

## BACKGROUND

Council has a legislative responsibility to provide a minimum of one (1) off-leash area and a responsibility to provide effective and responsible care and management of dogs within the City.

As at 1 July 2018 there were 60,547 dogs identified in Wollongong on the NSW Companion Animal Register. It is estimated from pound statistics that there are another 12,500 un-microchipped dogs in the City. This level of ownership ranks Council as being the third highest Local Government Authority for dog ownership in NSW. This Policy has been developed after considerable community consultation (2002, 2006, 2009, 2010, 2014, 2016 and 2018), including specific Aboriginal community consultation, a comprehensive Review of Environmental Factors (REF00499) and a peer review of the REF by Lesryk Environmental Consultants. The 2014 Policy review also included an assessment of the publication 'Public Open Space and Dogs - A design and management guide for open space professionals and Local Government by Harlock Jackson Pty Ltd, August 1995, an accepted guide for Local Government in planning for dogs in public open space.

This Policy will be reviewed in accordance with Council's normal review cycle.

## OBJECTIVES

The objectives of this Policy are to:

- Specify conditions under which dogs are permitted on beaches and parks / reserves across the City;
- Establish dog control areas including off-leash areas and locations where dogs are prohibited;
- Restate dog owner's responsibilities in respect to dogs in public places;
- Support environment, heritage, wildlife and threatened species protection; and
- Provide dog owners with adequate access to open space for exercising their dogs.

## POLICY STATEMENT

Wollongong City Council will provide for dog management on beaches, parks and public places within the City by:

- Declaring, promoting and regulating off-leash areas, wildlife protection areas and other control areas;
- Controlling and regulating dogs in accordance with the legislation; and
- Developing and implementing educational materials and programs aimed at promoting responsible dog ownership through microchipping and registration, de-sexing and the protection of Aboriginal heritage and native wildlife.

## POLICY REVIEW AND VARIATION

- 1 Council is to have opportunity to review and adopt, at least once during its Term, each Council policy.

- 2 A resolution of Council is required to adopt any variations to this policy, with the exception of minor administrative changes, such as updates to legislative references, which may be endorsed by the Executive Management Committee (EMC). Endorsement of administrative changes made to this policy by EMC does not alter the requirement for it to be reviewed and adopted by each Term of Council.

## STATEMENT OF PROCEDURES

### Introduction

This procedure describes Council's process and systems for the management of dogs on beaches, parks and public place within the City. Leash free areas are identified, as well as other areas, where specific dog controls are in place as required by law. The procedure also includes general information on dog ownership and details general dog owner responsibilities. It also outlines Council's compliance and enforcement role. The Procedure will be supported by various community awareness and promotion materials.

### Background

The Act commenced in 1998 and Council commenced implementation in 1999 with an emphasis on managing dogs. Leash free areas were generally established on beaches and parks where people tended to already exercise their dogs off-leash.

Significant consultation has occurred since that time with reviews of the Policy and Procedure occurring in 2002, 2006, 2010, 2011, 2012, 2014, 2016 and 2018.

### General Responsibilities

Dog owners have an obligation to ensure that their dog does not adversely affect any other person:

- Dogs should be kept away, wherever possible, from adjacent private properties to prevent dogs in backyards from creating a nuisance;
- People with dogs in public places should be aware of other dogs and their owners, the general public and children in particular and should move to avoid conflict where it is anticipated; and
- In natural areas such as reserves or beaches, dog owners should be mindful of native flora and fauna and keep dogs on established tracks and away from foredunes and other sensitive areas.

### Legal Responsibilities

#### Dog on leash:

Throughout NSW dogs are required to be on leash at all times in public places. The exceptions to this rule are:

- Dogs accompanied by a person within a declared Council leash free area;  
NOTE: In leash-free areas the person with the dog is still required to ensure that the dog does not attack, harass or chase any person or animal. This means that the dog must be controlled so that other users of the area are not affected.
- A dog participating in an obedience class or trial;
- A dog being exhibited in a show;
- A dog working stock;
- A Police dog;
- A dog secured in a cage or vehicle or tethered to a fixed object or structure.

#### Collar and Name Tag:

A dog that is away from the premises of the owner must wear a collar and tag. The tag must show the name of the dog and the address or telephone number of the owner.

Microchip and registration:

Dogs over the age of twelve (12) weeks must have a microchip implanted and be recorded on the NSW Companion Animal Register. Dogs over six (6) months of age must be lifetime registered.

