

# Fee Waivers – Ranger Services Unit

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<b>Directorate:</b>	City Development
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## 1. Purpose

### Fee Waivers or Reductions

- (a) Establish a framework and consistent approach to reduce or waive fees to enable the Ranger Services Unit, which includes the Animal Shelter, to function efficiently.
- (b) Establish a framework and consistent approach to consider applications for waivers, fee freezing from time the application is made or any other form of fee relief for pet owners and other applicants which considers the involvement of other agencies.
- (c) Ensure any subsidies provided are equitable, transparent and effective and reduce the risk of corrupt conduct.
- (d) Define Council's criteria for the approval of any reduction in adopted fees, clearly identifying responsibility and accountability levels.
- (e) Recognise the social value and animal welfare benefits of providing this assistance.
- (f) Endeavour to recoup costs from animal related fee waivers via adoption of animals.

### Service Provision

Establish protocols with agencies and pet owners who rely on Council to provide temporary housing for animals who are victims of circumstance. Factors include financial or other hardship, environmental or personal emergency or event, public safety and animal welfare.

Establish protocols for owners of impounded vehicles, articles and livestock to apply for fee waivers.

## 2. Statement

Shoalhaven City Council owns and operates the Shoalhaven Animal Shelter.

This policy relates to Council's Delivery Program and Operational Plan, Fees & Charges. It will complement the Code of Conduct and Council's guidelines relating to protocols in the way in which Council officers carry out their obligations.

## 3. Provisions

### Definitions

**article** means anything capable of ownership except a living creature as prescribed by the Impounding Act

**companion animal** means each of the following:

- (a) a dog,
- (b) a cat,
- (c) any other animal that is prescribed by the Companion Animals Regulation as a companion animal.

**hardship** means where there is evidence that the payment of the fee or charge will impose unreasonable financial hardship on the applicant given their particular circumstances and assessed by the authorised officer.

**motor vehicle** means:

- (a) a motor vehicle within the meaning of the Road Transport Act 2013, and includes a caravan, boat trailer or other trailer (whether or not attached to such a vehicle), and
- (b) the remains of such a vehicle, and
- (c) any article (including parts and accessories) that is secured to or in such a vehicle at the time it is impounded.

### **Application Process**

The applicant is required to complete fee waiver form 3540 and submit this to Council. The matter will be assessed by an authorised officer and the applicant will be notified of the outcome. Applications are saved into Council's record keeping system.

### **Categories for fee waivers or reductions**

The option to reduce or waive fees will be based on the following assessment criteria:

- (a) Personal hardship is demonstrated (including unemployment, financial loss or the impacts of COVID-19).
- (b) Encourage adoptions when the Shelter is at capacity (e.g. kitten season, the animal is elderly or has health issues or a disability, or for animals that have been at the shelter for more than two weeks after the seizure or impound period is complete). This also enables Council to comply with section 64(5) of the Companion Animals Act (i.e. consider an alternative to destroying an animal).
- (c) Reduce the price of merchandise, including collars and tags, to assist pet owners experiencing financial hardship, encourage adoptions or for clearance sales.
- (d) Reduce trap hire for residents who provide a community service by trapping abandoned or feral cats or feral dogs on private land which benefits animal welfare and the environment.
- (e) The surrender of a cat or dog, including an aggressive dog or a dog that has attacked, when the owner is experiencing financial hardship or when it is in the interest of public safety or animal welfare.
- (f) Release a cat brought in by a member of the public when it is microchipped and registered and no offence can be proven as cats can roam except in prohibited areas as stated in section 30 of the Companion Animals Act.
- (g) Events which result in dogs escaping, such as fireworks and storms.
- (h) Encourage prompt reclaim of dog or cat by waiving fee if animal is picked up within four hours by agreement and there is no history.
- (i) Microchipping a cat or dog when the owner is experiencing financial hardship.
- (j) Promote responsible pet ownership at events by providing microchipping at a reduced cost or free of charge.
- (k) Provide an owner with a dangerous dog sign to assist compliance with the Companion Animals Act, and in the interest of public safety, when dog is declared a Dangerous, Restricted Breed or Menacing.
- (l) Enable an owner of livestock, vehicles or articles to reclaim their property when they are experiencing financial or personal hardship.

- (m) Animals can be seized, displaced, abandoned or handed over to authorised officers by:
- (i) The Police, Sheriff's Office, Southern Cross Housing, RSPCA, AWL or by the public;
  - (ii) Pet owners who are implicated in the activity being undertaken or are vulnerable due to personal circumstances or an event.

A timeframe is negotiated with an agency or pet owners to determine the length of time Council will care for the animal free of charge.

### **Criteria for Assessment**

The option to waive or reduce fees is based on an assessment made by the authorised officer which considers:

- a) The applicant's reason for the request
- b) Any prior history or enforcement action relating to the pet owner
- c) The degree of contrition
- d) How quick pet owner responds to rectify the situation

### **Fee waivers in relation to enforcement action**

Where the fee waiver process is linked to an enforcement matter, fee waivers may need to be applied where it is a first offence.

Sometimes roaming animals are brought to the Animal Shelter and there may have been extenuating circumstances as to why they were roaming. Examples may include storm and fireworks events resulting in extraordinary feats for an animal's escape. This can be taken into consideration when assessing the application to waive the fee.

### **Legislated Fees Waivers (excluded from this policy)**

The following will continue to apply:

- (a) Section 65 of the Companion Animals Act provides for certain fee waivers in relation to the release of dogs and cates to their owners.
- (b) Section 95(1)(b) of the Companion Animals Act provides that any fee or charge payable under the Act may be reduced or waived in respect of persons in receipt of a pension, benefit or allowance under the Social Security Act 1991 of the Commonwealth.
- (c) Section 26(7) of the Impounding Act provides that an impounding authority may waive payment of a fee or charge, or part of a fee or charge, in respect of the impounding of an animal in a public place that had strayed because a gate or fence had ceased to be animal proof due to fire, flood or other natural disaster.

### **Delegations and Authorities**

The Manager Certification and Compliance or the Lead Ranger Services may authorise a fee waiver or reduction.

### **Reporting**

An annual summary on all fee waivers will be submitted to the Finance Section for reporting purposes.

## **4. Implementation**

This Policy will be implemented by the Ranger Services Unit.

The policy will be reviewed within twelve (12) months of the election of Councillors, or earlier should circumstances arise to warrant revision.