

Guideline

Guidelines for dog areas in public open space

Version 1.0

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Purpose

This guideline is the framework for identifying where dogs are permitted or prohibited in public open space.

Where do these guidelines apply?

These guidelines apply to all lands owned and/or managed by Tweed Shire Council. Two key categories of public land are identified for the purposes of the guidelines and unique criteria apply to each. The categories are:

- Parks and foreshore reserves
- Beaches, creeks and headlands

Why prepare guidelines?

Council is required under the *NSW Companion Animals Act 1998* to declare at least one public place an off leash area for dogs. Additional to its obligations under this Act, Council acknowledges that dogs and their owners need areas where they can exercise and socialise without being on a leash.

The guidelines, including the criteria contained within, provide a systematic approach to ensure that the management of dogs in public open space suitably address the wide range of uses, values and community expectations regarding public land.

This guideline will also ensure that Council addresses its' responsibilities to facilitate effective and responsible care and management of dogs, appropriately manage the land under its control and minimise conflict between people, dogs and the environment.

Basis of the guidelines

The guidelines have been prepared with reference to the relevant legislative and policy framework¹. They have also been informed by a detailed research and consultative process including benchmarking against other councils, establishment and operation of an internal stakeholder working group and the development and validation of assessment criteria.

Broad community consultation undertaken for the development of the Open Space Strategy has also been applied to the preparation of these guidelines. The need for well-planned dog areas was consistently identified as a priority of the community to ensure that appropriate off leash areas are available without impacting the broader community's use of open space and whilst protecting the environment.

¹ Relevant legislation and policy includes the *Local Government Act 1993* and *Biodiversity Conservation Act 2016*, together with Councils Companion Animals Management Plan and Compliance and Wildlife Protection Area policies.

Guidelines for dog areas in public open space

Current legislative and policy framework

The legislative and policy framework provides for three categories of dog areas in public places throughout Tweed Shire.

Permitted areas - Off leash

Off leash areas are locations where dogs can be taken to exercise and socialise without being on a leash.

These areas are determined through assessment against criteria to ensure all relevant requirements are suitably considered.

Permitted areas - On leash

When in any public place (other than an off leash or prohibited area), dogs must be properly restrained by way of chain, cord or leash. Dogs must also be under effective control at all times.

Prohibited areas

In accordance with relevant legislation and policy, dogs are prohibited from the following areas:

- Children's play areas (meaning any public place, or part of a public place, that is within 10 metres of any play equipment)
- Recreation areas where signage declares dogs are prohibited
- Playing surfaces of sports fields
- Food preparation or consumption areas
- Public bathing areas where dogs are prohibited (including beaches) and within 10m of flagged areas during patrolled times by the Surf Lifesaving Association
- School grounds, child care centres (unless with the permission of the person managing the school/child care centre)
- Shopping arcades or shopping complex (including parking or access to shops)
- Wildlife Protection Areas (WPAs) – areas declared as WPAs under the *Companion Animals Act 1998*
- Other areas as declared by Council under the *Companion Animals Act 1998*, *Conveyancing Act 1919* or *Local Government Act 1993* for which there are conspicuously exhibited relevant notices of the prohibition.

As per the *Companion Animals Act 1998*, the following exemptions apply:

- Dogs declared dangerous or menacing dogs by Council and as indicated under the Act are not permitted to use designated off leash areas
- A person with a disability is entitled to be accompanied by an assistance animal, including in areas where dogs are prohibited where the assistance animal is being used by the person to assist the person.

Key considerations for identifying where dogs are permitted or prohibited in public open space

The following key considerations were applied to develop criteria that provide the framework for planning, design and management of dogs in public open space:

- Community need and demand (provide a minimum of one off leash area in each precinct with a population greater than 3000 people)
- Land availability
- Land suitability
- Consideration of the impacts of dogs on other open space uses and users
- Consideration of the impacts of dogs on the environment
- Financial considerations

Permitted areas – Off leash

The following criteria will be used to assess and identify suitable locations for **permitted areas - off leash in parks and foreshore reserves**:

- a) Be a minimum of 0.3 hectare in size.
- b) Be centrally located within close proximity to populated areas, co-located with other open spaces or near community facilities as they can deliver other benefits including: increase surveillance, shared infrastructure costs and opportunities for the community to enjoy a range of activities.
- c) Include a 10 metre buffer to playgrounds; neighbouring residents, shared paths, sport fields, public recreation areas including BBQ and picnic areas, event spaces, sensitive natural areas, community gardens, schools and child care centres.
- d) Consider the compatibility with activities and other users of the open space to minimise adverse impacts and to ensure public safety (e.g. off leash areas close to areas where ball games are played may not be compatible unless the off leash area is fenced).
- e) Be accessible by road, but avoid locating off leash areas on busy roads (sub arterial and arterial roads with a speed limit greater than 60km/hr), unless the off leash area is fenced.
- f) Be connected to the local path network, to encourage walking/cycling to and from the off leash area.
- g) Provide good surveillance, with a minimum of 50% road frontage.
- h) Be well drained.
- i) Allow for adequate maintenance of the site including bin collection service.
- j) As a minimum, provide adequate on street parking to avoid congestion in residential streets. For off leash areas that are likely to receive higher visitation, off street car parking should be provided.
- k) Avoid land that is greater than 8% slope.
- l) Provide natural shade, but still allow for adequate surveillance through the site.
- m) Provide universal access.

