

*By-law made under the Local Government Act 1999  
and the Dog and Cat Management Act 1995*

## **DOGS BY-LAW 2024**

### **By-law No. 5 of 2024**

*For the management and control of dogs within the Council's area.*

#### **Part 1 – Preliminary**

##### **1. Short Title**

This by-law may be cited as the *Dogs By-law 2024*.

##### **2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

##### **3. Definitions**

In this by-law:

- 3.1 **approved kennel establishment** means a building, structure or area approved by the relevant authority, pursuant to the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016* for the keeping of dogs on a temporary or permanent basis;
- 3.2 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;
- 3.3 **Board** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.4 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 10 metres of such devices if there is no enclosed area);
- 3.5 **control**, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;
- 3.6 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;

- 3.7 **effective control** means a person exercising effective control of a dog either:
- 3.7.1 by means of a physical restraint;
  - 3.7.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.8 **keep** includes the provision of food or shelter;
- 3.9 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **shared path** has the same meaning as in the *Australian Road Rules*;
- 3.11 **wetland area** includes any park, reserve, scrub, trail or other land adjacent to a wetland.

## Part 2 – Dog Management and Control

### 4. Dog Free Areas

- 4.1 A person must not on any local government land to which this paragraph applies allow a dog in that person's control to be in or remain in that place unless the dog is an assistance dog;

### 5. Dog on Leash Areas

A person must not allow a dog under that person's control to be or remain:

- 5.1 on local government land or public place to which the Council has resolved that this subparagraph applies;
- 5.2 on any park or reserve during times when organised sport is being played;
- 5.3 within 10 metres of children's playground equipment;
- 5.4 within 10 metres of any outdoor fitness equipment;
- 5.5 on a shared path;
- 5.6 in any wetland area;

unless the dog is secured by a strong leash not exceeding 2 metres in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

### 6. Dog Exercise Areas

- 6.1 A person may enter upon any part of local government land identified by the Council as a dog exercise area in accordance with paragraph 8 for the purpose of exercising a dog under his or her control.

- 6.2 Where a person enters upon such part of local government land for that purpose, they must ensure that the dog under their control remains under effective control while on that land.

**7. Limit on Dog Numbers**

- 7.1 The limit on the number of dogs kept on any premises shall be two dogs.
- 7.2 A person must not, without obtaining written permission of the Council, keep any dog on any premises where the number of dogs exceeds the limit unless the premises is an approved kennel establishment.

**Part 3 – Miscellaneous**

**8. Application**

Any of paragraphs 4.1, 5.1 and 6.1 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246 of the *Local Government Act 1999* and as are denoted by signs erected by the Council and information provided to the public in a manner determined by the Council's Chief Executive Officer.

**9. Revocation**

Council's *By-law No. 5 – Dogs*, published in the *Gazette* on 9 May 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on the 16 day of July 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.



.....  
Mr Angelo Catinari  
Chief Executive Officer

# Application of By-law 5:

## Dogs

February 2026

## Application of City of West Torrens By-law 5: Dogs 2024

Council conducted the most recent review of its by-laws during 2024, and at the Council meeting on 16 July 2024, resolved to (re)make five by-laws:

- By-law 1 - Permits and Penalties
- By-law 2 - Local Government Land
- By-law 3 - Roads
- By-law 4 - Moveable Signs
- By-law 5 - Dogs

The above by-laws were gazetted on 25 July 2024 in the South Australian Government Gazette and commenced operation four months later on 25 November 2024.

Section 246(3)(e) of the *Local Government Act 1999* (SA) enables Council to "provide that a by-law, or a provision of a by-law, applies only within a part or parts of an area as the council may determine from time to time".

Section 246(3)(f) of the Act enables Council to "provide that a matter or thing is to be determined, dispensed with, regulated or prohibited according to the discretion of council".

A number of the provisions within **By-law 5 - Dogs** require Council to resolve which locations the provisions apply to. This document details those provisions which Council resolved apply to specific locations at its meeting held on 17 February 2026.

A copy of the resolution in full is provided on the following page, followed by details of each of the relevant locations.

## **16.6 Application of By-laws for Activities on Local Government Land and Dogs On-leash and Off-leash Areas**

This report sought Council's approval of the application of certain provisions within *By-Law 2 Local Government Land* and *By-Law 5 Dogs*.

