



Central Coast Council

Dog Management Policy

October 2020

(inc. amendments made 21 November 2022 –
Minute No. 345/2022)

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Note: If this document is a printed copy always check the electronic version to ensure it is up to date.

PURPOSE

The Council acknowledges the health, social and economic benefits of dog ownership.

The Council is committed:

- to promoting responsible dog ownership within the Central Coast area;
- managing its responsibilities in accordance with the provisions of the *Dog Control Act 2000* and in a manner, which is in the best interests of the community and the environment.

SCOPE

The Council is responsible for implementing the requirements of the *Dog Control Act 2000* within its municipal area.

This Dog Management Policy is designed to provide information on responsible dog ownership, identify areas within Central Coast which are available for exercising dogs and those which are restricted or prohibited.

This Policy applies to any owner or person who has control of a dog/s, either residing in Central Coast or visiting the area.

This Policy supersedes any other document relating to dog management within Central Coast.

STANDARDS (INCLUDING RELEVANT LEGISLATION)

The *Dog Control Act 2000* requires the Council to have a Dog Management Policy, which as a minimum is to include:

- (a) a code relating to responsible ownership of dogs;
- (b) the provision of declared areas;
- (c) a fee structure; and
- (d) any other relevant matter.

The following principles underpin this Dog Management Policy:

- (a) recognition – the contribution that dog ownership can provide to community health and wellbeing;
- (b) balance – the need for a balanced approach to achieve a compatible relationship between dogs, dog owners, neighbours and the general public; and
- (c) compliance – there is a legislative requirement for both the Council to enforce, and for dog owners to comply, with the provisions of the *Dog Control Act 2000*.

This Dog Management Policy does not set out to reproduce all the details contained within the *Dog Control Act 2000*. Therefore, the Council will manage its responsibilities in relation to dogs in accordance with this Policy and the provisions of the Act.

POLICY STATEMENT

Dog ownership has proven benefits to the community through better health, well-being, companionship and social interaction. Conversely, irresponsible dog ownership can have a negative impact on the health and well-being of those affected and can result in poor inter-community relationship.

Irrespective of how much positive education on responsible dog ownership the community is exposed to, there will always be an element of society who are unresponsive and uncooperative. Such people either fail or simply refuse to conform or comply with acceptable codes of behaviour and reasonable community expectations. It is with this background in mind that the Council has developed its *Code for Responsible Dog Ownership*.

The Code:

As a responsible dog owner, it is expected that:

- your property, budget and lifestyle are suited to the specific needs of your breed of dog;
- your dog is appropriately housed and contained within a secure yard;
- you ensure your dog is not a nuisance to others;
- you register and microchip your dog once it is six (6) months of age;
- you ensure that your dog wears its Council identification tag;
- when you are in a public place, you ensure your dog is under effective control; and
- you clean up after your dog.

Prohibited Public Places

There are some public places that are defined as prohibited to dogs under the *Dog Control Act 2000*.

The *Dog Control Act 2000* specifies that a person must not take a dog into the following areas:

- (a) any ground of a school, preschool, kindergarten, creche or other place for the reception of children without the permission of a person in charge of the place; or
- (b) any shopping centre (defined under the Act as a collection of shops in an enclosed area covered by a roof or forming a courtyard or square) or any shop; or
- (c) the grounds of a public swimming pool; or
- (d) any playing area of a sportsground on which sport is being played; or
- (e) any area within 10 metres of a children's playground.

This section does not apply to:

- (a) a guide dog that is accompanying a wholly or partially blind person or is in training for that purpose; or

- (b) a hearing dog that is accompanying a wholly or partially deaf person or is in training for that purpose; or
- (c) a pet shop; or
- (d) the premises of a veterinary surgery; or
- (e) a pet grooming shop; or
- (f) any other premises related to the care and management of dogs.

Note: Under the provisions of the *Food Act 2003*, the proprietor of a food premises may allow dogs in the outdoor dining area of that food business.

Declared Areas

The *Dog Control Act 2000* provides Council with the authority to declare and regulate areas within its municipal boundary to be either:

- (a) a prohibited area indicated in red;
- (b) a restricted area indicated in amber;
- (c) a dog exercise area – unrestricted – indicated in green; or
- (d) a dog training area – unrestricted – indicated in green.

An amendment to the Act in 2017 provided the authority for the Council to declare areas of land under its jurisdiction as being restricted to dogs on a permanent basis.

The Council acknowledges that a well exercised dog is less likely to create a nuisance. A combination of off-lead and on-lead areas have been provided throughout the municipal area. Some areas have been designated as prohibited to dogs due to their location or environmental significance.

