

**ORDER NO. 3 OF  
PORT PHILLIP CITY COUNCIL**

**Section 26(2)**

**Domestic (Feral and Nuisance) Animals Act 1994**

**1. Revocation**

- (1) All previous Orders made by Council under section 26 of the *Domestic (Feral and Nuisance) 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) For the purposes of sub-clause (1) a person with more than four (4) dogs at the one time is not "effective control".

**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.
- (2) An Owner of a dog must not attempt to exercise more than four(4) dogs in a Designated Area at any one time.
- (3) Notwithstanding anything else in this Order, an Owner of a dog must kept the dog under effective control by means of a chain, cord or leash held by the Owner if the dog is within 5 metres of a bike path or footpath that is within the Designated Area.

## **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 (Feral & Nuisance) 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.

*Owner* has the same meaning as in the *Domestic (Feral & Nuisance) 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 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.

*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  
Designated Areas**

<b>Area of land</b>	<b>Time</b>	<b>Melway Ref</b>
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 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 C 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 D 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 (all other times dogs are prohibited)	57 / E6-H7
Beach E 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 (all other times dogs are prohibited)	67 / A3
Beach F 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).	Only between 1 April and 31 October each	

	year	
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**

<b>Area of land</b>	<b>Time</b>	<b>Melway Ref</b>
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 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 Fraser Street sand dunes (the sand dunes that lie parallel to Beaconsfield Parade between Fraser and Langridge Streets).	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) and Beach F (between 5.30 am and 9.30 am)	Between 1 November and 31 March each year	

**Kay Rundle**  
**Chief Executive Officer**