

Council Order review - Table of proposed changes (*Numbering listed as per Council Order changes)

Current Order	Proposed change
Council Orders made under S10A and 26 of the Domestic Animals Act 1994	Domestic Animals Act 1994 Section 25(2) and 26(2)
New addition (TBC after consultation)	1. Revocation (1) All previous Orders made by Council under section 26 of the Domestic Animals Act 1994 are revoked.
New addition (TBC after consultation)	2. Commencement (1) This Order commences on [date]. (2) Clause 3(1) commences on (date).
New addition (TBC after consultation)	3. Cat Curfew (1) All cats kept within the municipal district of Yarra City Council must be securely confined to their owner's premises between the hours of 7.00pm and 7.00am the following day;
3. Dogs must be under effective control (1) The Owner of any dog must keep the dog under effective control by means of a 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 Reserve or Prohibited Area.	5. Dogs must be under effective control Remove " <i>or prohibited area</i> " And "chain, cord or (not exceeding 2 metres in length)"
4. Prohibited Areas (2) The prohibition under sub-clause (1) applies in a Prohibited Area regardless of whether or not the dog is on a chain, cord or leash.	6. Prohibited Areas (2) The prohibition under sub-clause (1) applies regardless of whether or not the dog is under effective control by a leash held by the Owner and attached to the dog or otherwise controlled or not controlled.

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<p>5. Owner's obligations in a Designated Reserve</p> <p>(1) A dog may be exercised off a chain, cord or leash in a Designated Reserve if the Owner:</p> <p>(a) does not allow the dog to worry, threaten or attack any person or animal;</p> <p>(b) carries a chain, cord or leash not exceeding 2 metres in length sufficient to bring the dog under control by placing the dog on the chain, cord or leash if the dog behaves in a manner which worries, threatens or attacks any person or animal;</p> <p>(c) remains close enough to the dog so as to be able to immediately bring the dog under effective control by placing the dog on a chain, cord or leash;</p> <p>(d) brings the dog under effective control by placing the dog on a chain, cord or leash immediately upon the dog commencing to worry, threaten or attack any person or animal;</p> <p>(e) keeps the dog under effective control by placing the dog on a chain, cord or leash (not exceeding 2 metres in length) held by the Owner and attached to the dog whenever the dog is within 10 metres of:</p> <p>(i) an unfenced playground area;</p> <p>(ii) a barbecue or picnic facility;</p> <p>(iii) a sporting oval which is being used for an organised sporting event (including training), an authorised school event or other organised public event;</p> <p>(iv) any skate park or BMX facility;</p> <p>(v) any other authorised event; and</p> <p>(vi) any Play or Exercise equipment.</p>	<p>7. Owner's obligations in a Designated Reserve</p> <p>(1) A dog may be exercised in a Designated Reserve, without being under effective control by a leash held by the Owner and attached to the dog, if:</p> <p>(a) the Owner carries a leash for each dog.</p> <p>(b) the Owner remains in close proximity to the dog to be able to bring the dog under effective control by placing the dog on a leash;</p> <p>(c) the Owner remains in effective voice or hand control of the dog so as to be able to promptly bring the dog under effective control by placing the dog on a leash if that becomes necessary;</p> <p>(d) the dog does not worry, threaten or attack any person or animal;</p> <p>(e) the Owner brings the dog under effective control by placing the dog on a leash promptly if the dog commences to worry, threaten or attack any person or animal;</p> <p>(f) the dog does not dig or otherwise damage the Designated Reserve;</p> <p>(g) the Owner keeps the dog under effective control by placing the dog on a leash, held by the Owner and attached to the dog whenever the dog is within 10 metres of:</p> <p>(i) an unfenced playground area;</p> <p>(ii) a barbecue or picnic facility;</p> <p>(iii) a sporting oval which is being used for an organised sporting event or training, an authorised school event or other organised public event;</p> <p>(iv) any skate park or BMX facility;</p>

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	<p>(v) any other authorised event; and</p> <p>(vi) any Play or Exercise Equipment;</p> <p>the Owner keeps the dog under effective control by placing the dog on a leash held by the Owner and attached to the dog whenever lawn mowing, maintenance or other works is being carried out by a Council officer or Council contractor.</p> <p>(i) Shared path; the Owner keeps the dog under effective control by means of a Leash attached to the dog and held by the Owner when the dog is on or within 5 meters of a Shared Path.</p>
<p>6. Commercial Dog Walkers</p> <p>(1) Commercial Dog Walkers must keep all dogs in their care on leash at all times except when in a designated and fenced off- leash area.</p>	<p>8. Commercial Dog Walkers</p> <p>(1) Commercial dog walkers must keep all dogs in their care under effective control by a leash, held by the person and always attached to the dog except when in a Designated Reserve which is fenced off so that a dog cannot leave the Designated Reserve.</p>
<p>7. Shared Paths (as defined under the Road Safety Road Rules 2009)</p> <p>(1) Dogs are required to be on lead on shared pathways and 5 metres either side, even if the pathways run through off-lead areas.</p>	<p>9. Shared Paths</p> <p>(1) Incorporated information in: (7. Owner’s obligations in a Designated Reserve)</p>

