

**ATTACHMENT N**

**LETTERS TO MR GIBBONS OF 31  
JANUARY 2013 AND 3 MAY 2013**

City of Sydney

City of Sydney

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31 January 2013

Our Ref: 2013/030835

File No: s106413

Mr Lawrence Gibbons

Via email: [REDACTED]

Dear Mr Gibbons,

**Application to Council to revoke dangerous dog declaration imposed on Oscar**

I refer to your recent emails.

On 4 January 2013, you made application to Council to revoke the dangerous dog declaration which was imposed on your dog Oscar on 20 December 2011. Council accepts your email as an application under s39 of the *Companion Animals Act 1998*.

The purpose of this letter is to explain the process for consideration of your application.

In the first instance, I invite you to provide Council with any further material you may wish to rely on in support of your application as soon as possible.

The Division of Local Government has developed guidelines which detail some of the considerations which Councils should take into account when assessing an application to revoke a dangerous dog declaration. These include issues such as:

- a) The circumstances under which the dangerous dog order was issued;
- b) The dog's current circumstances and behaviour in relation to the original order, including any behaviour modification training that may have been undertaken;
- c) Any behavioural assessment obtained by the owner from a licensed vet, animal behaviour specialist or other qualified professional.

Any further materials which you provide to Council should address these issues.

In the interim, I have directed that an evaluation panel be formed which will comprise a Veterinary Surgeon and/or a dog behaviour expert, a manager from another council who is familiar with the Companion Animals Act 1998 and the City's Companion Animals Liaison Officer.

Once your further materials are received, the panel will review all of the evidence from yourself and Council, and will be provided with a copy of the Court's transcript of evidence as heard by the Local Court in 2012.

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The panel will then author a report for with recommendations for decision by Council at a meeting at a later date. A dangerous dog declaration can only be revoked by a resolution of Council.

In the interim, please be aware that you must comply with the terms of the dangerous dog declaration as confirmed by her Honour Magistrate O'Shane on 20 December 2012. Failure to comply is an offence under s51 of the Companion Animals Act 1998.

Should you wish to speak with a Council officer about your application, please contact Alan Coleman, Manager, City Rangers on 9265 9333 (call centre number) or at [acoleman@cityofsydney.nsw.gov.au](mailto:acoleman@cityofsydney.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Barone', with a long horizontal line extending to the right.

**MONICA BARONE**  
Chief Executive Officer

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3 May 2013

Our Ref: 2013/138898

Mr Lawrence Gibbons

By email: [REDACTED]

Dear Mr Gibbons,

**Dangerous Dog Declaration**

I refer to your emails to the Lord Mayor and me regarding your application for the revocation of the Dangerous Dog Declaration relating to your dog, Oscar. The Lord Mayor asked me to respond.

The City has reconsidered its proposal to give the court transcript to the review panel and will instead give the panel the City's own submission, including copies of the statements previously prepared and provided in the local court proceedings, as well as your submission and the report by Dr Seksel.

As you mention, the City's rangers recently investigated a further alleged attack that appeared to relate to Oscar and took place on 31 March 2013. The City has now received further advice from the complainant that Oscar wasn't the dog involved and we will take no further action on this complaint.

The receipt and necessary investigation of this further complaint delayed the completion of the City's submission to the review panel. The City's submission has now been forwarded to the panel. It makes no mention of the alleged attack on 31 March.

Your application for the revocation of the Dangerous Dog Declaration will not be considered by Council in May. City staff will contact you directly to advise of the new date.

In the meantime, you must continue to comply with the conditions of the Dangerous Dog Declaration.

Yours sincerely



**Monica Barone**  
Chief Executive Officer