Cleaning up after your dog:

If a dog defecates in a public place the dog owner must immediately remove the faeces and dispose of it in a proper manner. The need for bins and dispensers has been highlighted as an essential requirement in reducing dog faeces problems on beaches and along bike track and pedestrian walking areas in particular. Each off-leash area will have sufficient bins and dispensers and the bike track adjoining the orange zones will also be provided with bins and dispensers.

No more than four (4) dogs:

Any one person can only have a maximum of four (4) dogs under their control. This applies to dogs on leash and dogs off-leash in a leash free area.

### **Dog Control Areas**

The three (3) tier approach (as in traffic lights) has been chosen as it is a suitable, easily understood way in which to explain the three (3) levels of access provided for the community along the foreshore, beaches and reserves. This approach also enables a diagrammatic view of the access provisions along our coast. The red areas are dog prohibited (banned) areas, the orange areas are time share access areas and the green areas are off-leash. All dog control areas declared by Council, require near the boundaries of those areas and at reasonable intervals, notices or signage detailing the relevant control areas. (Refer to the attached Maps).

**RED ZONES** - Dogs are declared prohibited in the following places (whether or not they are leashed or otherwise controlled):

- **Children's play areas (RED ZONES)** - meaning any public place across the City that is within ten (10) metres of any playing apparatus provided in that public place for the use of children;
- **Food preparation areas** – within ten (10) metres of any food preparation areas or food consumption areas such as barbeques, public tables and picnic shelters, except where these areas are in a public thoroughfare;
- **School Grounds and Child Care Centres** – unless with permission of the person in charge.

**Public Bathing Areas Where Dogs Are Prohibited (RED ZONES)** - meaning any public place or any part of a public place that is used for or in conjunction with public bathing or public recreation (including a beach):

- All lifeguard patrolled beaches including the area between the dunes and the edge of the surf zone and within any patrolled zone indicated by the flags and areas within 100 metres of the patrolled zone;
- All rock pools and ocean pools including Wombarra, Coledale, Austinmer, Bulli, Woonona, Bellambi, Towradgi, the old Men's Baths (rock pools north of the Continental Pool) and the Nun's pools (northern headland of Wollongong City Beach) rock pool areas;
- Windang Beach from the Lake entrance to the Perkins Beach access off Murrie Street, Windang;
- Port Kembla Beach from the beach access at the south end of the southern Port Kembla SLSC carpark, through to the Fisherman's Beach boundary;

- The entire Wollongong to North Wollongong Beach area (Wollongong City Beach and North Beach) from the Bank Street, Wollongong Beach entry point to a point on Puckey's Beach which is approximately 250 metres north of the lagoon in Stuart Park, Wollongong. This area includes Belmore Basin;
- Sandon Point from the Sandon Point SLSC through to the McCauley's Beach boundary;
- Austinmer Beach from the Thirroul Beach boundary which is located approximately 130 metres south of the Austinmer rock pool through to Toxteth Avenue, Austinmer;
- Headlands Beach from the Little Austinmer Beach carpark through to the most northern point of Austinmer Boat Ramp carpark; and
- Coledale Beach from the most northern point of the Sharkey's Beach carpark through to the northern side of the Wombarra rock pool.

**Wildlife Protection Areas (RED ZONES)** - meaning any public place or any part of a public place set apart by Council for the protection of wildlife and in which the local authority has ordered that dogs are prohibited for the purposes of the protection of wildlife e.g. on all rock platforms.

**Recreation Areas Where Dogs Are Prohibited (RED ZONES)** – These areas include any public place, or part of a public place, provided for public recreation or the playing of organised games and in which Council has ordered that dogs are prohibited and in which, or near the boundaries of which, there are conspicuously exhibited at reasonable intervals, notices to the effect that dogs are prohibited in or on that public place or part.

**ORANGE ZONES** – The orange zone is a time sharing zone. Dogs are declared prohibited in the following places except at the detailed times and only when on leash. In these zones dogs are only permitted when on leash in summer prior to 9:00 am and after 6:00 pm and in winter prior to 9:00 am and after 4:00 pm.

Summer months are defined as being from the September school holidays to Anzac day, (in line with lifeguard and SLSC patrols), and winter months are taken to mean the balance of the year.