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<p>8. Meaning of words</p> <p>In this Order:</p> <p><i>Designated Reserve</i> means any reserve specified in Schedule 1 of this Order.</p>	<p>9. Meaning of words</p> <p>In this Order:</p> <p><i>Designated Reserve</i> means any reserve specified in Schedule 1 of this Order.</p> <p><i>Dog multi -zone reserve</i> means a <i>Designated Reserve</i> that includes both on and off-leash areas as indicated by signage.</p>
<p><i>Play or Exercise equipment</i> means any item or facility installed by Council and designed to be used by children or adults.</p> <p><i>Prohibited Area</i> means:</p> <p>(a) any sporting oval when an organised sporting event (including training) is in progress; and</p> <p>(b) the places specified in Schedule 2 of this Order.</p> <p><i>Public Place</i> 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</p>	<p><i>Play or Exercise Equipment</i> means any item, facility, or equipment installed by Council and designed to be used by children or adults for play or exercise.</p> <p><i>Prohibited Area</i> means:</p> <p>(a) any sporting oval when an organised sporting event or training is in progress; and</p> <p>(b) the places specified in Schedule 2 of this Order.</p> <p><i>Public Place</i> has the meaning given to it in the Summary Offences Act 1966, but does not include land owned or managed by Parks Victoria.</p> <p><i>Organised Event</i> means an event approved by Council in which a lease or permit has been granted, including (but not limited too) sporting and community events.</p> <p><i>Leash</i> means a chain, cord or leash (not exceeding 2 metres in length), sufficient to bring a dog under effective control.</p> <p><i>Shared Path</i> has the same meaning as defined under the Road Safety Road Rules 2017.</p> <p><i>Dog multi-zone reserve</i> means a designated reserve that includes both on and off leash areas as indicated by signage.</p>

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Owner	Has the same meaning as in the Domestic Animals Act 1994 and includes a person in apparent control of the dog.

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Schedule 1

Designated Reserves

Current Order	Proposed Change	Reason for change
Melways Ref.	Remove Melways Ref. for all reserves	No longer relevant
Victoria Park and surrounds Dog Off-Lead area (sports ground)	Victoria Park (has a sports ground – See schedule 2) Dog Off-Lead	Updating the Order to provide clarity around sporting grounds.
Gahans Reserve	Gahan Reserve	Spelling correction
Alphington Park Dog Multi-zone Reserve (Between 10 am and 5 pm.	Alphington Park (has a sports ground – See schedule 2) Dog On-Lead (10am to 5pm) Dog Off-Lead (all other times)	Updating the Order to provide clarity around sporting grounds. Change park description to make it clearer for park users. (No change to times)
Coulson Reserve Dog Off-Lead Area (Sports ground)	Coulson Reserve (has a sports ground – See schedule 2) Dog Off-Lead area	Updating the Order to provide clarity around sporting grounds.
Yambla St Reserve Dog Off-Lead Area (Except Fenced Sports Ground)	Yambla St Reserve Dog Off lead	Remove reference to fenced sportsground as there is no enclosing fence

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Current Order	Proposed Change	Reason for change
Ramsden Street Reserve Dog Off-Lead	Ramsden Street Reserve (has a sports ground – See schedule 2) Dog Off-Lead area	Updating the Order to provide clarity around sporting grounds.
Fairfield Park Oval Dog Off-Lead Area (Sports ground)	Fairfield Park Oval (has a sports ground – See schedule 2) Dog Off-Lead area	Updating the Order to provide clarity around sporting grounds.
Alphington Park Oval Dog Multi-Zone Reserve (Sports Ground)	Removed	This reference needs to be removed. Information is covered above in the Alphington Park section.
George St Reserve (Next to Cairns Reserve) Fitzroy, 3065	George St Reserve (Next to Cairns Reserve) Richmond, 3121	Amending due to a clerical error in the location.
Atherton Reserve Dog Off-Lead Area (Sports Ground)	Atherton Reserve (has a sports ground – See schedule 2)	Updating the Order to provide clarity around sporting grounds.
New addition	O'Connell Reserve Bridge Road, Richmond, 3121 Dog On-Lead (9am to 5pm) Dog Off-Lead (all other times)	This park is already acting in this manner. Dogs are currently permitted off lead before 9am and after 5pm in accordance with existing signs. This was not included in the current Council Order as it's a new park.

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Allen Bain Reserve	Alan Bain Reserve (S.G)	Spelling correction - Updating the Order to provide clarity around sporting grounds.
Burnley Park Oval Dog Off-Lead Area (Sports Ground)	Burnley Park Oval (has a sports ground – See schedule 2) Dog Off-Lead area	Updating the Order to provide clarity around sporting grounds.
Citizens Park Dog Off-Lead area	Citizens Park (has a sports ground – See schedule 2) Dog Off-Lead	Updating the Order to provide clarity around sporting grounds.
Williams Reserve Dog Multi-Zone Reserve	Williams Reserve Dog On-Lead (9am to 5pm) Dog Off-Lead (all other times)	Change park description to make it clearer for park users. (No change to times)
Dame Nellie Melba Reserve Dog Multi-Zone Reserve	Dame Nellie Melba Reserve Dog On-Lead (9am to 5pm) Dog Off-Lead (all other times)	Change park description to make it clearer for park users. (No change to times)
McConchie Reserve Dog Multi-Zone Reserve	McConchie Reserve Dog On-Lead (9am to 5pm) Dog Off-Lead (all other times)	Change park description to make it clearer for park users. (No change to times)

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Schedule 2

Prohibited Area

Current Order	Proposed change	Reason for change
New addition	9. Any cricket turf cricket wicket when roped off and any wicket covered area.	Adding this in to make it clearer for enforcement. We have received complaints about this issue.
13. Any established Council garden beds.	13. Any garden bed on Council land.	Updated to make it easier for enforcement and clearer for the community.
Council may, subject to public comment and public notice, add to, delete and vary the areas listed in Schedule 1.	Removed	
Cairns Reserve Playground Park	Removed from prohibited areas	This reserve has been signed as dogs on lead for many years and has functioned in this manner without any significant incidents.