- n) Avoid adjoining prohibited areas unless fenced.
- o) Be provided with due consideration of the attached Off Leash Areas: Design Considerations and Hierarchy for off leash areas.
- p) Not be located within an area identified as 'high risk' for Tweed Coast koalas or within a Koala Activity Precinct of the Tweed Coast Comprehensive Koala Plan of Management (KPoM), except in the case of enclaved development as per the relevant development provisions of the KPoM.
- q) Ensure an adequate buffer to conservation areas and threatened species habitat.

The following criteria will be used to assess and identify suitable locations for **permitted areas - off leash on beaches, creeks, foreshores and headlands**:

- a) Align off leash areas with formalised beach access tracks.
- b) Locate off leash areas near patrolled beaches, car parks and public toilets.
- c) Ensure off leash areas include the intertidal area only, not the dunes or vegetation.
- d) Avoid or minimise dogs on beaches adjacent to undeveloped and/or restored bushland and areas set aside for conservation.
- e) Ensure an adequate buffer to conservation areas, significant natural features, threatened species habitat and roosting and nesting habitat for migratory and resident shorebirds.
- f) Ensure placement of dog permitted and prohibited areas are consistent with relevant management plans, policies and strategies.

Permitted areas - On leash

Includes all areas not designated as permitted off leash area or prohibited area. This ensures that community need and demand with regard to exercising dogs on leash are provided for. Additional consideration has been given to the location of on leash areas on beaches to provide for adequate access to off leash areas, in addition to ensuring appropriate protection of environmental values.

Prohibited areas

The following criteria are used to guide assessment of suitable locations for prohibited areas on beaches, creeks, foreshores and headlands:

- a) Avoid permitting dogs in or adjacent to known threatened species habitat.
- b) Avoid permitting dogs in known roosting and nesting habitat for migratory and resident shorebirds.
- c) Avoid permitting dogs in areas with significant natural features known to support high levels of biodiversity. This includes coastal lakes and lagoons, wetlands, estuaries, headlands and estuarine islands.

- d) Avoid permitting dogs adjacent to areas zoned or managed for environmental protection.
- e) Ensure placement of permitted and prohibited areas is consistent with relevant management plans, policies and strategies.

Requirements for signage of dog permitted and prohibited areas

Signage will be consistent across all public places to indicate whether dogs are permitted on leash or off leash, or prohibited (refer Figures 1 and 2).

Signage should:

- be highly visible and located at prominent locations within the area and at key entrances points.
- clearly outlines user’s responsibilities and reinforces expected behaviour. Signage design is to be consistent across all open spaces.

Other information may also be provided including to identify conditions of use, interpretative information or other regulatory requirements.

Figure 1: Standard signage for dog areas



Permitted - Off leash



Permitted - On leash



Prohibited

Figure 2: Standard signage for use as pavement treatment



Figure 3: Example regulatory sign identifying the conditions of use for an off leash area.



Definitions

Public recreation area: is an area used by the public for recreation

Public bathing area: is an area used by the public for bathing or swimming

Public open space: is all lands *in public ownership set aside for the purpose of sport, recreation and leisure, cultural or nature conservation, amenity and urban stormwater management.*

Public place: is any pathway, road, bridge, park, reserve or garden and any other place that the public is entitled to use.

Dangerous dog: means a dog for the time being the subject of a declaration by an authorised officer of a council or a court under the Companion Animals Act that the dog is a dangerous dog.

Menacing dog: means a dog for the time being the subject of a declaration by an authorised officer of a council under section 34 (1A) or a court under section 45 (1A) of the Companion Animals Act that the dog is a menacing dog.

Permitted area – off leash: is a public place where dogs are permitted off leash and must be under the effective control at all times by a competent person

Permitted area – on leash: is a public place where dogs are permitted on a cord or leash and must be under the effective control at all times by a competent person

Prohibited area: is a public place where dogs are prohibited. These locations meet one or more criteria identified herein and/or the prohibited areas as defined by the *Companion Animals Act 1998*.

Wildlife Protection Area: is a public place set apart for the protection of wildlife and in which dogs and cats are prohibited for the purposes of the protection of wildlife

Appendix A – Current dog areas and maps

Note: Dog areas are under review. This appendix will be updated after the proposed consultation and review process is completed.

