

# PUBLIC ORDER & SAFETY POLICIES



## DOG CONTROL POLICY

### **Objective:**

To educate the public on the correct use of all public areas associated within our town limits in regards to dogs. This policy will promote the off leash area whilst clarifying the Companion Animal Act 1998 requirements in public areas.

### **Scope**

This policy applies at all times to:

- ✚ any resident of Walcha or persons visiting the Walcha Council area;
- ✚ dog owners, carers or persons responsible for the control of a dog at any time.
- ✚ All children's play areas, food preparation/consumption areas, school grounds, child care centres, recreational areas (including parks, sporting, public bathing), shopping and wildlife protection areas in each of the townships in the Walcha Council area.

### **POLICY**

This policy demonstrates Council's commitment to uphold the requirements of the *Companion Animals Act 1998*. In accordance with *Part 3 Section 14 of the Act*, dogs are prohibited in the following public areas:

1. within 10 metres of any children's play area.
2. within 10 metres of any food preparation/consumption area (unless it is a public thoroughfare. ie: road, footpath or pathway), except cafes or restaurants whose owners permit dogs (not restricted or declared dangerous dogs) in their outdoor dining areas.
3. School grounds.
4. Child Care centres.
5. Any recreation area, public bathing area, shopping area or wildlife protection area where dogs have been prohibited by Council and signage is displayed.

In accordance with *Part 3 Section 13(6) of the Act*, there must at all times be at least one (1) public place in the area of a local authority that is an off-leash area. The leash area is defined and signposted at John Oxley Oval, Darjeeling Road, Walcha. This off-leash area is not to be used while public events are being held.

### **Exemptions:**

1. A dog is not prohibited in a place that is a food preparation / consumption area if the place is a public thoroughfare (such as a road, footpath or pathway).
2. A dog is not prohibited in a school ground or child care centre if it is there with the permission of the person controlling the school ground or child care centre.
3. A dog is not prohibited in a place within a shopping area if it is there:
  - a) in a vehicle that is secured in such a way as to prevent the dog from escaping from it, or
  - b) with the permission of the person controlling the place, or
  - c) for the purpose of being taken to or from a pet shop, the premises of a veterinary practitioner or a similar establishment.
4. A dog is not prohibited in any off-leash areas declared by Council.
5. This policy does not apply to a dog being exhibited for show purposes, a police dog, a corrective services dog or a dog which is an assistance animal been used bona fide by a person with disability to assist the person.

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### DOG CONTROL POLICY

#### **Pets in Public Places:**

A dog that is in a public place must be under the effective control of some competent person by means of an adequate chain, leash or cord that is attached to the dog and that is being held by (or secured to) the person.

A dog is not considered to be under the effective control of a competent person if the person has more than 4 dogs under his or her control.

If you fail to comply with this requirement, you or if you are not present, the person in control of your dog, if s/he is aged 16 or over, may be liable for a maximum penalty of \$1,100 or \$11,000 in the case of a restricted dog, dangerous or menacing dog.

This requirement does not apply to a dog:

- ◆ in an off-leash area (but only if the total number of dogs of which its owner has control does not exceed 4) or
- ◆ a dog engaged in droving, tending or working of stock or
- ◆ a dog being exhibited for show purposes or
- ◆ a dog participating in an obedience class, trial or exhibition or
- ◆ a police dog or
- ◆ a corrective services dog or
- ◆ a dog secured in a cage or vehicle or tethered to a fixed object or structure.

All dog owners and controllers must remove all dog faeces that may be deposited by the dog under their control. Penalties apply if you don't.

#### **Associated Legislation:**

*Companion Animals Act 1998*

*Companion Animals Regulations 2018*

#### **Responsibilities:**

The General Manager is responsible for the overall control and implementation of this policy.  
Directors & Managers – to ensure that any new or existing public areas as specified in the policy display the appropriate signage advising on the restriction of dogs.

Supervisors – to ensure that the Ranger has the training, support and equipment required to carry out inspections and enforcement of this policy.

Ranger – is responsible for the enforcement of this policy including educating the public on the details of the policy and the Act.

General Public – must act in accordance with this policy and any Orders posted at all times.

#### **Review:**

Environmental Services Manager – to be reviewed every two years.

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*Adopted by Council – 24 April 2019 – Minute No.: 152/20182019*