



Dog Act 1976

CITY OF ROCKINGHAM DOGS LOCAL LAW 2000

Note: This is a compilation of the City of Rockingham Dogs Local Law 2000 which was published in the Government Gazette No. 259 on 4 December 2000, as amended and published in the Government Gazette No.74 on 6 May 2011. It was amended by Council resolutions at the 28 October 2014 Council Meeting Item PDS-077/14, 28 July 2015 Council Meeting Item PDS-046/15, 23 February 2016 Council Meeting Item PDS-004/16 and 28 November 2017 Council Meeting Item PDS-067/17.

Dog Act 1976

**CITY OF ROCKINGHAM
DOGS LOCAL LAW 2000**

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Dog Act 1976
CITY OF ROCKINGHAM
DOGS LOCAL LAW 2000

Under the powers conferred by the *Dog Act 1976* and under all other powers enabling it, the Council of the City of Rockingham resolved on 26 September 2000 to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the City of Rockingham Dogs Local Law 2000.

1.2 Repeal

The City of Rockingham Local Law Relating to Dogs published in the Government Gazette on 4 October 1985 and amendments, is repealed.

1.3 Definitions

In this local law unless the context otherwise requires -

“**Act**” means the *Dog Act 1976*;

“**authorised person**” means a person authorised by the local government to perform all or any of the functions conferred on an authorised person under this local law;

“**CEO**” means the Chief Executive Officer of the local government;

“**local government**” means the City of Rockingham;

“**pound keeper**” means a person authorised by the local government to perform all or any of the functions conferred on a “pound keeper” under this local law;

“**Regulations**” means the *Dog Regulations 1976*;

“**thoroughfare**” has the meaning given to it in section 1.4 of the *Local Government Act 1995*; and

“**town planning scheme**” means a town planning scheme made by the local government under the *Town Planning and Development Act 1928* which applies throughout the whole or a part of the district.

1.4 Application

This local law applies throughout the district.

PART 2 - IMPOUNDING OF DOGS

2.1 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16 - 6.19 of the *Local Government Act 1995* -

- a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

2.2 Attendance of pound keeper at pound

The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

2.3 Release of impounded dog

1. A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to an authorised person.
2. The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence -
 - (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
 - (b) that he or she is the person identified as the owner on a microchip implanted in the dog.

2.4 No breaking into or destruction of pound

A person who -

- a) unless he or she is the pound keeper or a person authorised to do so, releases or attempts to release a dog from a pound; or
- b) destroys, breaks into, damages or in any way interferes with or renders not dog-proof -
 - (i) any pound; or
 - (ii) any vehicle or container used for the purpose of catching, holding or conveying a seized dog,commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

PART 3 - REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

1. An occupier of premises on which a dog is kept must -
 - a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
 - b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
 - c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
 - d) maintain the fence and all gates and doors in the fence in good order and condition;
 - e) ensure the fence is erected and maintained in accordance with the provisions of the City of Rockingham Fencing Local Law; and
 - f) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
2. Where an occupier fails to comply with subclause (1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

3.2 Limitation on the number of dogs

1. This clause does not apply to premises which have been -
 - a) licensed under Part 4 as an approved kennel establishment;
 - b) granted an exemption under section 26(3) of the Act; or
 - c) established as a veterinary hospital or a veterinary clinic.
2. The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act -
 - (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated other than within a Rural Zone or Special Rural Zone as identified in a town planning scheme; or
 - (b) 3 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a Rural or Special Rural Zone as identified in a town planning scheme.

PART 4 - APPROVED KENNEL ESTABLISHMENTS

4.1 Interpretation

In this Part and in Schedule 2 -

“**licence**” means a licence to keep an approved kennel establishment on premises;

“**licensee**” means the holder of a licence;

“**premises**”, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

“**transferee**” means a person who applies for the transfer of a licence to her or him under clause 4.14.

4.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with –

- a) evidence of planning approval obtained from the local government;
- b) plans and specifications of the kennel establishment, including a site plan;
- c) copies of the notices to be given under clause 4.3;
- d) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- e) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- f) the fee for the application for a licence referred to in clause 4.10(1).

