

2.3 OFF-LEASH AREAS FOR DOGS INCLUDING CONSIDERATION OF FENCED OFF-LEASH AREAS

(Author:JG)

Responsible Directors: Russell Hopkins, Director Community Services & Peter Panagakos, Director City Development

EXECUTIVE SUMMARY

In accordance with Council's resolution made at its 15 December 2020 Council meeting, officers have identified possible locations (at least one per ward) for potential future fenced dog off-leash areas (FOLAs) using a best practice assessment methodology as documented in the *Planning, Design and Management of Off-Leash Areas Technical Manual (2019)*.

The top-ranking FOLA sites in each ward have been identified; however, there are many considerations associated with the development of FOLA sites such as impact on amenity, equity of access, potential conflicts of use, community consultation, regulation and risk management, design scope and capital costs, ongoing management and maintenance, etc.

Accordingly, identifying these sites is only part of the process required and, in considering this further, officers recommend that it is prudent to commence, and for Council to consider the introductions of FOLAs on a holistic basis. This was made apparent through the recently adopted Domestic Animal Management Plan (DAMP) which recommended a review of existing off-leash areas across the municipality.

Undertaking this review (which may lead to a possible reduction or relocation of existing off-leash areas [OLAs]) will better inform where OLAs and FOLAs may be best placed if they were to be considered as appropriate. The process of reviewing the existing OLAs would include consulting with users and sports clubs in regard to drafting an off-leash area (including fenced off-leash area) policy for Council consideration at a future meeting before progressing planning for a possible FOLA in Monash.

PURPOSE

The purpose of this report is to update Council on officer investigations into off-leash areas, including consideration of potential fenced-off leash areas (FOLAs or fenced dog parks) and outline the key considerations and challenges associated with off-leash areas (OLAs, including potential FOLAs).

KEY CONSIDERATIONS/ISSUES

Experts are critical of many fenced off-leash areas (FOLAs) being installed without being accompanied by a comprehensive dog off-leash policy that talks to the rationale behind the provision of unfenced, partially fenced and fully fenced leash areas.

It is also suggested that if all dog owners were prepared to actively train, supervise and control their dogs as they are legally required to do (i.e. be a responsible dog owner), then arguably there would be no need to provide exclusive fenced areas for dogs.

There are many considerations that need to be taken into account in-regard to the provision of off-leash and potential fenced off-leash areas. For example, to address safety and design requirements for fenced off-leash areas (FOLA's), it is recommended sites should be **minimum of 3,500m² and preferably 5,000m²+**. Finding underutilised public open space of suitable size and shape for a potential future FOLA is difficult in Monash without displacing existing user groups e.g. recreational/sports club users.

Further work is also required to better understand the drivers behind the need specifically for fenced-off leash areas for dogs and the likely impact FOLAs will have on open space provision and public amenity.

FINANCIAL IMPLICATIONS

Subject to the design features, range of equipment and supporting infrastructure required, a neighbourhood scale fenced off-leash area of approximately 3,500-5,000m² (designed in line with industry best practice), would cost upwards of \$300,000* excl. GST to construct.

*Note: This does not include site investigations, design, project management and contingency costs (+30%) or ongoing operational costs such as management and maintenance.

CONCLUSION/RECOMMENDATION

Before progressing planning for a potential FOLA(s) in Monash, it is recommended that Council:

1. Notes that work has been done on FOLAs as per the 15 December 2020 resolution of Council including investigation of potential locations having regard to the off-leash area key principles as outlined in Attachment A.
2. Notes the key considerations and challenges of FOLAs as outlined in this report.
3. Accepts in-principle that for the above reasons, the scale and number of any potential FOLA developments in Monash need to be further considered following further assessment and consultation, but if introduced should be on a limited basis.
4. Notes the Domestic Animal Management Plan (DAMP) action for review of OLAs and accepts that this will impact existing areas, and the need to develop a policy and identify new OLAs (including possible FOLAs) accepting this will have an impact on current and future locations where people can exercise their dogs off lead.
5. Commence the process of reviewing OLAs, including consideration of any changes/removal of OLAs and the identification of new possible OLA/FOLA locations.

6. Accepts that the review of existing OLAs will be undertaken with in accordance with the 16 key principles as detailed in Attachment A.
7. Consult with clubs and users where OLAs exist and may be subject to any changes/removal of existing OLAs and report to Council at the appropriate time on proposed actions and feedback as well as a draft policy to inform the establishment (and retention) of OLAs including how FOLAs may be considered in the future.

