



COUNCIL ORDERS MADE UNDER SECTIONS 10A, 25 AND 26 OF THE  
DOMESTIC ANIMALS ACT 1994

At its meeting on ~~15 December 2015~~ [date], Yarra City Council resolved to make the following  
Orders pursuant to sections 10A, ~~25(2) and~~ 26(2) of the *Domestic Animals Act* 1994.

**Domestic Animals Act 1994**

**1. Revocation**

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

~~(1)~~

**2. Commencement**

~~(1) This order commences on [date] other than clause 3 which commenced on [date].~~

**3. Cat curfew pursuant to section 25(2)**

~~(1) All cats within the municipal district of Yarra City Council, must be securely confined to their owners premises, or the premises where they are being kept for the time being, between the hours of 7.00 pm and 7.00 am the following day.~~

**2. 4.** That as per section 10A of the Domestic Animals Act 1994, it will not after 22 December 2013, register or renew the registration of a cat unless the cat:

- a. Is de-sexed; or
- b. Is exempted under this Act from any requirements to be de-sexed.

**3.5. Council order pursuant to section 26(2) Dogs must be under effective control**

(1) The Owner of any dog must keep the dog under effective control by means of a Leash chain, cord or leash (not exceeding 2 metres in length) 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.~~

**4.6. 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 means of a Leash held by the Owner and attached to the dog, or otherwise controlled or not controlled on a chain, cord or leash.

**5.7. Owner's obligations in a Designated Reserve**

- (1) A dog may be ~~exercised off a chain, cord or leash~~ in a Designated Reserve, without being under effective control by means of a Leash held by the owner and attached to the dog, if the Owner:
  - (a) ~~the Owner carries a Leash for each dog with them does not allow the dog to worry, threaten or attack any person or animal;~~
  - (b) ~~the Owner remains in close proximity to the dog to bring the dog under effective control by attaching a Leash to the dog and held by the Owner;~~
  - (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 attaching a Leash to the dog and held by the Owner if that becomes necessary;~~

Formatted: Indent: Left: 1.9 cm, No bullets or numbering

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Indent: Left: 1.9 cm, No bullets or numbering

Formatted: Font color: Auto

- (d) the dog does not worry, threaten or attack any person or animal;
- (e) the Owner brings the dog under effective control by attaching a Leash to the dog and held by the Owner promptly if the dog commences to worry, threaten or attack any person or animal;
- (f) the dog does not dig or otherwise damage the Designated Reserve;
- (g) the Owner keeps the dog under effective control by attaching a Leash to the dog and held by the Owner whenever the dog is within 10 metres of;
- (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.
  - (c) remains close enough to the dog so as to be able to immediately bring the dog under the effective control by placing the dog on a chain, cord or leash;
  - (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;
  - (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:
    - (i) an unfenced playground area;
    - (ii) a barbecue or picnic facility;
    - (iii) a sporting oval which is being used for an organised sporting event (including or training), an authorised school event or other organised public event;
    - (iv) any skate park or BMX facility;
    - (v) any other authorised event; and
    - (vi) any Play or Exercise equipment.

- (h) the Owner keeps the dog under effective control by attaching a Leash to the dog held by the Owner whenever lawn mowing, maintenance or other works is being carried out by a Council officer or Council contractor; and
  - (i) the Owner keeps the dog under effective control by means of a Leash attached to the dog and held by the Owner which the dog is on or within 5 metres of a Shared Path.

#### **6.8. Commercial Dog Walkers**

- (1) Commercial dog walkers must keep all dogs in their care under effective control by means of a Leash which is always attached to the dog and held by the person on-leash at all times except when in a Designated Reserve which is and fenced off so that a dog cannot leave the Designated Reserve. -leash area.

#### **7. Shared Paths (as defined under the Road Safety Road Rules 2009)**

- (1) Dogs are required to be on lead on shared pathways and five metres either side, even if the pathways run through off lead areas.

#### **8. 9. Meaning of words**

In this Order:

*Designated Reserve* ————— means any reserve specified in Schedule 1 of this Order.

*Dog multi-zone reserve* means a Designated Reserve that includes both on and off leash areas as

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Indent: Left: 2.54 cm, No bullets or numbering

Formatted: Indent: Left: 0.63 cm, Hanging: 0.63 cm, No bullets or numbering

Formatted: Indent: Left: 2.54 cm

indicated by signage.

Leash means a chain, cord or leash (not exceeding 2 metres in length), sufficient to bring a dog under effective control.

