

LEICHHARDT MUNICIPAL COUNCIL

REPORT

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| DIVISION: | ENVIRONMENTAL AND COMMUNITY MANAGEMENT |
| SUBJECT: | ITEM D6 - COMPANION ANIMAL ACCESS TO OPEN SPACE REVIEW 2012/13 – STAGE 2 BALMAIN, ROZELLE, LILYFIELD AND ANNANDALE WARDS |
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DIRECTOR'S SUMMARY - ORGANISATIONAL IMPLICATIONS

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| Financial Implications: | None at this Stage |
| Policy Implications: | A number of draft proposals recommending changes to existing Companion animal access in local parks are canvassed in the report. |
| Strategic Plan Objective: | Community well-being Accessibility Sustainable Services & Assets Place where we live and work |
| Staffing Implications: | Part of the Current Work Programme for the Parks and Open Space Planning unit of Council. |
| Notifications: | Local residents, Precinct Committees, sporting bodies and Park users. |
| Other Implications: | None at this stage. |

Executive Summary

This report outlines a review of Council's Companion Animal Access to Open Space Strategy in the Balmain, Rozelle, Lilyfield and Annandale wards. This review follows on from the completion of the companion animal access to open space in the ward areas of Balmain and Leichhardt which was completed and adopted by Council in November 2012.

This report highlights a number of proposed changes to individual park areas in terms of companion animal access. The proposed changes have arisen as part of the initial community consultation process and following Council officer inspections and recommendations. Importantly existing time shared arrangements at Elkington Park have been removed to provide enhanced clarity, fairness and improved compliance. The high profile and popular use of this particular park for community events and weddings and has also been considered carefully and where time shared arrangements have been removed these have been balanced with a proposed new off leash area for companion animal access in the lower area of Fitzroy Reserve.

Should the draft proposals be supported by Council, there will be a 28 day exhibition period of the proposed changes. In addition public meetings will be held in the respective town halls where changes are recommended.

Following the conclusion of the exhibition period and the holding of various public consultation meetings further reporting to Council will be undertaken in relation to the adoption of proposed changes to companion animal access in Leichhardt's open space network.

1.0 Purpose of Report

To seek Council approval to publicly exhibit proposed changes to Companion Animal Access to open space areas within the Balmain, Rozelle, Lilyfield and Annandale wards.

2.0 Recommendations

That

1. Council publicly exhibit for a period of 28 days proposed draft changes relating to Companion Animal Access within the following parks:

- Elkington Park and Fitzroy Avenue (Balmain)
 - Birrung Park (Balmain)
 - Ewenton Park (Balmain)
 - Propeller Park (Balmain)
 - Thornton Park (Balmain)
 - Punch Park (Balmain)
 - Bridgewater Park (Rozelle)
 - Balmain Cove (Rozelle)
 - Easton Park (Rozelle)
 - King George Park (Rozelle)
 - Whites Creek Valley Park (Lilyfield and Annandale)
 - Smith, Spindlers and Hogan Parks (Annandale)
 - Cohen Park (Annandale)
 - Balmain Road Sporting Ground
 - Glover Street Sporting Ground
2. Council note that during the exhibition period there will be two public consultation meetings held to discuss the proposed changes in companion animal access conditions. Meetings will be held in the Balmain and Leichhardt Town Halls.
 3. Council note that the proposed changes to Elkington Park (*removal of time shared arrangements and reorganisation of off leash areas*) has been undertaken in recognition of the high public use the park enjoys in terms of weddings and events. This change is balanced overall in terms of access conditions with the introduction of a new off leash area located below Elkington Park in Fitzroy Avenue Reserve.

3.0 **Background**

Introduced by the NSW State Government in 1998, The Companion Animals Act provides for the effective and responsible care and management of companion animals. The Companion Animals Act 1998 provides legislation for the identification and registration of companion animals and for the duties and responsibilities of their owners. The Act came about in response to community expectations about the role and place of dogs and cats in society. In terms of the Companion Animals Act 1998, dogs are prohibited in the following public places:

- In or within 10m of any children's play areas;
- Food preparation and/or consumption areas (unless it is a public thoroughfare such as a road, footpath or pathway);
- Recreation areas where dogs are declared prohibited;
- Public bathing areas where dogs are declared prohibited;
- School grounds (unless with the permission of the person controlling the grounds);

- Child care centres (unless with the permission of the person controlling the centre);
- Shopping areas where dogs are prohibited (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop) and:
- Wildlife protection areas.