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RECOMMENDATION

That Council:

- 1 *Notes that work has been done on FOLAs as per the 15 December 2020 resolution of Council, including investigation of potential locations having regard to the off-leash area key principles as outlined in Attachment A.*
- 2 *Notes the key considerations and challenges of FOLAs as outlined in this report.*
- 3 *Accepts in-principle that for the above reasons, the scale and number of any potential FOLA developments in Monash need to be further considered following further assessment and consultation, but if introduced should be on a limited basis.*
- 4 *Notes the Domestic Animal Management Plan (DAMP) action for review of OLAs and accepts that this will impact existing areas, and the need to develop a policy and identify new OLAs (including possibly FOLAs) accepting this will have an impact on current and future locations where people can exercise their dogs off lead.*
- 5 *Agrees to undertake a holistic review of OLAs, including consideration of any changes/removal of existing OLAs and the identification of new possible OLA/FOLA locations.*
- 6 *Accepts that the review of existing OLAs will be undertaken within accordance with the 16 key principles as detailed in Attachment A.*
- 7 *Consult with clubs and users where OLAs exist and may be subject to any changes/removal of existing OLAs and report to Council at the appropriate time on proposed actions and feedback as well as a draft policy to inform the establishment (and retention) of OLAs, including how FOLAs may be considered in the future.*

INTRODUCTION

At the 15 December 2020 Council meeting, Council resolved to:

- *Direct officers to identify possible locations (at least one per ward if possible) for dedicated fenced dog off leash areas strategically positioned across the municipality; and*
- *Receive a report/update by November 2021 on possible locations, associated costs, implications and any implementation recommendations to allow consideration as part of Council's 2022/23 Budget Process.*

BACKGROUND

Community interest in fenced off-leash areas (FOLAs) for dogs was identified in the *2021 and Beyond Survey (2017)*. Council's Domestic Animal Management Plan 2017-21 also identified a need to investigate the feasibility for a FOLA within the Municipality.

In accordance with Council's resolution made at its 15 December 2020 Council meeting, officers have identified possible locations (at least one per ward if possible) for dedicated fenced dog off-leash areas (FOLAs) by applying a best practice assessment methodology as recommended in the *Planning, Design and Management of Off-Leash Areas Technical Manual (2019)*.

Following the assessment of sites, officers have identified the top-ranking sites in each ward for consideration as possible future FOLAs, subject to site investigations, design, community consultation and budget provision.

However, there are many considerations (pros and cons) associated with developing a potential FOLA in Monash, it is recommended Council note the investigations undertaken to date as detailed in this report and commence a process to review existing off-leash areas holistically across the municipality as recommended and adopted as part of the Domestic Animal Management Plan (DAMP), and consult with users and sports clubs to develop a draft off-leash area (including fenced off-leash area) policy for Council consideration at a future meeting.

DISCUSSION

Traditionally, planning for dog off-leash areas has not been subject to the same planning considerations as for other community facilities such as parks, sports grounds and play spaces. As a result, off-leash areas have generally been accommodated in and around existing parkland infrastructure (e.g. sports fields, natural open space) and in smaller and/or less popular parks.

This has often resulted in conflict because of incompatible uses, inadequate buffers between off-leash and other parkland activities and non-compliance of some dog owners (e.g. dog litter and damage to sportsfields).

There is also a need to better understand the key drivers behind requests for FOLA's, for example, would the provision of more off-leash (non-exclusive) areas in Monash alleviate the need for fenced off-leash (exclusive) areas for dogs.

Current Situation

There are currently 31 designated dog off-leash areas within the municipality, of which there are currently nine fenced sports ovals/reserves designated as dog off-leash areas for use by dog owners outside of those times when organised sport is occurring:

1. Batesford Reserve
2. Mt Waverley Reserve
3. Jack Edwards Reserve
4. Mulgrave Reserve
5. Southern Reserve
6. Gladeswood Reserve
7. Gardiners Reserve South
8. Princes Highway Reserve West
9. Glen Waverley Reserve North

These reserves are currently fenced, however none of these reserves are exclusively dedicated to dogs nor do they provide specific infrastructure to exercise and develop dogs.

