

# DOGS IN PUBLIC OPEN SPACES POLICY

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<b>Effective Date</b>	20/04/11
<b>Modifications</b>	Nil
<b>Superseded Documents</b>	Policy - Beach areas permitting dogs in the Local Government Area
<b>Review</b>	Team Leader Ranger Services – As Required.
<b>File Number</b>	N/A
<b>Associated Documents</b>	Nil.

## 1. INTRODUCTION

This Policy sets out Port Macquarie Hastings Council's policy relating to dogs in Public Open Spaces, where dogs are permitted and specifies conditions under which dogs are permitted in public areas.

This policy considers current information relating to dogs in public places from “Public Open Space and Dogs – A design and management guide for open space professionals and Local Government by Harlock Jackson Pty Ltd, August 1995” This publication is accepted as the guide for Local Government in planning for dogs in public open space.

Jackson 1995 indicates that there are four principles that need to be established and considered when Council is considering access by dogs to public places and provide a sound basis for assessing the options for dogs access to public open space. They are:

- Provide formal recognition of the legitimacy of dog owners as being a deserving significant group of customers.
- Understand more clearly the needs of both dogs and their owners.
- Aim for integration of dogs with other public space users while recognising that separation is warranted in some instances.
- Councils should apply a strategic approach that considers access on a comprehensive Council wide bases rather than on a piecemeal park by park basis.

The basic premise of the policy and resulting needs to create the specific facilities is driven by the fact that 50% of the Hastings population has at least one dog and therefore should have facilities consistent with their significance. The purpose of establishing off-leash areas and other forms of access for dogs is to provide a location for owners where their dogs can be exercised and socialised with other dogs and therefore reduce problems such as barking and other nuisance behaviour.

The Companion Animals Act 1998 requires all dogs to be under effective control by cord or leash while in a public place. Signage is not required to enforce this effective control provision as it is NSW State legislation. Therefore, unless otherwise stated all public road reserves and park areas allow access for dogs but they must be under effective control.

Signage is used to determine alternatives to on-leash areas including prohibition. With the exception of the existing identified off-leash areas other specific parks, reserves and sporting fields have been determined to prohibit dogs. These areas will be identified by having a "No Dog Allowed" sign erected. The signage has been determined as appropriate in the past and will be enforced by Council under the Local Government Act 1993.

## **2. POLICY OBJECTIVE**

To have Policy for the exercising of dogs that:

- Meets accepted planning guidelines
- Is balanced and generally meets the dog owning and non dog owning community's needs
- Is valued by the community
- Defines areas for varying levels of dog access
- Supports the need for continued education and enforcement

## **3. POLICY SCOPE**

This policy applies to all public land within the Port Macquarie-Hastings local government area.

## **4. DEFINITIONS**

None applicable

## **5. LEGAL & POLICY FRAMEWORK**

- The Companion Animals Act 1998 requires Council to provide at least one off-leash area within the Port Macquarie-Hastings LGA. The form of the off-leash area can be as broad as is indicated in section 13(6) which states:

"A local authority can by order declare a public place to be an off-leash area. Such a declaration can be limited so as to apply during a particular period or periods of the day or to different periods of different days. However, there must at all times be at least one public place in the area of a local authority that is an off-leash area."

- The Local Government Act 1993 allows councils to condition the use of any public area by way of a sign or notice. With the above in mind Council has erected signage at all leash-free areas which clearly state the conditions of use within that area. Acting contrary to signage is dealt with under Section 632(1) of the Act which states:

"A person who, in a public place within the area of a council, fails to comply with the terms of a notice erected by the council is guilty of an offence"

## **6. POLICY STATEMENT**

- To set aside specific beach and reserve areas where dogs are permitted.
- To specify conditions under which dogs are permitted on those specified areas.

## 7. IMPLEMENTATION

### 7.1 Roles and Responsibilities

The primary responsibility for the implementation of this policy lies with the Team Leader Ranger Services. This would take place in consultation with the Manager Parks and Recreation as the responsible officer for the management of parks, reserves and beaches.

### 7.2 Support and Advice

Team Leader Ranger Services and Council's Rangers.

### 7.3 Communication

The community have been consulted during the development of this policy.