In 2003/04 in response to the implementation of the Act, Leichhardt Council commenced the development of a Local Companion Animals Management Plan. There are currently two main working documents in circulation governing companion animal management within the Leichhardt LGA. Part A-The Companion Animals Management Plan and Part B- the Access to Open Space Strategy for Dogs.

Part A-The Leichhardt Companion Animals Management Plan (LCAMP) provides the scope and background pertaining to domestic animal management and the legislative role and responsibilities that local government has in the application of the Companion Animals Act 1998.

The second part of the plan, Part B - Access to Open Space Strategy for Dogs is concerned with the practical implementation of the plan as it relates to open space availability for companion animal use. This part of the plan is principally concerned with access to open space areas for companion animal exercise and the guidelines pertaining to the use of such areas as it relates to on and off leash provision.

At the November 2011 Ordinary Meeting Council resolved as part of the Strategic Parks and Open Space Planning work programme for 2011/12 to undertake a review of Part B-Access to Open Space Strategy for Dogs. In undertaking its commitment to undertake the review Council resolved the following:

C612/11 RESOLVED HANNAFORD/ PLATE

That

1. Council commence a review of its Companion Animal Access to Open Space Strategy.
2. Council consult stakeholders in accordance with the Community engagement framework focussing on the current provision of companion animal access to open space within the Leichhardt LGA and public perceptions on access, signage, compliance and education.

Key stakeholders to include:

- Local residents
- Park users
- Dog owners
- Commercial dog walkers

- Dog training groups
 - Local sporting bodies
3. That Council note the scope of the review as highlighted in the body of this report.
 4. That public consultation meetings be promoted widely, including the Precinct committees and that Public Meetings be held independently at alternate times for the demographic range of majority of stakeholders including families with children.
 5. With respect to Callan Park Council note that Companion Animal Access issues will be addressed once the establishment of the Callan Park and Broughton Hall Trust is in place.
 6. Council continue discussions with the Sydney Harbour Foreshore Authority as the management authority for Ballast Point Regional Park in relation to companion animal access issues at this park.
 7. That the Companion Animal Access to Open Space Strategy review is reported back to Council for consideration in September 2012.
 8. That Council review the signage to make it more user friendly.
 9. That Council consider the events that Council holds in its parks and what arrangements will be required.

CARRIED UNANIMOUSLY

4.0 Report

4.1 Current Policy

As outlined there are currently two main working documents in circulation governing companion animal management within the Leichhardt LGA. Part A-The Companion Animals Management Plan and Part B- The Access to Open Space Strategy for Dogs.

Council officers are reviewing and proposing changes to Part B- the practical implementation of the plan and the access conditions which apply to open space availability for companion animal use. At the November 2011 Ordinary Council meeting, Council officers highlighted a number of significant inconsistencies as well as practical implementation difficulties associated with compliance within existing open space areas. Discussion was held on a range of issues including:

- Time share arrangements

- Sporting Ground access conditions
- Jogging and cycle paths
- Designated off leash areas
- Signage

In 2012 Council commenced the first stage of the review in the ward areas of Leichhardt and Birchgrove. This process involved extensive community consultation in the form of local publication advertising, a public submission process (held twice- once for public submissions relating existing conditions and secondly on exhibited proposals).

4.2 Commencement of Review

Due to the scope of the review, coupled with the other priority park planning projects, the review has been broken down into ward areas. Reviews in ward areas of Leichhardt and Birchgrove were completed and adopted by Council in November 2012. The final phase of the review involves the wards areas of Balmain, Rozelle, Lilyfield and Annandale.

The review was formally commenced on the 28 March 2012 (**Refer to Attachment 1**) and is being conducted in accordance with Council's Community engagement framework. As part of the review process, members of the public were invited to send submissions on current companion animal access arrangements within their local parks to Council regarding proposed improvements which they would like to see enacted.

The initial public submission period ran from the 5th November 2012 through to the 3rd December 2012. This was advertised in the following manner:

- On Council's website
- In the local papers
- In local parks (A3 posters were placed throughout all local parks included in the review)
- Through the local Precinct committees

Council has received a total of 15 submissions in relation to this part of the review. This includes a total of 5 submissions from the Balmain Ward, a total of 7 submissions from the Rozelle Ward, and a total of 3 submissions from the Lilyfield and Annandale wards. A full summary of all submissions received is included in **Attachment 2**.