The Presiding Member invited the General Manager Communities to provide a brief summary and additional insight into the context of the report.

### **RECOMMENDATION**

It is recommended to Council that it resolves the following:

#### ***By-Law 2 - Local Government Land***

1. Pursuant to the power contained in section 246(3)(e) of the *Local Government Act 1999*, in relation to *By-Law 2 Local Government Land 2024* the Council resolves as follows:
  - (a) subparagraph 4.6.1.3 shall apply to all waters on local government land;
  - (b) subparagraph 4.8 shall apply to all waters on local government land;
  - (c) subparagraph 4.10 shall apply to all waters on local government land;
  - (d) subparagraph 4.20.1 shall apply to all waters on local government land;
  - (e) subparagraph 4.20.2 shall apply to all bridges and structures on local government land;
  - (f) subparagraph 4.28.2 shall apply to the West Torrens Memorial Gardens (Certificate of Title Volume 2437 Folio 129) (Attachment 1, Image 1 of the Agenda report);
  - (g) subparagraph 4.32.2 shall apply to all local government land;
  - (h) subparagraph 4.32.3 shall apply to all local government land;
  - (i) subparagraph 4.46.1 shall apply to all local government land, and:
    - A. permission will not be granted for the activities specified in subparagraph 4.46.1 of the *Local Government Land By-law 2024* to take place in West Torrens Memorial Gardens (Certificate of Title Volume 2437 Folio 129) (Attachment 1, Image 1 of the Agenda report); and
    - B. notwithstanding 1(i)(A) above, memorial events may be held in the West Torrens Memorial Gardens subject to the discretion and approval of the CEO (or delegate);
  - (j) subparagraph 4.46.2 shall apply to all local government land, and:
    - A. permission will not be granted for the activities specified in subparagraph 4.46.2 of the *Local Government Land By-law 2024* to take place in West Torrens Memorial Gardens (Certificate of Title Volume 2437 Folio 129) (Attachment 1, Image 1 of the Agenda report); and
    - B. notwithstanding recommendation 1(j)(A) above, a marquee, stage or structure may be approved for erection in the West Torrens Memorial Gardens for Memorial events, subject to the discretion and approval of the CEO (or delegate).

**By-Law 5 - Dogs**

1. Pursuant to the power contained in sections 246(3)(e) of the *Local Government Act 1999*, the application of *By-Law 5 Dogs* as follows:
  - (a) the following areas are 'Dog Free Areas' for the purposes of subparagraph 4.1:
    - A. all fenced playgrounds at the following locations:
      - i. Apex Park, West Beach (Certificate of Title Volume 5763 Folio 915) (Attachment 1, Image 2 of the Agenda report);
      - ii. Beare Avenue Reserve, Ramsey Street, Netley (Certificate of Title Volume 5678 Folio 881) (Attachment 1, Image 3 of the Agenda report);
      - iii. Coast Watchers Reserve, Coral Sea Road, Fulham (Certificate of Title Volume 3856 Folio 114) (Attachment 1, Image 4 of the Agenda report);
      - iv. College Grove Reserve, Lipsett Terrace, Brooklyn Park (Certificate of Title Volume 5713 Folio 495) (Attachment 1, Image 5 of the Agenda report);
      - v. Cromer Street Reserve, Camden Park (Certificate of Title Volume 5835 Folio 968) (Attachment 1, Image 6 of the Agenda report);
      - vi. Dove Street Reserve, Dew Street, Thebarton (Certificate of Title Volume 5218 Folio 560, Certificate of Title Volume 5706 Folio 288, Certificate of Title Volume 5797 Folio 293, Certificate of Title Volume 5807 Folio 344, Certificate of Title Volume 5218 Folio 561) (Attachment 1, Image 7 of the Agenda report);
      - vii. Frank Norton Reserve, Fairfax Terrace, Torrensville (Certificate of Title Volume 5657 Folio 421) (Attachment 1, Image 8 of the Agenda report);
      - viii. Fulham Community Centre, Fitch Road, Fulham (Certificate of Title Volume 5344 Folio 959) (Attachment 1, Image 9 of the Agenda report);
      - ix. Golflands Reserve, Aroona Avenue, Glenelg North (Certificate of Title Volume 5519 Folio 21) (Attachment 1, Image 10 of the Agenda report);
      - x. Grassmere Reserve, Cross Terrace, Kurralta Park (Certificate of Title Volume 5542 Folio 516) (Attachment 1, Image 11 of the Agenda report);
      - xi. Rex Jones Reserve, Talbot Avenue, North Plympton (Certificate of Title Volume 5839 Folio 165) (Attachment 1, Image 12 of the Agenda report);
      - xii. Sandringham Reserve, Kinkaid Avenue, North Plympton (Certificate of Title Volume 5998 Folio 425) (Attachment 1, Image 13 of the Agenda report);
      - xiii. Weigall Oval, Birdwood Terrace, Plympton (Certificate of Title Volume 5865 Folio 249) (Attachment 1, Image 14 of the Agenda report);
      - xiv. Westside Bikeway Reserve, Creslin Terrace, Camden Park (Certificate of Title Volume 5499 Folio 799) (Attachment 1, Image 15 of the Agenda report);
    - B. Clifford Street Reserve, Torrensville (Certificate of Title Volume 5775 Folio 663) (Attachment 1, Image 16 of the Agenda report);

