

# CONSOLIDATED LOCAL LAW



**CITY OF MANDURAH**  
**LOCAL GOVERNMENT ACT 1995**  
**DOG ACT 1976**

**DOGS LOCAL LAW 2010**  
(Principle Local Law)  
Gazette Number 43. 22 March 2011

**DOGS AMENDMENT LOCAL LAW 2011**  
Gazette Number 200. 21 October 2011

**DOGS AMENDMENT LOCAL LAW 2012**  
Gazette Number 39. 8 March 2013

PLEASE NOTE:

This is the consolidated local law incorporating:

- Principle Local Law:
  - City of Mandurah Dogs Local Law 2010; and
- Amendments:
  - City of Mandurah Dogs Amendment Local Law 2011;
  - City of Mandurah Dogs Amendment Local Law 2012.

**LOCAL GOVERNMENT ACT 1995**  
**DOG ACT 1976**

CITY OF MANDURAH

**DOGS LOCAL LAW 2010**

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## LOCAL GOVERNMENT ACT 1995

### DOG ACT 1976

#### CITY OF MANDURAH

## DOGS LOCAL LAW 2010

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the *City of Mandurah* resolved on 22 February 2011 and subsequently amended on 27 September 2011 and 29 January 2013 to make the following local law.

### PART 1 - PRELIMINARY

#### 1.1 Citation

This local law may be cited as the *City of Mandurah Dogs Local Law 2010*.

#### 1.2 Definitions

In this local law unless the context otherwise requires -

**Act** means the Dog Act 1976;

**authorised person** means a person appointed by the local government, under section 9.10 of the Local Government Act 1995 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;

**dangerous dog** means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog;

**district** means the district of the local government;

**food premises** means any premises or vehicle in which a food business, as defined in section 10 of the Food Act 2008, is being carried on;

**food transport vehicle** has the meaning given to it in the Food Act 2008;

**local government** means the City of Mandurah;

**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 Planning and Development Act 2005 which applies throughout the whole or a part of the district.

*[Amended by Government Gazette No. 100 of 2011]*

### **1.3 Repeal**

Part VI of *City of Mandurah Consolidated Local Laws* relating to dogs as published in the *Government Gazette* of 13 February 1998 is repealed.

### **1.4 Application**

This local law applies throughout the district.

### **1.5 Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

## **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 to 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 the CEO.
- (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, 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 Unauthorised entry 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 ineffective –
  - (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 \$1000.

### **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) 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;
  - (b) 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;
  - (c) maintain the fence and all gates and doors in the fence in good order and condition; and
  - (d) 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.
- (3)
  - (a) The local government may serve a written direction to the owner of any dog to provide suitable enclosure on the property where the dog is normally kept if in the opinion of the local government the dog is not adequately prevented from escaping from the property.
  - (b) Any person receiving a lawful direction pursuant to subclause (a) shall comply with the direction within 14 days of its service.

**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; or
  - (b) granted an exemption under section 26(3) of the Act.
- (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, 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite.
- (3) Where a person fails to comply with subclause (2), he or she commits an offence.

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

## **PART 4 - APPROVED KENNEL ESTABLISHMENTS**

### **4.1 Interpretation**

In this Part -

***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) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) 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;
- (d) 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;
- (e) the fee for the application for a licence referred to in clause 4.10(1);
- (f) a report of a suitably qualified acoustic consultant verifying that the various plant, equipment and operational noise levels will comply with the requirements of the *Environmental protections (Noise) Regulations 1997*; and
- (g) such other information as the local government requires.

#### **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 within a 200 metre boundary of all land upon which it is proposed to establish the kennel.
- (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(b), 4.3 and 4.5(a) do not apply in respect of the application for a licence.

#### **4.5 When application can be determined**

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

- (a) the applicant has complied with clause 4.2;
- (b) the applicant submits proof that the notices referred to in clause 4.3(1) have been given in accordance with that clause; and
- (c) 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 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; 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, reside 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**

The local government may approve an application for a licence subject to such conditions as the local government considers appropriate.