4.3 Notice of proposed use

1. An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged –
 - a) once in a newspaper circulating in the district; and
 - b) to the owners and occupiers of any premises adjoining the premises.
2. The notices in subclause (1) must specify that -
 - a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
 - b) the application and plans and specifications may be inspected at the offices of the local government.
3. Where –
 - a) the notices given under subclause (1) do not clearly identify the premises; or
 - b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,

then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

4.4 Exemption from notice requirements

Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a -

- a) permitted use; or
- b) use which the local government may approve subject to compliance with specified notice requirements,

under a town planning scheme, then the requirements of clauses 4.2(c), 4.3 and 4.5(c) do not apply in respect of the application for a licence.

The local government may require advertising of an application as part of the planning process.

4.5 When application can be determined

An application for a licence is not to be determined by the local government until –

- a) planning approval has been given by the local government;
- b) the applicant has complied with clause 4.2;
- c) the applicant submits proof that the notices referred to in clause 4.3(1) have been given in accordance with that clause; and
- d) the local government has considered any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises.

4.6 Determination of application

In determining an application for a licence, the local government is to have regard to –

- a) the matters referred to in clause 4.7;
- b) any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises;
- c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- d) the effect which the approved kennel establishment may have on the environment or amenity of the neighbourhood;
- e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

4.7 Where application cannot be approved

The local government cannot approve an application for a licence where -

- a) an approved kennel establishment cannot be permitted by the local government on the premises under a town planning scheme unless prior valid planning approval has been issued by the local government and the application for a licence is consistent with that approval; or

- b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

4.8 Conditions of approval

1. The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.
2. In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

4.9 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: Where a dog involved in the contravention is a dangerous dog, \$2,000 and a daily penalty of \$200; otherwise \$1,000 and a daily penalty of \$100.

4.10 Fees

1. On lodging an application for a licence, the applicant is to pay a fee to the local government.
2. On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
3. On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.
4. The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16 - 6.19 of the *Local Government Act 1995*.

4.11 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

4.12 Period of licence

1. The period of effect of a licence is set out in section 27(5) of the Act.
2. A licence is to be renewed if the fee referred to in clause 4.10(2) is paid to the local government prior to the expiry of the licence.
3. On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

4.13 Variation or cancellation of licence

1. The local government may vary the conditions of a licence.
2. The local government may cancel a licence –

- a) on the request of the licensee;
 - b) following a breach of the Act, the Regulations or this local law; or
 - c) if in the opinion of the local government the licensee is not a fit and proper person.
3. The date a licence is cancelled is to be, in the case of –
- (a) paragraph (a) of subclause (2), the date requested by the licensee; or
 - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.
4. If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

4.14 Transfer

1. An application for the transfer of a valid licence from the licensee to another person must be-
- a) made in the form determined by the local government;
 - b) made by the transferee;
 - c) made with the written consent of the licensee; and
 - d) lodged with the local government together with –
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in clause 4.10(3).
2. The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).
3. The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
4. Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

4.15 Notification

The local government is to give written notice to -

- a) an applicant for a licence of the local government's decision on her or his application;
- b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- c) a licensee of any variation made under clause 4.13(1);
- d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- e) a licensee when her or his licence is renewed;
- f) a licensee of the cancellation of a licence under clause 4.13(2)(a); and
- g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.13(2), which notice is to be given in accordance with section 27(6) of the Act.

4.16 Inspection of kennel

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

PART 5 - DOGS IN PUBLIC PLACES

5.1 Places where dogs are prohibited absolutely

1. *(Deleted as per Council Resolution PDS-077/14 23 September 2014)*
2. Subclause (1) does not apply to a person liable for the control of a dog where that dog is-
 - a) a guide dog and is accompanied by-
 - (i) a blind or partially blind person; or
 - (ii) a person engaged in the training of guide dogs; or
 - b) a hearing dog and is accompanied by-
 - (i) a hearing impaired person; or
 - (ii) a person engaged in the training of hearing dogs.
3. Except as provided in subclause (2), if a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

5.2 Places which are dog exercise areas

1. *(Deleted as per Council Resolution PDS-077/14 23 September 2014)*
2. *(Deleted as per Council Resolution PDS-077/14 23 September 2014)*

PART 6 - MISCELLANEOUS

6.1 Offence to excrete

1. A dog must not excrete on –
 - a) any thoroughfare, any dog exercise area or other public place; or
 - b) any land which is not a public place without the consent of the occupier.
2. Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: \$200.