**This zone is on-leash only and within the times designated** to minimise fauna and flora impact from unrestrained dogs. It also enables Council to have a higher degree of success in improving dog owner behaviour in relation to faeces management. Keeping dogs on-leash also has the added benefit of reducing unwanted aggressive behaviour due to the increased control. (Refer to the attached Maps)

- Stanwell Park Beach from the southern side of the lagoon in Stanwell Park reserve through to the boundary of the Coalcliff rock platform;
- Coalcliff Beach from the boundary of the Coalcliff rock platform through to the Scarborough to Coalcliff rock platform boundary which is located approximately 85 metres south of the Coalcliff SLSC;
- Scarborough and Wombarra Beaches from the Scarborough to Coalcliff rock platform boundary through to the northern side of the Wombarra rock pool;
- Brickyard Point from the southern boundary of Sharkey's Beach through to the most northern point of Austinmer Boat Ramp carpark;
- Thirroul Beach from the Austinmer Beach boundary, which is located approximately 130 metres south of the Austinmer rock pool, through to Corbett Avenue, Thirroul;
- Sandon Point Beach from the southern side of the Sandon Point SLSC through to the most northern point of the Bulli SLSC carpark;

- Bulli Beach from the southern side of the Bulli rock pool through to the northern side of the Woonona rock pool;
- Woonona and Bellambi Beaches from the Woonona rock pool through to the northern side of the Bellambi rock pool;
- Corrimal Beach from the southern side of the Bellambi lagoon through to Towradgi Pool;
- Towradgi and Fairy Meadow Beaches south from the Towradgi rock pool boundary through to the Puckey's Beach boundary which is located approximately 150 metres from the most southern point of the Fairy Meadow SLSC carpark;
- Puckeys Estate from the entrance on Squires Way through the estate to the entrance on Elliotts Road; and
- Fisherman's Beach from the Fisherman's Beach rock platform, south to the Port Kembla Beach and rock pool boundary.

## GREEN ZONES

The green off-leash zones have been provided to meet the needs of dogs and dog owners given the significant population in our community. Their spread along our coastal area demonstrates that Council is considering good planning practice in accordance with Harlock Jackson (1995). The declared off-leash areas substantially meet the desired selection criteria for off-leash zones.

The following beaches are declared as off-leash areas:

- Stanwell Park Beach from the northern side of the lagoon in Stanwell Park reserve through to the northern end of the beach;
- Sharkey's Beach from the most northern point of the Sharkey's Beach carpark through to the Brickyard Point boundary;
- Little Austinmer Beach from the Headlands rock platform boundary south through to the rock platform at the end of Toxteth Avenue, Austinmer;
- McCauley's Beach from Corbett Avenue, Thirroul through to the Sandon Point rock platform boundary;
- Bellambi Harbour from the Bellambi rock pool boundary through to the carpark at the Bellambi boat ramp;
- East Corrimal Beach from the Bellambi boat ramp through to the northern side of the Bellambi lagoon;
- Puckey's Beach south from the Fairy Meadow Beach SLSC Carpark boundary through to a point on Puckey's Beach which is approximately 250 metres north of the lagoon in Stuart Park, Wollongong;
- Coniston Beach from the Bank Street, Wollongong Beach entry point to Port Kembla Harbour;
- MM Beach from the Port Kembla rock platform boundary south through to Fisherman's Beach rock platform boundary; and
- Perkins Beach from the south end of the southern Port Kembla SLSC carpark through to the Perkins Beach access off Murrie Street, Windang.

## Parks and Reserves (Green Zones)

The following parks are also declared as off-leash areas:

- Figtree Oval, Figtree
- Proud Park, Helensburgh
- Riley Park, Unanderra
- Eleebana Reserve, Koonawarra
- King George V Park, Port Kembla
- Reed Park Dapto.

### **Provision of Facilities**

Council will provide waste disposal bins in all dog leash free areas where possible and may also supply faeces disposal bags for the community's convenience. When no bins or bags are available, dog owners are required to provide and use their own disposal bags and remove the used bags from the area.

### **Other Public Places including Parks and Sports Fields**

The Companion Animals Act 1998 requires all dogs to be under effective control by cord or leash while in a public place. Signage is not required to enforce this effective control provision as it is NSW State Legislation applying throughout the State. Therefore, unless otherwise stated, all public road reserves and park areas allow access for dogs but they must be maintained on-leash.