Maps of the declared areas are included at Appendix 1. The following tables set out each of the declared areas, with numbers referenced on the corresponding area map.

The declared areas are defined as:

Prohibited Areas

A prohibited area contains sensitive habitat for native wildlife therefore dogs are prohibited from entering at any time (guide dogs, hearing dogs and assistance dogs exempt). The following areas have been declared as prohibited areas pursuant to section 22 of the *Dog Control Act 2000*:

AREA	
1.	Midway Beach, Sulphur Creek: West of Creamery Road through to Howth
2.	Buttons Beach, Ulverstone: Between Victoria Street and Buttons Creek
3.	Buttons Beach, Ulverstone: From the most eastern beach access to the Fishpond

- | | |
|----|--|
| 4. | All Council Sportsgrounds:
No access permitted on the playing surface of any sportsground |
|----|--|

Restricted Areas

A restricted area is where dogs are allowed provided they remain restrained on a lead at all times.

The following areas have been declared as restricted areas pursuant to section 23 of the *Dog Control Act 2000*:

AREA	
5.	Midway Beach, Sulphur Creek: East of Creamery Road
5A.	Preservation Bay Beach, Preservation Bay
6.	Penguin Beach
7.	West Ulverstone Beach: From Three Sisters Goat Island Nature Reserve to Picnic Point Beach
8.	Picnic Point Beach, West Ulverstone: Between Picnic Point and the Leven River
9.	Buttons Beach, Ulverstone: Between Buttons Creek to the eastern end of the overflow caravan park
10.	Turners Beach: From east of Turners Beach Road to the Forth River Bridge (Bass Highway)
11.	Shared Pathway: Ulverstone to Turners Beach

In addition, although all Council owned and managed sportsground playing surfaces are declared as prohibited, dogs may be walked around the outer areas of a sportsground provided they remain restrained on a lead.

Exercise Areas – Unrestricted

A dog exercise area is an area where dogs may be exercised off-lead, providing they remain under effective control.

The following areas have been declared as dog exercise areas pursuant to section 20 of the *Dog Control Act 2000*:

AREA	
12.	Watcombe Beach, Penguin
12A.	Johnsons Beach, Penguin

13.	Buttons Beach, Ulverstone: From Leven River to Victoria Street
14.	Buttons Beach, Ulverstone: From the eastern end of the overflow caravan park to the most eastern beach access
15.	Turners Beach: Between west of Turners Beach Road to Claytons Rivulet

Training Areas – Unrestricted

A dog training area is where dogs may be trained subject to any specified conditions. Access to a dog training area is only to occur where the dog remains under effective control. The following areas have been declared as a dog training area pursuant to section 21 of the *Dog Control Act 2000*:

AREA
16. Penguin Sports Complex, Ironcliffe Road, Penguin: The fenced off area at the south west corner
17. Ulverstone Sports Complex, Flora Street, Ulverstone: The fenced off area at the northern end only

Review of Declared Areas

The Council reserves the right to review current or to declare additional areas of the municipal area to be a declared area pursuant to section 24 of the *Dog Control Act 2000*. The Council is not required to review the entire Dog Management Policy when considering declaring or reviewing an area under the Act.

Dog Registration Fee Structure

The fee structure and all fees payable under the *Dog Control Act 2000* are set annually by the Council as part of its budget process.

After Hours Service Provision

The Council will provide an emergency after-hours service for the following:

- Dog Attack – provided the offending dog has been secured or remains in the immediate area.

If you have secured a stray dog outside of the Council's normal working hours you are encouraged to take the dog to the Council's dog pound (located at the Council's Works Depot, Short Street, Ulverstone) on the next working day between the hours of 8:00am and 4:30pm. Alternatively, you can secure the dog and contact the Council to arrange collection.

Enquiries regarding sick and/or injured dogs should in the first instance be directed to the RSPCA or you should take the animal to a veterinarian.

Complaints

The Council has developed a procedure it uses in investigating nuisance dog complaints. This procedure is underpinned by the provisions of the *Dog Control Act 2000*.

A nuisance dog is described at s.46(3) of the Act as follows:

- (a) it behaves in a manner that is injurious or dangerous to the health of any person; or
- (b) it creates a noise, by barking or otherwise, that persistently occurs or continues to such an extent that it unreasonably interferes with the peace, comfort or convenience of any person in any premise or public place.

In the case of a nuisance dog, the Council encourages residents to see if they can solve neighbourhood dog complaints without resorting to complaints and legal proceedings which can damage community relationships.

Where possible, residents should consider if they can work together to achieve a resolution.

Where resolution is difficult, the parties may be asked by the Council to agree to participate in a mediation process. Mediation will not be offered by the Council in every case and involves an exercise of discretion by the General Manager or her delegated staff.

