

ORDER NO. 3 OF
PORT PHILLIP CITY COUNCIL
Section 26(2)
Domestic Animals Act 1994

1. Revocation

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

2. Dogs must be under effective control

- (1) The Owner of any dog must keep the dog under effective control by means of 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 or Prohibited 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 and the dog remains under sight or voice control by the owner.
- (3) A dog shall be deemed to be under effective control of its owner, whether on or off leash, if:
 - It will return to its owner upon command;
 - The owner retains a clear and unobstructed view of the dog;
 - It does not bother, attack, worry or interfere with other people or animals.

3. 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 on chain, cord or leash or otherwise controlled or not controlled.

4. Owner's obligations in a Designated Area

- (1) A dog may be exercised off a chain, cord or leash in a Designated Area, if the Owner:
- (a) carries a chain, cord or leash sufficient to bring the dog under 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) remains in effective voice and or hand control of the dog and 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; and
 - (c) does not allow the dog to worry or otherwise threaten any person or animal, and does not allow the dog to attack any person or animal.

5. 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 that Act.

6. 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 the Schedule but does not include any area (including an area on or between specified times and on or between specified dates) approved from time to time by Council and published in a newspaper generally circulating in the municipality and identified on the Port Phillip City Council website to be:

1. a Prohibited Area; or
2. an area that is no longer a Designated Area.

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

<i>Owner</i>	has the same meaning as in the <i>Domestic Animals Act 1994</i> .
<i>Prohibited Area</i>	means an area (including an area on or between specified times and on or between specified dates) described as such in the Schedule and includes any Designated Area approved from time to time by Council and published in a newspaper generally circulating in the municipality and identified on the Port Phillip City Council website to be a Prohibited Area but does not include any area (including an area on or between specified times and on or between specified dates) approved from time to time by Council and published in a newspaper generally circulating in the municipality and identified on the Port Phillip City Council website to be an area that is no longer a Prohibited Area.
<i>Public Place</i>	has the meaning given to it in the <i>Summary Offences Act 1966</i> , and includes all streets, roads, footways, reserves, lanes, parks, schools, public halls and markets.
<i>Schedule</i>	means a Schedule to this Order.

**Schedule
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 5:30am and 9:30am between 1 November – 31 March; full off leash access 1 April – 31 October	57 / E6-H7

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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 Normandy 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
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, St Kilda	Always	67 / D5
Clarke Reserve, St Kilda	Always	67 / C1
M.O. Moran Reserve, St Kilda	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 (north of oval – south of Dandenong Road)	Always	58 / E8
Alma Park West, St Kilda	Always	58 / E8
Gasworks Park, South Melbourne	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
Albert Park Reserve	Always	58/ J4

**Schedule
Prohibited Areas**

Area of land	Time	Melway Ref
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 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
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 playground reserve)	Always	57 G5
Within five (5) metres of any children's playground or public barbecue or exercise equipment areas	Always	
All beaches in the municipal district other than Sandridge Beach, West Beach St Kilda and Beach A, Beach B, Beach C, Beach D, Beach E (between 5.30 am and 9.30 am), Beach F (between 5.30 am and 9.30 am) and Beach G.	Between 1 November and 31 March each year	

Kay Rundle
Chief Executive Officer