Signage is used to determine alternatives to on-leash including prohibition. With the exception of the current parks identified as off-leash areas, other specific parks and sports fields have been determined to prohibit dogs. These areas will have No Dogs Allowed signage, incorporated into the Public Place signage that is displayed. The signage has been determined as appropriate in the past and will be enforced by Council under the *Local Government Act 1993*.

### **Aboriginal Heritage**

There are two (2) gazetted Aboriginal Places within land covered by the Policy and Procedure namely Sandon Point Aboriginal Place and Bellambi Aboriginal Place.

East Corrimal to Bellambi Point has potential to carry similar levels of significance and cultural concern as Sandon Point. Although this is not as well documented the traditional elders indicate that the significant areas relate to the western side of the dunal system.

In addition to the general requirements of the Companion Animals Act 1998 and general conditions of the Policy that are aimed at minimising impacts of dogs, specific protection of the heritage values is also indicated. To achieve this the following measures are also included to manage off-leash areas (Green Zones) and time limited prohibited areas (Orange Zones) at and adjacent to the above sites.

- Managed beach access via signage and barriers etc at dunal boundaries;
- Restrictions of access to dunal areas by rationalising accessways and via vegetative barriers; and
- Programming specific increased enforcement and education efforts.

It is clear that members within the Aboriginal Community consulted in the development of this Policy, (including several highly respected elders) do not feel that the banning of dogs is a necessary option and feel comfortable with the off-leash area continuing despite the Aboriginal Cultural Heritage significance. Their advice is that Aboriginals and dogs have co-existed for generations and therefore is not an issue, particularly on the sandy part of the beach.

The Aboriginal community's concern is directed at the areas behind the beach, the dunal areas, and how people gain access to the beach through areas of Aboriginal significance. Plans of Management (PoM) will be completed which will implement protection measures to limit Aboriginal heritage disturbance by



both people and dogs. The Aboriginal community requests respect of these areas and the Plans of Management will assist in educating the broader community of their cultural significance.

### **Enforcement**

Enforcement will be undertaken in accordance with Council's current Compliance and Enforcement Policy and Ranger Services procedures. The Regulation and Enforcement Division commits to providing regular enforcement for dogs on public land, particularly enforcement on beaches. This will form part of a roster to regularly patrol these areas.

The various levels of access within the three (3) zones have a varying degree of risk associated with them in relation to unwanted attention or aggressive behaviour. The issue of responsibility has arisen in the review and advice received by Council is that the Tort of Duty of Care arises under the common law of negligence and that Council has no responsibility, as off-leash areas are allowed and specified under the Act.

Irrespective of this advice, Council provides enforcement support to increase compliant behaviour in the declared zones. By providing clear access options and signage, the community is able to decide which area they wish to frequent and assume the risk associated with that area. Education advice will also be provided to the community in relation to risk.

Council also has included conditions of use for each off-leash area that will reduce risk of aggressive behaviour to users. Council Rangers will enforce under the *Local Government Act 1993* and/or the *Companion Animals Act 1998* when dog owners fail to comply with these conditions.

Should an attack occur in a public place, including an off-leash area, Council will ensure that all matters are investigated, and the appropriate enforcement action taken. Action can include issuing Penalty Notices and/or having a dog declared a dangerous, menacing or nuisance dog. Any injury or damage as a result of an attack, is the responsibility of the attacked person to take civil legal action against the owner of the offending dog, through the Court process.

An on-call after hours emergency service is also provided for dog attacks, aggressive and dangerous dogs at large, and in response to NSW Police requests.

### **Signage**

The Policy will be implemented more effectively through consistent appropriate regulatory and educational / information signage. Signage is acknowledged and recognised as particularly important in providing clarity and consistency about the Policy requirements and appropriate signage will be erected and maintained. Signage includes:

- Zone explanatory signage;
- Off-leash rules signage;
- Access path signage;
- Dogs prohibited signage; and
- Directional / demarcation signage.

To improve conditions for users of off-leash areas, conditions of use have been included on signage at each off-leash area.

All dogs within the designated off-leash area must be supervised by a person. The person in charge of any dog within this area, (which has been provided as a facility for enjoyment by the community), MUST:

- Be a competent person 16 years of age or over;



- Be able to control the dog (by voice command or other means);
- Carry a bag suitable for dog faeces;
- Remove and place dog faeces in a suitable bag and dispose in an appropriate waste receptacle;
- Not allow restricted breeds, or dogs declared as dangerous, to use this off-leash area; and
- Not allow dogs suffering from contagious disease, skin irritation or parasitic infection to use this area.

