

# MONASH DOG OFF-LEASH POLICY

## POLICY OVERVIEW

This policy articulates the rationale for the provision of off-leash areas (OLAs) including unfenced, partially fenced and fenced off-leash areas, and details the site assessment methodology and key principles to be applied to determine the suitability of sites.

APPROVED BY:

APPROVAL DATE:

REVIEW DATE: Every four years as part of the Domestic Animal Management Plan.

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## 1. DEFINITIONS

### **Off-Leash Area (OLA)**

A designated area where dogs are permitted to be off the leash. Off-leash areas may be unfenced, fenced or partially fenced.

### **Fenced Off-Leash Area (FOLA)**

Designated off-leash areas that are partially fenced or fenced which may or may not be an exclusive areas for dogs. Exclusive fenced off-areas for dogs are commonly referred to as fenced dog parks.

### **Dog Control Order**

A council resolution made pursuant to section 26(2) of the Domestic Animals Act 1994.

### **Sportsgrounds**

Outdoor turf sportsfields, ovals and pitches used for organised sport and community use e.g. cricket & Australian Rules ovals and rugby & football (soccer) pitches.

### **Specialised Sport Surfaces**

Specialised sport surfaces include premier A grade sportsgrounds and synthetic sports surfaces such as synthetic hockey and soccer pitches, netball and tennis courts that are outdoors.

### **Shared-use areas**

Parkland areas that can be used for a variety of outdoor recreation and sporting activities e.g. open space surrounding sportsgrounds, run-about areas, sportsgrounds, and parks and natural reserves.

### **Playgrounds (dogs must be on-leash within 20m of an in-use playground)**

Any publicly accessible area used for outdoor play or recreation which contains recreational play equipment or infrastructure such as slides, swings, climbing structures, fitness equipment, basketball hoops, associated BBQ and picnic areas etc typically found in a park or reserve.

### **Major Shared Trails**

Major shared trails are typically 3m wide, sealed trails commonly used for walking, running and recreational and commuter cycling. Transport Victoria has identified several primary and main Strategic Cycling Corridor (SCC) routes or major shared trails run through and across Monash such as Scotchmans Creek Trail, Djerring (or Station) Trail, Gardiners Creek Trail, Dandenong Creek Trail, Waverley Rail Trail, Monash Freeway Trail (part) and potential Syndal Pipe Track Trail.

### **No Dog Areas**

Designated areas where dogs are prohibited. Under this policy no dogs are permitted on:

- Specialised Sports Surfaces such as synthetic pitches e.g. Ashwood Reserve Hockey Pitch, Gardiners Reserve Middle Pitch, Jack Edwards Reserve Junior Pitch
- Premier A grade turf sportsgrounds and playing surfaces such as A grade baseball & softball diamonds (refer [Active Monash Facility Hierarchy](#) for details on sportsground classifications)

- Leased sporting facilities e.g. tennis courts and bowling greens operated by sports clubs under a lease agreement with Council.

### **On lead Areas**

On-lead areas are all public areas where dogs must be kept on-leash. These are areas other than designated off-leash or 'no dog' areas and also include open space:

- Within 20m of a playspace (in-use)
- Within 10m either side of a major shared trail such as Gardiners Creek, Scotchmans Creek, Djerring, Rail, Dandenong Creek Shared Trails etc.
- Dedicated conservation reserves or environmentally sensitive areas such as Damper Conservation Reserve, Valley Reserve Conservation Park and Mulgrave Reserve Wetlands.

## **2. PURPOSE**

This policy provides the rationale for the provision of off-leash areas (OLAs) including unfenced, partially fenced and fenced off-leash areas, and details the site assessment methodology and key principles to be applied to determine the suitability of sites.

## **3. CONTEXT**

### **3.1 DOMESTIC ANIMAL MANGEMENT PLAN**

The Monash Domestic Animal Management Plan (DAMP) is reviewed every four years in line with the requirements of the Victorian Domestic Animals Act. The DAMP recommends a review of all off-leash areas be undertaken to consider:

- opportunities for additional off-leash areas
- sites where off-leash provision may need to be modified given other site considerations
- opportunities to better align on/off-leash boundaries for clarity of understanding (community) and ease of monitoring boundaries (compliance staff)
- minimise and/or manage potential conflicts between dog off-leash and other activities.