Dog Control Order

Regardless of whether dogs are off the lead in an unfenced or fenced off-leash area, owners must comply with Council's Dog Control Order (2015) that requires owners to:

- carry a short leash for restraining their dog
- have effective voice or hand control over their dog
- be able to bring their dog under control promptly
- remain in constant sight of their dog
- not allow their dog to worry, threaten or attack another dog or person

Dog owners are also required to keep their dog on a short leash within 20 metres of children's play equipment that is in use and BBQ or picnic areas.

Technical Manual

A Planning, Design and Management of Off-Leash Areas Technical Manual (2019) has been developed in Victoria to provide a best practice approach to the planning, design and management off-leash, fenced and partially fenced off-leash areas for dogs. This work was commissioned by DELWP to assist local government to deliver fenced dog parks as part of the State Government's recent Dog Park funding program.

The Technical Manual is critical of many fenced off-leash areas (FOLAs) being installed without being accompanied by a comprehensive dog off-leash policy that talks to the rationale behind the provision of unfenced, partially fenced and fully fenced leash areas. Land managers are cautioned to give *careful consideration to the rationale for providing FOLAs, and to understand the implications of acquiescing to pressure from dog owners who are not prepared to actively supervise their dog or who cannot control their dogs as they are legally required to do.*

The technical manual also identifies key considerations and provides a best practice assessment framework that should be used to assess a site's suitability as a fenced off-leash area (FOA). To address safety and design

requirements for FOLAs, sites should be **minimum of 3,500m² and preferably 5,000m²+**.

In addition, the site should be of a shape that addresses design requirements and in particular not be long and narrow. These considerations will optimise usage, and management and risk management outcomes relating to dog and human (dog owner) behaviour. The assessment criteria considers:

- Size and shape
- Location and integration within the parkland
- Visibility/profile
- Compliance monitoring
- Environmental sensitivity
- Appeal of the site and linkages
- Ownership and management considerations
- Existing or proposed level of infrastructure
- Site readiness for development/use
- Addressing a gap in provision
- Existing use of the site for off-leash activities
- Any planned significant population increase

This assessment framework is also compatible and consistent with relevant legislation, guidelines and policy and it is recommended Council use this assessment framework to determine a site's suitability as a potential fenced off-leash area (FOLA).

Challenges associated with FOLAs

It is acknowledged that many dog owners have requested Council provide FOLAs dedicated specifically to dogs in Monash.

Fencing should only be considered when there is a lack of suitable open space and design considerations such as safety fencing and/or appropriate landscape barriers is deemed appropriate for off-leash areas. For example fencing and landscape barriers may be used when OLAs are in close proximity to:

- other parkland activities that are not compatible with dogs off-leash
- potential hazards such as roads and commuter trails
- wildlife or sensitive vegetation areas
- premier (A grade) sportsfields required to meet elite state sporting association turf quality and coverage standards.

Regardless of whether they are fenced or unfenced, OLAs have benefits including providing opportunities for community connectivity and the opportunity for dogs to engage in robust physical activity and socialise with other dogs.

It is important that OLAs are not fenced in response to:

- pressure from people who cannot/do not control their dogs in line with council and state government legislation
- trends elsewhere
- without an understanding of dog and human behaviour in these environments and the potential implications.

The following highlights some of the challenges associated with OLAs:

- dog owners who do not/cannot control their dogs in line with Dog Control Orders including the high number of dog owners (est. 80%+) who have not attended dog education/obedience classes with their dogs
- lack of active supervision of dogs e.g. dog owners socialising/being distracted
- increased prevalence of dog litter
- the increased incidence of dog-on-dog and/or dog-on-human aggression and dog 'rushes'
- the unpredictable nature of dogs and the unpredictable behaviour of dogs in the company of unfamiliar dogs and people
- many dog owners don't understand about the process of dog socialisation and are often of the false understanding that the focus of 'dog socialisation' is dog-to-dog contact, and contact with dogs regardless of compatibility
- many dog owners do not read or understand dog body language (their own and other dogs) and/or respond to it in a timely manner

These challenges have more significant implications in FOLAs because of the confined nature of the areas, and the increased likelihood of conflict resulting from less well-controlled/behaved dogs.