#### **4.9 Compliance with conditions of approval**

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

**Penalty:** \$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 determined and imposed by the local government under sections 6.16 to 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, this local law or any conditions of the licence; or
  - (c) if 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) Subject to section 8 of the Act and section 66J of the *Equal Opportunity Act 1984* dogs are prohibited absolutely from entering or being in any of the following places –

- (a) a construction, building or demolition site, unless tethered or otherwise constrained within the site;
- (b) all food premises and food transport vehicles;
- (c) an area set aside by a wall, fence, sandpit or other soft fall surface as a children’s playground;
- (d) an area within the high-water mark, bed or water body of a lake, pond, river, creek, stream or water channel on local government property;
- (e) a public building, unless permitted by a sign;
- (f) a public swimming pool;
- (g) a public toilet block or changing room;
- (h) a theatre or picture garden; and
- (i) the following beaches and reserves –
  - (i) the beaches described in schedule 2; and
  - (ii) the reserves described in schedule 3.

(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.

*[Clause 5.1 amended by Government Gazette No. 100 of 2011]*

#### **5.2 Places which are dog exercise areas**

(1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following are dog exercise areas -

- (a) The beaches described in schedule 4; and
- (b) The reserves described in schedule 5.

(2) Subclause (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.

## **PART 6 - MISCELLANEOUS**

### **6.1 Fouling thoroughfares and Public Places**

Any person liable for the control of a dog which excretes on any thoroughfare or public place or on private property within the district without the consent of the occupiers, commits an offence unless the excreta is removed immediately and disposed of –

- (a) on private land with the consent of the occupier; or
- (b) in a receptacle provided by the local government for that purpose.

**Penalty:** \$200.

## **PART 7 - ENFORCEMENT**

### **7.1 Definitions**

In this Part -

***infringement notice*** means the notice referred to in clause 7.4; and

***notice of withdrawal*** means the notice referred to in clause 7.7(1).

### **7.2 Modified penalties**

- (1) The offences contained in Schedule 6 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 6 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 6 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

### **7.3 Prosecution for Offences**

A penalty for an offence against this local law (not being a modified penalty) may be recovered by the local government by taking proceedings against the alleged offender in the Magistrates Court.

### **7.4 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.

#### **7.5 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.

#### **7.6 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.

#### **7.7 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 7.4 cannot sign or send a notice of withdrawal.

#### **7.8 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.

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**SCHEDULE 1 - Application For A Licence For An Approved Kennel  
Establishment**

*Dog Act 1976*  
City of Mandurah  
**Dogs Local Law 2010**

(clause 4.2)

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 1976*.

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OFFICE USE ONLY

Application fee paid on *[insert date]*.

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## **SCHEDULE 2 - Beach Areas Where Dogs Are Prohibited**

*Dog Act 1976*

City of Mandurah

### **Dogs Local Law 2010**

(clause 5.1 (1)(e)(i))

The beach area between -

- (a) the western prolongation of Avoca Place south to western prolongation of Madora Beach Road, Madora Bay;
- (b) the western prolongation of Ajax Place south to the western prolongation of Acheron Road, San Remo;
- (c) the western prolongation of Petina Court south to the north western prolongation of Wade Street, San Remo;
- (d) the north western prolongation of Adonis Street south to the north western prolongation of Henson Street, Silver Sands;
- (e) the northern prolongation of Stewart Street in a westerly direction to the sea wall;
- (f) the north eastern prolongation of Janis Street south to the north eastern prolongation of Sharland Street, Halls Head;
- (g) the north western prolongation of Valley Road to beach access adjacent south to the western prolongation of Lot 565 Halls Head Parade, Halls Head;
- (h) the northern prolongation of Mercedes Avenue west to the western prolongation of Panamuna Drive, Falcon;
- (i) Avalon Beach, the western prolongation of Yeedong Road boat ramp south to the western prolongation of Burna Street, Falcon;
- (j) the north western prolongation of the pedestrian access track off Reserve 46606 (Westview Parade car park) north east 250 metres to the pedestrian access track leading from Avalon Place, Wannanup;
- (k) the western prolongation of northern end of Hunter St car park south to the western prolongation of Lot 166 Florida Parade; and
- (l) western prolongation of the northern boundary of the Melros Beach car park south to the western prolongation of the pedestrian beach access path adjacent to Lot 328 Oceanic Drive, Melros.

