



Proposed Animal Welfare Standards for Dogs

November 2013

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Introduction

The Local Government Association of Tasmania (LGAT) is the representative body of Local Government in Tasmania. Established in 1911, the LGAT is incorporated under the *Local Government Act 1993* with membership comprising 28 of the 29 Tasmanian councils.

The objectives of the Association are:-

- To promote the efficient administration and operation of Local Government in the State of Tasmania;
- To watch over and protect the interests, rights and privileges of municipal Councils in the State of Tasmania;
- To foster and promote relationships between Local Government in the State of Tasmania with both the Government of Tasmania and the Government of the Commonwealth of Australia;
- To represent the interests of the members of the Association generally, and in such particular matters as may be referred to the Association by its members; and
- To provide such support services to the members of the Association as the Association may by resolution in meeting determine.

General Comments

This submission has been developed following consultation with member councils and focuses on a number of shared comments and concerns in relation to the Proposed Animal Welfare Standards for Dogs. LGAT has already directly forwarded comments from a number of councils in order to provide initial direction. Some of those were quite detailed and may not be fully captured by this submission. Any omission of comments that councils have made directly should not be viewed as lack of support by the Association for that specific issue.

The Association appreciates the level of consultation provided by the Department of Primary Industry, Parks, Water and the Environment on this issue and the extension of time for responding.

General Feedback

Most councils have expressed concern at the potential human and financial resource impacts of the proposed standards on council pounds; which would appear to be captured as a 'domestic animal business' despite the largely intermittent and temporary nature of use. Regional councils in particular would be impacted when distance to facilities and reduced critical mass are taken into account. This is of particular issue if trying to relate to the Victorian definition of 'domestic animal business' as that State generally has a greater population, more animal control officers and closer facilities.

There was a clear view that the current Act already provided the RSPCA powers to enforce reasonable standards for the housing and care of dogs held at council pounds and that council pounds should not be subject to the same standards.

While some councils felt the proposed standards were reasonable with regard to 'for profit' enterprises (such as breeding enterprises, pet shops, training or boarding facilities) they also there were a number of reasons that the Standards were inappropriate for council pounds or shelters that were currently in existence.

Specific Issues

Capture of Council Pounds within definition of 'domestic animal business'

A council and council pound are defined and established under the *Local Government Act 1993* with a clear social and community benefit in mind. Councils feel strongly that council pounds should not be in the same category as a pet shop, breeding enterprise or for-profit boarding kennel.

Effect of distance

Circular Head Council provide an example, they are more than 2 hours from the nearest dogs home offering an alternative to their pound. They use that shelter once they have held a dog for the minimum days required under the Dog Control Act (3/5 working days unregistered/registered). The pound is operated only intermittently and mostly holding a dog overnight or for a few hours until the owner can collect.

Viability of Standards

Some councils provided examples of standards that they felt were not viable. For example:

- *Minimum Enclosure Sizes (Table 1)*: widths proposed for a dog of >60cm at the shoulder is deemed excessive and would require a council to have multiple infrastructure changes to accommodate all possible requirements for a short-term, intermittent, transient population of dogs.
- *3.7 Air Temperature*: maintaining air temperature to 15 degrees would be cost prohibitive in council pounds.
- *3.11 Supervision*: does the requirement "the dog is provided with additional supervision" apply if all other points are met? Proper tethering of a dog is an accepted practice in urban animal management were dogs need to be secured and where fencing is inadequate or non-existent.
- *4.5 Exercise*: This standard would not be operationally viable for the Animal Management units of most councils. A fair proportion of dogs impounded in council facilities would be classified as dangerous dogs or restricted breeds and as such there needs to be acknowledgment/variation in that regard.

Many dogs are impounded by councils because of their inability to interact socially with other dogs, animals or persons. That means they would need to be exercised on their own and this would increase the cost of housing these animals. Councils have expressed concerns about the occupational health and safety aspects of applying these standards to aggressive or dangerous dogs.

- 4.6 *Floor space for exercise* – again this is deemed excessive. It is suggested that a more appropriate minimum area for a council pound would be 5m².
- 4.10 *Grooming*: If a dog is seized at large that is dirty and matted, under the current proposal it then becomes the councils obligation and cost to rectify. It may be more appropriate to put a timeframe on the standard as well as a cost recovery clause.
- 5.4 *Puppies*: it would be difficult for a council facility to ensure puppies don't go without food for more than 12 hours – e.g. a 5am to 5pm regime is not practical in most facilities.
- 7.5 *Extreme cold*: how is this defined? What are the temperature guidelines?
- 7.6 *Vehicle cleaning*: This is not operationally viable and increases the effective timeframes by which an authorised person can attend a specific job related to dog management. There might be instances where meeting this requirement left a dangerous dog at large longer than necessary.
- 12.1 Council pounds and other shelter facilities should be exempt from this requirement.

Other shelters

Hobart, Clarence, Brighton and Glenorchy operate facilities under a fee for services contract with the Tasmanian Canine Defence League. They have made their own submission. However it is noted they have over 500 pens which currently don't meet the minimum standards.

Training

Who will provide training and at what cost?

Estimated Costs

Some councils have estimated the cost impacts of changing enclosure sizes and staffing the new requirements. They all found them to be very significant, particularly in comparison to the budget of a smaller council. Cost estimates ranged from \$50-250,000 in upfront infrastructure upgrade and system costs and \$50-70,000 in additional annual costs for staffing, training and maintenance.

Councils expressed concern that significant increases in costs would likely require an increase in registration fees to cover those costs. This would come with the consequent risk of more unregistered dogs and a reduced ability to reunite stray dogs with their owners promptly. Pound fees would also increase with a possible rise in unwanted dogs and consequent increase in the number of dogs euthanized.

Summary

This submission does not cover every aspect of the Bill, but instead pulls together key points of commonality and areas of particular concern for the broad contingent of councils.

While councils are supportive of improved standards for dog businesses, they must be reasonable and not incur a level of expense which is impractical and which inhibit implementation.

Local Government seeks separate provisions for dogs seized under the *Dog Control Act 2000* and held for temporary periods. It is LGAT's understanding that this is the case in other States (excepting Victoria).

Requirements and responsibilities must be simplified. Suggestions include different minimum standards for temporary impoundment; exemptions related to dangerous dogs or restricted breeds; no requirement for vaccination; duty of care to seek veterinary treatment if an animal is in obvious distress rather than a requirement for a daily health check and written records.

There needs to be consideration as to whether the standards will apply to new enclosures only or further consideration to transitioning from current to new standards in order to minimise the significant resourcing impacts.

If you have any further queries in relation to this submission, please feel free to contact Dr Katrena Stephenson, Policy Director on 03 6233 5973 or at katrena.stephenson@lgat.tas.gov.au.