### **3.2 DOG CONTROL REGULATIONS**

Regardless of whether dogs are off the lead in an unfenced or fenced off-leash area, owners must comply with Council's current 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 (including BBQ or picnic areas) and within 10m either side of a major shared trails.

Refer to [Attachment A – Excerpt Monash Dog Control Order \(2015\)](#) details relevant Dog Control Regulations.

### **3.3 SPECIALISED SPORTS SURFACES**

Dogs are currently allowed off-leash on some sportsgrounds and will continue to be allowed off-leash on some sportsgrounds such as designated B and C grade sportsgrounds. Under this policy, specialised sport surfaces such as premier A grade sportsgrounds and synthetic sports surfaces, are dog free zones.

Specialised sports surfaces and dogs are not considered compatible and are classified dog free or no dog zones to ensure these playing surfaces are not adversely impacted by:

- Damage to playing surfaces caused by dogs digging and urinating
- Increased turf maintenance costs associated with managing dog-related wear and tear and reinstatement of damaged surfaces
- Potential ground closures or grounds under repair to reinstate damaged or unsafe surfaces
- Sport training and match play impacted by dogs off-leash running through fields of play
- Dog faeces being left on playing surfaces.

### **3.4 CONSERVATION RESERVES**

To protect high levels of biodiversity and native flora and fauna, dogs are required to be on-lead in designated conservation reserves such as Damper Creek Conservation Reserve.

### **3.5 MAJOR SHARED TRAILS**

Major shared trails are heavily utilised by commuter cyclists, recreational cyclists, joggers and walkers.

To encourage greater cycling for transport through the provision of safer, lower stress cycle environments and to minimise potential conflicts of use between dogs and trail users dogs are required to be on-leash 10m either side of a major shared trail.

## **4. SCOPE OF POLICY**

The policy relates to the planning and management of all off-leash areas, including unfenced, partially fenced and fully fenced off-leash areas.

## **5. POLICY IMPLEMENTATION**

### **5.1 PRINCIPLES GUIDING PLANNING AND DEVELOPMENT**

Policy relating to fenced off-leash areas should be considered in the wider context of all off-leash areas whether fenced or unfenced. This will ensure council's policy rationale is comprehensive and will minimise inconsistency.

There are 16 endorsed key principles that guide the planning of off-leash areas, including fenced off-leash areas. Refer to [Attachment B – OLA Design Principles \(adopted 30 Nov 2021\)](#).

### **5.2 MINIMUM PROVISION STANDARDS**

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

Given the increasing demands on open space and the lack of open space in some areas, this situation will require constant monitoring and review.

[Attachment C – OLA Provision Standards](#) outlines the provision framework to be used to guide the planning and development of off-leash areas.

## 6. ATTACHMENTS

Attachment A – Excerpt Monash Dog Control Order (2015)

Attachment B – OLA Design Principles (adopted 30 Nov 2021)

Attachment C – OLA Provision Standards

## 7. RELATED DOCUMENTS

Planning, Design and Management of Off-Leash Areas Technical Manual (Including Fenced Off-Leash Areas), LMH Consulting/Paws4Play, 2019

## **ATTACHMENT A – EXCERPT MONASH DOG CONTROL ORDER (2015)**

At Order Number 4 August 2015 is pursuant to section 26(2) of the Domestic Animals Act 1994.

### **1. Revocation**

(1) All previous Orders made by Council under section 26 of the Domestic 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 (not exceeding 1.5 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.

(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. 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 a chain, cord or leash.

### **4. Owner's obligations in a Designated Reserve**

(1) A dog may be exercised off a chain, cord or leash in a Designated Reserve if the Owner:

(a) carries a chain, cord or leash not exceeding 1.5 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 threatens any person or animal.

(b) remains in effective voice 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 (not exceeding 1.5 metres in length) 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) If a dog is off a chain, cord or leash in a Designated Reserve it must be brought under effective control by means of a chain, cord or leash (not exceeding 1.5 metres in length) if the dog is within twenty metres of:

(a) an arena or ground whilst being used for an organised sporting or practice event;

(b) a children's play equipment area that is being used;

(c) the location of an organised public meeting; and

(d) a barbeque or picnic area that is being used.

