

ORDER NO. 4 OF PORT PHILLIP CITY COUNCIL

Domestic Animals Act 1994

Section 10A(2), 25(2) and 26(2)

1. Revocation

- (1) All previous Orders made by Council under section 26 of the *Domestic Animals Act* 1994 are revoked.

2. Cats to be desexed

- (1) After [Date] Port Phillip City Council will not register a cat unless the cat is desexed.
- (2) Sub-clause (1) does not apply if the cat is exempt from desexing under section 10B of the *Domestic Animals Act* 1994 or the cat was previously registered with Port Phillip City Council.

3. Cat Curfew

- (1) All cats within the municipal district of Port Phillip City Council must be securely confined to their owner's premises between the hours of 9pm and 6am the following day effective from [date].

4. Dogs must be under effective control

- (1) The Owner of any dog must keep the dog under effective control by a chain, cord or leash held by the Owner and attached to the dog while the dog is in a Public Place except where that Public Place is a Designated Area.
- (2) Sub-clause (1) does not apply where a chain cord or leash attached to the dog is securely fastened to a post or other fixture.

5. Prohibited Areas

- (1) A dog must not enter or remain in any Prohibited Area.
- (2) The prohibition under sub-clause (1) applies in a Prohibited Area regardless of whether or not the dog is under effective control by a chain, cord or leash held by the Owner and attached to the dog or otherwise controlled or not controlled.

6. Owner's obligations in a Designated Area

- (1) A dog may be exercised in a Designated Area, without being under effective control by a chain, cord or leash held by the Owner and attached to the dog, if:
- (a) the Owner carries a chain, cord or leash sufficient to bring the dog under effective control by placing the dog on a chain, cord or leash if the dog behaves in a manner which threatens any person or animal;
- (b) the Owner remains in effective voice control and or hand control of the dog within constant sight of the dog so as to be able to promptly bring the dog

under control by placing the dog on a chain, cord or leash if that becomes necessary or desirable to avoid any wandering out of effective control or to avoid any threatening behaviour or any attack;

(c) the dog does not worry or otherwise threaten any person or animal, or attack or bite any person or animal; and

(d) the dog does not come within 20 metres of any organised sporting event or training taking place on a ground/playing surface/training space whilst the organised sporting event or training is taking place.

7. Non-application to specified dogs or greyhounds

(1) Clause 4 of this Order does not apply to any dog which is a dangerous dog, menacing dog or restricted breed dog under the *Domestic Animals Act* 1994 or to a greyhound which must meet the restraint requirements in section 27 of the Act.

8. Meaning of words

In this Order:

Designated Area means an area (including an area on or between specified times and on or between specified dates) described as such in Schedule 1 but does not include any area within 20 metres of any organised sporting event or training taking place on a ground/playing surface/training space whilst the organised sporting event or training is taking place.

Plan means, when used in the Schedule, a plan appended to the Schedule.

Owner has the same meaning as in the *Domestic Animals Act* 1994.

Prohibited Area means an area (including an area on or between specified times and on or between specified dates) described as such in Schedule 2.

Public Place has the meaning given to it in the *Summary Offences Act* 1966, and includes all streets, roads, footways, reserves, lanes, parks, schools, public halls and markets.

Schedule means a Schedule to this Order.