In addition, when establishing a Leash-free area, adequate signage is essential to inform members of the community about the conditions of use for that area. The NSW Local Government Act 1993, section 632 permits Council to erect a notice on public land to advise users of the restrictions that apply to that land. Council signage can either be a stand alone sign or as part of a larger sign restricting or informing the public about a range of factors. Where possible a distinct sign is the preferred model. Signage is developed in line with current standards and will include both pictogram and text.

Council will also advise the community of the establishment of leash-free areas through its normal communication methods involving advertising on the Council News section of the local newspapers and via Community Connect Newsletters.

Council's web site will also be updated to include information relevant to the exercising of dogs in public places.

### 7.4 Procedures and Forms

N/A

### 7.5 Guidelines

There are no guidelines associated with the Policy.

## 8. REVIEW

Team Leader Ranger Services will be responsible for reviewing this Policy two (2) years after the commencement date of the Policy.

## POLICY

### BEACHES:

1. **Prohibited Areas: (These areas are highlighted in red on attached maps, annexures A to C).**

Dogs are prohibited on the following beach areas:

- North Shore Beach (adjacent to Corrilla Estate residences).
- Pelican Island, Port Macquarie.
- Town Beach, Port Macquarie.
- Flynn's Beach, Port Macquarie.

- Shelley Beach, Port Macquarie.
- Little Bay, Port Macquarie (directly north of Tacking Point Lighthouse).
- Lighthouse Beach, Port Macquarie (from Tacking Point to Watonga Rocks).
- Cathie Beach, Lake Cathie (from 4WD Beach Access point South to Kywong Street).
- Rainbow Beach, Bonny Hills (from access point for leash-free area South).
- Bartletts Beach, Bonny Hills.
- Grants Beach, North Haven (from northern end of Surf Club carpark to breakwall).
- Pilot Beach, Dunbogan.
- Wash-House Beach, south of the Kattang Nature Reserve Boundary.
- Dunbogan Beach, south of Beach Street Access Point.
- Dunbogan Beach, from Camden Head to the southern boundary of Kattang Nature Reserve.

**2. Permitted Areas – Leashed: (These areas are highlighted in orange on attached maps, annexures A to C).**

Dogs are permitted on the following beach areas whilst under effective control of a competent person by way of a leash, cord or chain:

- Oxley Beach, Port Macquarie.
- Cathie Beach, Lake Cathie (from Kywong Street to Middle Rock)
- Rainbow Beach, Bonny Hills from Leash-Free access point north to Duchess Creek (for access to leash-free area only).
- Dunbogan Beach, Dunbogan (from the southern boundary of Kattang Nature Reserve to the Seaview Avenue beach access point).

**3. Permitted Areas – Unleashed: (These areas are highlighted in green on attached maps, annexures A to C).**

- North Shore Beach from Northern end on Corrilla Estate North to Queens Head 4WD access point.
- North Shore Beach from Southern end of Corrilla Estate South to the breakwall.
- Rocky Beach, Port Macquarie.
- Nobby's Beach, Port Macquarie.
- Lighthouse Beach Port Macquarie from Watonga Rocks south to the 4 WD beach access point Lake Cathie.
- Rainbow Beach, Bonny Hills from Duchess Creek north to Middle Rock.
- Spooney's Bay, Bonny Hills.
- Grants Beach, North Haven from the northern end of the surf club car park, north to Grants Head.
- Washhouse Beach, Dunbogan from the breakwall to the boundary of the Katang Nature Reserve.
- Dunbogan Beach, Dunbogan from the Seaview Ave beach access point south to the Beach St access point.

**4. Exemption for Guide Dogs:**

Notwithstanding the provisions of this policy, guide dogs may be exercised unleashed on any dog permitted beach area.

## **PARKS & RESERVES:**

### **1. Prohibited Areas:**

Parks and Reserves that are classified as Prohibited areas for dogs within our Local Government Area will be signposted appropriately. Signage can be in one of three different forms, words only, Pictorial only or a combination of both. These areas are policed by Councils Rangers and on the spot fines apply for failing to comply with the signage.