### **5. Owners must be equipped to remove dog faeces**

(1) The Owner of a dog must carry a bag, receptacle or other means of picking up and removing from any Public Place any of the Owner's dog's faeces.

## ATTACHMENT B – OLA DESIGN PRINCIPLES (ADOPTED 30 NOV 2021)

At the 30 November 2021 Council meeting, Council adopted 16 key principles to guide the planning of off-leash areas, including fenced off-leash areas:

### Planning of Off-leash Areas

1. The assessment of a site's suitability as an off-leash or fenced off-leash area will be undertaken in accordance with the best practice assessment methodology detailed in the *Planning, Design and Management of Off-Leash Areas Technical Manual (Including Fenced Off-Leash Areas) (2019, extract)*, which is consistent with relevant legislation, guidelines and policy.
2. Council makes provision for dog owners and their dogs in public spaces because:
  - owners are increasingly making recreation/activity choices based on being able to take their dog/pet
  - dogs/pets contribute to the social, mental/emotional, and physical health and wellbeing of our society
  - many dog owners have significant engagement with others primarily through their dog
  - these spaces can:
    - become hubs where dog owners congregate and network
    - provide opportunities for education/awareness and community development and 'place-making' initiatives
    - provide an alternative and low-cost recreation option.
3. The following key considerations will influence decision-making relating to dog off-leash areas, including fenced and partially fenced areas and Council's capacity to fund, maintain, renew and manage the site effectively including:
  - active monitoring of the site
  - industry best practice
  - safety/risk minimisation
  - State Government legislation
  - Council strategy and policy context e.g. DAMP, reserve masterplans, sportsground classifications
  - recognised dog and dog owner behaviour in different on/off-leash environments.
4. Off-leash areas are public open space assets that will be accessible to all residents in line with:
  - Council's policy on optimising access to public facilities and open space for all residents
  - universal access, equity and crime prevention through environmental design (CPTED) and sustainable design principles
  - optimising safety/minimising risk for everyone who accesses open space/public facilities regardless of its primary use.
5. Planning and policy acknowledges the needs/aspirations of dog owners, people without dogs but who want to interact with dogs, and people who do not want to interact with dogs in public spaces.
6. Where possible, the same service level/provision principles will apply to the planning of dog off-



leash areas as they do for other open space assets (e.g. sports reserves, play spaces).

### **Shared and Responsible Use of Off-Leash Areas**

7. People who use public open space must be respectful of other people who also use these spaces. For dog owners this means they must:

- understand and comply with relevant Council and State Government regulations relating to the control of their dog, leashing of dogs, picking up of dog litter
- prevent their dogs from making any unsolicited approach to other dogs or people
- control dogs in line with environment (e.g. short leash on trails) and remove poorly behaved dogs from the public environment
- be respectful of other open space users and of restrictions that may apply to dogs
- must understand that some people do not want to interact with dogs, do not like dogs or are fearful of dogs
- comply with regulations, requiring dogs kept on-leash within 20 metres of an occupied playspace.

For non-dog owners or people who do not want to interact with dogs this means they:

- must not make an unsolicited approach to dogs, and must prevent young people/ children in their care from doing the same
- must not provoke dogs
- should become familiar with the location of off-leash areas and consider alternative open space options for their outdoor activities
- must take due care and consideration when using amenities that are shared with dog owners/dogs such as when on trails and areas abutting trails/footpaths.

8. Council recognises that the majority of dogs can be effectively trained to recall.

### **Responsible Management of Off-Leash Areas**

9. There are costs associated with managing dogs and the actions of dog owners in public spaces and these costs relate to:
- complaint management (e.g. dog litter, poorly controlled dogs/aggressive dogs and/or dog owners, dogs off-leash in on-leash areas)
  - waste management including removal of uncollected dog litter, clearing of bins, supply of litter bags
  - incidents of dog aggression/rushes, particularly in fenced/partially fenced areas
  - degradation, renewal and maintenance of intensively used off-leash areas
  - need for increased patrols by local laws, in particular at fenced/partially fenced off-leash areas
  - ensuring compliance with dog control orders
  - underuse of an asset due to the prevalence of aggressive/poorly behaved dogs.
10. Dog owners must ensure their dogs are appropriately educated to be off the leash and trained to immediate recall in line with Council's orders.