3. The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

PART 7 - ENFORCEMENT

7.1 Interpretation

In this Part -

“**infringement notice**” means the notice referred to in clause 7.3; and

“**notice of withdrawal**” means the notice referred to in clause 7.6(1).

7.2 Modified penalties

1. The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.
2. The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if -
 - (a) the dog is not a dangerous dog; or
 - (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
3. The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

7.3 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 7 of the First Schedule of the Regulations.

7.4 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

7.5 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

7.6 Withdrawal of infringement notice

1. Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 8 of the First Schedule of the Regulations.
2. A person authorised to issue an infringement notice under clause 7.3 cannot sign or send a notice of withdrawal.

7.7 Service

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

**SCHEDULE 1 - APPLICATION FOR A LICENCE FOR AN APPROVED KENNEL
ESTABLISHMENT**
(clause 4.2)

DOGS LOCAL LAW 2000

I/we (full name)

of (postal address)

(telephone number)

(facsimile number)

(E-mail address)

Apply for a licence for an approved kennel establishment at (address of premises)

.....

For (number and breed of dogs)

* (insert name of person) will be residing at the premises on and from (insert date)

* (insert name of person) will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at (insert address of residence) on and from (insert date).

Attached are -

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside -
 - (i) at the premises; or
 - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as, in the keeping of dogs at the proposed kennel establishment.

Signature of applicant

Date

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months – section 27.5 of the Dog Act.

OFFICE USE ONLY

Application fee paid on *[insert date]*.

**SCHEDULE 2 - CONDITIONS OF A LICENCE FOR AN APPROVED KENNEL
ESTABLISHMENT**
(clause 4.8(1))

An application for a licence for an approved kennel establishment may be approved subject to the following conditions -

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than -
 - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be –
 - (i) at least 100mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;
 - (v) slip resistant;
 - (vi) resistant to corrosion;
 - (vii) non-toxic;
 - (viii) impervious;
 - (ix) free from cracks, crevices and other defects; and
 - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;

- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of -
 - (i) 2m; or
 - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside -
 - (i) at the premises; or
 - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

**SCHEDULE 3 - OFFENCES IN RESPECT OF WHICH MODIFIED PENALTY APPLIES
(clause 7.2)**

Offence	Nature of offence	Modified penalty \$	Dangerous Dog Modified Penalty \$
2.4(a)	Attempting to or causing the unauthorised release of a dog from a pound	200	400
2.4(b)	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs	200	
3.1	Failing to provide means for effectively confining a dog	100	200
4.9	Failing to comply with the conditions of a licence	100	200
5.1(3)	Dog in place from which prohibited absolutely	100	400
6.1(2)	Dog excreting in prohibited place	100	

SCHEDULE 4 - DOG EXERCISE AREAS

(Clause 5.2) *(Deleted as per Council Resolution PDS-077/14 28 October 2014)*

Table 1 – Reserves and freehold land dog exercise areas

Table 2-Beach dog exercise areas

Dated: 13 November 2000

The Common Seal of the)
City of Rockingham)
was affixed by)
authority of a resolution)
of the Council in the)
presence of -)

C S ELLIOTT
MAYOR

G G HOLLAND
CHIEF EXECUTIVE OFFICER

Council Resolution – En bloc Resolution

Moved Cr R Smith, seconded Cr Hill:

That the committee recommendations in relation to Agenda Items PDS-077/14 to PDS-086/14 be carried en bloc.

Carried by Absolute Majority – 9/0

Planning and Engineering Services Committee

**Planning and Development Services
Health Services**



Reference No & Subject:	PDS-077/14	Declaration of Dog Exercise Areas and Dog Prohibited Areas (<i>Absolute Majority</i>)
File No:	CUS/8-05	
Risk Register No:	440	
Applicant:		
Owner:		
Author:	Mr Michael Howes, Coordinator Ranger Services	
Other Contributors:	Ms Jelette Edwards, Governance Coordinator Ms Julia Dick, A/Manager Health and Ranger Services	
Date of Committee Meeting:	18 August 2014	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		
Attachments:	Circular No.18-2014	
Maps/Diagrams:	Dog Beach Exercise Areas	

Council Resolution

That the Council:

1. **DECLARE** the following as places where dogs are prohibited absolutely:
 - "1.1 *Dogs are prohibited absolutely from entering or being in any of the following places:*
 - (a) *where so indicated by a sign, a public building;*
 - (b) *a theatre or cinema;*

- (c) a food business as defined by section 10 of the Food Health Act 2008 (WA) including "dining and drinking areas" as stated in Standard 3.2.2, Clause 24 of the Foods Standards Code;
 - (d) a public swimming pool;
 - (e) any public beach except those listed in the Schedule (Table 2); and
 - (f) any public reserve except those listed in the Schedule (Table 1)."
2. **DECLARE** the following (as shown in the Schedule) as places which are dog exercise areas (off leash areas):
- "2.1. Subject to clause 1 and subclause 2.2 of this clause, for the purposes of section 31 of the Dog Act 1976, the beaches, reserves and freehold land either owned or under the care, control and management of the local government as indicated by sign or signs as listed in the Schedule.
- 2.2 Subclause (2.1) does not apply to –
- (a) land which has been set apart as a children's playground;
 - (b) an area being used for sporting or other activities, as permitted by the local government, during the times of such use; or
 - (c) a car park.

SCHEDULE - DOG EXERCISE AREAS

Table 1 – Reserves and freehold land dog exercise areas

Column 1	Column 2
<p>BALDIVIS Baldivis Reserve Volume 1 and 2 Trusty Park</p> <p>COOLOONGUP Alf Powell Reserve Breaden Drive Reserve Deanne A Reserve Deanna B Reserve Elanora Drive Glencoe Reserve Grange Reserve Hourglass Reserve Madison Place Reserve Paul Garnett Oval St Michaels Reserve Solquest Park</p>	<p>SAFETY BAY Bequia Reserve Catalina Reserve Costa Rica Reserve Janet Park Forrester Road Reserve Georgetown Drive Reserve Gumnut Reserve Malibu A, Malibu B Malibu C, Malibu D Mayfield Crescent Nettleton Way Reserve Panama Place Reserve Royal Road Reserve Safety Bay Foreshore – Berry to June Safety Bay Foreshore – Carlisle to Berry</p>
Column 1	Column 2
<p>GOLDEN BAY George Foster Reserve Golden Bay Foreshore Sawley Close Nature Reserve Tangadee Reserve</p> <p>HILLMAN Calume Street Buffer Zone Ennis/Dixon Road Reserve Gabyon Park</p> <p>PERON</p>	<p>Safety Bay Foreshore – June to Malibu Wallsend Street Reserve Wilson Park</p> <p>SECRET HARBOUR Secret Harbour Foreshore Secret Harbour Oval</p> <p>SHOALWATER Apex Reserve Shoalwater Oval</p>

<p>Peron Park Point Peron Foreshore</p> <p>PORT KENNEDY Majestic Close Reserve St Raphael Reserve Veterans Memorial Park – Endeavour Drive</p> <p>ROCKINGHAM Andromeda Wind Park Anniversary Park Volume 1 and 2 Antilla Place Reserve Aries Court Ashford Avenue Reserve Bayview Reserve Benjamin Way Reserve Bungaree Oval Careeba Park Casserley/Seabrooke Catalpa Christison Way Reserve Derwent Park Diamantina Reserve Dixon Road Conservation Area/Patterson Road Dixon Road Reserve Volume 1 and 2 Dowling Street Reserve Falcon Reserve Governor Reserve Haselmere Circus Reserve Hercules Street Windbreak Houston Reserve Lewington Reserve Lynx Way Reserve Naval Memorial Park Volume 1 and 2</p>	<p>SINGLETON Beacon Reserve Bight Reefs Reserve Singleton Reserve Whitehead Reserve</p> <p>WARNBRO Balaka Reserve Bristol Reserve Cadbury Street Reserve Cannes Place Reserve Dress Circle Indigo Reserve La Seyne Reserve Galway Gardens Reserve Orleans Drive Reserve Swallowtail Reserve Drainage Tarwarri Park The Bay Foreshore Warnbro Torbay Mews Reserve Torcross Reserve Turner Street Reserve Warnbro Beach Road to Francis Warnbro Parklands Warnbro Recreation Centre/Oval – Volume 1 and 2 Welch Way Reserve</p> <p>WAIKIKI Blair Court Reserve Fairview Reserve Java Park Lakemba Reserve Gidgi Way Reserve Gnangara Oval Hinds Court Reserve</p>
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Column 1	Column 2
<p>Rockingham Oval Volume 1 and 2 Rosewood Seabrooke Reserve Sepia Court Reserve Stan Twight Reserve Volume 1, 2 and 3 Sycamore Park The Esplanade – Fisher to Hymus Warramunga Reserve</p>	<p>Mornington Reserve Rand Avenue Reserve Volume 1 and 2 Santa Monica Reserve Seahaven Reserve Shelton Street Waikiki Foreshore – Malibu to Warnbro Beach Road</p>