### **2. Permitted Areas – Leashed:**

Unless otherwise signposted as described in (1) above all Council Parks and Reserves are permitted areas so long as the dog is under effective control as per section 13(1) of the Companion Animals Act 1998 which states:

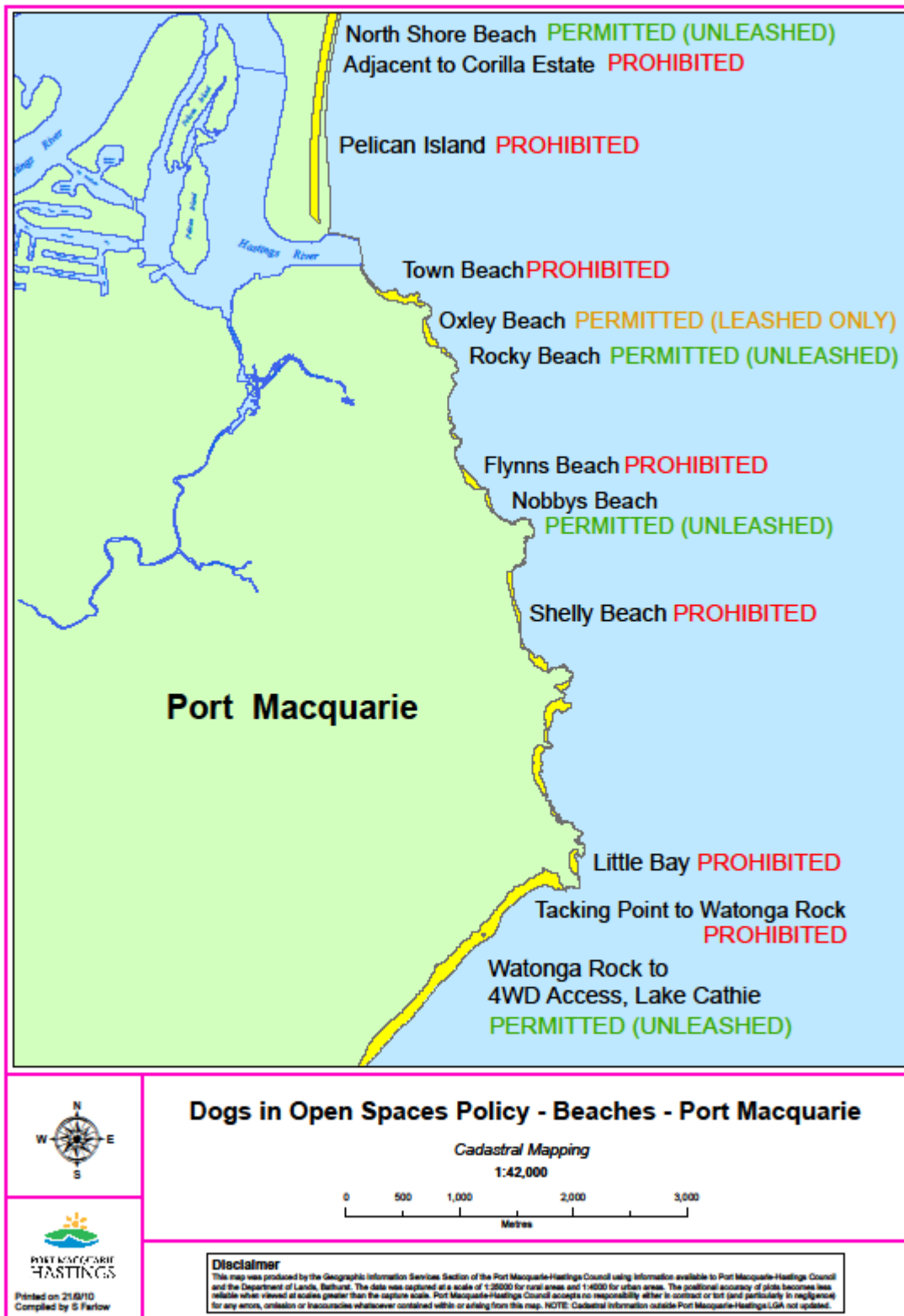
*“A dog that is in a public place must be under the effective control of some competent person by means of an adequate chain, cord or leash that is attached to the dog and that is being held by (or secured to) the person.”*

It is an offence under this section of the Act which attracts an on the spot penalty should you not comply with the above condition.