## Fencing of Off-Leash Areas

11. Fenced off-leash areas have a greater likelihood of attracting the following (compared to unfenced/partially fenced off-leash areas):
  - owners who have poor/less control over their dogs and whose dogs are not appropriately responsive to control commands
  - owners who have poorly socialised dogs
  - owners who will leave dogs unattended
  - owners and commercial operators who take too many dogs into a fenced off-leash area.
12. The majority of off-leash areas will be unfenced to optimise appropriate owner control over dogs.
13. The purpose of fencing is not to manage poorly controlled/behaved dogs and will generally only be considered where:
  - there is a safety or perceived safety risk nearby e.g. a road, commuter trail, busy road
  - there is need for a physical barrier between off-leash areas and other closely located or incompatible open space activity that cannot be managed by effective design and/or barrier landscaping e.g. a play space, picnic area.
14. To address safety and design requirements, potential fenced off-leash areas exclusively provided for dogs are to be a **minimum of 3,500m<sup>2</sup> and preferably 5,000m<sup>2</sup>+**. The development of potential FOLA's should not displace or disenfranchise other open space users/user groups. Landscape design solutions should be considered before an OLA is partially or fully fenced. For example landscape barriers (vegetation, berms, rock embankments) may be used when OLA's 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.

## Sportsfields

15. Sportsfields with specialised sport surfaces (e.g. A-grade sportsfields and turf wickets) will generally not accommodate dog related activities to ensure premier playing surfaces are not adversely impacted.

## Conservation Reserves

16. To protect high levels of biodiversity, Council designated conservation reserves are classified as dog on-lead areas e.g. Damper Creek Conservation Reserve.

## ATTACHMENT C – OLA MINIMUM SERVICE & INFRASTRUCTURE PROVISION STANDARDS

The minimum service & infrastructure provision standards will be used to guide design, plantings, structures & amenities and management of off-leash areas (including fenced off-leash areas) as detailed in the table below:

<b>MINIMUM OLA PROVISION STANDARD:</b> Aspire to meet a minimum provision standard of an OLA being located within 800 metres of 95% of all residential dwellings (except in non-residential precincts such as Monash University, industrial business zones and golf courses).			
<b>TYPE 1 SITES – FULLY FENCED OLAS THAT <u>ARE</u> EXCLUSIVE FOR DOGS (DOG PARK)</b> Dog exclusive or dog ‘primary use spaces’ of 5,000 sq mts+	<b>TYPE 2 SITES – PARTIALLY OR FULLY FENCED OLAS THAT <u>ARE NOT</u> EXCLUSIVE FOR DOGS</b> Shared use off-leash areas (significant use) & general park use sites	<b>TYPE 3 SITES – LOCAL OLAS</b> Local off-leash areas (may be co-located with Sportsgrounds)	<b>TYPE 4 SITES – SPORTSGROUNDS THAT ARE ALSO OLAS</b> Sportsgrounds where dogs can be off-lead outside of sporting activities
<b>Design elements</b> <ul style="list-style-type: none"> <li>Fencing depending on site requirements and principles as detailed in Policy Section 5.1 Principles points 10, 11 &amp; 12.</li> <li>Pathways – to and within (btw elements)</li> <li>Landscape features/tactile features</li> <li>Open runabout area with ‘space-breakers’ (to break sightlines across the space)</li> <li>Hillocks/mounding – sensory and ‘boundary management’/visual distractions for dogs</li> <li>Sensory constructed elements – rock mounds, dry creek bed, dogging pit</li> <li>Surface considerations – grass/irrigation; granitic sand, opportunity for resting/restoration</li> </ul>	<b>Design elements</b> <ul style="list-style-type: none"> <li>Fencing depending on site requirements and principles as detailed in Policy Section 5.1 Principles points 10, 11 &amp; 12.</li> <li>Pathways – as for classification of park</li> <li>Landscape features/ tactile features</li> <li>Open runabout area with ‘space-breakers’ (to break sightlines across the space)</li> </ul>	<b>Design elements</b> <ul style="list-style-type: none"> <li>None-specific to dog use</li> </ul>	<b>Design elements</b> <ul style="list-style-type: none"> <li>None-specific to dog use</li> </ul> <b>Considerations</b> <ul style="list-style-type: none"> <li>No OLAs on premier A grade sportsgrounds</li> <li>No OLAs on synthetic grass sports surfaces</li> <li>Avoid OLAs on sportsgrounds with turf centre wickets wherever possible</li> </ul>
<b>Plantings</b> <ul style="list-style-type: none"> <li>Amenity and shade tree plantings</li> <li>Sensory vegetation plantings (for dogs)</li> <li>Visual barrier plantings</li> </ul>	<b>Plantings</b> <ul style="list-style-type: none"> <li>Amenity and shade tree plantings</li> <li>Sensory vegetation plantings (for dogs)</li> <li>Visual barrier plantings</li> </ul>	<b>Plantings</b> <ul style="list-style-type: none"> <li>None-specific to dog use</li> </ul>	<b>Plantings</b> <ul style="list-style-type: none"> <li>None-specific to dog use</li> </ul>
<b>Structures &amp; amenities</b> <ul style="list-style-type: none"> <li>Etiquette /Conditions of Use signage</li> </ul>	<b>Structures &amp; amenities</b> <ul style="list-style-type: none"> <li>As for classification of park</li> </ul>	<b>Structures &amp; amenities</b> <ul style="list-style-type: none"> <li>As for classification of park</li> </ul>	<b>Structures &amp; amenities</b>