**NOTE:** THE OWNER OF A DOG IS LEGALLY RESPONSIBLE IF THE DOG ATTACKS A PERSON OR ANIMAL.

Enforcement staff will also regularly review signage across all control Zones particularly where ongoing non-compliance occurs and where signage should be increased for compliance and education purposes.

### **Education and Awareness Raising**

Council will provide education to the community in the following manner:

- Website information;
- Community Newsletters;
- Media Releases, including Social Media, at appropriate intervals following an incident;
- Telephone caller waiting information;
- Development and use of an off-leash brochure;
- Ranger in-field education;
- School education;
- Distribution of brochures and other educational material to RSPCA, caravan parks, camping areas and veterinary clinics; and
- Promoting the Policy at microchipping days.




### **Complaint Handling**

The Customer Service action request system will be used to register and monitor complaints in relation to dogs in public places. In addition, to improve the monitoring of the current system, a separate category has been installed within the system specific to off-leash areas. This information will be used in future reviews of this Policy.

### **Attachments: Maps of Zone Areas**

The following maps depict all declared control areas across Wollongong City Council. All dog control areas are identified using the following legend.

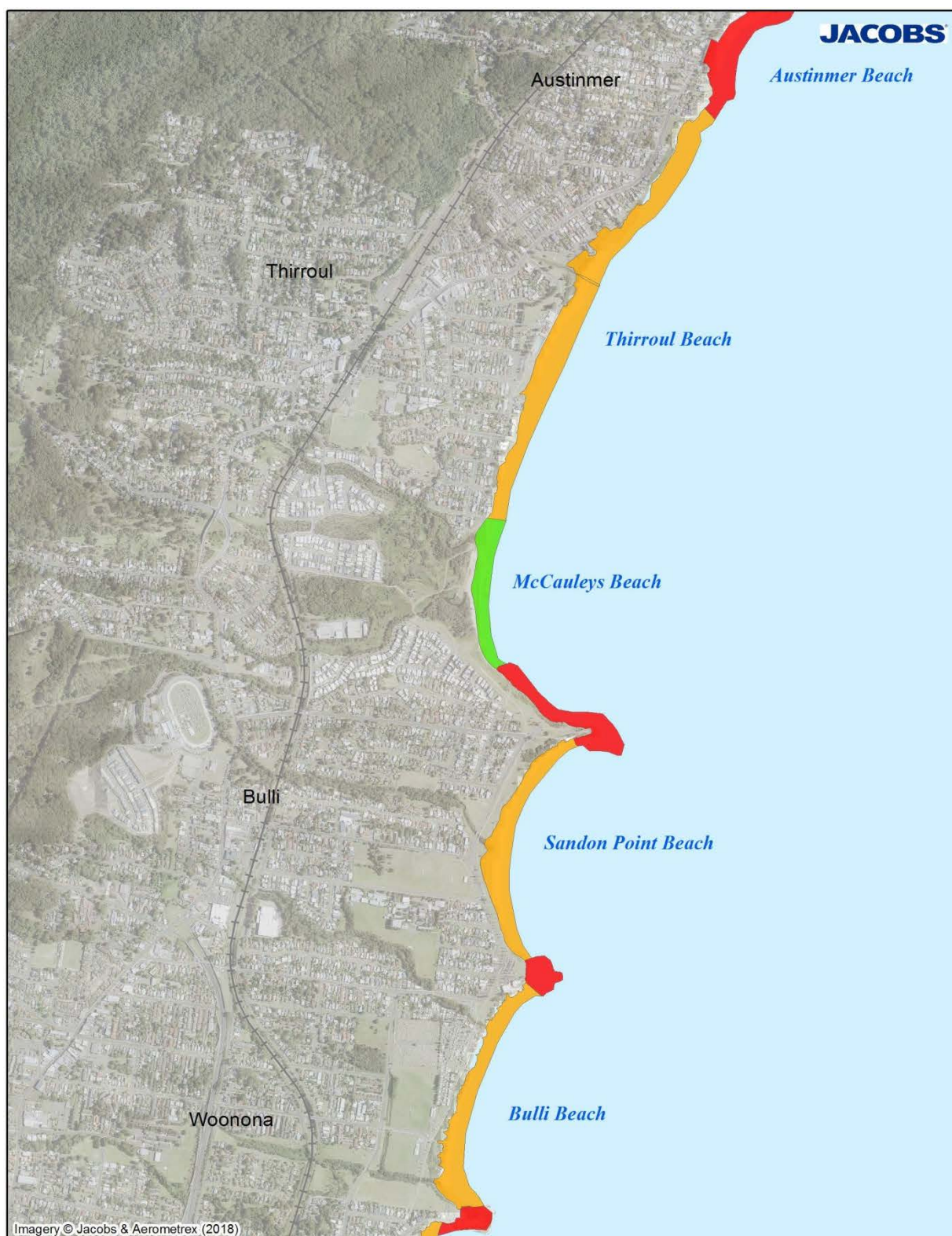
#### **Legend:**

-  Off-Leash
-  Timed On-Leash Access Only
-  Dogs Prohibited

**Map 1: Stanwell Park to Austinmer**



	<b>Map 1:</b> <b>Stanwell Park to Austinmer</b>			 	GIS ref.: g11745_01
					Printed: 19/03/2019
					Aerial Photography: 2018
					Scale 1:40,000
 Off Leash	 Timed	 Prohibited			