### **3. Permitted Areas – Unleashed:**

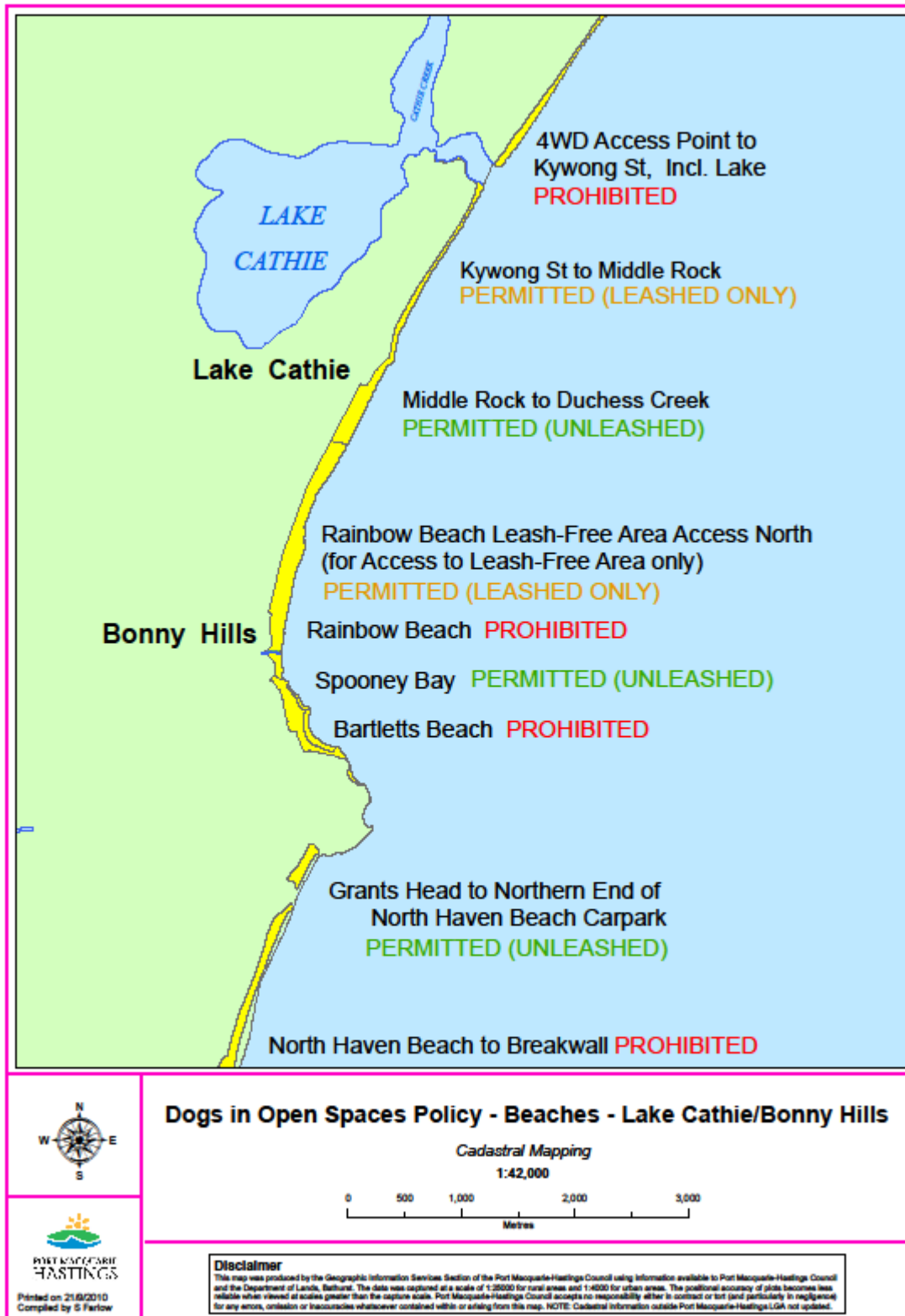
To be determined upon completion of a site selection and community consultation process.