Mediation is entirely voluntary and may not be for everyone, however community mediators can often assist in identifying the common ground between the parties and opportunities for improved outcomes.

If mediation is agreed, parties will be asked to sign a mediation agreement, this sets the boundaries for the mediation process such as keeping all information that is revealed confidential and directing parties towards a settled outcome which will be recorded in writing and may result in an enforceable agreement being drawn up between the dog owner and the Council.

If the dispute remains unsolved following the above, the aggrieved party may proceed to make a formal complaint to the Council, which then proceeds under the exercise of statutory provisions of the *Dog Control Act 2000*.

Details on how to make a complaint can be found on the Council's website www.centralcoast.tas.gov.au or by contacting Customer Services at the Council Offices.

DEFINITIONS OR EXEMPTIONS

The *Dog Control Act 2000* contains the following definitions:

Dog Under Effective Control

- (1) A dog, other than a greyhound, a dangerous dog or a restricted breed dog, is under the effective control of a person in a public place if the dog is –
 - (a) on a road or road-related area in a built-up area, or any other public place declared under Division 2 of Part 3 to be an area where a dog

- must be on a lead, and the dog is secured and restrained by means of a lead not more than 2 metres long held by hand by a person able to control the dog; or
- (b) tethered to a fixed object by a lead not more than 2 metres long for a period not more than 30 minutes.
- (2) A dog, other than a greyhound, a dangerous dog or a restricted breed dog, is under the effective control of a person while not on a lead if the dog is –
- (a) a working dog engaged in working; or
 - (b) a hunting dog engaged in hunting; or
 - (c) engaged in racing or showing; or
 - (d) engaged in trialling; or
 - (e) engaged in training for any activity referred to in paragraph (a) (b) (c) or (d); or
 - (f) engaged in training in a training area.
- (3) In an area where a dog is not required to be on a lead, a dog, other than a greyhound, a dangerous dog or a restricted breed dog, is under the effective control of a person if –
- (a) it is in close proximity to the person; and
 - (b) it is in sight of the person; and
 - (c) the person is able to demonstrate to the satisfaction of an authorised person that the dog is immediately responsive to the person's commands.
- (4) A dog, other than a greyhound, a dangerous dog or a restricted breed dog, is under the effective control of a person on private premises if the dog is securely confined to those premises.
- (5) A person, at any one time, must not have in his or her charge more than –
- (a) 2 dogs, that are not greyhounds, dangerous dogs or restricted breed dogs, on a lead on a footpath; or
 - (b) 4 dogs, that are not greyhounds, dangerous dogs or restricted breed dogs, in a public place.

Dog at Large

A dog is at large if it is –

- (a) in a public place and it is not under the effective control of a person; or
- (b) without the consent of the occupier, in or on a public place that is occupied or private premises that are occupied.

Owner of Dog

The person who is the owner of a dog is –

- (a) in the case of a registered dog, the person in whose name the dog is registered; or
- (b) in the case of an unregistered dog, the person who ordinarily keeps the dog; or
- (c) in the case of a child's pet, the child's parent or guardian.

