



Chris Steel MLA

Minister for Transport and City Services

Minister for Skills

Special Minister of State

Member for Murrumbidgee

Mr Tom Duncan

Clerk

ACT Legislative Assembly

London Circuit

CANBERRA ACT 2601

Dear Mr Duncan

Thank you for your letter of 16 September 2021 regarding petition 9-21, lodged by Ms Nicole Lawder MLA. The petition calls on the Government to ensure DAS provide an efficient and transparent service to the community.

I appreciate that animal nuisance matters can be very disruptive and aggravating to those affected. Under the *Domestic Animals Act 2000*, for enforcement action to be taken the Registrar must consider the number of people affected, be satisfied that the nuisance is frequent and persistent, and presents an impost on the quiet enjoyment of the neighbourhood. Investigations into animal nuisance complaints can therefore be complex, and include noise monitoring exercises and the canvassing of neighbouring residents to help corroborate the nuisance complaint.

A number of notices or infringements can be sent to owners to enable preventative action under the existing *Domestic Animals Act 2000*. This includes:

- The ability for the Registrar to issue a nuisance notice to the keeper of the animal believed to be causing a nuisance. A nuisance notice will state that the animal nuisance must be reduced or stopped, and indicate that unless this is undertaken, proceedings may be instituted for contravention of the notice or an offence. If, after two weeks, the nuisance that was outlined in the notice has not stopped, then DAS may seize the animal. The keeper may also be fined under the *Domestic Animals Act 2000* for failing to prevent the animal nuisance.
- Allowing an authorised person to seize an animal if the animal is deemed to be causing nuisance. A seized animal may be released to the keeper of the animal if the animal nuisance is not likely to happen again.

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- The ability for the Registrar to revoke a Nuisance Notice if the Registrar is satisfied, after carrying out an inspection, that the notice has been complied with; and adequate steps were taken to reduce the nuisance or stop the nuisance from happening again.

In order to support community awareness of DAS services, there are a number of documents available on the City Services and Access Canberra websites. This includes documents on Animal Nuisance Overview and a Service Manual which outline how DAS works to support the Canberra community and animal welfare. These documents transparently outline how DAS responds to animal nuisance complaints and provide context on what constitutes a complaint.

DAS has reviewed the processes used in several other jurisdictions, which are in line with the ACT's approach to managing animal nuisance complaints. This includes engaging with the animal owner to make them aware of the issue at the community level prior to the attendance of a DAS Ranger, and having support for reduction in noise by implementing requirements at a local level.

On average DAS receives 22 animal nuisance complaints a month. The most common nuisance complaint received is related to barking dogs. DAS recognises that there is opportunity for procedural improvement when dealing with animal nuisance complaints. DAS is acting to remedy this by focussing on resolving specific complaints, and thus providing a timelier response to the community.

I trust this information is of assistance.

Yours sincerely



Chris Steel MLA
Minister for Transport and City Services

30/11/2021