- C. Plympton Community Garden, Plympton (Certificate of Title Volume 5454 Folio 76) (Attachment 1, Image 17 of the Agenda report);
  - D. Kurralta Park Community Garden, Kurralta Park (Certificate of Title Volume 5542 Folio 516) (Attachment 1, Image 18 of the Agenda report); and
  - E. Netley Community Garden, Netley (Certificate of Title Volume 6137 Folio 601) (Attachment 1, Image 19 of the Agenda report).
- (b) 'Dog on Leash Areas' for the purposes of subparagraph 5.1 shall apply on all local government land where a sign is erected identifying the area as requiring dogs to be on leash.
- (c) the following areas are 'Dog Exercise Areas' for the purposes of subparagraph 6.1:
- A. West Torrens Dog Park, Torrensville (Certificate of Title Volume 5710 Folio 643) (Attachment 1, Image 20);
  - B. West Torrens Dog Park, Marleston (Certificate of Title Volume 6052 Folio 101) (Attachment 1, Image 21); and
  - C. Clifford Street Dog Park, Torrensville (Certificate of Title Volume 5775 Folio 663) (Attachment 1, Image 22).

### **Commencement of Application of By-Laws**

2. That Council authorises the application of By-laws, as resolved and pursuant to the powers contained in section 246(3)(e) and (f) of the *Local Government Act 1999*, to take effect from the date of publication of the relevant Notice in the SA Government Gazette.

### **RESOLUTION**

Moved: Cr John Woodward  
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

**CARRIED**

**8.27pm** Cr Daniel Huggett left the meeting.

### **16.7 Nominations Sought for the Stormwater Management Authority**

**8.33pm** Mayor Michael Coxon declared a material conflict of interest in relation to this item because he wished to nominate for the Stormwater Management Authority. Mayor Coxon left the meeting for the discussion and vote on the item.

**8.33pm** Cr Daniel Huggett returned to the meeting.

As Mayor Michael Coxon, Presiding Member, left the meeting, Cr Kym McKay as Deputy Mayor, assumed the Chair as Presiding Member.

This report sought nominations to be submitted to the Local Government Association for a remunerated position on the Stormwater Management Authority.

## Dog on Leash Areas

Section 5.1 of By-law 5: Dogs states:

***A person must not allow a dog under that person's control to be or remain: on local government land or public place to which the Council has resolved that this subparagraph applies.***

Council resolved this requirement applies to all local government land where a sign is erected identifying the area as requiring dogs to be on a leash.

This means that in the locations where a sign is in place stating that dogs must be on a leash, then all dogs must be on a leash in that area at all times.

## Dog Free Areas

Section 4.1 of By-law 5: Dogs states:

***A person must not on any local government land to which this paragraph applies allow a dog in that person's control to be in or remain in that place unless the dog is an assistance dog.***

Council has resolved the application of paragraph 4.1 to a number of locations within the Council area. These locations are listed below.

The effect of this decision is that a person must not allow a dog under their control to enter or remain in the listed locations (unless the dog is an assistance dog).