Organised Event means an event approved by Council in which a lease or permit has been granted, including (but not limited too) sporting and community events.

Owner \_\_\_\_\_ has the same meaning as in the *Domestic Animals Act 1994* and includes a person in apparent control of the dog.

Play or Exercise equipment \_\_\_\_\_ means any item, ~~or~~ facility or equipment installed by Council and designed \_\_\_\_\_ to be used by children or adults for play or exercise.

Prohibited Area \_\_\_\_\_ means:

- (a) any sporting oval when an organised sporting event or (including training) is in progress; and
- (b) the places specified in Schedule 2 of this Order.

Public Place \_\_\_\_\_ has the meaning given to it in the *Summary Offences Act* \_\_\_\_\_ 1966, but does not include land owned or managed by Parks Victoria, and includes all streets, roads, footways, reserves, \_\_\_\_\_ lanes, parks, schools, public halls and markets.

Shared Path has the same meaning as defined under the *Road Safety Road Rules 2017.*

**Formatted:** Indent: Left: 0 cm, Hanging: 5.08 cm

**Formatted:** Indent: Left: 0 cm, Hanging: 3.81 cm

**Formatted:** Font: Italic

**SCHEDULE 1- Designated Reserves**

RESERVE NAME	SUBURB	STREET ADDRESS	POST CODE	MELWAY-REF.	DESIGNATION
YARRA RIVER PARKLANDS-FLOCKHART RESERVE	ABBOTSFORD	FLOCKHART ST	3067	<del>2D-EI2</del>	Dog Off-lead area
MAUGIE ST RESERVE	ABBOTSFORD	MAUGIE ST /LULIE ST	3067	<del>2CK6</del>	Dog Off-lead area
VICTORIA PARK <del>(AND SURROUNDS - has a sports ground - see schedule 2)</del>	ABBOTSFORD	ABBOT ST	3067	<del>2CK7</del>	Dog Off-lead area <del>(Sports ground)</del>
GAHANS RESERVE	ABBOTSFORD	PARK ST /VERE ST	3067	<del>2C-JI0</del>	Dog Multi-zone reserve
COATE PARK	ALPHINGTON	COATE AVE	3078	<del>31-AI2</del>	Dog Multi-zone reserve
ALPHINGTON PARK <del>(has a sports ground - see schedule 2)</del>	ALPHINGTON	BW PARKVIEW & VIEW ST	3078	<del>31-CI2</del>	Dog <del>On-lead (10 am - 5 pm)</del> Dog Off-lead (all other times) Multi-zone Reserve
CURTAIN SQUARE	CARLTON NTH	CURTAINST/RATHDOWNE ST	3054	<del>2BJ2</del>	Dog Multi-zone Reserve.
INNER CIRCLE- LYGON TO NICHOLSON	CARLTON NTH	PARK ST NICHOLSON TO LYGON ST	3054	<del>30AI1</del>	Dog Off-lead area
INNER CIRCLE- HARDY GALLAGHER RESERVE	CARLTON NTH	GARTON ST TO WILSON ST	3054	<del>29-HI0</del>	Dog Off-lead area
DARLING GARDENS	CLIFTON HILL	NORTH TCE /HODDLE ST / SOUTH TCE	3068	<del>2C-H3</del>	Dog Multi-zone Reserve
QUARRIES PARK <del>(has a sports ground - see schedule 2)</del>	CLIFTON HILL	DWYERSTIWRIGHTST	3068	<del>2D-C3</del>	Dog Off-lead area
<del>YAMBLA ST RESERVE</del>	<del>CLIFTON HILL</del>	<del>YAMBLA ST/WIDTE ST</del>	<del>3068</del>	<del>2D-B2</del>	<del>Dog Off-lead area</del>

