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## 1. PREAMBLE

### 1.1 Background

The City of Holdfast Bay (Council) recognises the value and pleasure dogs can bring to individuals and families within its community. However this must be balanced with the need to effectively and efficiently manage dogs within the City to ensure the safety of the general public and to reduce public and environmental nuisance caused by dogs.

In some circumstances the nuisance effect of dogs can cause conflict with neighbours. Council has therefore resolved to limit nuisance impact by controlling the number of dogs permitted to be kept on any premises to two, unless otherwise agreed to by Council.

The *Dog and Cat Management Act 1995* (the Act) and associated Regulations specifies the legal obligations for Council in this area and sets the framework for Council's dog management activities.

### 1.2 Purpose

This Policy promotes the effective management of and suitable environments for dogs within the community and to effectively manage dogs in accordance with the Act and relevant Council By-Laws.

### 1.3 Scope

This Policy applies to dog management within the Council area.

### 1.4 Definitions

**Park** means a park, garden, reserve or other similar public open space, or a foreshore area, within the area of a council.

### 1.5 Strategic Reference

Culture: Supporting excellent, efficient operations  
 Culture: Providing customer-centred services

# DOG MANAGEMENT POLICY

Community: Providing welcoming and accessible facilities

## 2. PRINCIPLES

- 2.1 Council will pursue the following objectives in the management of dogs within its area, consistent with the Act:
- a. To encourage responsible dog ownership; and
  - b. To increase public safety through the reduction of public and environmental nuisance caused by dogs.
- 2.2 Council will apply the following principles to all dog management decisions and activities within the City:
- a. Safety of residents
  - b. Responsibility of dog owners
  - c. Impartiality and consistency in applying procedures
  - d. Professionalism
  - e. Legality and clarity
  - f. Enforcement as a means to encourage compliance
  - g. Customer service and responsiveness
  - h. Education and consultation
- 2.3 Keeping more than two dogs
- 2.3.1. Council limits the number of dogs on particular premises to overcome any nuisance that may arise, including noise or odour.
- 2.3.2. Residents wanting to keep more than two dogs must seek written approval of Council prior to allowing the extra dogs on the property.
- 2.3.3. Applications for keeping more than two dogs shall be considered subject to the following factors:
- a. Whether the dogs are kept, or to be kept, for breeding purposes or as pets. If the dogs are to be kept for breeding purposes, the land use (zoning) regulations may apply.
  - b. An inspection of the premises shall be made by the authorised officer with particular regard to:
    - i Fencing - to be sufficient to confine the dogs to the premises
    - ii Cleanliness of the premises, particularly that part occupied by the dogs
    - iii Kennel facilities (the by-law provides minimum standards, however, these should have regard for the size of the dogs)
    - iv The size of the area in which dogs are to be kept (the by-law provides minimum standards, however, the area should have regard for the size of the dogs)

## DOG MANAGEMENT POLICY

- v Proximity of the dogs to neighbouring premises (the by-law provides for minimum distances)
- c. The type(s) of dogs to be kept
- d. The number of dogs to be kept

### 3. REFERENCES

#### 3.1 Legislation

- *Dog and Cat Management Act 1995*
- *Local Government Act 1999*
- *Local Nuisance and Litter Control Act 2016*

#### 3.2 Other References

- *By-law No 5 - Dogs*