

COUNCIL ORDER MADE UNDER SECTION 25 AND 26 OF THE DOMESTIC ANIMALS ACT 1994

Notice is hereby given that the Greater Bendigo City Council at its Council Meeting held on 22nd May 2023, resolved to make the following Order pursuant to sections 25(2) and 26(2) of the *Domestic Animals Act 1994*.

For the purposes of this Order:

‘Designated Off Leash Area’ means any place or part of a place declared by a resolution of Council included in this Order.

‘Public Place’ has the same meaning as in section 3 of the *Summary Offences Act 1966*.

‘Effective Control’ means that whilst on or off lead, the person in apparent control of a dog does not allow the dog to worry, cause a nuisance or threaten any person or animal.

‘Owner’ has the same meaning as in section 3 of the *Domestic Animals Act 1994* and includes anyone who has a dog or cat in their care.

‘the Act’ refers to the *Domestic Animals Act 1994*.

‘Prohibited Area’ means a place specified in Schedule 2 of the Order and the playing surface of any sporting oval when an organised event is in progress (including sports training).

‘Working Dog’ means a dog kept by a primary producer or person contracted by a primary producer, on rural land and kept or trained primarily for the purpose of droving, protecting, tending, or working stock on a farm.

1. Revocation of previous orders

1.1 All previous Orders made by Council under section 25 and 26 of the Domestic Animals Act 1994.

Previous orders:

- ‘Order of Greater Bendigo City Council’ Section 25 of the Domestic (Feral and Nuisance) Animals Act 1994 gazetted on 15 July 2004 will be revoked on 1 July 2024.
- ‘Order of Greater Bendigo City Council Dogs Must be on Leashes’ gazetted 11 May 2000 will be revoked on 1 January 2024
- ‘Order to prohibit dogs on the Queen Elizabeth Oval’ gazetted 11 July 2013 will be revoked on 1 January 2024
- ‘New Animal Management Orders’ gazetted 26 November 2009 will be revoked on 1 January 2024
- ‘Domestic (Feral and Nuisance) Animals Act 1994’ order gazetted on 19 April 2001 will be revoked on 1 January 2024.

2. Cat containment

2.1 Pursuant to section 25 of the Act, cats within the municipality are to be securely confined to the owner’s property, or the property where they are kept at all times. Cats may leave the property if they are securely confined with an appropriate cat carrier or other reasonable means of restraint.

2.2 Commencement

This section comes into effect on 1 July 2024.

3. Dog related orders

- 3.1 Pursuant to section 26 of the Act, the owner of a dog must keep the dog under their effective control at all times, by means of a chain, cord, or leash while the dog is in a **Public Place** except where that **Public Place** is a **Designated Off Leash Area**.

All chain, cords or leashes including retractable leads must be restricted to approximately two metres in length when encountering other people, wildlife, cyclists, or other dogs.

Dogs that are defined as a **Working Dog** are not required to be on leash when such dogs are actively engaged in farming and stock moving activities.

3.2 Prohibited Areas

A dog must not enter or remain in any **Prohibited Area**. The prohibition applies in a **Prohibited Area** regardless of whether the dog is on a chain, cord, or leash.

3.3 Owner's Obligations in a **Designated Off Leash Area**

A dog may be exercised off a chain, cord, or leash in a **Designated Off Leash Area** if the owner:

- Does not allow the dog to worry, threaten or attack any person or animal; and
- Carries a chain, cord, or leash 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 worries, threatens, or attacks any person or animal; and
- Actively supervises the dog and maintains a clear and unobstructed view of the dog at all times (including if tethered in a public place); and
- Brings the dog under effective control by placing the dog on a chain, cord, or leash immediately upon the dog commencing to worry, threaten or attack any person or animal: and

The dog must be brought under effective control by means of a chain, cord, or leash if the dog is within twenty metres of:

- An organised sporting event or practising thereof.
- Playspace areas.
- An organised public meeting or event, including when being prepared for.
- A permanent BBQ or picnic facility.
- Any skate park or BMX facility

Dogs declared menacing, dangerous or a restricted breed are not permitted to be off leash.

Designated Off Leash Areas are subject to change as the municipality develops.

Designated Off Leash Areas that are located within sporting fields are not considered a **Designated Off Leash Area** if the space has planned bookings for any organised event, sporting event, or training.

Dogs that are aggressive to people or other animals, behave in an anti-social manner, should be muzzled, and are not permitted to be off leash.

3.4 Shared paths



Dogs are required to be on leash on shared pathways and five metres either side, even if the pathways run through a **Designated Off Leash Area**. This

requirement does not apply in the case of shared paths through a fenced off leash dog park.




3.5 Commencement




This section of the Order will come into effect on 1 January 2024.




