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Policy

Requirements for exhibiting and dealing
with a dingo in Queensland

Exhibited Animals Act 2015

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1 Purpose

The purpose of this policy is to outline the Department of Agriculture and Fisheries (DAF) licensing requirements for applicants applying to exhibit a dingo (*Canis lupus dingo*) under the *Exhibited Animals Act 2015* (Act).

2 Background and context

Under section 50 of the Act, a person may apply for the granting of an exhibition licence that provides for exhibiting and dealing with a dingo. This policy applies to all new applicants or existing authority holders proposing to exhibit and deal with a dingo.

3 Species category

Native wildlife in Queensland is managed under the *Nature Conservation Act 1992* (NCA). Excluding category B dingo and European rabbit species, native species allocated to category A or B under the Act are prescribed in accordance with each species status under the NCA. Category C species are non-indigenous species that are prohibited matter under the *Biosecurity Act 2014*. The following provides further guidance about the different categories under the Act:

- *Category A* - an authorised animal that is a class 1 or class 2 animal (including dangerous animals) under the Nature Conservation (Animals) Regulation 2020.
- *Category B* - an authorised animal that is neither a category A or category C animal including any of the following:
 - dingo (*Canis lupus dingo*)
 - eastern grey kangaroo (*Macropus giganteus*)
 - echidna (*Tachyglossus aculeatus*)
 - estuarine crocodile (*Crocodylus porosus*)
 - European rabbit (*Oryctolagus cuniculus*)
 - freshwater crocodile (*Crocodylus johnstoni*)
 - koala (*Phascolarctos cinereus*)
 - long-nosed potoroo (*Potorous tridactylus tridactylus*)
 - platypus (*Ornithorhynchus anatinus*)
 - wombat (Family *Vombatidae*); or
- *Category C* - an authorised animal that is prohibited matter under the *Biosecurity Act 2014*, other than an animal that is international wildlife under the NCA. Category C is defined under

the Act into authorised animals of a species prescribed by regulation (category C1) and all other category C authorised animals (category C2).

4 Requirements when applying for a dingo

The Act allows a person to apply for a dingo as a category B species. Certain criteria must be addressed when applying to acquire one or more dingoes. All relevant risks and adverse effects associated with acquiring a dingo, and with exhibit activities proposed to be undertaken with a dingo, must be prevented or minimised.

4.1 Relevant risks and adverse effects

Section 17 of the Act describes a relevant risk as:

- a risk to the welfare of any animal
- a biosecurity risks
- a risk to public safety, or of death, injury or illness to a person, caused directly by, or originating from, the exhibited animal.

Section 17 also describes a relevant adverse effect as an effect caused by exhibiting or dealing with an animal, such as an escape, on:

- the welfare of any animal
- the health, safety or wellbeing of a person
- social amenity, the economy and the environment.

4.2 Applying to exhibit and deal with a dingo

When applying to exhibit and deal with a dingo, a person is required to submit an exhibition licence application form and a management plan(s) that addresses the relevant risks and adverse effects of the proposed exhibition and dealing. In addition, proof of skills, knowledge and experience relevant to exhibiting and dealing with a dingo must be provided.

Section 37 of the Act identifies information that must be addressed in a management plan(s) as part of an application. Further information regarding standards used for assessing applications are identified in the Exhibited Animals *Policy – The use of standards and codes of practice in assessing management plans*.

4.2.1 Exhibition licence application

A dingo is not permitted to be held as a pet and can only be held under an authority issued by the Queensland Government. A dingo is classed as a category 3,4,5 and 6 restricted matter under the *Biosecurity Act 2014* and the Queensland Government and agricultural industries have invested significant resources into the management of dingo populations.

