

## **Policy Statement, Purpose and Objective**

### **1 POLICY STATEMENT**

Council is committed to promoting responsible dog ownership. Dog ownership has many important benefits to the community through companionship, health promotion, general well-being as well as their use as working dogs. All dog owners have a legal and ethical responsibility to their dogs and to the wider community, as irresponsible dog ownership can affect the physical and social environment of other residents. This Dog Management Policy is provided to assist dog owners to minimise any negative impacts on the community.

### **2. PURPOSE**

Council recognises dog ownership for assistance, companionship or business reasons is an established and constructive part of life for many people in the Ravensthorpe community.

The *Dog Act 1976* (the Act) provides a regulatory framework for balancing the rights and responsibilities of dog owners against the rights and expectations of the community at large to be free from likely risk of threat, harm and nuisance caused by dogs.

The Act makes a dog owner responsible for the actions and behaviour of their dog, and creates a number of obligations on the owner to register and control that dog. A failure to satisfy such obligations may be an offence.

The Act appoints a local government as the principle authority for ensuring dogs are not a threat to the health and safety of the community within its district.

The Act requires that each Council shall publish information relevant to its community to assist responsible dog ownership.

A Council must take all reasonable measures to enforce compliance to the requirements of the Act and to remedy any known breach.

### **3. OBJECTIVE**

The objective of this policy is to provide an operational framework for the actions necessary to meet the Council's statutory obligations and responsibilities to ensure dog ownership within the district –

- a) minimises likely risk of threat of harm to the amenity and safety of the community; and

- b) facilitates the pleasures and benefits of dog ownership in a responsible and harmonious manner;
- c) to specify a public place, or a class of public place that is under the care, control or management of the shire to be a place where;
  - dogs are restricted or prohibited;
  - dog exercise areas are sufficient in number, and suitable for the exercising of dogs;
  - there will be a rural leashing area.

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## Policy

### 4. SCOPE

This policy is designed to provide information on responsible dog ownership, identify areas within the municipal area which are available for exercising dogs and which areas for dogs are restricted or prohibited. This policy will also outline Council's approach and responsibilities for dog management and control.

This policy applies to any person liable for the control of a dog either residing within or visiting the Shire of Ravensthorpe district.

## 5. GENERAL PROVISIONS

### Declared Areas

Council may declare areas within its district and under its care, control or management to be locations where –

- (a) a dog may within a Townsite exercise without being on a lead;
- (b) a dog is prohibited; and
- (c) A dog outside a Townsite must be on a leash.

A declaration must be made in accordance with requirements of the *Dog Act 1976* and *Local Government Act 1995*, following a period of community consultation and consideration of comments.

Declared areas to restrict or prohibit dogs does not apply to an accredited assistance dog as specified in the *Disability Discrimination Act 1992* and *Equal Opportunity Act 1984* or persons engaged in the training of companion dogs.

The Council has made the following declarations in accordance with the *Dog Act 1976*;

a) Dog Exercise Areas

Dog Exercise Areas are for the exercise or training of dogs at sites reasonably accessible to dog owners and in locations attractive to use by dog owners and where conflict with other users and values can be minimised.

This does not apply to-

- (a) An area being used for sporting or other activities, as permitted by the local government, during the times of such use;
- (b) Land set aside as a children's playground
- (c) A car park; or
- (d) Any thoroughfare.

Dog Exercise Areas apply within a Townsite and are shown on the maps attached to this Policy.

A dog not on a leash in a declared exercise area must be under effective control in accordance with Section 32 of the Act.

Use of Exercise Areas must be without exclusion, threat or inconvenience for other dogs. The owner must immediately address excessive barking, aggressive or nuisance behaviour, and deposition of faeces.