SANDRA AYTON
GENERAL MANAGER

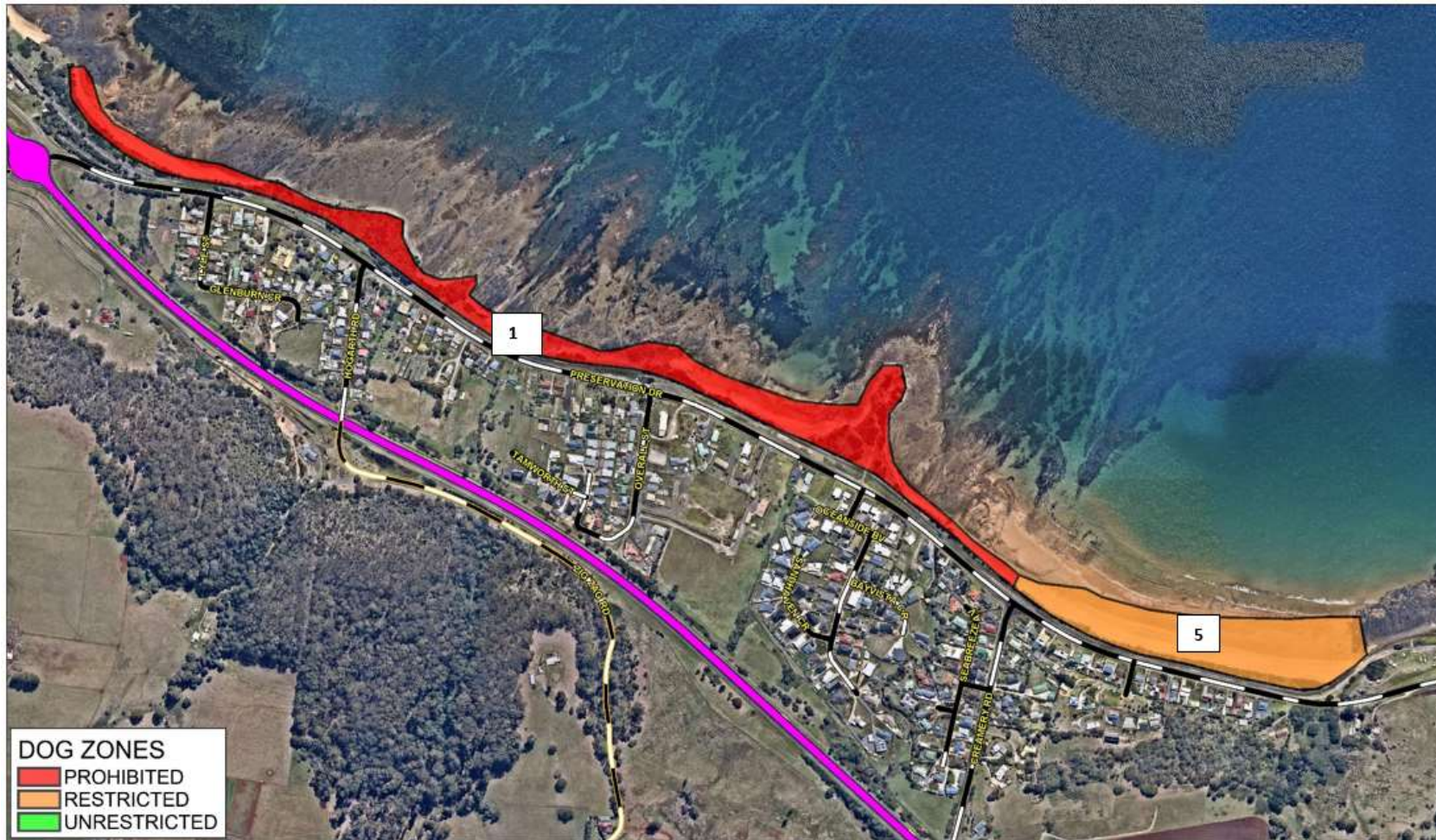
Date of approval: 19 October 2020

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Approved by:



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Disclaimer
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Important
 This map was produced on the GEOID2019 DATUM OF AUSTRALIA 1984 (GDA84), which has superseded the Australian Geodetic Datum of 1984 (AGD84). Heights are referenced to the Australian Height Datum (AHD). For most practical purposes UTM coordinates and datum derived (GDA84) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