4.3 Open Space Inspections

Following the conclusion of the initial submission process Council's Parks Planning unit visited each park area within the four ward areas. The site inspections were essential in:

- Assessing current on and off leash arrangements within each individual open space setting.
- Assessing and observing current park usage and where present, individual park plans of management as they related to the park setting.
- Considering and reviewing individual public submissions on their merit.
- Recommending draft proposals for changes to current on and off leash arrangements within individual parks.
- Reviewing current signage provision.
- Assisting with mapping works associated with the recommended changes in access conditions.

4.4 Draft Recommendations

Council officers have reviewed each park area within the respective wards and are recommending a number of **changes** to existing on and off leash areas. The changes which have been proposed recognise the importance of companion animals within the community and also the need for community recognition that spaces need to be shared by all. The proposed changes are practical and are responsive to community needs expressed during the submission process.

From a parks planning perspective the changes proposed are considered more practical for public use, education and compliance:

- a) the proposed changes remove the need for confusing time shared arrangements and provide greater clarity to dog and non dog owners in relation to on and off leash areas (*this is also consistent with the first phase of the review in Leichhardt and Birchgrove*).
- b) new draft arrangements have been designed with consideration to existing park usage and also through using geographical and physical boundaries within parks to assist in clearly defining on and off leash areas.
- c) the proposed draft changes are responsive to expressed community needs.

Attachment 3 is a draft proposal for new companion animal access regulations in all Open Space areas in the four wards. Key proposed changes in companion animal access and regulation include:

1. Reorganisation of the on and off leash areas at Elkington Park and removal of the time shared arrangements in this park and recognition of the high level of community use (refer to Section 4.5 of this report). There is need for clarity and consistency in relation to on and off leash provision.
2. New off leash provision at Fitzroy Avenue Reserve immediately below Elkington Park.
3. Provision of an off leash area at Bridgewater Park (removal of off leash conditions at Balmain Cove).
4. Provision of both on and off leash arrangements at Ewenton Park.
5. Provision of off leash arrangements on sporting grounds at King George Park, Cohen Park, Leichhardt Ovals 2 and 3, Balmain Road, Glover Street Easton Park when not in use for organised sporting events (this is also consistent with the first part of the review which was undertaken in the Leichhardt and Birchgrove wards).
6. New off leash provision in a section of Paringa Avenue Reserve.
7. New off leash provision at Smith Hogan and Spindlers Parks.
8. New off leash area at Vanardi Green (Dockside).

4.5 Elkington Park

Elkington Park is one of the most popular parks in the Leichhardt LGA for family and community events. It is also the most highly booked park for weddings. This is due to the presence of the undercover Rotunda. From 1 January – 31 December 2012 the park has enjoyed a total of 74 bookings which can be summarised as follows:

- 3 Major Events
- 36 Weddings
- 29 Children's Parties
- 6 Christmas Parties

The current companion animal arrangements for on and off leash are very confusing and could be considered as unfair with respect to the needs of non dog owners. The current arrangements can be summarised as follows:

South Eastern portion of the park to the children's playground time shared: Off leash from 4pm to 10am (in non-daylight savings) and 5pm-10am daylight savings on weekends and public holidays (Yellow area)

Children's playground – dogs prohibited (Red area)

Northern section of the park from the children's playground – off leash (Green area)

Fitzroy Avenue – Dogs must be on leash at all times (Orange areas)



Photo 1.0 – Companion Animal Access Arrangements at Elkington Park

The current arrangements at Elkington Park have been in place since 2004. The current regulations are considered confusing and difficult to enforce. Council officers have observed dogs running around at any time of the day in the shared zone and the Council compliance officers have confirmed that the site is difficult to administer due to the time shared arrangements.

A more equitable and clearer arrangement which Council's Parks Planning Unit is advocating is a clear separation of the off and on leash

areas within the park. This scenario has been achieved in both the Birchgrove and Leichhardt wards and should also be considered for implementation in the last remaining time shared park at Elkington Park.

