

COUNCIL ORDER

MADE UNDER SECTION 26(2) OF *THE DOMESTIC ANIMALS ACT 1994*

1. Title

This Order is titled the Mansfield Shire Council 'Dogs in Public Places Order 2026.'

2. Authority

This Order is made by resolution of the Mansfield Shire Council pursuant to section 26(2) of the *Domestic Animals Act 1994*.

3. Commencement

This Order comes into operation on 21 July 2026.

4. Revocation

All previous Orders made by Council under section 26 of the *Domestic Animals Act 1994* are revoked from the commencement date of this Order.

5. Definitions

In this Order, unless the context otherwise requires:

- "Council" means Mansfield Shire Council;
- "Designated Off-Leash Area" means a public place or part of a public place listed in Schedule 1 to this Order and identified by Council signage;
- "Effective Control" means that the owner or person in apparent control of a dog:
 - has the dog under physical restraint or immediate voice or hand control; and
 - does not allow the dog to worry, rush at, attack, bite, harass or threaten any person or animal.
- "Owner" has the same meaning as in section 3 of the *Domestic Animals Act 1994* and includes any person who has a dog or cat in their care or charge; and
- "Public Place" has the same meaning as in section 3 of the *Summary Offences Act 1966*.

6. Dogs to Be Under Effective Control in Public Places

- 6.1 A person who owns or is in apparent control of a dog in a public place, must ensure the dog is kept under control by a leash, chain, or cord, not exceeding 3 metres in length, held by that person, unless the dog is within a Rural Zone as defined by the Mansfield Planning Scheme, or the dog is in a Designated Off-Leash Area.

- 6.2 A person who owns or is in apparent control of a dog in a public place within a Rural Zone, as defined by the Mansfield Planning Scheme, must have the animal under effective control at all times.

7. Dogs in Designated Off-Leash Areas

- 7.1 A dog may be exercised without a chain, cord or leash in a Designated Off-Leash Area, if the owner or person in apparent control of the dog:
- (a) carries a leash, chain or cord sufficient to bring the dog under effective control if the dog behaves in a manner which may worry, threaten or harass any person or animal;
 - (b) remains in effective control of the dog by voice and/or hand command and promptly brings the dog under control by chain, cord, or leash if it becomes necessary;
 - (c) does not allow the dog to worry, threaten or harass any person or animal; and
 - (d) immediately restrains the dog if required for safety or compliance with this Order.

8. Exemptions

- 8.1 This Order does not apply to:
- (a) an assistance dog within the meaning of the *Equal Opportunity Act 2010*; or
 - (b) a dog engaged in the herding, tending or working of livestock in a rural area.

9. Offence

- 9.1 A person who contravenes this Order commits an offence under section 26(1) of the *Domestic Animals Act 1994*.

Schedule 1 – Designated Off-Leash Areas

Mansfield Botanic Park

Fenced Dog Park, Mansfield Station Precinct