**Map 2: Coledale to Bellambi**



**Map 3: Woonona to North Wollongong**

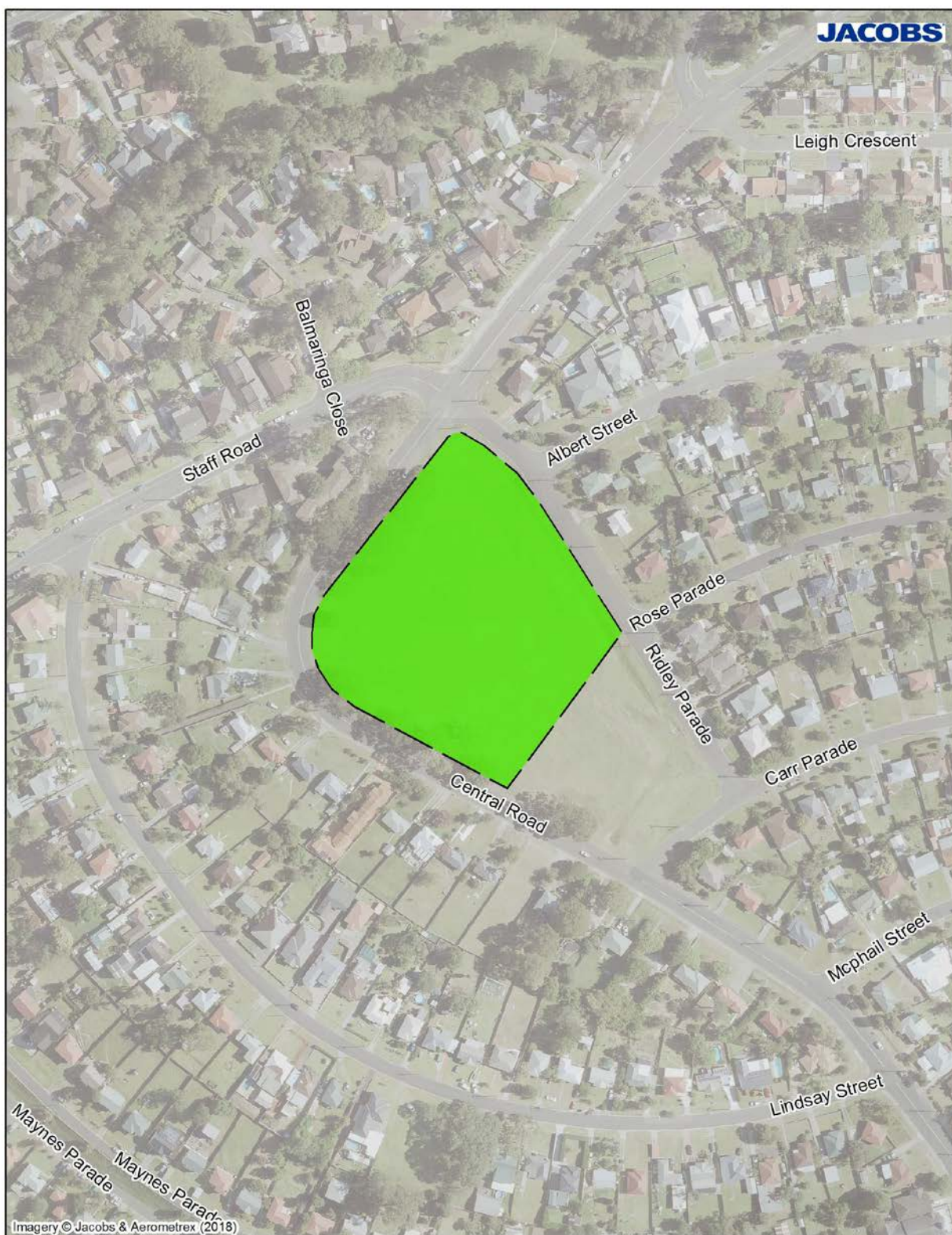
**Map 4: North Wollongong to Coniston**



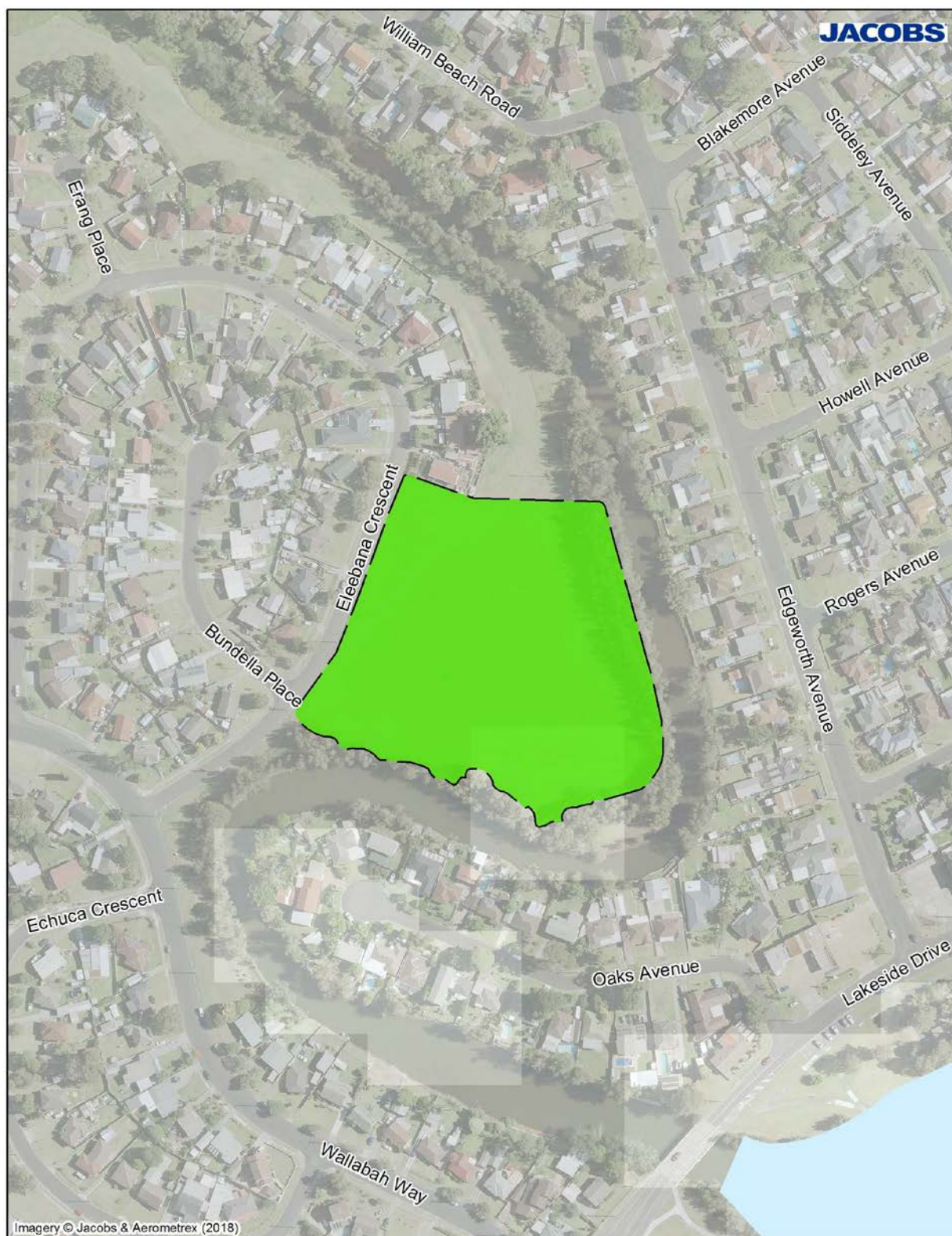
