

Responsible Directorate	Community Development
Responsible Business Unit/s	Community Safety
Responsible Officer	Manager Community Safety
Affected Business Unit/s	Parks and Sustainability Recreation and Leisure Services

Objective

This policy provides a strategic, structured and integrated approach in planning and managing dog activities in the City's district.

Scope

This policy identifies public areas that are under the care, control or management of the City where dogs are prohibited and where dogs are permitted to exercise either on a leash or off-leash. The policy is also subject to provisions that pertain to dogs as specified in the *Disability Discrimination Act 1992*, *Equal Opportunity Act 1984* and *section 8 of the Dog Act 1976*.

Policy

The purpose of this policy is to guide Council and/or Council Officers to;

1. Clarify and define levels of dog access in public areas that are under the care, control or management of the City;
2. Create welcome, safe and functional areas for exercising and socialising of dogs to achieve the following objectives -
 - a) Promote active recreation areas that are valued and well utilised by dogs and their handlers
 - b) Align with Council's Strategic Community Plan and City of Stirling Dogs Local Law 2008
 - c) Respond to community needs and aspirations.
 - d) Reduce any negative impact on the community, including non-dog owners and neighbouring residents
 - e) Ensure dog behaviour does not have a negative impact on the environment
 - f) Assist to maintain and regulate the City' parks and reserves to an acceptable standard.
3. Inform and educate the community relating to dog ownership responsibilities, the location of dog exercise areas and areas where dogs are prohibited.
4. Comply with the requirements of the *Dog Act 1976*, *Local Government Act 1995*, *Disability Discrimination Act 1992*, *Equal Opportunity Act 1984*, *Public Health Act 2016* and *Environmental Protection Act 1986* and other relevant legislation.
5. Monitor compliance and respond to matters relating to legislative requirements that pertain to dogs.

Prohibited Areas

Pursuant to section 31(2B) of the *Dog Act 1976*, the following areas are prohibited to dogs at all times:

Subject to section 8 of the *Dog Act 1976*, the *Equal Opportunity Act 1984* and the *Disability Discrimination Act 1992*, dogs are prohibited at all times in any of the following areas that are under the care, control or management of the City:

- a) A public building, unless permitted by a sign.
- b) The following reserves –
 - The Cottonwood Crescent Nature Reserve at 48 Cottonwood Crescent Dianella; and
 - All of Reserve 12992 (beach and coastal reserve) except as provided in the areas prescribed as a dog exercise area.
- c) An area within the high water mark, bed or water body of a lake, pond, river, creek, stream or water channel on City property.
- d) An area set aside by a wall, fence, sandpit or other soft-fall surface as a children's playground within the site.

Dog Exercise Areas

Pursuant to section 31(3A) of the *Dog Act 1976*, subject to the exemptions, the following areas are established as dog exercise areas at all times:

- a) All parks and reserves under the care, control and management of the City except for Reserve 12992 (beach and coastal reserve); and
- b) The following portions of Reserve 12992 (beach and coastal reserve) –
 - Between the southern boundary of the district and a line 200m due north of and parallel to that boundary;
 - Between the prolongation of a line west of the southern side of Kathleen Street to the prolongation of a line west of the northern side of Bennion Street; and
 - Between the prolongation of a line west of the southern side of Castle Street to the prolongation of a line west of the northern side of Margaret Street.

Exemptions (areas listed below are not dog exercise areas, dogs must be held by a leash)

- a) An area within 5m of the edge of a playing field used for sporting or other activities, as permitted by the City, during the times of such use.
- b) An area within 5m of the edge of children's play equipment or apparatus if it is not located within an area set aside by a wall, fence, sandpit or soft-fall surface, access way or right of way.
- c) A car park, thoroughfare, access way or right of way.
- d) The Stirling Civic Gardens being Reserve Lot 16446 and bounded by the Mitchell Freeway, Cedric Street and Telford Crescent, Stirling.
- e) Albert James Reserve 76-82 Short Street, Joondanna.
- f) Herdsman Lake Regional Park generally bounded by Jon Sanders Drive, Pearson Street, Stephenson Avenue Road Reserve, Parkwater Gardens, Bishop Riley Way, The Foreshore, The Lane, Halcyon Way, Lakeside Road, the southern boundary of the suburb of Herdsman, Moondine Drive and the eastern boundary of the suburb of Herdsman
- g) Star Swamp Bushland Reserve bounded by Marmion Avenue, North Beach Road, Groat Street and Hope Street, North Beach and Watermans Bay.
- h) Car parks, thoroughfares and formalised footpaths within Reserve 12992.

Definitions

High water mark means the level reached by sea water at high tide or the observable physical mark that can be evidenced by terrestrial vegetation, changes in the soil, surface markings (erosion, shelving and litter) and geological characteristics in other stretches of water either in flood or static on the day.

Formalised footpath means a footpath that is under the care, control and management of the City which is constructed from wood, bitumen, concrete or other man-made material.

Relevant management practices/documents

City of Stirling Dogs Local Law 2008

Legislation/local law requirements

Local Government Act 1995

Dog Act 1976

Disability Discrimination Act 1992

Equal Opportunity Act 1984

Environmental Protection Act 1986

Public Health Act 2016

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Relevant delegations	Not applicable			
Initial Council adoption	Date	28 October 2014	Resolution #	1014/026
Last reviewed	Date	26 May 2020	Resolution #	0520/027
Next review due	Date	2021		