FOLAs impact on Open Space Provision

Exclusively fencing-off public open space for a FOLA within an existing park or reserve will potentially create a physical barrier that will limit flexible and accessible use by the broader community. In wards (or precincts) that have low open space provision such as Oakleigh (as identified in the Monash Open Space Strategy or MOSS, 2018), the need for a well-considered and strategic site selection process is considered crucial. This will ensure broader community access to valuable open space is not adversely impacted and help manage potential impacts such as:

- reduced community access to public open space
- potential conflict between different user groups
- negative impacts on visual amenity (e.g. built infrastructure such as additional fencing and wear and tear on reserves)
- increased traffic and parking issues
- increased noise (dog barking) and rubbish (faeces) issues.

Similarly, the impact of OLAs and/or FOLAs on sportsgrounds needs to be considered to ensure playing surfaces are not adversely impacted and/or help manage potential impacts such as:

- Limited availability of sportsgrounds for club use
- Ensuring the quality and playability of premier sports surfaces
- Damage to playing surfaces caused by dog digging and urinating
- Increased turf maintenance costs associated with manage dog-related wear and tear and reinstatement of damaged surfaces
- Potential closure of turf surfaces to repair dog damage (e.g. Jack Edwards turf pitch was closed for 3 weeks to repair dog damage caused by digging, scratching and urine burns)
- Turf centre wicket damage
- Sport training and match play impacted by dogs off-leash running through fields of play
- Dog faeces being left on playing surfaces

POLICY IMPLICATIONS

An investigation into the feasibility of developing a dedicated FOLA in Monash is recommended in the Domestic Animal Management Plan (DAMP) 2017-2021. The identification of a preferred site for a dedicated FOLA would need to be cognisant of and compatible with relevant Council policies and strategies such as the Monash Open Space Strategy 2018.

It is also recommended Council develop an Off-Leash/Fenced Off-Leash Area Policy. An Off-Leash/Fenced Off-Leash Area Policy is required to ensure decision-making is based on a sound understanding of dog control and management implications.

CONSULTATION

Consultation on the new Domestic Animal Management Plan 2021-25 closed on 28 September 2021. The majority of submissions received in response to DAMP 2021-25 were from sports clubs complaining about the impact dogs have on playing surfaces.

SOCIAL IMPLICATIONS

According to the Royal Society for the Protection of Cruelty to Animals (RSPCA), pets can make us physically and mentally healthier. Research has shown that owning a pet can have a number of physical and psychological health benefits.

GENDER IMPACT ASSESSMENT

More data is needed to understand gender implications regarding dogs ownership and how women, men and non-binary people access and use dog off-leash areas. Due to a lack of data, a gender impact assessment has not been undertaken at this time. It is recommended Council undertake a gender impact assessment as part of any review of Council's Domestic Animal Management Plan.

FINANCIAL IMPLICATIONS

The cost of construction of a fenced off-leash area can vary depending on:

- the number and type of landscape and sensory elements areas (these are necessary in order to disperse and manage dog behaviour)
- the type and durability of surface and sub-surface materials
- the length of fencing required to accommodate different spaces (e.g. quiet dog area, time out area)
- the type of fencing materials used (e.g. farm style, chain wire)
- the type and extent of pathways within and leading to the fenced off-leash areas (e.g. granitic sand, concrete)
- the need for additional tree and vegetation plantings over that which is already on site (e.g. shade, sensory areas for dogs, 'sight-breakers')
- the need for irrigation in order to maintain any grassed surfaces
- the inclusion of constructed shelters
- the extent of amenity infrastructure (seating, drinkers), connections to services e.g. water, power
- the inclusion of dog education/agility infrastructure

FOLA Capital & Operational Costs

Benchmarking data indicates a typical 3,500m² + sized FOLA with dog agility equipment and supporting infrastructure costs around \$300,000 excl. GST to construct. This estimate does not take into account costs associated with ground works such as drainage and fill, removal of contaminated materials, external/connector pathways (e.g. from car park, adjoining trail) or additional car parking requirements. It is estimated an additional \$300k is required for sites than need car parking and connector pathways etc. or operational management and maintenance costs.

CONCLUSION

This report outlines the key considerations and challenges pertaining to planning, design and development of off-leash areas (OLAs), including potential FOLAs.

It is recommended Council note the investigations undertaken to date as detailed in this report and commence a process to undertake a holistic review of existing off-leash areas in Monash and consult with users and sports clubs in regard to drafting an off-leash area (including fenced off-leash area) policy for Council consideration at a future meeting.

ATTACHMENTS

Attachment A – Off-Leash Area Key Principles