*Note: (CT-XXX/XXX) means (Certificate of Title Volume / Folio).*

- Apex Park, West Beach (CT-5763/915) (Fenced Playground Only)



- Beare Avenue Reserve, Ramsey Street, Netley (CT-5678/881) (Fenced Playground Only)



- Clifford Street Reserve, Torrensville (CT-5775/663)



- Coast Watchers Reserve, Coral Sea Road, Fulham (CT-3856/114) (Fenced Playground Only)



- College Grove Reserve, Lipsett Terrace, Brooklyn Park (CT-5713/495) (Fenced Playground Only)



- Cromer Street Reserve, Camden Park (CT-5835/968) (Fenced Playground Only)



- Dove Street Reserve, Dew Street, Thebarton (CT-5218/560, CT-5706/288, CT-5797/293, CT-5807/344, CT-5218/561) (Fenced Playground Only)



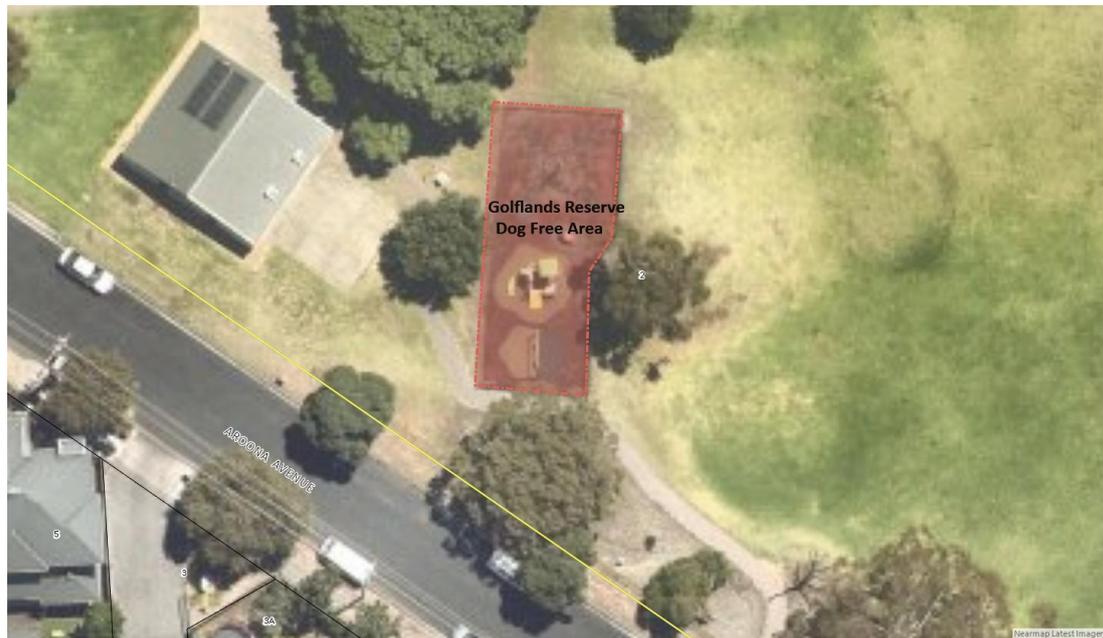
- Frank Norton Reserve, Fairfax Terrace, Torrensville (CT-5657/421) (Fenced Playground Only)