Schedule 1 – Designated Off Leash Areas



Reserve Name (if known)	Address	Map	Additional information	Restrictions
Allingham St Dog Park	Cnr Allingham St and Chapel St, (238-250 Allingham St), Kangaroo Flat, 3555		Off Leash Dog Park	
Harcourt Dog Park	33 Gittins Drive, Strathdale, 3550		Off Leash Dog Park	


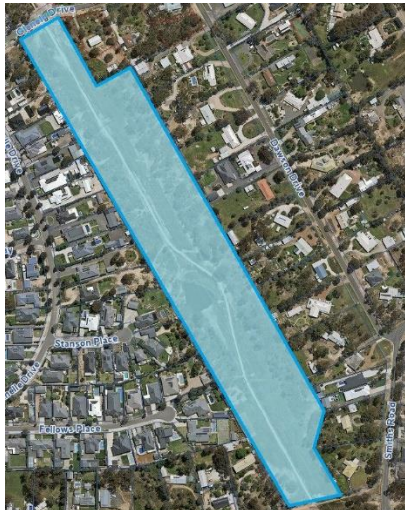

Heathcote Dog Park	Herriot St, Heathcote, 3523		Off Leash Dog Park	
Truscott Reserve Dog Park	35 Murdock St, California Gully, 3556		Off Leash Dog Park	



Finn St Reserve	64 Finn St, White Hills, 3550				Except when the space has planned bookings for any organised event, sporting activity, training, or organised dog training.
Crusoe Heights	70 Morrison St, Kangaroo Flat, 3555				Not designated off leash when the space has planned bookings for any organised event, sporting event, or training
Garden Gully Creek Reserve	2 Bradshaw St, Ironbark, 3550			Section of reserve to be designated.	Not designated off leash when the space has planned bookings for any organised event, sporting event, or training

Rodda Field	174 Reservoir Rd, Strathdale, 3550		Only Rodda Field is designated, does not include other ovals.	Not designated off lease when the space has planned bookings for any organised event, sporting event, or training
Spring Gully Oval	133-135 Spring Gully Rd, Spring Gully, 3550			Not designated off lease when the space has planned bookings for any organised event, sporting event, or training
Strauch Reserve (Junior Oval)	14 Gungurru Rd, Huntly, 3551 (86 Telford St)		Only Junior Oval designated, does not include the senior oval.	Not designated off lease when the space has planned bookings for any organised event, sporting event, or training

Long Gully Reserve	21 Cunneen St, Long Gully, 3550		Section of reserve to be designated.	
California Gully Oval	1-3 Loudon St, California Gully, 3556			Not designated off leash when the space has planned bookings for any organised event, sporting event, or training
Quarry Hill Reserve	4-14 Peel St, Quarry Hill, 3550		Section of reserve to be designated.	

Queen Street Reserve	194 Queen St, Bendigo, 3550			
Reserve	1 Raglan St, Axedale, 3551			
Allingham St Reserve	19-29 Allingham St, Golden Square, 3556			Not designated off leash when the space has planned bookings for any organised event, sporting event, or training.

Emily Way (between Emily Way and Norelle Crescent)	38-40 Norelle Crescent, Golden Square, 3555				
Reserve	2D Glenelg Drive, Maiden Gully, 3551				
Strathfieldsaye Junior Oval	20 Warne Court, Strathfieldsaye, 3551			Only Junior Oval designated, does not include senior oval.	Not designated off leash when the space has planned bookings for any Organised event, sporting event, or training

Inverness Drive Reserve	Inverness Drive, Junortoun, 3551		Section of reserve to be designated.	
AFL Field No. 2 (Epsom Huntly Recreation Reserve)	353 Midland Highway, Epsom, 3551		Only AFL No. 2 oval to be designated. Does not include other ovals, fields, or pitches within the reserve.	Not designated off lease when the space has planned bookings for any organised event, sporting event, or training

Schedule 2 – Dog Prohibited Areas (unless permission to allow dogs within these areas has been granted by the City)

1. Playing surface of the Queen Elizabeth Oval
2. Playing surface of the Tom Flood Sports Centre (including cycling track)
3. Playing surface of Epsom Huntly Recreation Reserve AFL No. 1 and Pitch No. 5
4. Within the fenced area of the Bendigo Regional Hockey Complex
5. Within the fenced area of the Bendigo Regional Tennis Complex
6. Within the fenced area of the Bendigo Regional Athletics Complex
7. All play spaces or children's play equipment areas including splash parks.
8. Playing surface of any synthetic sports grounds
9. Crusoe Reservoir and No. 7 Park
10. Within the fenced area of any City Aquatic facilities
11. Within school areas where the City has a current joint use agreement