

10 DOG OFF-LEASH ORDER

FILE REFERENCE INT2011509

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RECOMMENDATION

That the Council resolve as follows:

1. In accordance with the power conferred by Section 26 (2)(a) of the Domestic Animals Act 1994:
Cardinia Shire Council orders that the presence of dogs is prohibited in any public place of the municipal district (other than a public place that is on private land) unless:
 - a. the dog is under control by a leash, chain or cord connecting the dog to a person, or
 - b. the dog is in a public place that is identified by prominent signs as a designated "off leash area".

2. Designated "off leash areas" include the areas identified by prominent signs at the following locations:
 - Toomuc Creek Linear Reserve, Pakenham
 - Alma Treloar Reserve, Cockatoo
 - Don Jackson Reserve, Pakenham
 - Cochrane Park, Koo Wee Rup
 - Pepi's Land, Emerald
 - Cockatoo Road Reserve, Pakenham
 - Garfield Recreation Reserve, Garfield
 - Tantallon Bvd Detention Basin Reserve, Beaconsfield
 - Bob Burgess Reserve, Beaconsfield
 - Vantage Drive Reserve, Pakenham
 - Simon Drive Reserve, Pakenham
 - Ray Canobie Reserve, Pakenham
 - Onyx Reserve, Officer

3. In Order 1 "public place" has the same meaning as in Section 3 of the Summary Offences Act.

Attachments

Nil.

EXECUTIVE SUMMARY

At the Council Meeting of 18th November 2019, Council resolved to approve the creation of Off Leash Parks at 14 locations in the municipality, and to advertise the areas accordingly.

The resolution of the 18th November 2019 identified the proposed off-leash parks. However, the form of order above is necessary to give legal effect to the decision in respect of off leash parks, and to re-enact the requirement that dogs must otherwise be adequately controlled elsewhere in the municipality.

BACKGROUND

Section 26 of the Domestic Animals Act empowers Councils to prohibit the presence of domestic animals in public places, and to impose conditions on the presence of dogs and cats in public places.

The Council has previously made orders under this section to require dogs to be "on leash" when in public, except as signed in designated off leash areas.

With the re-consideration of multiple "off-leash" parks, it is appropriate for the Council to re-make the order requiring dogs to be on leash, except in accordance with the "off leash" parks that are proposed in the locations.

One location "Harris Reserve, Upper Beaconsfield" is not referred to in this order, as subsequent community feedback has resulted in a re-consideration of this site. The wording of this order is sufficiently broad to accommodate future review of sites, from time to time.

POLICY IMPLICATIONS

This resolution gives legal effect to previously-adopted policies.

RELEVANCE TO COUNCIL PLAN

The formalisation of Cardinia Shire Council's dog off leash areas supports a number of the directions of the Council plan. Namely:

- 1.5.1 Provide active and passive recreation facilities to meet the needs of residents.
- 1.5.2 Increase opportunities for residents to participate in a range of sport, recreation and leisure activities.
- 3.1.3 Provide accessible facilities to meet identified community needs.

CONSULTATION/COMMUNICATION

Community consultation was undertaken prior to the Council decision at the 18th November 2019 meeting.

FINANCIAL AND RESOURCE IMPLICATIONS

This resolution has no financial or resource implications.

The financial and resource implications of dog off leash parks generally have been considered separately (at the 18 November 2020 Council meeting).

CONCLUSION

The recommended resolution re-enacts the orders that require dogs to be "on leash", and allows for the appropriate advertising and signed "off leash" areas, consistent with the prior decision of the Council.