Due to the legislative status of the dingo, limited placement options, the spatial requirements and construction and design needed for enclosures, and the general longevity of the dingo, there are specific requirements that must be adhered to when proposing to acquire a dingo under an exhibition licence including:

- demonstrating an understanding of the obligations regarding the exhibition and dealing of a dingo including any requirements specified in the Exhibited Animals Regulation 2016 (Regulation).
- demonstrating that the proposed exhibition and dealing of a dingo will primarily be on a premises that is open to the public most days of the week i.e is predominantly a fixed display
- that breeding or the acquisition of a pregnant dingo is not requested
- sufficient evidence that provides proof that the business and premises where the business is to be located is primarily set up for the exhibition of animals
- evidence that the premises does not include a residential block(s) located in built up residential areas
- that the application is not for development of a sanctuary where the intention is to acquire animals that are not authorised for the purpose of exhibit
- that the application does not relate to dingo rescue, rehabilitation, release or similar activity
- that the application does not request authorisation for excessive numbers of dingoes, and that additional species with similar risks will be exhibited
- that information provides sufficient enclosure detail in a way that identifies each proposed enclosure for each dingo to be exhibited
- that a dingo that is not currently held under a licence is requested (i.e wild dingo)
- that the use of a dingo does not include activities for training other animals, for abatement, for therapy purposes or similar activities
- sufficient information that adequately address the risks associated with accidental breeding.
 - *An example of not adequately addressing risks associated with accidental breeding would include proposal to hold mixed gender animals on the authority without identifying animals will be desexed. The proposal to control breeding by separation of mixed entire sexes during breeding seasons is not an acceptable method of breeding control.*
- evidence of similar experience that supports the applicant's ability to continue to meet exhibit business and legislative requirements
- proof that the proposed facility is not subject to other approvals relevant to opening a facility for the purposes of exhibiting animals at the proposed location.

- *Note - generally an application to exhibit animals at a premises will be subject to other application requirements. An example of additional legislative requirements includes whether Development Approval under the Planning Act 2016 is required.*

In the event that these requirements are not stated in the application, a request for further information may be issued. All applications are subject to the DAF's *Policy – Assessing requirements for further information or a document (RFI)* and in the event that policy requirements are not complied with, the application may be deemed withdrawn or refused.

To reduce potential risks associated with limited placement options for dingoes DAF may request a written agreement from an established organisation or authority approved to hold or place the species and proposed numbers in the event the applicant may no longer be able to care for the dingoes. At minimum, the agreement must state a contingency plan, including any terms of an agreement and when the offer of placement will cease.

Applicants may choose to forward additional information in their application to support their request for the granting of an exhibition licence. Additional information may include a business plan that identifies all relevant criteria associated with development of a facility for the purpose of opening to members of the public for viewing the animal species held. This should include supporting evidence including realistic future predictions for potential growth of the business in a way that will meet the Act's criteria for exhibiting and dealing with animals.

4.2.2 Amendment application to existing exhibition licence

If proposing to add a dingo to an existing exhibition licence, an application for exhibition licence amendment form must be submitted with a relevant dingo management plan.

In addition to meeting criteria specified in 4.2.1, applications to amend an existing authority to include a dingo may be granted if:

- the authority holder has been operating under the Act as a licensed premises that is open to the public most days of the week and exhibits a variety of species with similar risks
- exhibition activities are not solely related to appointment only viewing of the facility, unless a substantial number of other animal species are held for exhibit
- there are no other intended uses of the dingo outside of standard exhibit activities¹, such as abatement, therapy or similar activities.

4.3 Authorised activities

An authority holder is authorised to exhibit a dingo according to an approved management plan, the Act and Regulation providing educational value about the species.

¹ Standard exhibit refers to the animal acting as it normally would inside its authorised enclosure.

In addition to exhibiting at the licensed premises, exhibiting temporarily off the licensed premises for the purpose of film and television or educational display, and exhibiting outside the authorised enclosure at the licensed premises for a particular activity detailed in the management plan may be granted.

- *An example of exhibiting outside the authorised enclosure at the licensed premises would be exhibiting a dingo within a controlled area i.e. a stadium, for the purpose of providing education to members of the public visiting the facility.*

5 Authority holder responsibilities

When conducting activities that are not standard exhibit activities (for example exhibiting a dingo outside the authorised enclosure), it is the authority holder's responsibility to ensure that the dingo is being exhibited under the immediate control of the authority holder or a responsible person for the authority. A dingo must be managed in a way that ensures all relevant risks and adverse effects are managed. The following provides guidance relevant to expectations associated with activities.

