

FINAL DRAFT**ORDER OF COUNCIL****MADE UNDER THE DOMESTIC ANIMALS ACT 1994 ("the Act")**

This Order revokes all previous Orders of Council made under the Act

Pursuant to section 25 of the Act effective (date adopted), cats within the municipality are to be controlled:

Cat Curfew

All cats within the municipality must be securely confined to their owners' premises at all times.

Pursuant to section 26(2) of the Act effective (date adopted), dogs and cats within the municipality are to be controlled:

On-Leash

The person in control of any dog must keep the dog in effective control by means of a chain, cord or leash held by the person and attached to the dog while the dog is in:

- All **roads*** in the localities of Campbells Creek, Castlemaine, Chewton and Maldon; and
- The Castlemaine Botanical Garden; and
- All other parks and reserves:
 - Between sunset to 6 am; and
 - When park maintenance is being performed; and
- The principle location of an organised public meeting, sporting or community event or festival when occurring or being prepared for; and
- A permanent barbeque or picnic area when in use.

***Roads** as the meaning is ascribed to it in the *Local Government Act 1989*

A person may exercise a cat in a public place but must keep the cat on a chain, cord or leash held by the person attached to the cat at all times.

Off-Leash

With the exception of the above, a dog may be exercised off-lead providing the person in control:

- Carries a chain, cord or leash sufficient to bring the dog under effective control if the dog behaves in a manner which threatens any person or animal; or
- Remains in effective voice or hand control of the dog so as to be able to bring the dog under effective control by placing the dog on a chain, cord or leash if that becomes necessary; or
- Is in a prescribed dog park and places the dog on-lead when exiting the park.

Prohibited areas

Dogs are prohibited:

- Within any playground when in use; and
- on the playing surfaces of the following sporting fields
 - Camp Reserve Castlemaine
 - Castlemaine War Memorial Stadium Castlemaine
 - Sunken Oval Castlemaine
 - Western Reserve Castlemaine

- Elsie Palmer Field Wesley Hill Castlemaine
- Doug Powell Oval including the velodrome area Wesley Hill Castlemaine
- Campbells Creek Recreation Reserve including the trotting track
Campbells Creek
- Chewton Soldiers Memorial Park Chewton
- Elphinstone Recreation Reserve Elphinstone
- John Powell Recreation Reserve Guildford
- Harcourt Recreation Reserve Harcourt
- Newstead Recreation Reserve Newstead
- Bill Woodfull Recreation Reserve Maldon
- Taradale Recreation Reserve Taradale

Pursuant to section 26(2A) of the Act effective (date adopted), dogs within the municipality are to be controlled:

By Agreement with owner of private land

The person in control of any dog must keep the dog in effective control by means of a chain, cord or leash held by the person and attached to the dog while the dog is on:

- 149 Duke Street Castlemaine (Wesley Hill Market)

Pursuant to section 26(4) of the Act a condition as to the means of restraint of a dog does not apply to a dog in any circumstances listed in section 20(2) of the Act

Effective (date adopted) the following dogs are exempt from this Order.

Exemptions to Order of Council

A dog actively engaged as a guide / assistance animals and under the effective control of their handler / patient.

A dog may be temporarily tethered to a post or pole on a short leash or chain while the person in control of the dog conducts a short term activity provided the dog's behaviour is monitored and immediate action is taken to bring the dog under control.

Prescribed dog parks

The following is a prescribed off leash dog park:

- Wesley Hill Dog Park