Appendix B – Design guidelines for off leash areas (parks and foreshore reserves)

The design and layout of off leash areas has a major influence on the effectiveness of the off leash areas for dogs and their users, and on the use of the open space by other users.

Consideration should be given to the following:

Shape: Consider linear shapes and irregular shapes to encourage movement through a space creating spaces for dogs to explore and to help disperse people throughout the park.

Layout: The layout influences the interactions within the off leash area; interactions between the dogs and people. Include a number of activity areas and spaces to allow dogs to move between activities i.e. ball play areas, dog agility equipment, created environments such as rock scrambles and places to rest for dogs that need a break. Consider separating smaller, more timid dogs within fenced off leash areas.

Signage: Signage should be located at prominent locations in the off leash area, including key entrance points. Signage is an important part of communicating safety and promoting compliance with the rules of the off leash area. Include signage that clearly outlines user's responsibilities and reinforces expected behaviour. Signage design is to be consistent across all open spaces.

If agility equipment is provided in the off leash area, additional signage should accompany any equipment to ensure it is used appropriately.

Boundaries: Ensure the boundaries of the off leash area are well defined and sign posted, particularly where the off leash area is located within an open space that is and accessed by other users. As an alternative to fencing, consider the use of vegetation buffers/barriers and bollard signage to delineate the off leash area.

Provision of amenities: The provision of amenities i.e. drinking water, shade, seating, bins, picnic tables, noticeboards and other facilities should be provided in accordance with Table 1: Hierarchy of Off Leash Areas. The removal of waste should be in accordance with Council's waste collection service.

Car parking: Locate parking as close to the park entrance as possible to discourage owners allowing their dogs off lead to and from the park. Provide good access to from the car park to the off leash area.

Universal access: Entry/exits should be of an adequate width, sealed footpaths should be a minimum of 1.5m in width, signage should be at an appropriate height, and the print, large enough to read. For regional off leash areas, consider the provision of a designated accessible car space.

Fencing and entry gates: Where fencing is provided, the minimum fencing height should be 1.5 m. Use fencing material that provides good visibility so park users can see activity inside and around the area.

Entry/Exit Points: Providing multiple entry/exits serve to minimise congestion. A separate entry/exit point for maintenance/service vehicles should be provided away from the main entry/exit(s).

Amenities should not be provided at the entry/exits to discourage congestion (i.e. drinking fountains)

Entry gates for single gate entry should be self-closing with a D-latch and 100mm opening for hand access. Double entry gates should have a dog holding area (between the gates) to a minimum 2.5 x 2.5m of concrete or similar hard surface.

Surfacing: Select surfaces that will stand up to the wear and tear. Preferred surfacing is grass, mulch, sand, bare earth or a combination of these.

Landscaping: Landscaping and tree planting provide natural shade and add to the amenity of the area. Ensure non-toxic and non-irritating plantings are used.

Agility skills: Providing equipment for dogs to practice their natural skills can improve a dog's experience at the off leash area and could include: tyres, logs, boulders, tunnels.

Appendix C – Hierarchy for off leash areas

The hierarchy for off leash areas (Table 3) establishes the desirable level of service for off leash areas with regard to the size, level of embellishment and catchment.

	Neighbourhood	District	Regional
	Neighbourhood off leash areas provide basic facilities, a minimum of 0.3 ha in size, centrally located to a township and service the local community.	District off leash areas will generally provide more advanced facilities, a minimum of 0.5 ha in size, be centrally located to a township, and may attract users from neighbouring townships.	Regional off leash areas will generally provide higher order facilities, is larger in size, centrally located to a large township and will draw users from across the shire.
Minimum 0.3 ha	✓	✓	
Minimum 1 ha			✓
Directional signage to define boundaries and park rules	✓	✓	✓
Bins and bag dispensers	✓	✓	✓
Drinking water fountain for humans and dogs		✓ (Optional)	✓
Seating	✓	✓	✓
Shelter with picnic tables		✓ (Optional)	✓
Agility equipment			✓
Public toilets			✓
Noticeboard			✓
Perimeter fencing (depending on location)		✓ (Optional)	✓
Double gated entry		✓ (Optional)	✓
Single gated entry		✓ (Optional)	

Service maintenance gates (when fenced)		✓ (Optional)	✓
Internal pathways		✓ (Optional)	✓
Landscaping		✓	✓
Natural shade	✓	✓	
Artificial shade (shade structures)		✓ (Optional)	✓
On street parking	✓	✓	
Designated car park		✓ (Optional)	✓
Designated accessible car park		✓ (Optional)	✓
Vegetation buffers and bollards to delineate off leash area	✓	✓	✓
Access for regular maintenance	✓	✓	✓

Table 1: Hierarchy for off leash areas