- Authority holders or a responsible person for an authority must not:
 - leave a dingo unattended when outside the regular enclosure
 - exhibit and deal with multiple dingoes in circumstances where the animal to responsible person ratio is not equal (i.e. one person to each individual animal).
- A dingo must be exhibited in a way that:
 - members of the public are aware that it is under an authority, by displaying the exhibit notice during exhibits
 - meets community expectation, is not unethical or degrading or associated with unethical or degrading activities, including activities that may not meet community expectations
 - *An example of a manner that is unethical or degrading is dressing up animals which is unnatural and stressful for dingoes unless for welfare reasons.*
 - does not cause fear or harm to a human or another animal
- A dingo must be exhibited and dealt with in a way that it is:
 - not subjected to excessive extremes of temperature
 - adequately monitored i.e. during the construction or dismantling of exhibit displays
 - not accessible to members of the public (unless conducting an authorised activity under the licence) and at risk of being handled, fed, stolen etc.
 - not subjected to unnecessary stress.

6 Relevant experience

An authority holder applying for a dingo must be able to validate relevant employment experience in being the primary carer for managing a dingo daily or having employed qualified staff with relevant skills, knowledge and experience for managing a dingo. Equivalent species experience may be considered where the authority holder can demonstrate they have managed a similar species with similar requirements or similar levels of risk.

Due to the risks posed by dingoes, voluntary and part-time work with a dingo is not considered sufficient experience, unless there are exceptional circumstances which would substantiate this as equivalent experience. The applicant must prove these exceptional circumstances by providing satisfactory evidence, and the contact details of a relevant reference, to enable DAF to confirm the experience the applicant has claimed. References provided from facilities, where the applicant was not employed or supervised by the referee cannot be considered.

6.1 Transport

In the event that a dingo is to be transported, the authority holder must ensure that it is transported in a manner that protects it from being injured or exposed to unsuitable or stressful climatic or environmental conditions. Generally, the authority holder is required to ensure that the dingo is:

- sheltered from rain, wind and extremes in temperature including adequate provisions of species appropriate thermogradients that maintains health
- regularly checked to ensure it is comfortable, not injured or showing signs of stress
- supplied with adequate amounts of food and water relevant to its needs
- provided with suitable enclosure space and comfort that allows the animal to comfortably stand, sit or lie down without slipping or injury occurring and that promotes the animal positioning itself in a way that it would naturally feel comfortable
- held in enclosures in a way that does not promote fear (due to other animals held in close proximity), harm or injury caused by other animals, or promote illness
- transported without unnecessary delays or diversions, not leaving the dingo unattended in a transport vehicle unnecessarily or for extended periods of time, including at accommodation locations.
 - *An example of leaving an animal unnecessarily in a transport enclosure includes undertaking in transit work that is not relevant to exhibiting animals within Queensland.*
- secured in transport enclosures in the transport vehicle in a way that prevents the animal or enclosure being moved around unnecessarily.

Transport enclosures must be:

- constructed in a way that facilitates safe loading and unloading

- designed to promote adequate hygiene, control spillage and faecal discharge
- secure, well maintained, structurally sound, escape proof with key/code entry locks at all points of entry
- built in a way that allows regulation of body temperature in accordance with the animal's needs.

7 Film and television activities

Film and television or general imaging requirements specified in this policy apply to all circumstances where these activities are proposed including the use of all social media platforms such as Facebook and Instagram, standard advertising, documentary, or reality television. Proposed film and television activities with a dingo must be detailed in a management plan. The management plan must provide sufficient information related to all proposed exhibit activities, including those activities outside the scope of a standard exhibit such as exhibiting a dingo outside its authorised enclosure.

Film or images taken of a dingo during standard exhibit activities do not count towards mandatory minimum exhibition timeframes required for the species under the Act. This means that an authority cannot be granted solely for the purpose of taking images or video of a dingo.

If filming or taking still images for standard exhibit activities is proposed, no additional information is required provided the following occurs:

- A. recording occurs while the dingo is displaying normal behaviours inside its authorised enclosure
- B. the dingo is not disturbed, or its behaviour is not interrupted or modified for the purpose of any filming or taking of images
 - *this excludes behaviours associated with C, such as calling the dingo to encourage it to look at the camera.*
- C. the dingo is being filmed or photographed during activities that are authorised under the licence
 - *for example, a public interaction encounter approved under the licence i.e. a member of the public entering the enclosure under supervision of a responsible person.*

DAF considers community expectations and how the proposed activity is likely to be perceived by the public.