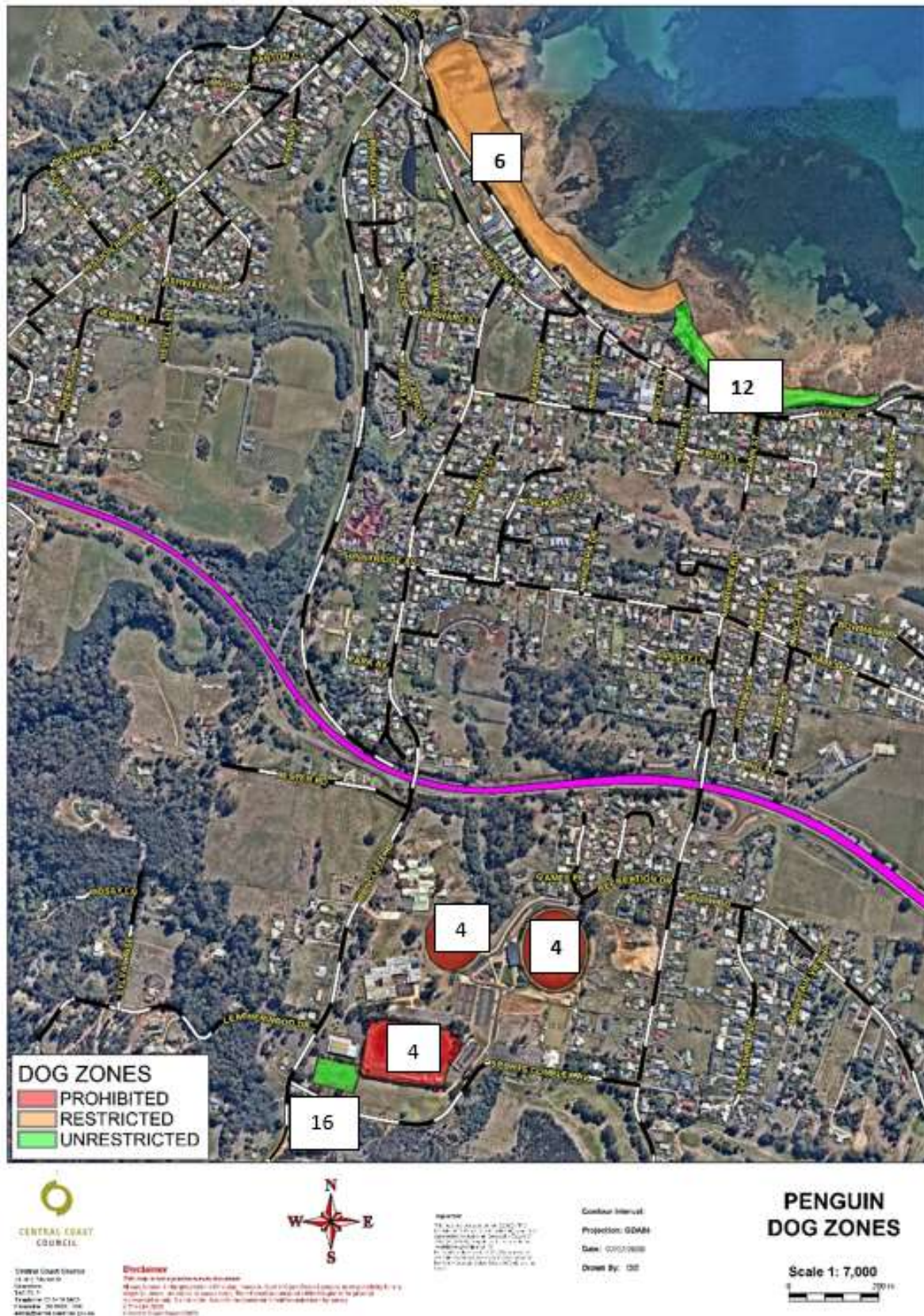


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 Date: 07/07/2020
 Drawn By: GAB

