

### Background

Amendments to s.51 of the Dog Act in 2013 removed the power for local government to make local laws regarding “specifying places where dogs are prohibited absolutely” and “specifying any public place or class of public place, being a place that is under the care, control and management of the local government, as a dog exercise area”.

Post adoption of the *City of Albany Dog Local Law 2017*, Schedules 2 and 3 of the *City of Albany Animals Local Law 2001*, which listed Dog Prohibited Exercise Areas and Dog Exercises areas were repealed.

Dog exercise and prohibited areas must be determined by a Council policy position in accordance with s.31 of the *Dog Act 1976*.

### Objective

Administer the control of Dogs in public places.

### Policy Statements

Post adoption of the *City of Albany Dog Local Law 2017*, Dog exercise and prohibited areas must be determined by a Council policy position in accordance with the s.31 of the *Dog Act 1976*.

The Dog Exercise and Prohibited Areas that existed under the *City of Albany Animal Local Law 2001*, will remain in effect:

#### A. PROHIBITED DOG EXERCISE AREAS:

- (1) Emu Beach and that area known as Emu Point being portions of Reserve 14789 east of the prolongation of Griffith Street and Reserve 22698 south of the prolongation of Bedwell Street and for a distance of fifty (50) metres inland from the high water mark.
- (2) Middleton Beach and Ellen Cove being all that area of Reserve 14789 and Reserve 26149 bordered by the prolongation of the Ellen Cove Jetty to the South, the prolongation of the northern boundary of Lot 1340 Reserve 36320 (Middleton Beach Caravan Park) to the north.
- (3) Cosy Corner being that portion of Reserve 24547 from the low water mark in a foreshore corridor one hundred and ten (110) metres wide extending from the most northern point of Reserve 24547 to a westerly prolongation of the most northerly point of Migro Island.
- (4) **Goode Beach** being that portion of Reserve 26221 from the low water mark in a foreshore corridor seventy (70) metres wide extending from a parallel alignment twenty metres south of the prolongation of the most southern side boundary of Plantagenet Location 2104/2471, Lot 233 La Perouse Road to the prolongation of the eastern boundary of Plantagenet Location 2471, Lot 13 St Georges Crescent, Frenchman Bay.
- (5) Cheyne Beach being that portion of Reserve 878 from the low water mark in a foreshore corridor fifty (50) metres wide extending from the prolongation of the eastern boundary of Lot 12 Kybra Road of Reserve 878, Cheyne Beach to the most easterly boundary of Reserve 878.
- (6) Cape Riche being the whole of Reserves 1010 and 33850 together with the beach foreshore location defined by the low water mark and the northern boundary of Reserve 1010 and by the northern prolongations of the west and east boundaries of Reserve 1010.

- (7) Nanarup Beach being that portion of the beach foreshore defined by the low water mark and the southern boundary of Plantagenet Location 416, Lot 6 fronting Nanarup Road and by the prolongation south easterly of the southernmost south-western boundary of Plantagenet Location 406, Lot A88 fronting Nanarup Road and the prolongation south easterly of the southernmost south-western boundary of Plantagenet Location 416, Lot 6 fronting Nanarup Road.
- (8) Whalers Beach being that portion of Reserve 21337 from the low water mark in a foreshore corridor one hundred and ten (110) metres wide extending from the prolongation of the north eastern boundary of Plantagenet Location 7584, Lot 1 fronting Frenchman Bay Road, Frenchman Bay to the prolongation of the most western boundary of the same lot.

## **B. DOG EXERCISE AREAS:**

- (1) Reserve 36617, Lot 7457, Orana.
- (2) Reserve 25356, Clifton Street, Lockyer.
- (3) Reserve 25382, Apex Park (Place of Heritage Value), Lockyer.
- (4) Reserve 35088, Lot 7380 bordered by Barnesby Drive and Yakamia Creek, Yakamia.
- (5) Foundation Park, Parade Street.
- (6) Drain Reserve 7229 on Lots 312 and 315 Cockburn Road, Mira Mar.
- (7) All that section of Reserve 14789 (Middleton Beach) as shown delineated on the diagram at **attachment 1**.

## **Scope**

This policy applies to the City of Albany Municipality.

## **Legislative and Strategic Context**

Section 31 of the *Dog Act 1976* states, in part:

*“(2B) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —*

- (a) at all times; or*
- (b) at specified times.”*

*“(3A) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area. ”*

## **Review Position and Date**

This policy must be reviewed by the document owner on or before 30 June 2018.

## **Associated Documents**

- *Dog Act 1976*
- *City of Albany Dog Local Law 2017*
- Dog Exercise & Prohibited Area Map (Attachment 1)

<b>Document Approval</b>			
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1.0	MGR	Adoption Reference: OCM 19/12/2017 Resolution DIS073.	19/12/2017
2.0	MGR	Amended: Appended with background for context. Descriptions Corrected: A. PROHIBITED DOG EXERCISE AREAS: <ul style="list-style-type: none"> <li>• (3) Cosy Corner Reserves No: 26221 to 24547.</li> <li>• (4) Reserve Name: from Frenchman Bay to Goode Beach in accordance with the reserve number 26221.</li> </ul>	20/12/2017

**Attachment:**

- (1) Dog Exercise & Prohibited Areas

## Attachment 1: Dog Exercise & Prohibited Areas

