DOG CONTROL

COUNCIL POLICY NO: 4.4.1	
Responsible Directorate	Planning and Development
Responsible Section	Regulatory Services
Responsible Officer	Director Planning and Development

OBJECTIVE:

To provide guidance and direction in regard to the administration of the *Dog Act 1976*, *Dog Regulations 2013* and the Town of Cambridge Animals Local Law 2016.

SCOPE:

This policy applies to all Directorates and Departments of the Town of Cambridge.

This policy applies to all dogs in the Town. It does not include a companion dog as specified in the *Disability Discrimination Act 1992 (Cth)* and the *Equal Opportunity Act 1984.*

This Policy does not apply to:-

(a) a person with a vision impairment accompanied by a bona fide guide dog;
(b) a person who is a trainer accompanied by a bona fide guide dog or an assistance animal, as defined in the *Disability Discrimination Act 1992 (Cth);*
(c) a shop or business premises where dogs are sold; or
(d) veterinary premises.

POLICY STATEMENT:

In this policy, **'public place'** means any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes park lands, squares, reserves, beaches, and other lands set apart for the use and enjoyment of the public, including all lands which belong to or which are vested in, or are under the control or management of, the local government.

1. AIMS AND GUIDING VALUES

(a) The aims of this policy are to:-

(i) Ensure Council meets its obligations under the *Dog Act 1976*;
(ii) Provide for the recreational needs of people with dogs in the Town;
(iii) Facilitate and foster responsible dog ownership in the Town; and
(iv) To foster and promote the benefits of dog ownership.

(b) Guiding values which underpin the recommendations in this policy include:-

(i) People with dogs are legitimate users of public places in the Town of Cambridge;
(ii) Council is committed to achieving responsible behaviour by all dog owners who use a public place in the Town, using an effective mix of regulatory and non regulatory means;

(iii) Council is committed to balancing the needs of dog owners with other members of the community and the environment; and
(iv) Council is committed to the integration of dogs and their owners with other park users, not separation.

1.3 Key Issues

To achieve the aims of this policy, the following key issue areas were identified as needing to be addressed:-

(a) Providing for people with dogs in public places;
(b) Faeces management;
(c) Education, promotion and information dissemination;
(d) Enforcement;
(e) Harnessing the benefits of owning pets; and
(f) Planning for future needs.

2. CONCEPTS

The following concepts form the basis of this Policy:-

(a) Dogs must be under effective control at all times: under voice control, in sight of their owner and the owner must carry a leash at all times;
(b) Dogs may only be off leash in a designated off leash area; and
(c) Dog owners must pick up and remove their dog's faeces.

3. POLICY IMPLEMENTATION

3.1 Dog Off-leash areas

(a) Pursuant to section 31(3A) of the *Dog Act 1976*, a series of off-leash areas have been designated in parks throughout the Town of Cambridge. These areas have been selected based on the following criteria:-

(i) Safety;
(ii) Size and openness – visibility;
(iii) Proximity to a playground, barbecue, picnic facility;
(iv) Reasonable distribution of areas;
(v) Access to a beach;
(vi) Current and future use of site / community demand;
(vii) Suitable distance from roads and motor vehicles;
(viii) Accessibility of the site;
(ix) Existence of natural or fenced boundaries;
(x) Provision of a rich and varied sensory experience for dogs; and
(xi) Conservation values.

(b) (i) The local government may, by resolution, approve pursuant to sections 31 (3A) of the *Dog Act 1976,* specify a public place that is under the care, control and management of the local government, to be a dog exercise area.

(ii) A list of public places as designated dog off-leash exercise areas, as shown at **Attachment 1**

3.2 Prohibited areas

(a) A person liable for the control of a dog must prevent that dog from entering or being in or on any prohibited place, public building, shop or business premises.

(b) A list of public places as areas where dogs are prohibited shown at **Attachment 2**

3.3 Dog on-leash areas

All other areas throughout the Town of Cambridge are designated as on-leash at all times. This includes public areas such as footpaths and carparks.

4. ENFORCEMENT

Authorised Persons authorised under the *Dog Act 1976*, *Dog Regulations 2013* and Town of Cambridge Animals Local Law 2016, are permitted in accordance with the Ranger Services Standard Operating Procedures to take the following action:-

4.1 Dogs Wandering at Large

Issue Infringement Notices in cases where dogs are found “wandering at large” or the dog is off its leash in certain public places and the owner does not have a reasonable excuse for the dog not being under his/her control or off its leash.