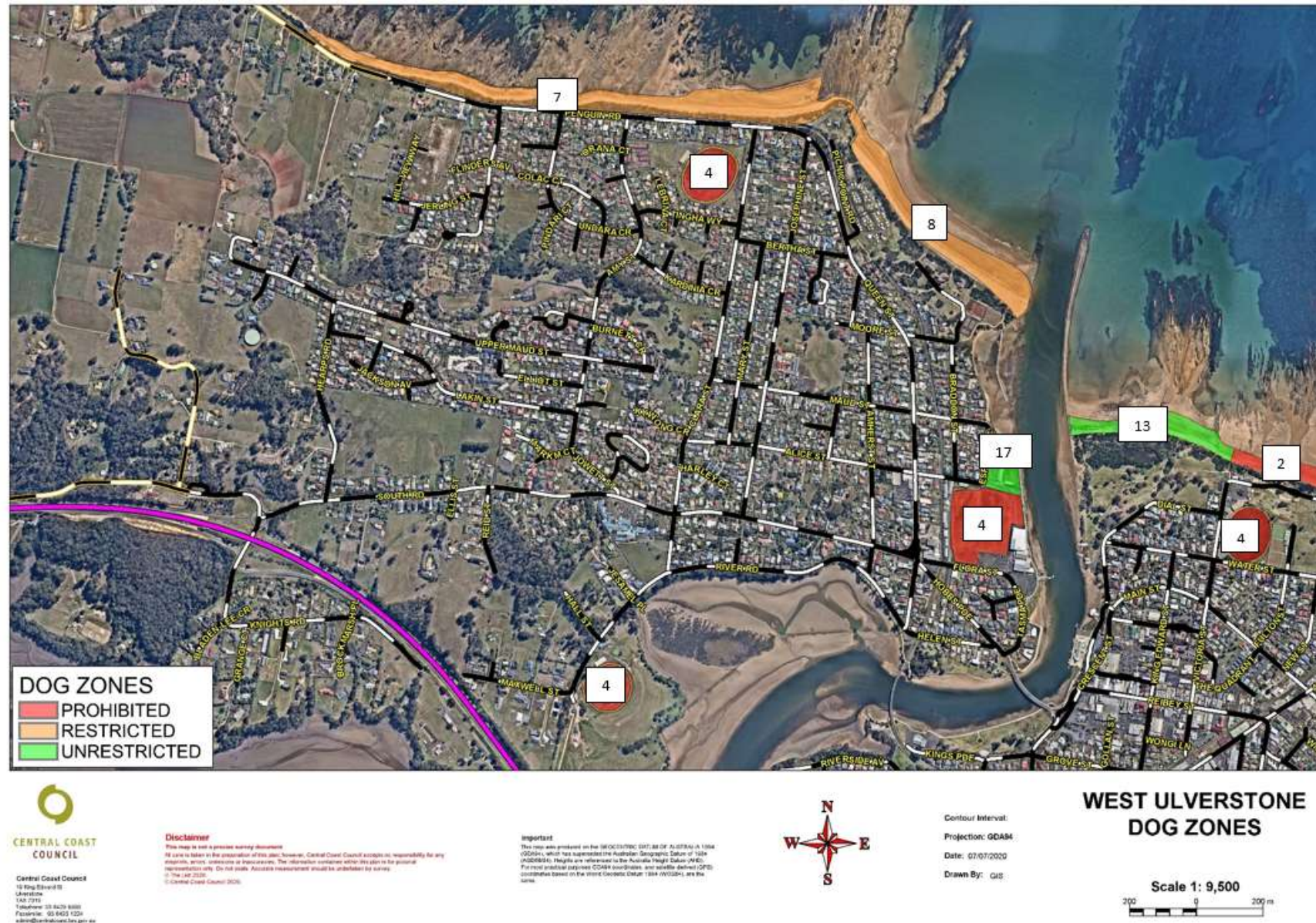
**SULPHUR CREEK
 DOG ZONES**

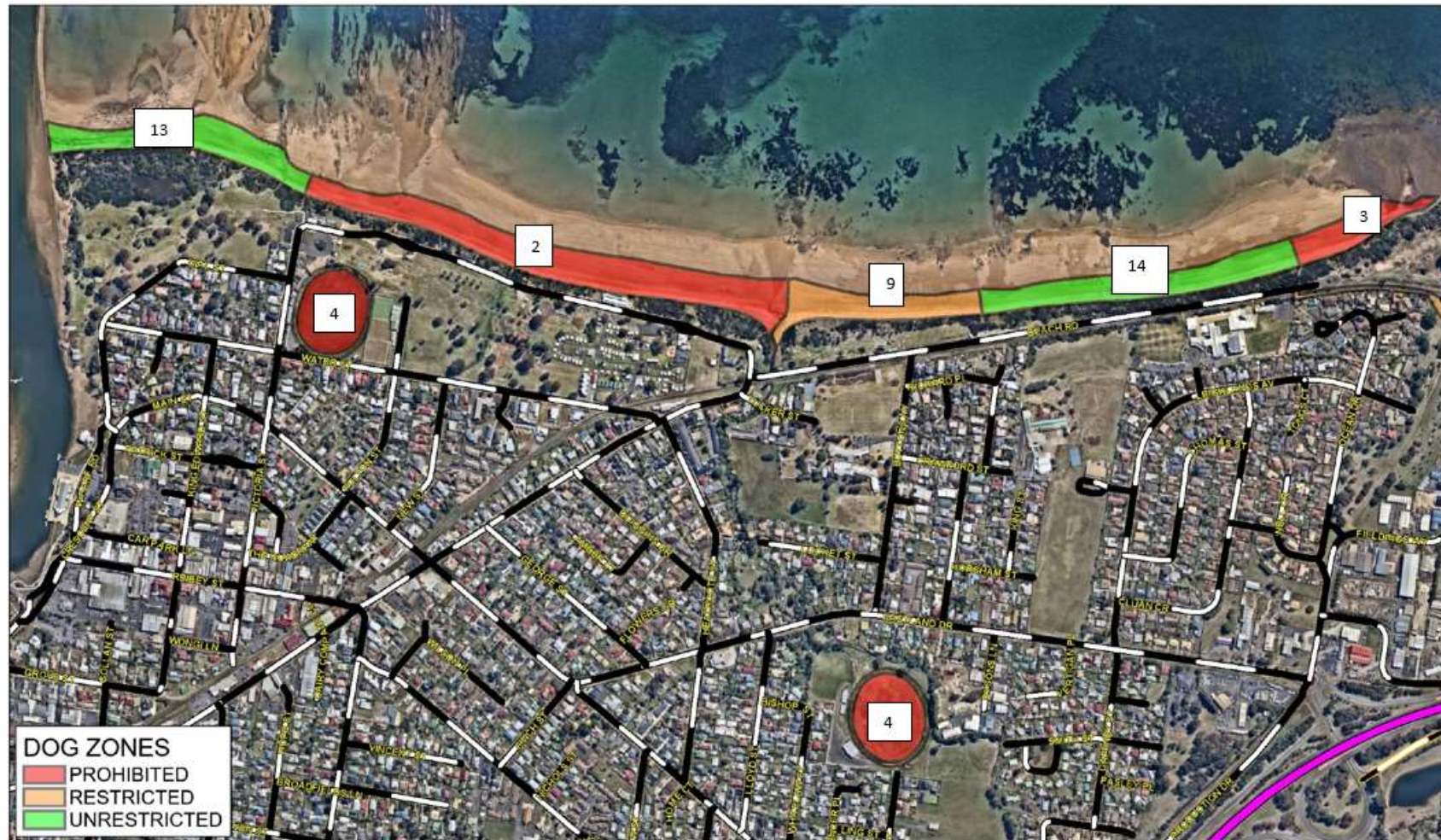
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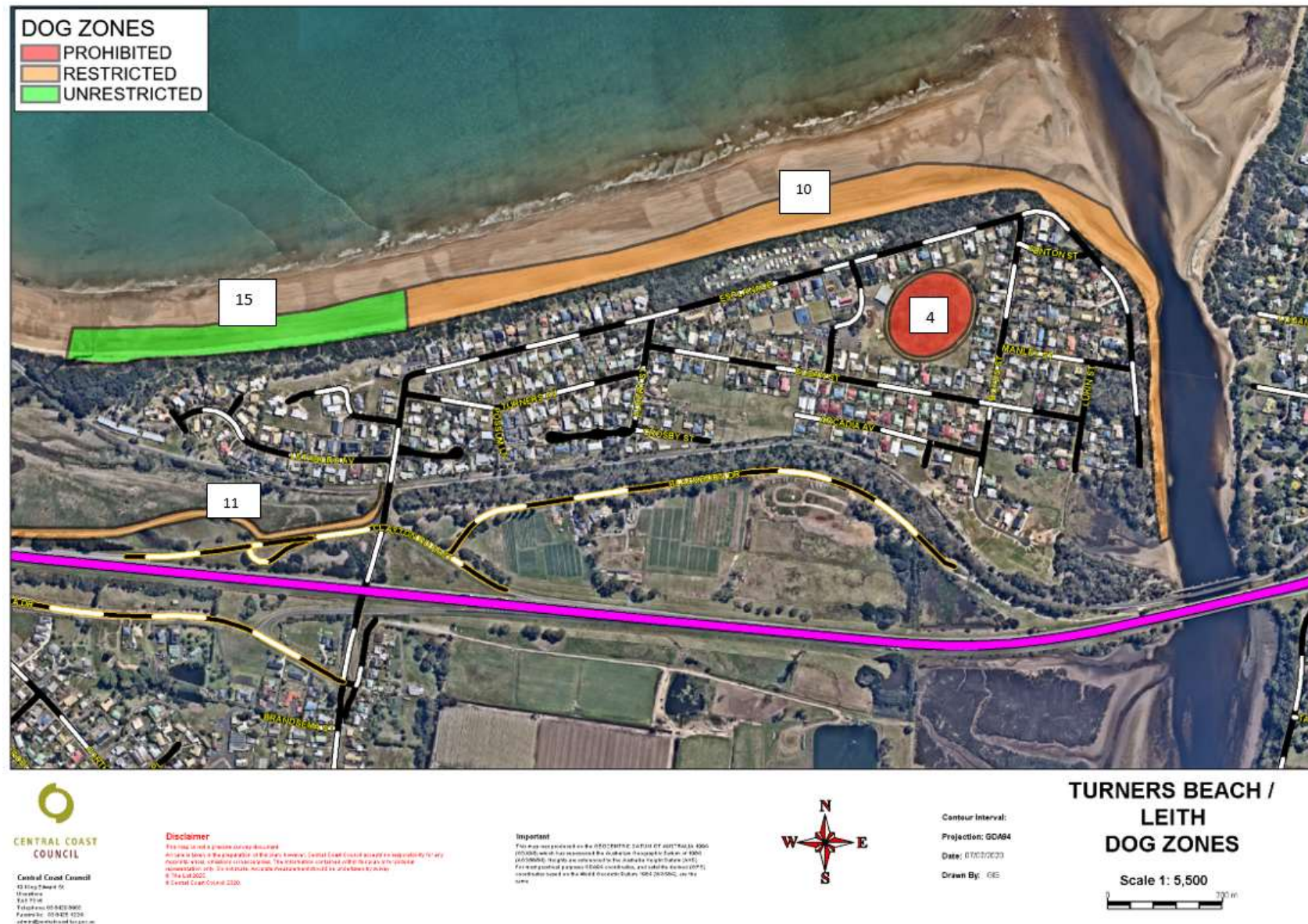
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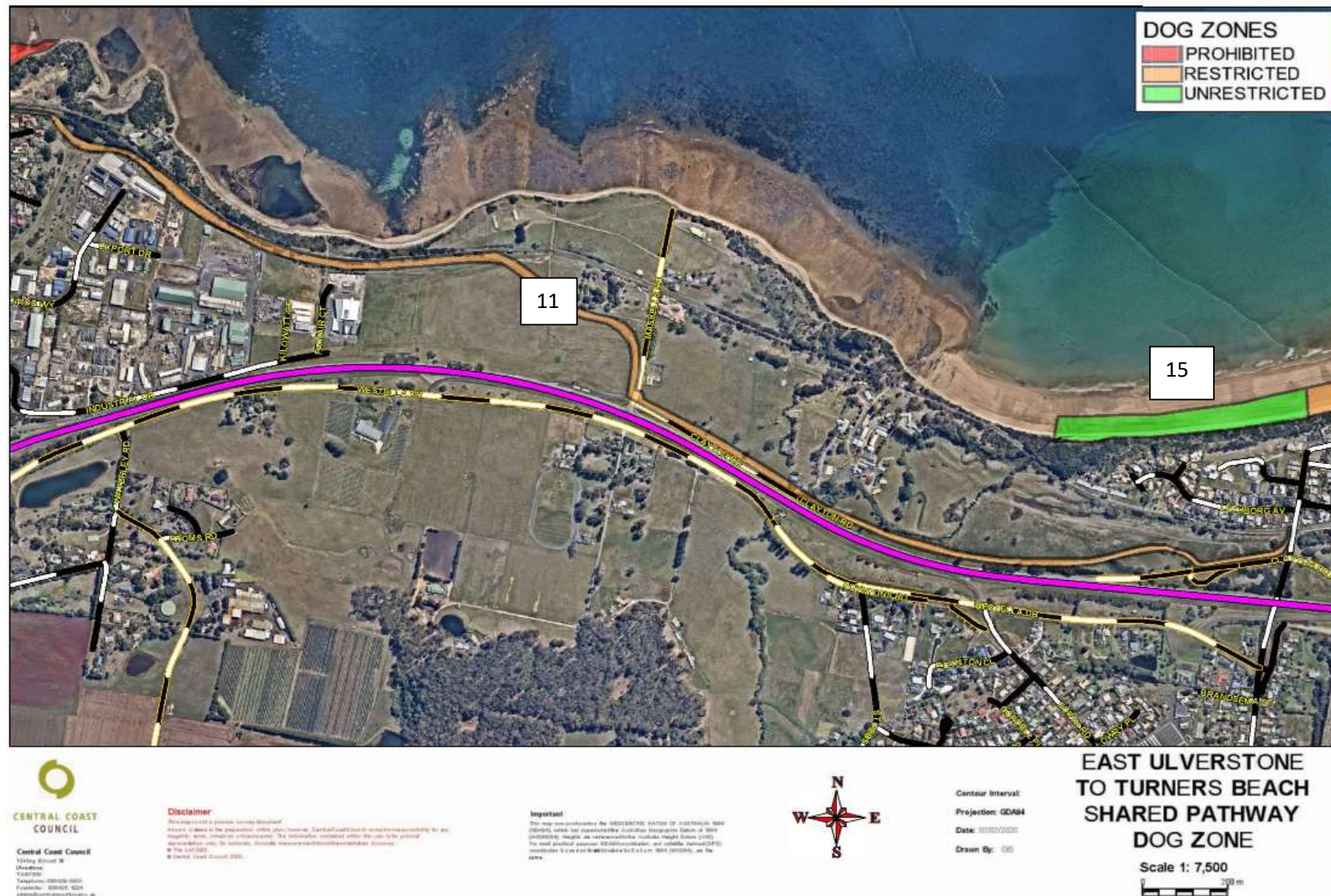


Contour Interval:
 Projection: GDA84
 Date: 07/07/2020
 Drawn By: GCS

**EAST ULVERSTONE
 DOG ZONES**

Scale 1: 6,500
 0 100 200 m







**HEYBRIDGE
RECREATION GROUND**



**DIAL PARK
SPORTING COMPLEX**



**WEST ULVERSTONE
RECREATION GROUND**



**ULVERSTONE
SHOWGROUND**



**RIVER ROAD
RECREATION GROUND**



**ULVERSTONE
RECREATION GROUND**



**HAYWOODS RESERVE
RECREATION GROUND**



**TURNERS BEACH
RECREATION GROUND**



**FORTH
RECREATION GROUND**



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For most ground at purpose (GDA84) coordinates, and relative vertical (GPD)
coordinates based on the mean sea level (MSL) datum, use the
same.



Contour Interval:
Projection: GDA84
Date: 07-07-2020
Drawn By: GIS

**RECREATION GROUNDS
PROHIBITED ZONES**