# Annexure "A"

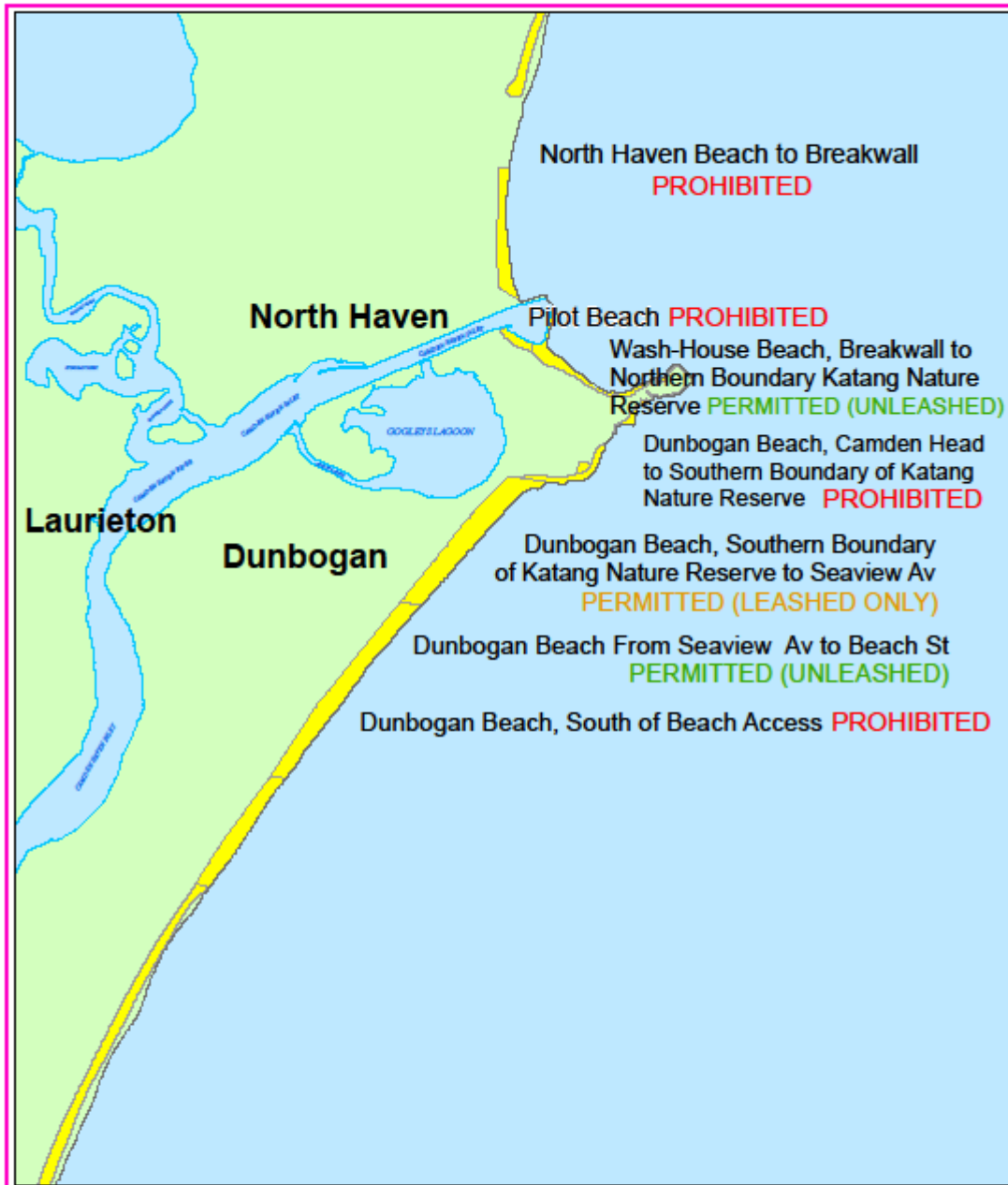


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# Annexure "B"



# Annexure “C”



### Dogs in Open Spaces Policy - Beaches - Camden Haven

Cadastral Mapping  
1:42,000

Printed on 21/01/10  
Compiled by S Farrow

**Disclaimer**  
This map was produced by the Geographic Information Services Section of the Port Macquarie-Hastings Council using information available to Port Macquarie-Hastings Council and the Department of Lands, Bathurst. The data was captured at a scale of 1:25000 for rural areas and 1:4000 for urban areas. The positional accuracy of plots becomes less reliable when viewed at scales greater than the capture scale. Port Macquarie-Hastings Council accepts no responsibility either in contract or tort (and particularly in negligence) for any errors, omission or inaccuracies whatsoever contained within or arising from this map. NOTE: Cadastral information outside Port Macquarie-Hastings LGA not updated.

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