Table 2 – Dog Beach Exercise Areas
Beach Exercise Areas

1. The public beach bounded on the east by Rockingham Road, on the north by the northern boundary of the district, and on the west by a prolongation of Weld Street.
2. The public beach bounded on the east by Hymus Street and extending generally in a westerly direction and then in a southerly direction and bounded on the south by Boundary Road.
3. The public beach bounded on the north by a prolongation of McLarty Road, on the east by Arcadia Drive and on the south by the northern boundary of Mersey Point carpark.
4. The public beach bounded on the west from the eastern side of the Bent Street boat ramp, on the north by Safety Bay Road and on the east from the western side of the Donald Drive boat ramp.
5. The public beach bounded on the north by, and 40 metres to the north, of a prolongation of Shelton Street, on the east by Blakey and Fendam Streets and on the south by a prolongation of St Malo Close.
6. The public beach bounded on the north by the northern-most part of Capella Pass carpark beach access and extending generally in a southerly direction for a distance of 1km.
7. The public beach bounded on the north by the boundary of Port Kennedy and Secret Harbour and in a southerly direction to the public beach access of Siracusa Court carpark.
8. The public beach bounded on the north by a prolongation of Crystaluna Drive and extending in a southerly direction for a distance of 500 metres.
9. The public beach bounded on the north by a prolongation of Bight Reefs Road and extending in a southerly direction to the southern boundary of the district.

Carried by Absolute Majority en bloc

The Council's Reason for Varying the Committee's Recommendation

Not Applicable

Council Resolution – En bloc Resolution

Moved Cr R Smith, seconded Cr Hill:

That the committee recommendations in relation to Agenda Items PDS-046/15 to PDS-054/15 be carried en bloc.

Carried by Absolute Majority - 9/0

Planning and Engineering Services Committee

**Planning and Development Services
Health Services**



Reference No & Subject:	PDS-046/15	Proposed Dog Exercise Areas - Baldvis
File No:	CUS/8-06	
Risk Register No:		
Applicant:		
Owner:		
Author:	Mr Michael Howes, Coordinator Ranger Services	
Other Contributors:		
Date of Committee Meeting:	20 July 2015	
Previously before Council:	May 2015, June 2015 (PDS-045/15)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Various Public Open Space Reserves in Baldvis	
Lot Area:		
LA Zoning:		
MRS Zoning:		
Attachments:		
Maps/Diagrams:	<ol style="list-style-type: none">1. Lot 8004 Chilvers Street (Reserve No.R51612)2. Lot 1233 and 1472 Colreavy Ramble (Reserve No.50379 and 49081)3. Zedora Reserve - Lot 4807 Huxtable Terrace (Reserve No.47652)4. Steel Tree Reserve - Lot 1507 Brennan Promenade (Reserve No.48399)5. Wise Meander Reserve - Lot 1473 Wise Meander (Reserve No.48400)6. Highbury Reserve - Lot 168 Highbury Boulevard (Reserve No.49510)	
	<ol style="list-style-type: none">7. Palomino Reserve - Lot 182 Palomino Parade (Reserve No.49250)8. Lot 699 Stillwater Drive (Reserve No.51731)	

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| | <ul style="list-style-type: none">9. Lot 300 and 627 Atherstone Parade (Reserve No.50890)10. Dog Exercise Areas North of Safety Bay Road11. Dog Exercise Areas South of Safety Bay Road |
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Council Resolution

Moved Cr Elliott, seconded Cr Liley:

That Council **DECLARE** the following reserves as Dog Exercise Areas:

1. Lot 8004 Chilvers Street (Reserve No.R51612)
2. Lot 1233 and 1472 Colreavy Ramble (Reserve No.50379 and 49081)
3. Zedora Reserve - Lot 4807 Huxtable Terrace (Reserve No.47652)
4. Steel Tree Reserve - Lot 1507 Brennan Promenade (Reserve No.48399)
5. Wise Meander Reserve - Lot 1473 Wise Meander (Reserve No. 48400)
6. Highbury Reserve - Lot 168 Highbury Boulevard (Reserve No.49510)
7. Palomino Reserve - Lot 182 Palomino Parade (Reserve No.49250)
8. Lot 699 Stillwater Drive (Reserve No.51731)
9. Lot 300 and 627 Atherstone Parade (Reserve No.50890)

Carried by Absolute Majority – 10/0

The Council's Reason for Varying the Committee's Recommendation

Not Applicable

Council Resolution – En bloc Resolution

Moved Cr Elliott, seconded Cr Whitfield:

That the committee recommendations in relation to Agenda Items PDS-004/16 to PDS-006/16 be carried en bloc.

Carried by Absolute Majority – 10/0

Planning and Engineering Services Committee

Planning and Development Services Health Services



Reference No & Subject:	PDS-004/16	Proposed Dog Exercise Areas – Secret Harbour
File No:	CUS/8-06	
Risk Register No:		
Applicant:		
Owner:		
Author:	Mr Michael Howes, Coordinator Ranger Services	
Other Contributors:		
Date of Committee Meeting:		
Previously before Council:	August 2015, September 2015, October 2015 (PDS-045/15)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Various Public Open Space Reserves in Secret Harbour	
Lot Area:		
LA Zoning:		
MRS Zoning:		
Attachments:		
Maps/Diagrams:	<ol style="list-style-type: none">1. Bonaparte Reserve - Lot 8002 Bonaparte Drive (Reserve No. 48561)2. Coffs Bend - Lot 8002 Coffs Bend (Reserve No.48356)3. Yampi Vale Reserve - Lot 8001 Yampi Vale (Reserve No.48063)4. Tuart Park - Lot 4886 Bluestone Parkway (Reserve No.47615)5. Existing and Proposed Dog Exercise Areas - Secret Harbour	

Council Resolution

That Council **DECLARES** the following reserves as Dog Exercise Areas, for a trial period of 12 months, after which it will be reviewed:

1. Bonaparte Reserve - Lot 8002 Bonaparte Drive (Reserve No.48561)
2. Coffs Bend - Lot 8002 Coffs Bend (Reserve No.48356)
3. Yampi Vale Reserve - Lot 8001 Yampi Vale (Reserve No.48063)

Carried by Absolute Majority en bloc

The Council's Reason for Varying the Committee's Recommendation
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Not Applicable

Planning and Development Services Compliance and Emergency Liaison



Reference No & Subject:	PDS-067/17 Declaration of Dog Exercise Area Acrasia Road Reserve (Barri Barri Park) - Baldvis
File No:	CSV/3018-02
Applicant:	
Owner:	
Author:	Mr David Caporn, Manager Compliance and Emergency Liaison
Other Contributors:	Mr Amos Dolman, Senior Ranger
Date of Committee Meeting:	20 November 2017
Previously before Council:	October 2016 CD-041/16 (Approved as the preferred location for the Baldvis Enclosed Dog Park)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	Lot 211 Baldvis Road, Baldvis - Acrasia Road Reserve. Reserve No: 52795 (commonly known as Barri Barri Park)
Lot Area:	30,539m ²
LA Zoning:	
MRS Zoning:	
Attachments:	
Maps/Diagrams:	<ol style="list-style-type: none"> 1. Location Plan 2. Aerial Photograph

Council Resolution

Moved Cr Whitfield, seconded Cr Hamblin:

That Council:

1. **APPROVES** Lot 211 Baldvis Road Baldvis (Reserve No.52795) as a Dog Exercise Area with the exclusion of the portion of the reserve north of Dunlop Street, as identified in the following aerial photograph.
2. **APPROVES** dogs being prohibited absolutely from entering or being in the area of Reserve No.52795 north of Dunlop Street as identified in the following aerial photograph.



Carried – 10/0

The Council's Reason for Varying the Committee's Recommendation

Not Applicable