

PORT PHILLIP CITY COUNCIL

Notice is hereby given that Council at its meeting on 17th December 2001, resolved to make the following **Order** under section 26 of the **Domestic (Feral & Nuisance) Animals Act 1994 (the Act)**.

Amended in relation to 'Beach E' and 'Beach F' by Council at its meetings on the 23rd June 2003 and 24th November 2003 respectively.

Further amended in relation to 'Beach E' and 'Beach F', 'Prohibited Area', 'Sandridge Beach' and 'Clarke Reserve' by Council at its meeting on 28 June 2004.

Amended in relation to 'Beach G', 'Designated Reserves' and 'Prohibited Area' by Council at its meeting on 27 June 2005.

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

1. 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 reserve; or
 - a public placeexcept where otherwise designated by signs as being a designated reserve available for unleashing of dogs.
- 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.

2. **Prohibited areas**

- 1) Dogs are prohibited from entering or remaining in any **prohibited area** in the municipal district or in such an area at a time or date when dogs are prohibited from entering or remaining in such areas.
- 2) The prohibition under sub-clause (1) applies in such areas regardless of whether or not the dog is on chain, cord or leash or otherwise controlled or not controlled.

3. **Owner's obligations in a designated reserve**

A dog may be exercised off a chain, cord or leash in a Designated Reserve, if the owner:

- 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;
- 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
- 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.

4. **Non application to dangerous dogs or greyhounds**

Clause 3 of this Order does not apply to any dog which is declared a dangerous dog under section 34 of the Domestic (Feral & Nuisance) Animals Act 1994 or to a greyhound which must meet the restraint requirements in section 27 of that Act.

5. **Meaning of Words**

In this Order:

Beach A means the area of land and/or sand west of Pier Road extending to the low water mark between St Kilda Pier and an imaginary line 400 metres north west of the St

Kilda Pier from the western boundary of Pier Road to the low water mark.

Beach B

means 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 low water mark) and another imaginary line 140 metres south east of Fraser Street (extending in a south westerly direction from a point on the south west boundary of Beaconsfield Parade to the low water mark).

Beach C

means the area of land and/or sand 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 Dow Street to the low water mark).

Beach D

means the area of land and/or sand 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).

Beach E

means the area of land and/or sand 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).

Beach F means the area of land and/or sand 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).

Beach G means the area of land and/or sand 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.

Designated Reserves means the following reserves and beaches designated by signs as being available for unleashing of dogs:

	Melway Ref:
• Beach A (as defined)	57 / J8-9
• Beach B (as defined)	57 / H8
• Beach C (as defined)	57 / B4
• Beach D (as defined)	56 / H3
• Beach E (as defined), between 5:30am and 9:30am	57 / E6-H7
• Beach F (as defined). Between 5.30am and 9.30am	67 / A3
• Beach G (as defined).	57 / K11-12
• Beaches in the municipal district (other than Sandridge Beach, West Beach St Kilda, Beach A, Beach B, Beach C, Beach D, Beach E and Beach F) only between the 1 st April and 31 st October each year	
• Head Street Reserve, St Kilda	67 / D5
• Clarke Reserve, St Kilda	67 / C1
• M.O. Moran Reserve, St Kilda	67 / A1
• Marina Point Reserve, St Kilda	67 / A1-2
• Peanut Farm Reserve, St Kilda	58 / A11

- Alma Park East, St Kilda (north of oval – south of Dandenong Road) 58 / E8
- Alma Park West, St Kilda 58 / E8
- Gasworks Park, South Melbourne 57 / D4
- Lagoon Reserve, Port Melbourne 57 / C3
- Howe Reserve, Port Melbourne 57 / D1
- Page Reserve, Port Melbourne 57 / D1
- Smith Reserve, Port Melbourne 57 / C2
- Hester Reserve, Port Melbourne 57 / B2
- J.L. Murphy Reserve, Port Melbourne 56 / K1
- Garden City Reserve, Port Melbourne 56 / K2
- West Port Foreshore Reserve, Port Melbourne 56 / H3
- Julier Reserve, Port Melbourne 56 / H2

Owner has the same meaning as in the Domestic (Feral & Nuisance) Animals Act 1994

- Prohibited Area* (a) areas where dogs are not permitted at any time of the day throughout the whole of the year in every year being:
- Environmentally sensitive areas as designated by signs being Sandridge Beach and West Beach St Kilda;
 - Frank and Mary Crean Reserve (Richardson Street, Middle Park – being a fenced children’s playground reserve);
 - All areas within 5 metres of any children’s playground or within 5 metres of a public barbecue or within 5 metres of exercise equipment areas; and
- (b) areas (where dogs are not permitted at any time between 1 November and 31 March in any financial year) during the period 1 November and 31 March in any financial year being:

- 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, Beach F (Beach E and Beach F between 5.30am and 9.30am) and Beach G.

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

Sandridge Beach means the area of land and sand within the municipal district of the Port Phillip City Council 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 toward the south western boundary of the municipal district and the footpath between the end of the road reserve and that boundary.

West Beach, St Kilda means the area of land and/or sand south west of Pier Road and Beaconsfield Parade from an imaginary line extending in a south westerly direction from a point on the south western boundary of Pier Road 400 metres north west of St Kilda Pier to the low water mark to another imaginary line from the south western boundary of Beaconsfield Parade running adjacent and parallel to the north western end of the foreshore pavilion between Cowderoy and Fraser Streets.

David Spokes
Chief Executive Officer