Formatted Table

WALKER ST RESERVE	CLIFTON HILL	WALKERST	3068	<del>2D-D2</del>	Dog Off-lead area
MERRICK PARKLANDS- HALL RESERVE	CLIFTON HILL	THE ESPLANADE	3068	<del>2D-E1</del>	Dog Off-lead area
<b>RESERVE NAME</b>	<b>SUBURB</b>	<b>STREET ADDRESS</b>	<b>POST CODE</b>	<b>MELWAY REF.</b>	<b>DESIGNATION</b>
MAYORS PARK (EXCLUDES COLLINGWOOD LEISURE CENTRE)	CLIFTON HILL	TURNBULL ST/ HEIDELBERG RD/ HODDLE ST	3068	<del>2C-J4</del>	Dog Off-lead area
COULSON RESERVE <u>(has a sports ground – see schedule 2)</u>	CLIFTON HILL	HEIDELBERG RD	3068	<del>30-E12</del>	Dog Off-lead area (Sports ground)
RAMSDEN STREET RESERVE <u>(has a sports ground – see schedule 2)</u>	CLIFTON HILL	FIELD ST / RAMSDEN ST	3068	<del>2D-C4</del>	Dog Off-lead <u>area</u>
YAMBLAST RESERVE <u>(has a sports ground – see schedule 2)</u>	CLIFTON HILL	YAMBLA ST / WRIGHT ST	3068	<del>2D-B2</del>	Dog Off-lead <u>area</u> (except fenced sports ground)
FAIRFIELD PARK	FAIRFIELD	HEIDELBERGRD/YARRA BEND RD	3078	<del>30-J12</del>	Dog Off-lead area
FAIRFIELD PARK OVAL <u>(has a sports ground – see schedule 2)</u>	FAIRFIELD	HEIDELBERGRD/YARRA BEND RD	3078	<del>30-J12</del>	Dog Off-lead area (Sports ground)
<del>ALPHINGTON PARK OVAL</del>	<del>FAIRFIELD</del>	<del>PARKVIEW RD</del>	<del>3078</del>	<del>31-B12</del>	<del>Dog Multi-zone reserve (Sports ground)</del>
SMITH RESERVE	FITZROY	ALEXANDRA PDE/GEORGE / NAPIER / CECIL STS	3065	<del>2C-C5</del>	Dog Multi-zone reserve
GEORGE ST RESERVE (Next to Cairns Reserve)	<del>RICHMOND</del> <del>FITZROY</del>	GEORGE ST / CHARLES ST	<del>3121</del> <del>065</del>	<del>2C-C10</del>	Dog Off-lead area
ATHERTON RESERVE	FITZROY	NAPIER ST	3065	<del>2C-B10</del>	Dog Off-lead area (Sports ground)
<u>O'CONNELL RESERVE</u>	<u>RICHMOND</u>	<u>BRIDGE RD</u>	<u>3121</u>		<u>Dog On-lead (9 am – 5 pm)</u> <u>Dog Off-lead (all other times)</u>
EDINBURGH GARDENS <u>(has a sports ground – see schedule 2)</u>	FITZROY NORTH	<del>CNR</del> ST GEORGES RD/BRUNSWICK ST	3068	<del>2C-D1</del>	Dog Multi-zone reserve

LANGDON RESERVE	FITZROY NORTH	MILLER ST /NICHOLSON ST	3068	<del>30-A10</del>	Dog Multi-zone reserve
INNER CIRCLE- HOLDEN BYRNE RESERVE	FITZROY NORTH	HOLDEN ST /BYRNE ST	3068	<del>30-C11</del>	Dog Multi-zone reserve
RAINES RESERVE- TRIANGLE PARK (ALEXANDRA PDE/ QUEENS/ NAPIER ST)	FITZROY NORTH	QUEENS PDE	3068	<del>2C-H1</del>	Dog Off-lead area
<b>RESERVE NAME</b>	<b>SUBURB</b>	<b>STREET ADDRESS</b>	<b>POST CODE</b>	<b>MELWAYS-REF.</b>	<b>DESIGNATION</b>
BATSON (RUSHALL STATION) RESERVE	FITZROY NORTH	RUSHALLCRS	3068	<del>30D11</del>	Dog Off-lead area
INNER CIRCLE- THOMAS KIDNEY RESERVE	FITZROY NORTH	PARK ST /RUSHALL STTO BENNETT ST	3068	<del>30E11</del>	Dog Off-lead area
INNER CIRCLE- ST GEORGES RD TO BENNETTST	FITZROY NORTH	PARK ST (BENNETT TO ST GEORGES RD)	3068	<del>30-C11</del>	Dog Off-lead area
INNER CIRCLE -JANET MILLMAN RESERVE	FITZROY NORTH	PARK ST(B/W NICHOLSON & ST GEORGES RD)	3068	<del>30-B11</del>	Dog Off-lead area
INNER CIRCLE- MARK ST RESERVE	FITZROY NORTH	CAPITAL CITY TRAIL (B/W ST GEORGES RD & ALFRED CR)	3068	<del>30-C11</del>	Dog Off-lead area
RUSHALL RESERVE	FITZROY NORTH	END OF HOLDEN ST	3068	<del>30-C11</del>	Dog <del>off-Off</del> -Lead area
K BARTLETT RESERVE	RICHMOND	YARRA BOULEVARD /F.R. SMITH DVE	3121	<del>59-B4</del>	Dog Multi-zone reserve
BARKLYGARDENS	RICHMOND	MARYST	3121	<del>2HB11</del>	Dog Multi-zone reserve
BURNLEYPARK ( <a href="#">has a sports ground – see schedule 2</a> )	RICHMOND	PARK GVE /YARRA BLVD	3121	<del>2HH1</del>	Dog Off-lead area
YARRA RIVER PARKLANDS- CRN BRIDGE AND YARRA BOULEVARD	RICHMOND	CRN BRIDGE AND YARRA BOULEVARD	3121	<del>2HH7</del>	Dog Off-lead area