Approval will not be granted for exhibiting a dingo in clothing, using props or similar and posting images or videos on social media platforms of activities that are not authorised under the exhibition licence.

Approval will not be granted for the use of film or images of a dingo on programs such as documentaries or reality television programs where the filming/image is not of standard exhibit activities or has not been approved.

8 General considerations while exhibiting and dealing with a dingo

8.1 Additional protective measures

Where public interaction is authorised with a dingo, all required personal protective equipment and first aid equipment must be readily available and in sound working order. At a minimum, hand sanitiser must be available for use by members of the public and relevant advice on how to use the sanitiser must be provided. Where practicable, the authority holder should advise members of the public participating in public interaction activities, where the closest handwashing facilities are and advise participants to thoroughly wash their hands once public interaction ceases.

While conducting exhibits outside the regular enclosure, all risk mitigation measures including crowd control measures are required to be in place prior to the exhibit activity commencing. Authority holders are required to have an established method of crowd control, particularly during exhibits that provide patting and photographic opportunities for members of the public.

8.2 Proof of authorisation

While conducting an exhibit, a full copy of the exhibition licence must be available for inspection if requested by an Inspector appointed under the Act. This may be in hard copy or a legible electronic version. While exhibiting a dingo on or off the licensed premises, the Exhibition Notice (front page of the licence) must be displayed in a prominent position in a way that is easily visible to persons attending the place where the animals are exhibited.

8.3 Public interaction

Where all risks can be managed, public interaction with a dingo may be approved if all the applicable risks and how they will be managed are detailed in the management plan. Only when approval has been given and reflected on the licence, will the public be allowed to interact with a dingo.

Animal welfare considerations including maximum timeframes for the use of an individual dingo during public interaction must be addressed in the management plan and authorised under the licence prior to commencement of the activity.

9 Exhibited Animals Regulation 2016 and licence conditions

The Regulation prescribes obligations of an exhibition licence holder. An exhibition licence is conditioned to include a number of key criteria that must be met when exhibiting a dingo. This includes requirements for the identification and other record keeping requirements for the exhibition of a dingo (Schedule 2, Division 2, Exhibition Information). Some record keeping requirements specified in the Regulation include:

- identification of each enclosure holding a dingo at the licensed premises (section 7)
- requirements for identification of a dingo including microchip requirements (section 9, 10, 11)
- information about authority holders when transferring a dingo on or off the licence (Schedule 2)

- exhibit timeframe records for exhibiting a dingo (Schedule 2)
- veterinary records for each dingo including how these records must be dealt with on transfer of an individual (Schedule 2)
- dingo movement records (Schedule 2).

There are numerous conditions recorded on an exhibition licence that an authority holder must comply with. Failure to comply with these conditions may result in compliance action being undertaken and result in potential amendment, cancellation, or suspension of the exhibition licence.

10 Evidence of Local Government Planning Approval

Written evidence from the relevant Local Government confirming that the proposed activity complies with all local government planning scheme requirements must be provided on application. For example, if the Local Government deems the activity to be an 'assessable development' under the *Planning Act 2016*, a development approval authorising the activity must be evidenced and relevant conditions met. If the Local Government does not consider the activity to be an 'assessable development', written advice from the council must be provided. The applicant should also consult with the council about any additional Local Government requirements.

11 Additional laws for consideration

There may be additional laws outside the scope of the Act that an authority holder may be subject to. It is the obligation of the authority holder to ensure that the exhibition of animals is approved at particular premises and all relevant laws or requirements are adhered to. This may include Queensland Health or Workplace Health and Safety Queensland requirements.

12 Responsibilities and accountabilities

The Exhibited Animals team, in DAF, is responsible for assessing applications submitted under the Act.

Applicants are responsible for providing complete, true and accurate information in their applications that meet the requirements of this policy and the Act.

13 Human rights considerations

This policy has been reviewed to ensure actions and decisions under this policy can be made in a way that is compatible with the *Human Rights Act 2019*.

14 Related and reference documents

Related reference material including defined terms in the Act and Regulation may be acquired from the DAF website at <https://www.business.qld.gov.au/>

Additional reference documents include

- *Exhibited Animals Regulation 2016*
- *Exhibited Animals Act 2015*