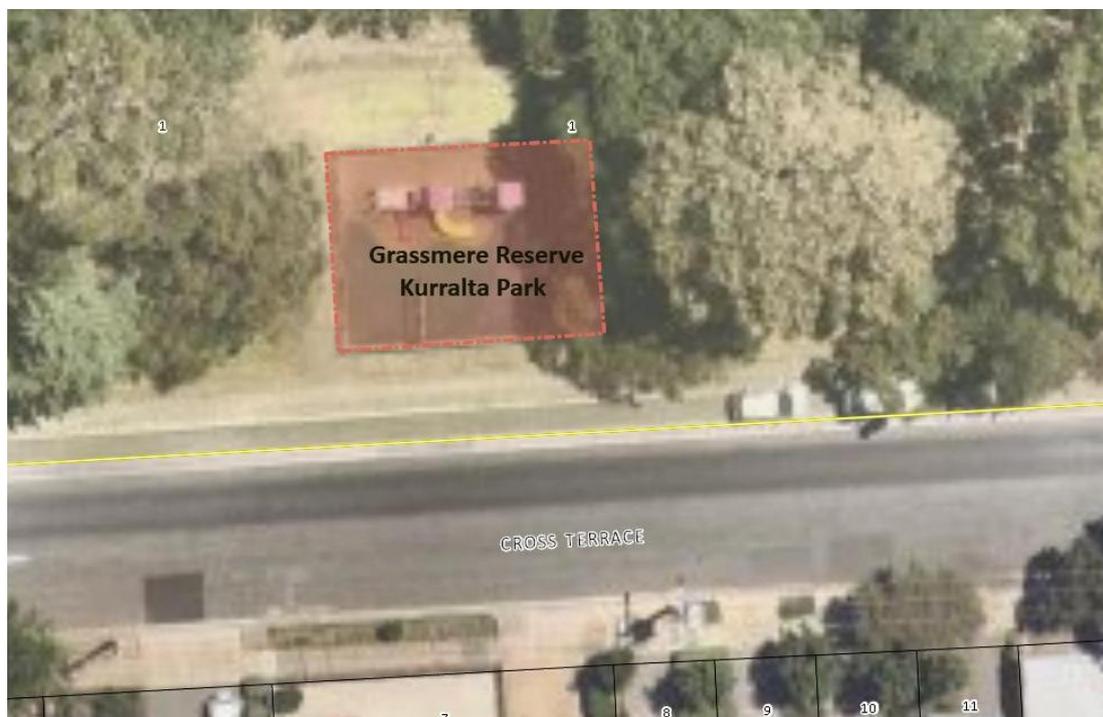
- Fulham Community Centre, Fitch Road, Fulham (CT-5344/959) (Fenced Playground Only)



- **Golflands Reserve, Aroona Avenue, Glenelg North (CT-5519/21) (Fenced Playground Only)**



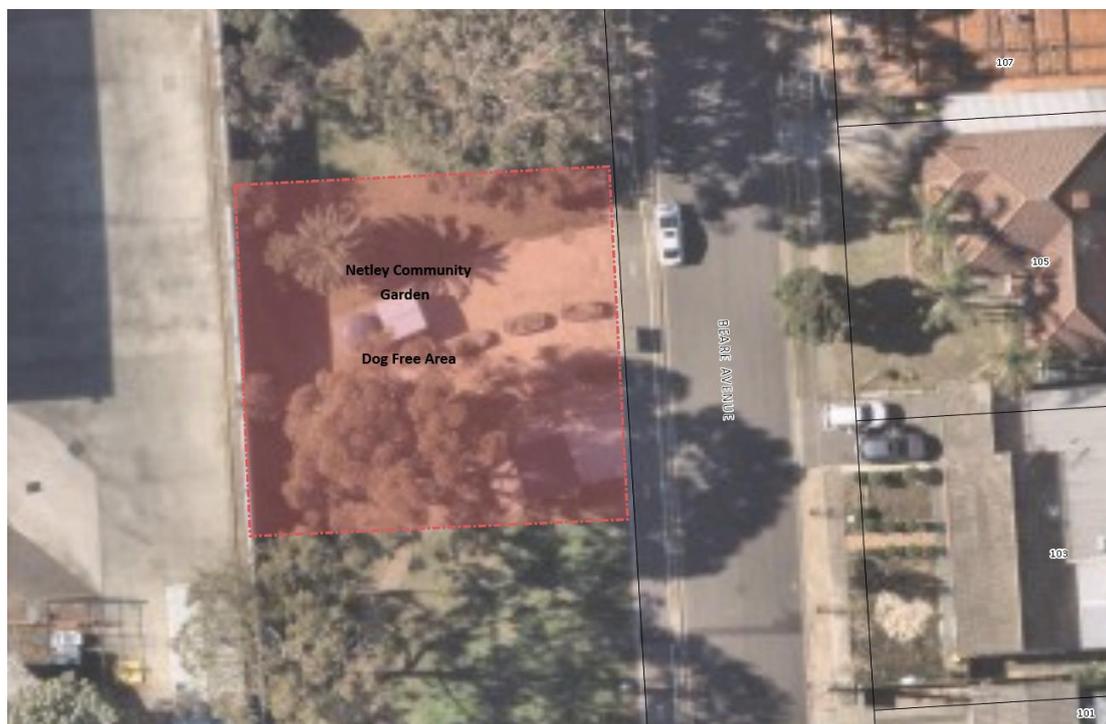
- **Grassmere Reserve, Cross Terrace, Kurralta Park (CT-5542/516) (Fenced Playground Only)**



