

Attachment One – Dog Control Order

MONASH CITY COUNCIL

Dog Control Order

At its meeting on 25 August 2015 Monash City Council resolved to make Order Number 4 pursuant to section 26(2) of the *Domestic Animals Act 1994*.

Domestic Animals Act 1994

1. Revocation

- (1) All previous Orders made by Council under section 26 of the *Domestic Animals Act 1994* are revoked.

2. Dogs must be under effective control

- (1) The Owner of any dog must keep the dog under effective control by means of a chain, cord or leash (not exceeding 1.5 metres in length) held by the Owner and attached to the dog while the dog is in a Public Place except where that Public Place is a Designated Reserve or Prohibited Area.
- (2) Sub-clause (1) does not apply where a chain, cord or leash attached to the dog is securely fastened to a post or other fixture and the dog remains under sight or voice control by the owner.

3. Prohibited Areas

- (1) A dog must not enter or remain in any Prohibited Area.
- (2) The prohibition under sub-clause (1) applies in a Prohibited Area regardless of whether or not the dog is on a chain, cord or leash.

4. Owner's obligations in a Designated Reserve

- (1) A dog may be exercised off a chain, cord or leash in a Designated Reserve if the Owner:
 - (a) carries a chain, cord or leash not exceeding 1.5 metres in length sufficient to bring the dog under control by placing the dog on the chain, cord or leash if the dog behaves in a manner which threatens any person or animal.
 - (b) remains in effective voice or hand control of the dog and within constant sight of the dog so as to be able to promptly bring the dog under control by placing the dog on a chain, cord or leash (not exceeding 1.5 metres in length) if that becomes necessary or desirable to avoid any wandering out of effective control or to avoid any threatening behaviour or any attack; and
 - (c) does not allow the dog to worry or otherwise threaten any person or animal, and does not allow the dog to attack any person or animal.
- (2) If a dog is off a chain, cord or leash in a Designated Reserve it must be brought under effective control by means of a chain, cord or leash (not exceeding 1.5 metres in length) if the dog is within twenty metres of:
 - (a) an arena or ground whilst being used for an organised sporting or practice event;
 - (b) a children's play equipment area that is being used;
 - (c) the location of an organised public meeting; and

(d) a barbeque or picnic area that is being used.

5. Owners must be equipped to remove dog faeces

(1) The Owner of a dog must carry a bag, receptacle or other means of picking up and removing from any Public Place any of the Owner's dog's faeces.

6. Meaning of words

In this Order:

Designated Reserve means any reserve specified in the Schedule of this Order.

Owner has the same meaning as in the *Domestic Animals Act 1994*.

Prohibited Area means:

- (a) the turf pitch and the area surrounding the turf pitch at Jack Edwards Reserve between the period two hours prior to the start time of a National Premier League Victoria game and the conclusion of that game;
- (b) the turf pitch at Jack Edwards Reserve when the pitch is being used for scheduled training or during a game that is not a National Premier League Victoria game;
- (c) the synthetic pitch at Jack Edwards Reserve;
- (d) the area surrounding the synthetic pitch (designated by the low level fence) when the pitch is being used for scheduled games or training.

Public Place has the meaning given to it in the *Summary Offences Act 1966*, and includes all streets, roads, footways, reserves, lanes, parks, schools, public halls and markets.

Schedule of Designated Reserves

1. Electra Reserve
2. Federal Reserve
3. Tally Ho Reserve
4. Glen Waverley North Reserve
5. Capital Avenue Reserve
6. Hinkler Reserve
7. Bogong Street Reserve
8. Heaney Street Reserve
9. Scotchman's Run Reserve Estelle Street
10. Powerlines Area, Pamela to Smythe Street
11. Powerlines Area, Janice Street to Ivanhoe Street
12. Whites Lane Retarding Basin
13. Hertford Crescent Reserve
14. Gladeswood Drive Reserve

15. Freeway Reserve
16. Columbia Park
17. Carlson Reserve
18. Princes Highway Reserve
19. Jack Edwards Reserve (other than the areas designated as a Prohibited Area)
20. Argyle Reserve
21. Southern Reserve
22. Damper Creek Reserve
23. Lum Reserve (excluding the bushland area)
24. Ashwood Reserve
25. Caloola Reserve
26. Mulgrave Reserve
27. Dick Mason Reserve
28. Gardiner's Reserve (west of the creek)
29. Mount Waverley Reserve
30. Batesford Reserve
31. Golf Course Reserve (part) Waverley Road