The option recommended for exhibition includes:

- the introduction of a new off leash area (at all times) in Fitzroy Avenue Reserve *(this includes allowance for off leash in the popular beach area where dogs regularly swim)*.
- the retention of the northern section (White Horse Point) as off leash at all times.
- removal of the time shared arrangements in the top half of Elkington Park and the introduction of a full time on leash area with respect to the needs of non-dog owners.

It is important that in providing off and on leash areas that a balance is achieved for both dog owners and non-dog owners. The proposed new regulations proposed by parks planning officers at Elkington Park addresses this issue and provides clearly defined zones for both on and off leash use of the park.



Photo 1.1 – Area of Elkington Park - Proposed to remain off leash at all times.

4.6 The Iron Cove Bay Run and Bridgewater Park

Paths which are set aside on foreshore parks for human exercise and as recreational trails which also support cycling are also being addressed as part of the review. Conflict between dogs off leash, their owners, non dog walkers and cyclists is an issue which has already been a feature of submissions received during the first two ward assessments. The Iron Cove Bay Run which runs through Leichhardt Park, Callan Park and King George Park and the extended Iron Cove Bay Run has linkages in the south through Hawthorne Canal Reserve and in the North West along Balmain Shores through to Bayville Street in Balmain. Open space areas within these areas also have different on and off leash provisions and a significant level of companion animal access. Maps for this section of the review have been developed with recommendations that the Iron Cove Bay Run area and its northern extension through to Balmain Cove are retained as on leash areas.

In order to address companion animal exercise and human socialisation needs, it has been proposed that Bridgewater Park becomes a full time off leash area to provide for companion animal exercise and socialisation in this area of Rozelle. Further to this it is also proposed to allow companion animal exercise off leash on the sporting field at King George Park but only during periods where the sporting ground is not in use for organised sports or sports training.

4.7 Dog Bag Provision and Bin Servicing

The location, distribution, frequency and servicing of dog bags and litter bins has also been reviewed as part of the first phase of review. In the majority of parks in the respective wards the provision of such facilities is of a high standard.

4.8 Compliance

Submissions received during the second phase of the review process have further highlighted that compliance in relation to on and off leash provisions need to be improved across the LGA and Council needs to improve its surveillance and enforcement activities especially in those areas designated as on leash areas. A number of submissions have been received highlighting problems of non compliance and a lack of regard by irresponsible dog owners for regulations notably in smaller parks where playgrounds are located. While there have been previous requests as part of the review process for fencing playgrounds to address this issue, fencing children in and reducing the open space areas available for children to freely explore, run, play, use their imagination and socialise is not the answer. A greater level of compliance and education of dog owners is required to address this

issue. Increased ranger patrols in addition to improved signage will assist in the longer term in addressing such issues.

5.0 Conclusions

From a recreational planning perspective, the benefits of dog walking within Leichhardt's open space network is advocated and should be encouraged as a form of healthy active living and a positive means of encouraging social interaction amongst humans and their pets. Determining balanced outcomes in terms of park access and use which provides for both companion animal exercise and the needs of other park users is a challenging exercise for Council.

The current management and planning framework governing companion animal management and access to open space areas within the ward areas of Balmain, Rozelle, Lilyfield and Annandale have been individually reviewed by Council officers and a number key changes in terms of companion animal access have been recommended for draft exhibition and further community consultations. The recommendations to date have been designed in part response to the community submission process but also with respect to simplifying and improving accessibility and compliance arrangements for all park users. It is noted that companion animal access to open space is a highly emotive issue within the community which attracts interest from both pet owners and non-pet owners.

A key change at Elkington Park has also been recommended which removes the current confusing and difficult to enforce time shared arrangements in the top half of the park and proposes making this area an on leash area at all times with respect to the needs of non-dog owners as well as recognising the value residents and park users place on this park in terms of community and public events including weddings. The lower area of the park is recommended to be retained as an off leash area and in order to provide equity new off leash arrangements in the adjoining parkland of Fitzroy Avenue Reserve are proposed.

It is recommended that the proposed draft changes in companion animal access to open space within the respective ward areas is publicly advertised for a period of 28 days. Public consultation will need to be held to provide an explanation to the public on the changes which are being advocated and to encourage further public input into the review process. Further reporting on the proposed draft changes will need to be considered by Council after the completion of the exhibition period and further community consultation.

NOTE: The attachments to this report have been circulated to Councillors separately and will be posted on Council's website.