*[Schedule 2 amended by Government Gazette No. 34 of 2013*

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### **SCHEDULE 3 - Reserves Where Dogs Are Prohibited**

*Dog Act 1976*

City of Mandurah

#### **Dogs Local Law 2010**

(clause 5.1 (1)(e)(ii))

- (1) Northern end of Peelwood Oval (main stadium) portion of Reserve no. 38615 bounded by Peelwood Parade, Old Coast Road and Mahogany Drive, Halls Head.
- (2) Rushton Park (main oval/stadium) portion of Reserve no. 19312.
- (3) The area commonly known as the Bird Sanctuary situated within Reserve no. 32836 located at the south-east end of John Street, Coodanup, then in a north- west direction along Reserve no. 32836 to the south-west prolongation of William Street.
- (4) The island on Yindana Lake Reserve no. 48495, bounded by Yindana Boulevard and Nullewa Parkway Lakelands.
- (5) Caterpillar Park playground enclosure, portion of Milgar Reserve No. 34267, bounded by Milgar Street, Park Rd and Reserve Drive, Mandurah.

*[Schedule 3 amended by Government Gazette No. 34 of 2013*

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## **SCHEDULE 4 - Beach Areas Where Dogs May Be Exercised**

*Dog Act 1976*

City of Mandurah

### **Dogs Local Law 2010**

(clause 5.2 (1)(a))

The beach area between -

- (a) The western prolongation of the northern boundary of the district to south to the western prolongation of Avoca Place, Madora;
- (b) The western prolongation of the southern boundary of Parmelia Way, Madora south to the western prolongation of Ajax Place, San Remo;
- (c) The western prolongation of Acheron Street south to the western prolongation of the beach access path located adjacent to Lot 72 Ronsard Drive, San Remo;
- (d) The western prolongation from the southern beach access pathway of the car park located at the intersection of Ronsard Drive/Watersun Parade south to the western prolongation to Petina Court, San Remo;
- (e) The north western prolongation of Wade Street south west to the north western prolongation of Priam Road, Silversands;
- (f) The north western prolongation of Henson Street south west to the north western prolongation of Stewart Street, Mandurah;
- (g) The western extremities of the rock groyne at the Peel Inlet entrance which forms part of Reserve 31499 west to the north eastern prolongation of Janis St, Halls Head;
- (h) The north eastern prolongation of Sharland Street south west to the western prolongation of Valley Road, Halls Head;
- (i) The western prolongation of the pedestrian beach access pathway adjacent to Lot 565 Halls Head Parade southerly to the western prolongation of the pedestrian beach access pathway adjacent to lots 1670 and 1671 Caravel Way, Halls Head;
- (j) The north western prolongation of the pedestrian beach access pathway adjacent to the public toilet located on part of reserve 27051, commonly known as the Calypso beach toilet block southerly to the north western prolongation of the southern end of Gretel Drive, Falcon;

- (k) The north western prolongation of Rowena Street south to the northern prolongation of Mercedes Avenue, Falcon;
- (l) The northern prolongation of the western end of Falcon Bay car park south to the western prolongation of Yeedong Rd boat ramp, Falcon;
- (m) The north western prolongation of the pedestrian access track off Reserve 46606 (Westview Parade car park) southerly to the Dawesville Cut, Wannanup;
- (n) The south western prolongation of the southern end of Pyramids Beach car park south to the north western prolongation of the northern end of Hunter St car park, Florida;
- (o) The western prolongation of the beach access at Lot 166 Florida Parade south to the western prolongation of Edwards Street, Melros; and
- (p) The western prolongation of the beach access path adjacent to Lot 328 Oceanic Drive, Melros south to the southern boundary of the district.

*[Schedule 4 amended by Government Gazette No. 34 of 2013*



## **SCHEDULE 5 - Reserves Where Dogs May Be Exercised**

*Dog Act 1976*

City of Mandurah

### **Dogs Local Law 2010**

(clause 5.2 (1)(b))

