DISTRICT COUNCIL of TUMBY BAY

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

DOGS BY-LAW 2025

By-law No. 2 of 2025

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 2025*.

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 5 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 **park** has the same meaning as in the *Dog and Cat Management Act 1995*;

3.11 **reserve** has the same meaning as in the *Local Government Act 1999*;

3.12 **township** has the same meaning as in the *Local Government Act 1999*;

3.13 **wetland area** includes any park, reserve, scrub, trail or other land adjacent to a wetland;

3.14 **working livestock dog** has the same meaning as in the *Dog and Cat Management Act 1995*;

Part 2 – Dog Management and Control

4. Dog Prohibited 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;

4.2 A person must not allow a dog under that person's control to be or remain on any local government land that has been identified as a Hooded Plover breeding site by a temporary fenced exclusion zone with a sign at least 50 metres away from the fence to indicate a Hooded Plover nest is or may be present on the land or in the vicinity.

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, training or other community event is being conducted;

5.3 within 5 metres of children's playground equipment;

5.4 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 within a township shall be two dogs.

7.2 The limit on the number of dogs kept on any premises outside a township is four dogs.

7.3 Up to five working livestock dogs may be kept on premises outside a township in addition to the limit prescribed in subparagraph 7.2.

7.4 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.

7.5 The restrictions in subparagraphs 7.1 and 7.2 do not apply to any assistance dog.

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. 2 – Dogs*, published in the *Gazette* on 20 July 2018, 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 District Council of Tumby Bay held on the 11 day of November 2025 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Darren Keenan

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Mr Darren Keenan
Chief Executive Officer