**MINIMUM OLA PROVISION STANDARD:**

Aspire to meet a minimum provision standard of an OLA being located within 800 metres of 95% of all residential dwellings (except in non-residential precincts such as Monash University, industrial business zones and golf courses).

TYPE 1 SITES – FULLY FENCED OLAS THAT <u>ARE</u> EXCLUSIVE FOR DOGS (DOG PARK) Dog exclusive or dog ‘primary use spaces’ of 5,000 sq mts+	TYPE 2 SITES – PARTIALLY OR FULLY FENCED OLAS THAT <u>ARE NOT</u> EXCLUSIVE FOR DOGS Shared use off-leash areas (significant use) & general park use sites	TYPE 3 SITES – LOCAL OLAS Local off-leash areas (may be co-located with Sportsgrounds)	TYPE 4 SITES – SPORTSGROUNDS THAT ARE ALSO OLAS Sportsgrounds where dogs can be off-lead outside of sporting activities
<ul style="list-style-type: none"><li>• Built shade structures</li><li>• Seats (with backs)</li><li>• Drink stations (for dogs)</li><li>• Bins/waste bag dispensers (for dogs)</li><li>• Training equipment elements (for dogs)</li><li>• Agility &amp; play equipment (for dogs)</li></ul>	<ul style="list-style-type: none"><li>• Drink stations (for dogs)</li><li>• Bins/waste bag dispensers (for dogs)</li></ul>	<ul style="list-style-type: none"><li>• Bins/waste bag dispensers (for dogs)</li></ul>	<ul style="list-style-type: none"><li>• None specific to dog use on the sportsground</li></ul>
<b>Management</b> <ul style="list-style-type: none"><li>• Generally, a significant level of maintenance/renewal required</li><li>• Waste cleaning/removal</li><li>• Patrols required</li><li>• Community education required</li><li>• Community development/ strengthening initiatives advisable (e.g. re dog control)</li><li>• Activation required depending on elements e.g. training equipment elements</li></ul>	<b>Management</b> <ul style="list-style-type: none"><li>• Waste cleaning/removal</li><li>• Patrols required</li><li>• Community education required</li><li>• Community development/ strengthening initiatives advisable (e.g. re dog control)</li></ul>	<b>Management</b> <ul style="list-style-type: none"><li>• Waste cleaning/removal</li><li>• Patrols required</li><li>• Community education required</li><li>• Community development/ strengthening initiatives advisable (e.g. re dog control)</li></ul>	<b>Management</b> <ul style="list-style-type: none"><li>• Waste cleaning/removal</li><li>• Patrols required</li><li>• Community education required</li><li>• Community development/ strengthening initiatives advisable (e.g. re dog control)</li></ul>