GOLDEN SQUARE	RICHMOND	MADDENGE	3121	<del>2HF4</del>	Dog Off-lead area
ANNETTES PLACE (RIVER ST RESERVE)	RICHMOND	RIVER ST	3121	<del>2HH4</del>	Dog Off-lead area
<del>CITIZENS PARK</del>	<del>RICHMOND</del>	<del>CHURCH ST / HIGHETT ST</del>	<del>3121</del>	<del>2HB5</del>	<del>Dog Off-lead area</del>
CIRCUS SITE	RICHMOND	SWAN ST	3121	<del>2HJQ</del>	Dog Off-lead area
<b>RESERVE NAME</b>	<b>SUBURB</b>	<b>STREET ADDRESS</b>	<b>POST CODE</b>	<b>MELWAYS REF.</b>	<b>DESIGNATION</b>
<del>ALLEN BAIN RESERVE (has a sports ground – see schedule 2)</del>	RICHMOND	MARY ST	3121	<del>2HB42</del>	Dog Off-lead area
YARRA RIVER PARKLANDS- LOYS PADDOCK	RICHMOND	SNOW ST	3121	<del>2MF4</del>	Dog Off-lead area
<del>BURNLEY PARK OVAL</del>	<del>RICHMOND</del>	<del>PARK GRV / YARRA BLVD</del>	<del>3121</del>	<del>2HHIO</del>	<del>Dog Off-lead area (Sports ground)</del>
<del>CITIZENS PARK (has a sports oval – see schedule 2) – OVAL</del>	RICHMOND	CHURCH ST / HIGHETT ST	3121	<del>2HB5</del>	<del>Dog Off-lead area (Sports ground)</del>
WILLIAMS RESERVE	RICHMOND	VICTORIA ST / BURNLEY ST	3121	<del>2HF2</del>	Dog <u>On-lead (9 am – 5 pm)</u> <u>Dog Off-lead (all other times)</u> Multi-zone reserve
DAME NELLIE MELBA MEMORIAL RESERVE	RICHMOND	COPPIN ST	3121	<del>2HC7</del>	Dog <u>On-lead (9 am – 5 pm)</u> <u>Dog Off-lead (all other times)</u> Multi-zone reserve
McCONCHIE RESERVE	RICHMOND	MARY ST	3121	<del>2MB2</del>	Dog <u>On-lead (9 am – 5 pm)</u> <u>Dog Off-lead (all other times)</u> Multi-zone reserve

Formatted Table

#### SCHEDULE 2. Dog prohibited areas

1. Edwardes Place, Falconer Street, North Fitzroy.
2. McNamara Reserve, Gold Street, Collingwood.
3. Batman Reserve, Batman Street, North Fitzroy.
4. Whitlam Place, Moor Street, Fitzroy.

5. Urban Arts Square, Bridge Road, Richmond.
6. ~~Cairns Reserve Playground Park, Lyndhurst Street.~~
- ~~7-6.~~ Gary Owen Park, Leicester Street, Fitzroy.
7. All playgrounds.
8. Any cricket turf cricket wicket when roped off and any wicket covered area.
9. Any synthetic sports grounds.
10. Any sporting grounds enclosed by fencing (except for Victoria Park and Citizens Park).
11. ~~Alphington plington~~ Park wetland – Parkville Road, ~~Alphington plington~~.
12. Any mulched areas of any play or exercise equipment.
13. Any ~~established Council~~ garden bed on Council lands.

~~Council may, subject to public comment and public notice, add to, delete and vary the areas listed in Schedule 1.~~