



NOTICE UNDER DOMESTIC ANIMALS ACT 1994

On 2 September 2022 City of Ballarat ('Council') made an Order under section 26(2) of the **Domestic Animals Act 1994** (the 'Act'). This Order is effective from the date of this notice.

For the purpose of this Order:

'Designated Off Leash Area', means any place or part of an area 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.

1. **Revocation of previous orders**

All previous Orders made by Council under section 26(2) of the Act are revoked.

2. **Dogs must be on leash**

The person in apparent control of a dog must keep the dog under their effective control at all times, by way of having the dog attached to an appropriate lead or control apparatus, such as a body and/or head harness, which is held by the person at any and all times when the dog is in any Public Place in Council's municipal district (other than those in private ownership) unless the dog is in a **Designated Off Leash Area**.

The following areas are declared **Designated Off Leash Areas**:

- Charles Edward Brown Reserve (North West corner opposite Netball Centre) at 238 Dowling Street, Wendouree;
- Pioneer Park at 5 McKenzie Drive, Wendouree;
- Cuthberts Road Reserve at 164A Cuthberts Road, Alfredton;
- Victoria Park at Russell Street, Newington;
- Gregory St Reserve, 514 and 520 Gregory Street, Soldiers Hill;
- Chisholm Reserve at CA 13A Chisholm Street, Black Hill;
- Birdwood Park at CA 72A Midland Highway, Buninyong;
- M R Power Reserve at 182–198 Grant Street, Sebastopol;
- Canadian Lakes Reserve at 815 Geelong Road, Canadian (off Canadian Lakes Boulevard);
- Pennyweight Park Dog Park at Otway Street South, Canadian; and
- James Reserve Dog Park at 1 Union Jack Lane, Buninyong, Victoria 3357 (off Geelong Road).

3. Make an Order pursuant to section 26(2) of the **Domestic Animals Act 1994** that the following conditions apply to a dog in a Designated Off Leash Area:

3.1.1 Subject to Clause 3.2 and 3.3 of this Order, a dog may be exercised off an appropriate leash, chord or control apparatus such as a harness in a Designated Off Leash Area if the person in apparent control of the dog:

- a) carries an appropriate lead or control apparatus such as a head and/or body harness sufficient to bring the dog under Effective Control;
- b) remains in effective voice or hand control of the dog and within constant sight of the dog at all times; and
- c) does not allow the dog to worry, cause a nuisance or threaten any person or animal.

3.1.2 If a dog is off lead in a Designated Off-Leash Area, it must be brought under Effective Control by means of a an appropriate lead or control apparatus such as a head and/or body harness, if the dog is within 50 metres of:

- a) the arena or ground of an organised sporting or practice event;
- b) a children's play equipment area;
- c) the principal location of an organised public meeting or event; and
- d) a permanent barbecue or picnic area.

3.1.3 If a dog is off lead in a Designated Off Leash Area it must be brought under Effective Control by an appropriate lead or control apparatus such as a head and/or body harness if the dog is within 10 metres of any shared path, walking track or waterway.

The Order will come into operation from the date of this notice.

BRENDA CAREY
Executive Manager Regulatory Services