- Kurralta Park Community Garden, Kurralta Park (CT-5542/516)



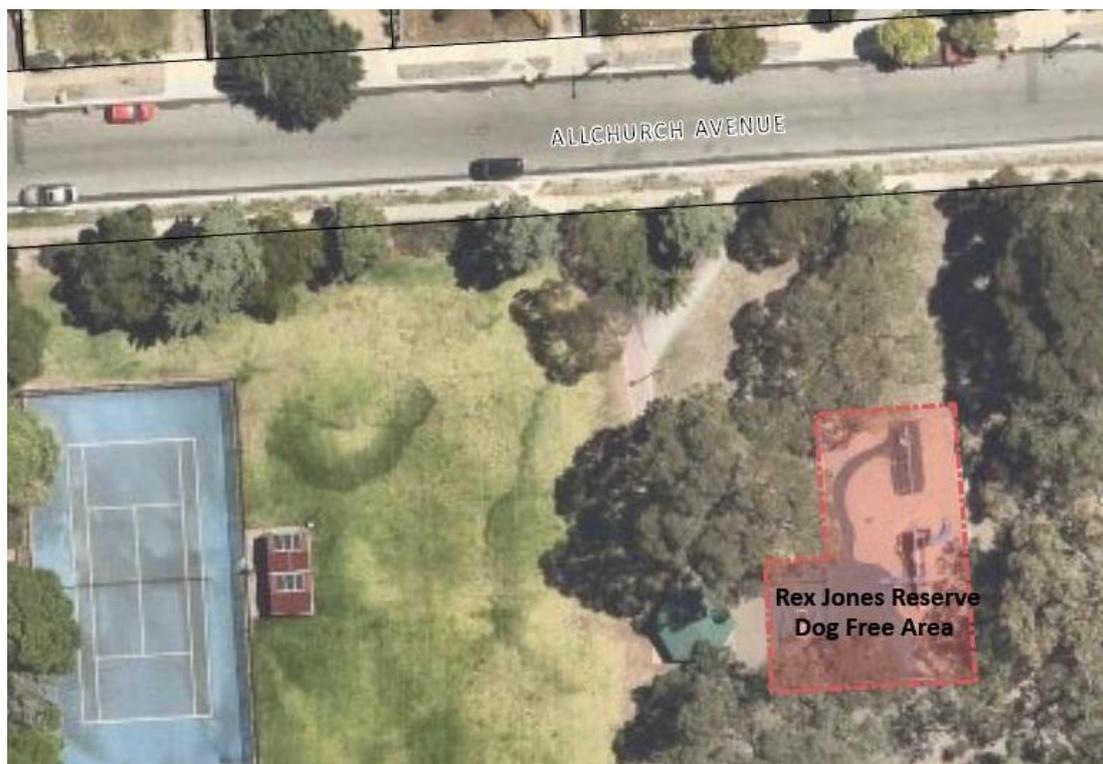
- Netley Community Garden, Netley (CT-6137/601)