4.2 Dog Barking Nuisance

Take the appropriate action where a complaint has been received concerning a dog which creates a noise by barking or created a nuisance which persistently occurs to a degree that is not normally habitual in dogs to a degree that it has a disturbing effect on a person.

4.3 Unregistered Dogs

Issue infringement notices and/or initiated legal action where necessary, against the owner of a dog which is found to be unregistered and the owner has had reasonable time in which to effect the registration.

4.4 Dog Attacks

Institute appropriate legal action against the owner of a dog which has caused a serious ‘dog attack’, as prescribed in section 33D of the *Dog Act 1976;*

4.5 Dangerous Dog Declaration

Issue a Dangerous Dog declaration, as per section 33E. of the *Dog Act 1976.*

4.6 Pound Fees

Waive, modify or reduce impounding fees and associated costs in cases of exceptional hardship or in special circumstances;

DEFINITIONS:

Definitions are taken as those detailed in the *Local Government Act 1995* and associated legislation.

Document Control				
Office Use Only:				
Previous Policy No	Policy No.77			
Statutory Legislation and Compliance	*Local Government Act 1995; Dog Act 1976; Dog Regulations 2013;*			
Related Documents/Legislation	Town of Cambridge Animals Local Law 2016			
Date of Adoption by Council	Council Meeting – 1 July 1994			
Date Reviewed/Amended	17 September 1996 20 December 2005	28 October 1997 27 May 2008	27 June 2000 29 May 2018	28 October 2003 28 July 2020
Next Review Date	July 2024			

ATTACHMENT No: 1 - DOG EXERCISE AREAS
(Approved at Council Meeting held on 22 July 2014)

WEST LEEDERVILLE:-

Cowden Park- Being the area bounded by Bernard Street, Kimberley Street, Northwood Street and Kempton Lane, West Leederville. Except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.

Lake Monger Reserve East – Being the south eastern segment of Lake Monger Reserve between Lake Monger Drive, the Mitchell Freeway off-ramp and east of the prolongation of a line parallel with Kimberley Street, West Leederville.

FLOREAT:-

Birkdale Park - Being the area bounded by Birkdale Street, The Boulevard and Newry Street, but excluding the area occupied by the Tennis Club and associated car park, Floreat.

Bournville Park – Being the area bounded by Bournville Street, The Boulevard and Selby Street, Floreat.

Crosby Park Reserve - Being the area located behind the residences bounded by Crosby Street, Winmarley Street, Selby Street, Bournville Street, and Highbury Street, Floreat.

Elphin St Median - Being the area bounded by Elphin Road, Bold Park Drive, Oceanic Drive and The Boulevard, Floreat.

Grantham Park – Being the area bounded by Selby Street , Grantham Street, Crosby Street, Peebles Road, Pearson Place, Floreat and the boundary of the Town with the City of Stirling; except where the public place is used for a function, sport training or activities approved by the Council.

Lothian Park West – Being the area bounded by Lothian Street Kirkdale Avenue, Rannoch Street, and Kinross Crescent, Floreat. . Except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.

McLean Park - Being the area bounded by The Boulevard, Ulster Road, Chandler Avenue West and the western boundary of Floreat Primary School, Floreat.

Perry Lakes - Being the area bounded by Alderbury Street, the concrete footpath on the southern boundary of Alderbury Reserve, the eastern shoreline of the East Lake and the bicycle path adjacent to western side of Meagher Drive, Floreat.

Winmarley Park – Being the area bounded by Winmarley Street, Seymour Avenue, Highbury Street and The Boulevard, Floreat.

WEMBLEY

Rutter Park- Being the area bounded by Alexander Street, Jersey Street, Wembley Community Centre southern boundary, the northern boundary fence of 183 Jersey Street and the northern boundary of 34 Alexander Street, Wembley. Except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.

CITY BEACH:-

Challenger Parade Park - Being the irrigated area of Challenger Park, bounded by Challenger Parade, Falmouth Avenue, and the eastern boundaries of 68 Branksome Garden to 14 Branksome Gardens, and the southern boundaries of 38 Boscombe Avenue to 47 Boscombe Avenue, City Beach.