Dog exercise areas (marked in green) are declared at:

- i) Reserve R28280 beach area, 300m East of the Groyne for 1.5km East. (Map A)
- ii) 36 Esplanade, Hopetoun, Reserve R35379 beach area, 250m South of West Beach/ Canning Boulevard beach entry for 1.2km North West (Map A)
- iii) Reserve R50547 within the fenced area, bounded by Veal Street, Buckie Street, Hopetoun Primary School and the access road between the Netball Courts/ Football Oval. (Map A)
- iv) 1 Bennett Street, Munglinup, Reserve R30248 within the Football Oval area (Map C)
- v) 50 Coleman Street, Ravensthorpe, Reserve R7369 being the Football Oval and Hockey Ground area (Map B)
- vi) Reserve R32874, being the bushland area, excluding the Golf Course (Map B)
- vii) 4 Queen Street, Ravensthorpe, being the bushland area (Map B)

b) Prohibited Areas

Generally

- i) Dogs are prohibited (marked in red) in the Shire of Ravensthorpe in the following areas:
  - a. The grounds of any swimming pool;
  - b. Any area within 10m of a playground. Meaning an area designed and constructed to encourage children's outdoor play including facilities suitable for the riding of bikes, scooters, skate boards, basketball courts, jumping pillows etc.
  - c. Jubilee Park
  - d. Wildlife protection areas (where dogs are prohibited by a conspicuously placed notice to that effect) and is under the care, control or management of the Shire of Ravensthorpe.

c) Rural Leashing Areas

Section 31 (3B) allows a local government to specify a public place, or class of a public place, that is under the care, control or management of the local government to be a rural leashing area.

Outside of a Townsite, with the exemption of the below listed areas, a dog may be off a leash but must be under effective control in accordance with Section 32 of the Act.

Rural Leashing Areas (marked in orange) within the Shire of Ravensthorpe are:

- i. Starvation Bay Campground, Reserve R40097 being all roads,

access tracks and pathways, camping sites and day use areas, and includes the beach area from the boat ramp for 65m West (Map E)

- ii. Mason Bay Campground, Reserve R40157 being all roads, access tracks and pathways, camping sites and day use areas, and includes the beach area between the boat ramp and 90m East to the vehicle access track. (Map F)
- iii. All public thoroughfares
- iv. Reserve 2820, Two Mile Beach Road, Carpark, Day use area and beach to a distance of 200m East (Map D)

All declared dog exercise, prohibited and rural leashing areas will be identified by appropriate signage.

## 6. POLICY IMPLEMENTATION

The policy will be implemented by:

- a. The Shire of Ravensthorpe Executive Manager Projects and Regulatory Services (responsible officer).
- b. Final Application approval will be by the Chief Executive Officer with Absolute Majority vote required by Council.
- c. When reviewing an application, the responsible officer will:
  - i. Apply the relevant legislation, Shire Local Laws, Policies and planning processes;
  - ii. Where locations are recommended for amendment, prepare an agenda item for Council approval

## 7. DEFINITIONS AND ABBREVIATIONS

**Dog Exercise Area** means any area, as approved by Council from time to time, where dogs may be exercised off leash, but must still be under effective control.

**Dog Prohibited Area** means an area where dogs are not permitted, even on a leash, with the exception of assistance dogs, as defined by s8 of the Dog Act 1976 and the Equal Opportunity Act 1984.

**Effective control** has the same meaning as s32 of the Dog Act 1976.

**Owner** has the same meaning as the Dog Act 1976.

**Townsite** has the same meaning as defined in the Dog Act 1976.

**Rural Leashing Area** means an area outside a gazetted townsite where dogs must be on a lead at all times, these areas as approved by Council from time to time.

## 8. RELATED DOCUMENTS

a. Legislative requirements

Council will adhere to all legislation that requires Council to give notice, consult or engage with the community in a specific way, including:

- i. Local Government Act 1995 (WA).
- ii. Dog Act 1976 (WA).

b. Shire of Ravensthorpe Local Laws

- i. Dog Local Law 2010; and
- ii. Dogs Amendment Local Law 2022

c. Associated documents that also have a bearing on this policy include:

- i. Disability Discrimination Act 1992 (Cth)
- ii. Equal Opportunity Act 1984 (WA)
- iii. Health (Miscellaneous Provisions) Act (WA)
- iv. Environmental Protection Act 1986 (WA)

d. Maps of Declared Dog Areas

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