Schedule 1
Designated Areas

Area of Land	Time	Melway Ref.
Beach A being the area of land west of Pier Road extending to the low water mark between St Kilda Pier and the drainage channel at the north-western end of Pier Road.	Always	57 / J8-9
Beach B being the area of land and/or sand south-west of Beaconsfield Parade between an imaginary line (extending in a south-westerly direction from the north-western boundary of Langridge Street to the high water mark) and another imaginary line (extending in a south-westerly direction from the north-western edge of the West Beach Pavilion to the high water mark).	Always	57 / H8
Beach C being the area of land south-west of Beach Street between an imaginary line (extending in a north-easterly direction from the low water mark at Lagoon Pier to Beach Street) and another imaginary line (extending in a south-westerly direction from the north-west boundary of Bay Street to the low water mark) adjacent to Port Melbourne Yacht Club.	Always	57 / B4
Beach D being the area of land south of The Boulevard between an imaginary line (extending in a northerly direction from the rock groyne opposite Barak Road between the low water mark and The Boulevard) and another imaginary line (extending in a northerly direction from the rock groyne opposite Cumberland Road between the low water mark and The Boulevard).	Always	56 / H3
Beach E being the area of land south-west of Beaconsfield Parade extending to the low water mark between Kerferd Road Pier and an imaginary line (extending in a south-westerly direction from the north-west boundary of Langridge Street to the low water mark).	Between 7.30pm and 10.00am the following day between 1 November - 31 March; full off leash access 1 April – 31 October	57 / E6-H7

Beach F being the area of land south-west of Ormond Esplanade extending from the sea wall to the low water mark between the rock groyne south of Point Ormond and an imaginary line at the beach access ramp, 35 metres south-east of Normanby Road (extending in a south-westerly direction to the low water mark).	Between 5.30am and 9.30am between 1 November - 31 March; full off leash access 1 April – 31 October	67 / A3
Beach G being the area of land west of Marine Parade extending from the sea wall to the low water mark between Brooks Jetty and the northern end of the car park toward St Kilda Marina.	Always	57 / K11-12
All beaches in the municipal district (other than Beach A, Beach B, Beach C, Beach D and Beach E, Beach F and Beach G).	Only between 1 April and 31 October each year.	
The following areas, as indicated by signage indicating off-leash areas:		
Head Street Reserve, Elwood	Always	67 / D5
Clarke Reserve, Elwood	Always	67 / C1
M. O. Moran Reserve, Elwood	Always	67 / A1
Marina Point Reserve, St Kilda	Always	67 / A1-2
Peanut Farm Reserve, St Kilda	Always	58 / A11
Alma Park East, St Kilda East (north of oval – south of Dandenong Road)	Always	58 / E8
Alma Park West, St Kilda	Always	58 / E8
Gasworks Park, Albert Park	Always	57 / D4
Lagoon Reserve, Port Melbourne	Always	57 / C3
Howe Reserve, Port Melbourne	Always	57 / D1
Page Reserve, Port Melbourne	Always	57 / D1
Smith Reserve, Port Melbourne	Always	57 / C2
Hester Reserve, Port Melbourne	Always	57 / B2
J. L. Murphy Reserve, Port Melbourne	Always	56 / K1
Garden City Reserve, Port Melbourne	Always	56 / K2
Julier Reserve, Port Melbourne	Always	56 / H2
Eastern North Reserve, South Melbourne	Between 7.00am to 7.30pm.	

Schedule 2
Prohibited Areas

Area of Land	Time	Melway Ref.
Beach H, being a section of Sandridge Beach being the area of land and sand from an imaginary line (being an extension to the low water mark of the easterly boundary of Todd Road) and extending between the north-western boundary of the municipal district and the low water mark to the south-western boundary of the municipal district beyond the Perce White Reserve. Excluding the sealed road reserve including the car park and adjacent footpath from Todd Road towards the south western boundary of the municipal district and the footpath between the end of the road reserve and that boundary.	Always	56 / G3
Beach I, being a section of West Beach, St Kilda being the area of land and sand south-west of Pier Road and Beaconsfield Parade from the drainage channel at the south-western boundary of Pier Road to the high water mark to another imaginary line (extending in a south-westerly direction from the north-western edge of the West Beach Pavilion to the high water mark).	Always	57 / J8
Frank and Mary Crean Reserve (Richardson Street, Middle Park – being a fenced children’s playground reserve).	Always	57 / G5
Within five (5) metres of any children’s playground or public barbecue or exercise equipment areas.	Always	
That part of any ground/playing surface/training space, whilst an organised sporting event or training is taking place.	Always	
All beaches in the municipal district other than Beach A, Beach B, Beach C, Beach D, Beach G and during the hours when Beach E and F is a Designated Area.	Between 1 November and 31 March each year	