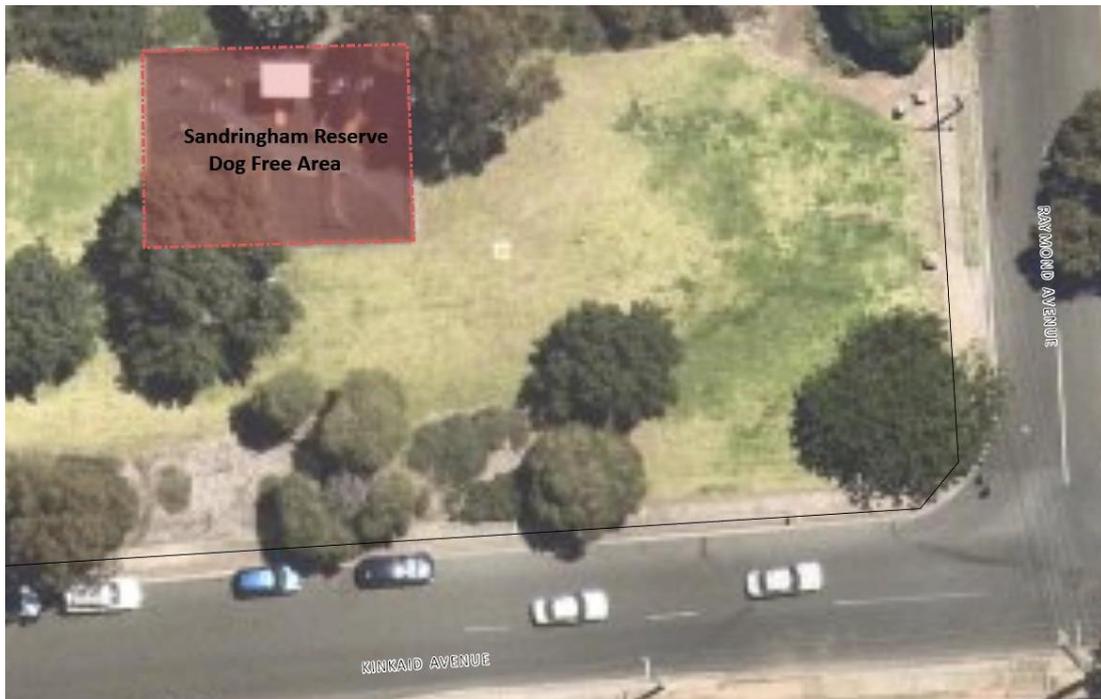
- Plympton Community Garden, Plympton (CT-5454/76)



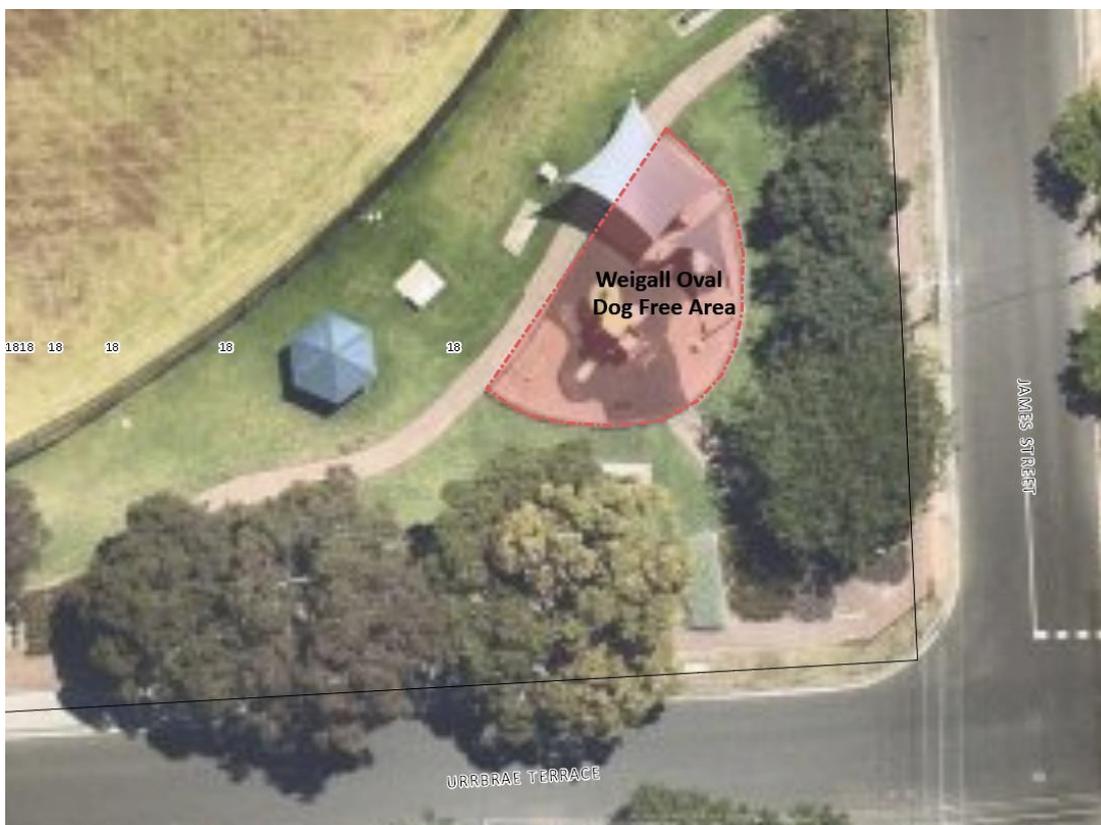
- Rex Jones Reserve, Talbot Avenue, North Plympton (CT-5839/165) (Fenced Playground Only)