- (1) Reserve no. 48023 excluding recreational area, bounded by Lord Hobart Drive, George Hibbert Drive, Challenger Road and Hope Gardens, Madora Bay.
- (2) Reserve no: 47852 "Karinga Reserve" bounded by Karinga Road and Guillardon Terrace, San Remo.
- (3) Reserve no: 27810 bounded by Mandurah Terrace, Silver Sands, excluding the area fenced and set aside as a children's Playground.
- (4) Reserve no. 49411 Vivaldi Drive, Mandurah.
- (5) Rigel Reserve no. 24709 bounded by Rigel Rd, Cygni Street and Adana St, Dudley Park.
- (6) Roy Tuckey Reserve no. 37885 bounded by Balranald, Manildra Drive and Mandurah Road, Dudley Park.
- (7) Koolyanga Reserve no.43839 bounded by Koolyanga Rd, Greenfields.
- (8) Reserve no. 28458 & 28243 bounded by Dampier Avenue, Novara.
- (9) Reserve no. 32836 "Coodanup Foreshore" bounded by Peel Parade, between the southern prolongation of Beacham Street east to the southern prolongation of William Road, Nairns.
- (10) Reserve 40075 Leslie Street Reserve bounded by Leslie Street, Waterside Drive and Mandurah Road, Dudley Park.
- (11) Reserve no. 39886 & 39890 Waterside Drive, beginning 50m north of BBQ area to northern point of reserve, Dudley Park.
- (12) Reserves no. 27810 & 37290 & 37279 & 35461 - western side of Mandurah Terrace from Adonis Street to Watersun Drive, Silver Sands.
- (13) Reserve no.37529 – Amazon Drive Reserve (abutting the Bypass Road) excluding the playground equipment area which is a prohibited dog area.
- (14) Joseph Cooper Reserve no. 41925 bounded by Mary Street, Dalrymple Tce, McLarty Road and Leighton Road, Halls Head.
- (15) Janis Street Reserve no. 32109 bounded by Janis Street, Clipper Way, McLarty Road and Wilkins Street, Halls Head.

- (16) Lot no. 1878 of Reserve no. 27051 bounded by Calypso Street and McLarty Road, Halls Head, excluding the car park, toilet and picnic area of the reserve, which is to be a dog on lead area.
- (17) Reserve no. 44657- Wilderness Drive, Dawesville.
- (18) Portion of Reserve No. 36027 –Estuary Road Foreshore Reserve -from the western side of the existing dual use path on Estuary Road, Dawesville to the estuary foreshore as of the northern commencement of Estuary Road, south to the southern prolongation of Iluka Street, Dawesville. Then to recommence again within the Reserve from the southern prolongation of Loton Road Dawesville south, to the commencement of Warragup Springs picnic area off Estuary Road, Dawesville.
- (19) The southern and centre ovals of Peelwood Ovals, portion of Reserve no. 38615 bounded by Old Coast Road,, Peelwood Parade, Mahogany Drive and Fuschis Place, Halls Head.
- (20) Lot 500 Dower Street commonly known as Rushton Park North.
- (21) Hall Park Reserve no.27581 bounded by Leighton Place and Mary Street, Halls Head, excluding—
- a. War Memorial site Reserve no. 42921; and
  - b. the portion of Reserve no. 27581 bounded by Mary Street, the southern entry into Reserve no. 27581 off Mary Street, north following the driveway and fire brigade running track to the south-east corner of Reserve no. 42921 east to the estuary.
- (22) Bortolo Oval Reserve no. 77593 & 41978 bounded by Bortolo Drive, Lowden Street, Murdoch Drive and Waldron Boulevard, Greenfields.
- (23) Merlin Oval Reserve no. 27874 bounded by Merlin Street and Old Coast Road, Falcon and Karon Vista, Halls Head.
- (24) Falcon Oval Reserve no. 32501 bounded by Lynda Street, Melita Street, Flame Street and Cobblers Street, Falcon.
- (25) Reserve no. 47709 bounded by Baloo Crescent and Beachview Court, Wannanup.
- (26) Reserve no. 48366 bounded by Oakmont Avenue, Meadow Springs.

*[Schedule 5 amended by Government Gazette No. 34 of 2013*

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## SCHEDULE 6 - Offences In Respect Of Which Modified Penalty Applies

*Dog Act 1976*

City of Mandurah

**Dogs Local Law 2010**

(clause 7.2)

<b>Offence</b>	<b>Nature of offence</b>	<b>Modified penalty</b>	<b>Dangerous Dog Modified Penalty</b>
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
3.2(2)	Keeping more than 2 dogs without approval	\$100	\$200
4.9	Failing to comply with the conditions of a licence	\$200	
5.1(1)(a)	Dog not tethered on building site	\$100	
5.1(2)	Dog in place from which prohibited absolutely	\$200	\$400
6.1	Dog excreting in prohibited place	\$100	

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Dated this 1st day of March 2011

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

PATRICIA M. CREEVEY, OAM, Mayor

MARK R. NEWMAN, Chief Executive Officer

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