

7.9. APPROVED INSPECTION PROGRAM (SELECTIVE) – COMPLIANCE WITH REGULATED DOG REGISTRATION

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RECOMMENDATION

That Council resolves to approve a selective inspection program of regulated dogs in the Douglas Shire Local Government Area as per section 113 of the *Animal Management (Cats and Dogs) Act 2008*. The program is to commence on 01 December 2025 and conclude 31 May 2026.

EXECUTIVE SUMMARY

Regulated dogs are those declared dangerous or menacing under the *Animal Management (Cats and Dogs) Act 2008* (the Act).

Council has an obligation to ensure regulated dogs are kept in accordance with conditions listed in Schedule 1 of the Act. These conditions include microchipping, suitable enclosure and appropriate signage.

Section 113 of the Act permits Council to resolve to approve a selective inspection program. This inspection program provides structure to the enforcement of compliance with Schedule 1 conditions for the regulated dogs in the local government area. The program also requires that Council provides notice to owners of regulated dogs prior to inspections, encouraging voluntary compliance.

This approved inspection program will be active for six months from 01 December 2025 to 31 May 2026.

BACKGROUND

The Act requires that all dogs subject to a regulated dog declaration comply with the conditions listed in Schedule 1 of the Act (see Attachment 1).

In summary, these conditions include:

- Identification: Must be microchipped and wear a collar with an ID tag
- Distinctive collar: Must wear the prescribed distinctive collar
- Muzzling: Dangerous dogs only must be muzzled when off the property.
- Enclosure: Must have a secure, childproof enclosure that meets regulatory requirements
- Public notice: Warning signs must be displayed at all property entrances in accordance with regulations
- Place kept: Must not usually be kept at any other location
- Address change: Owner must notify Council within 7 days of any change of address

To monitor these conditions a local government may, by resolution, approve a program (an approved inspection program) under which an authorised person may enter a place to monitor compliance with the Act. Local governments may conduct approved inspection programs either selectively or systematically.

QLD Councils are delegated authority to enforce compliance with the Animal Management (Cats and Dogs) Act 2008. To meet the objectives of the Act, Council can take proactive steps, and an Approved Inspection Program is an important tool in doing so.

There are currently 25 declared dogs in the Shire. If the inspection program is approved, the Act requires that the local government give notice of the program at least 14 before it commences. The notice must be published in a local newspaper and on the Council's website. Additionally, it is intended to contact each owner directly to inform them of the program and provide relevant information to assist them in ensuring compliance with the regulated dog conditions

COMMENTS

Nil

PROPOSAL

Commence approved inspection program of all regulated dogs in the Shire on 01 December 2025.

FINANCIAL/RESOURCE IMPLICATIONS

Nil additional resources required. Inspection program to be absorbed by Local Laws team.

RISK MANAGEMENT IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Economic: Nil

Environmental: Nil

Social: Safer community through compliant keeping of regulated dogs

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2025-2030 Initiatives:

Theme 1 - Liveability

To deliver community activities to promote safe, healthy, inclusive and socially engaged communities with an environmental conscious.

1.1 - Deliver community initiatives that support healthy, inclusive and socially engaged communities.

Operational Plan 2025-2026 Actions:

3.3.4 - Implement inspection program for regulated dogs declared under the *Animal Management Act 2008*.

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: Local Laws Team

External: Nil

COMMUNITY ENGAGEMENT

Community Notification will be posted in local newspaper and Council website 14 days before commencement of inspection program. Additionally regulated dog owners will be contacted directly to organise inspections.

ATTACHMENTS

1. Schedule 1_ Conditions for regulated dogs Q Hz RG Fwy 0 iq 38 Fp Lk B Kqg [7.9.1 - 3 pages]

Schedule 1 Conditions for regulated dogs

sections 93, 97 and 98

1 Definition for schedule

In this schedule—

relevant place, for a regulated dog, means the place stated in the registration notice for the dog as the address for the dog.

2 Identification

- (1) A regulated dog must be implanted with a PPID.
- (2) A regulated dog must, at all times, wear a collar with an attached identifying tag.
- (3) The tag must be of the type, and contain the information prescribed under a regulation.

2A Distinctive collar

- (1) A regulated dog must, at all times, wear a distinctive collar.
- (2) The collar must—
 - (a) be of the dimensions, quality and type prescribed by regulation; and
 - (b) comply with other requirements prescribed by regulation.

3 Muzzling in or at place other than relevant place

- (1) This section applies to the following dogs—
 - (a) a regulated dog that is a declared dangerous dog;
 - (b) a dog the subject of a proposed declaration notice for a dangerous dog declaration.

Schedule 1

- (2) The dog must not be in or at a place other than the relevant place for the dog unless it is muzzled.
- (3) However, subsection (2) does not apply if the dog is in a vehicle in or at a place and the dog—
 - (a) is in an enclosed part of the vehicle; and
 - (b) is enclosed or restrained in a way that prevents the dog or any part of it from moving outside the enclosed part of the vehicle.

4 Enclosure

- (1) An enclosure for a regulated dog must be maintained at or on the relevant place for the dog.
- (2) The regulated dog must, unless there is a reasonable excuse, be usually kept in the enclosure.
- (3) The enclosure must—
 - (a) be childproof; and
 - (b) stop the regulated dog from leaving the enclosure.
- (4) Also, the enclosure and the area enclosed must—
 - (a) be of the dimensions, quality and type prescribed under a regulation; and
 - (b) comply with other requirements prescribed under a regulation.

5 Public notice

- (1) A sign must be placed at or near each entrance to the relevant place for a regulated dog notifying the public that a regulated dog is kept at the place.
- (2) The sign must be of the dimensions, quality and type, and contain the information prescribed under a regulation.

6 Place where relevant dog is usually kept

A regulated dog must not be usually kept at a place other than the relevant place for the dog.

8 Notice of change of address

- (1) If an owner of a regulated dog changes residential address, the owner must give the relevant local government notice of the owner's new residential address within 7 days after making the change.
- (2) If the new residential address is in another local government's area, the owner must also give the notice to the other local government.