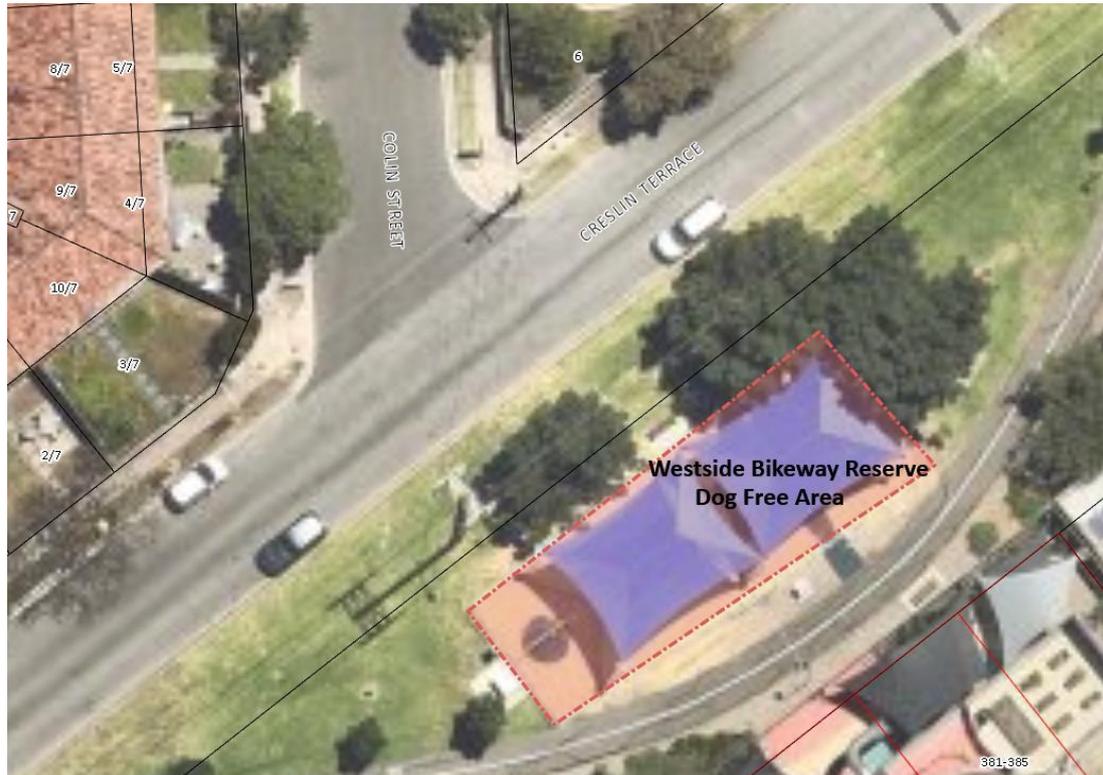
- Sandringham Reserve, Kinkaid Avenue, North Plympton (CT-5998/425) (Fenced Playground Only)



- Weigall Oval, Birdwood Terrace, Plympton (CT-5865/249) (Fenced Playground Only)



- Westside Bikeway Reserve, Creslin Terrace, Camden Park (CT-5499/799) (Fenced Playground Only)



## Dog Exercise Areas

Section 6.1 of By-law 5: Dogs states:

***A person may enter upon any part of local government land identified by the Council as a dog exercise area in accordance with paragraph 8 for the purpose of exercising a dog under his or her control.***

This means that in the locations listed below, a person may exercise their dog (off leash) provided the dog remains under the responsible person's effective control.

Note: (CT-XXX/XXX) means (Certificate of Title Volume / Folio).

- West Torrens Dog Park, Torrensville (CT-5710/643)



- B. West Torrens Dog Park, Marleston (CT-6052/101)



- C. Clifford Street Dog Park, Torrensville (CT-5775/663)