City Beach Upper Oval – Being the area bounded by West Coast Highway, Oceanic Drive and Fred Burton Way, City Beach; except where the public place is used for a function, sport training or activities approved by the Council.

Beecroft Park – Being the area bounded by Olinda Avenue, Tilton Terrace, Oban Road and Gayton Road, City Beach.

Bent Park – Being the area bounded by 58 to 56 Chipping Road, 29 to 17 Talgarth Way, 27 to 1 Bendigo Way, Bent Street, 29 to9 Skipton Way, Brompton Road, 29 to 19 Weldon Way,22 to 36 Tranmore Way, 18 to 32 Sudbury Way and 12 Calver Place, City Beach. Except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.

Boulevard Quarry Park - Being the area bounded by Alkoomie Terrace, The Boulevard, the western boundary of the Bold Park Swimming Pool access road and car park and the northern boundary of 1 Kalinda Drive, City Beach.

Drabble Park – Being the section of the reserve to the east of the residences located on Drabble Road, City Beach between Cobb and Minibah Streets, Scarborough, to the north eastern boundary of the Town with the City of Stirling.

Empire Park – Being the area bounded by Empire Avenue and Durston Road, Wembley Downs and the north western section of the boundary fence of Wembley Golf Course.

Fred Burton Park - Being the irrigated area of Fred Burton Park, bounded by West Coast Highway, Fred Burton Way and Challenger Parade, City Beach.

Gifford Gardens – Being the area bounded by Pandora Drive, Gifford Gardens and Tilton Terrace, City Beach, to the boundary of the residences to the east.

Helston Park - Being the area bounded by West Coast Highway, Helston Avenue, Boscombe Avenue and the eastern boundary of City Beach Tennis Club, City Beach.

Maloney Park Being the area bounded by Chipping Road, Aruma Way, Kinkuna Way, Maloney Way, Bent Street, Yallambee Place, Carinya Place, Warreen Place and Adori Place, City Beach.

Jubilee Park – Being the area bounded by Jubilee Crescent, Branksome Gardens, Oceanic Drive and Challenger Parade, City Beach.

North Floreat Beach - Being the strip of beach extending from the low water line to the base of the western dune line on part of Reserve No. 16921 on the Indian Ocean foreshore, and north of the stormwater drain opposite Oban Road, City Beach to the northern boundary of the district (Approximately two kilometres).

Ocean Village Park - being the area bounded by the rear boundaries of 29 to 53 Tarongo Way, the rear boundaries of 18 to 4 Weelara Road, the rear boundaries of 12 to 20 Wayeela the rear boundaries of 19B Wayeela Place to 36 Yaltara Road, rear boundaries of 32 Yaltara Road to 18 Perina Way, City Beach.

South City Beach – Being the strip of beach from the low water line to the base of the western dune line on part of Reserve No. 16921 on the Indian Ocean foreshore situated south of the access path opposite Dartmouth Avenue, City Beach through to the southern boundary of the district.

Tilton Park – Being the area bounded by Waite Place, Empire Avenue, Erskine Place and Tilton Terrace, City Beach.

JOLIMONT:-

Pat Goodridge Park – Being the area bounded by Selby Street, Hay Street and Halesworth Road, Jolimont and south of the car park; except where the public place is used for a function, sport training or activities approved by the Council.

ATTACHMENT No: 2 - DOG PROHIBITED AREAS
(Approved at Council Meeting held on 22 July 2014)

CHILDRENS PLAYGROUNDS
All children's playgrounds, including areas set aside by a wall, fence, sandpit or other soft-fall surfaces.

CITY BEACH OVAL
(lower and upper playing fields) - Being the area bounded by West Coast Highway, Fred Burton Way and Oceanic Drive for three days prior to, the day of, and three days after the day on which the annual event known as 'City to Surf' takes place.

WEMBLEY GOLF COURSE
Being the area within the perimeter fence bounded by The Boulevard, Durston Road and Empire Avenue, Wembley Downs.

THE BEACH AREAS OF CITY BEACH AND FLOREAT BEACH
Being all the central portion of Reserve No. 16921 on the Indian Ocean foreshore situated to the west of West Coast Highway, to the west of Challenger Parade; north of the access path opposite Dartmouth Avenue and south of the stormwater drain opposite Oban Road, City Beach; as well as all the sand dune areas extending north to the northern district boundary.