE IMPLICATIONS

In order to facilitate the program, 2 Local Laws Officers will be diverted from other operational work. However, priority work such as dog attacks should not be affected in any way.

RISK MANAGEMENT IMPLICATIONS

Council is delegated the authority to ensure compliance with this provision of the *Animal Management (Cats and Dogs) Act 2008*. As such, it is paramount that the Council takes proactive steps to achieve the objectives of the Act and an Approved Inspection Program is a tool to accomplish that goal.

SUSTAINABILITY IMPLICATIONS

Economic: Dog registration comes at a cost to the dog owner, and this may prove to be a challenge for some. However, officers will work with customers, wherever possible, to achieve compliance without causing any financial detrimental harm. It is an important part of responsible dog ownership to ensure that owners can afford all the requirements for owning a dog. When dogs aren't registered the cost of dog management is borne by the general rate base.

Environmental: Nil

Social: Improved registration rates will assist in faster reunification of dogs and their owners, hopefully resulting in reduced impoundment times and increased satisfaction to the dog owner.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2019-2024 Initiatives:

Theme 1 - Celebrating Our Communities

Douglas Shire Council embraces the diversity of our communities and values the contribution that all people make to the Shire. We recognise that it is a core strength of the region. We acknowledge our past so that it may guide us in the future. We recognise the wrongs done to our Indigenous community and we actively seek to reconcile so that we may all benefit from and enjoy our Shire. We acknowledge early European settlers who forged an agricultural base for our economy and we welcome all new arrivals as part of our broader community.

Goal 2 - We will deliver programs and services that protect and enhance the liveability of our beautiful Shire.

Operational Plan 2020-2021 Actions:

1.2.6 - Review and audit the dog registration program.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Regulator Council has a number of statutory obligations detailed in numerous regulations and legislative Acts. Council also makes local laws to ensure that the Shire is well governed. In fulfilling its role as regulator, Council will utilise an outcomes based approach that balances the needs of the community with social and natural justice.

CONSULTATION

Internal: Nil

External: Nil

COMMUNITY ENGAGEMENT

If Council resolve to approve the program, as per the requirements for an Approved Inspection Program, an advertisement will be placed in the Cairns Post, the program will be advertised on Council's website, Facebook page and Douglas Pets page, and a copy of the program will be available at Council's Customer service centers.

ATTACHMENTS

1. Approved Inspection Program Dog Registration 2021 [5.5.1 - 2 pages]

Approved Inspection Program (Systematic) – Dog Registration

Introduction

Community safety and sustainable communities are a priority for Douglas Shire Council. To assist in achieving this, Council aims to educate dog owners on their responsibilities and ensure compliance with the requirements for owning a dog.

On 31 August 2021, Douglas Shire Council resolved:

That Council approves a systematic Approved Inspection Program to be carried out from 20 September 2021, for a period of not more than 6 months from that date, to ensure compliance with the registration requirements of the Animal Management (Cats and Dogs) Act 2008.

Purpose of Program

An Approved Inspection Program is coordinated by a Local Government to confirm compliance with legislation. Section 113 of the Animal Management (Cats and Dogs) Act 2008 states that a local government may, by resolution, approve a program under which an authorised person may enter and monitor compliance with the Act.

The purpose of this program is to ensure that the owners of dogs in the Douglas Shire Council area have complied with the registration requirements of the Act.

Can Douglas Shire Council officers enter my property?

Yes. While officers may be able to complete the inspection without having to enter your property, section 111 of the Animal Management (Cats and Dogs) Act 2008 provides 'Powers of Entry' for an authorised person under an approved inspection program.

What if I am not home, does Douglas Shire Council still have the right to enter my yard?

Yes. As outlined in section 111 of the Act, an authorised person from the Council can enter your property without you being home. The officer will leave a card or notice in a prominent place such as the mailbox or front door to let you know that they have been.

Will I be issued with a fine?

If you are found to be non-compliant with animal registration you will be issued a Notice to comply that will provide you with 7 days to register your dog/s. At the expiration of the Notice, if Council records show you have not registered your dog, you will be issued with a Penalty Infringement Notice (fine) for \$275.00 for each dog in your care that you have failed to register. If you require more time to register your dogs, you will need to contact Council on (07) 4099 9444 or by email enquiries@douglas.qld.gov.au where,

depending on your circumstances, you may be issued a short extension. This will be at the discretion of an authorised person.

What if I don't pay my fine?

Unpaid fines will be lodged with the State Penalties Enforcement Registry (SPER) and an enforcement order will be issued. There will be additional costs added to your amount owing. If you receive an enforcement order, but do not act on it by the due date, SPER may take further enforcement action against you, such as:

- Suspend your driver's licence
- Direct your employer or financial institution to deduct funds from your pay or bank account
- Seize or sell your property
- Issue a warrant for arrest and imprisonment

Finally, please remember that officers are only doing their job and any abuse or aggressive behaviour will not be tolerated, and promptly referred to QLD Police. The officers conducting the program will be wearing body cameras for their protection and yours.

For further information relating to the Approved Inspection Program, please contact Douglas Shire Council on (07) 4099 9444 or enquiries@douglas.qld.gov.au