**Map 5: Port Kembla to Windang**

**Map 6: Primbee to Lake Illawarra**



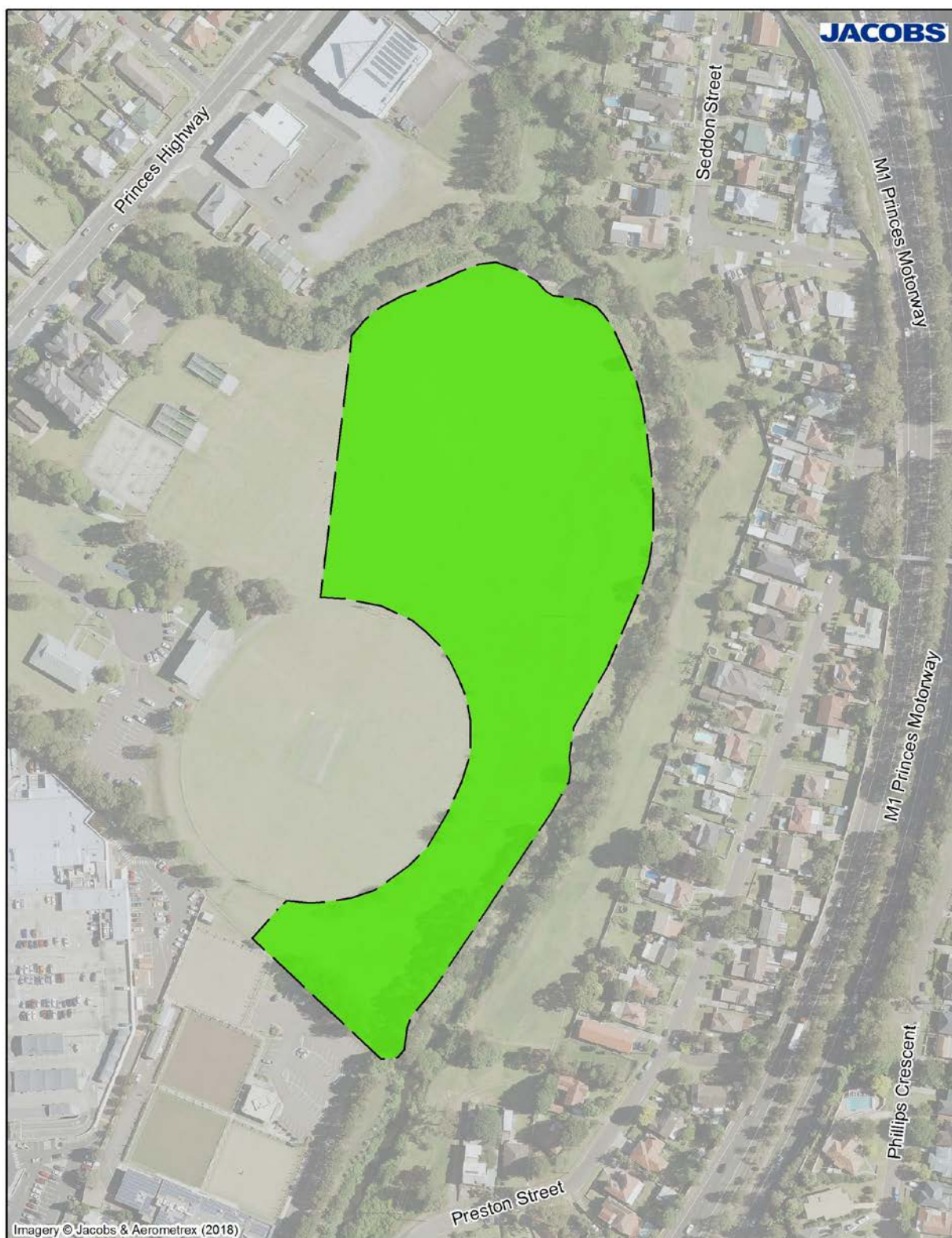
**Map 7: Riley Park, Unanderra**



**Map 8: Eleebana Reserve, Koonawarra**




		<b>Map 8:</b> <b>Eleebana Reserve, Koonawarra</b>		 N	GIS ref.: g11745_01
					Printed: 19/03/2019
 Off Leash  Timed  Prohibited		Scale 1:2,500 		Aerial Photography: 2018	



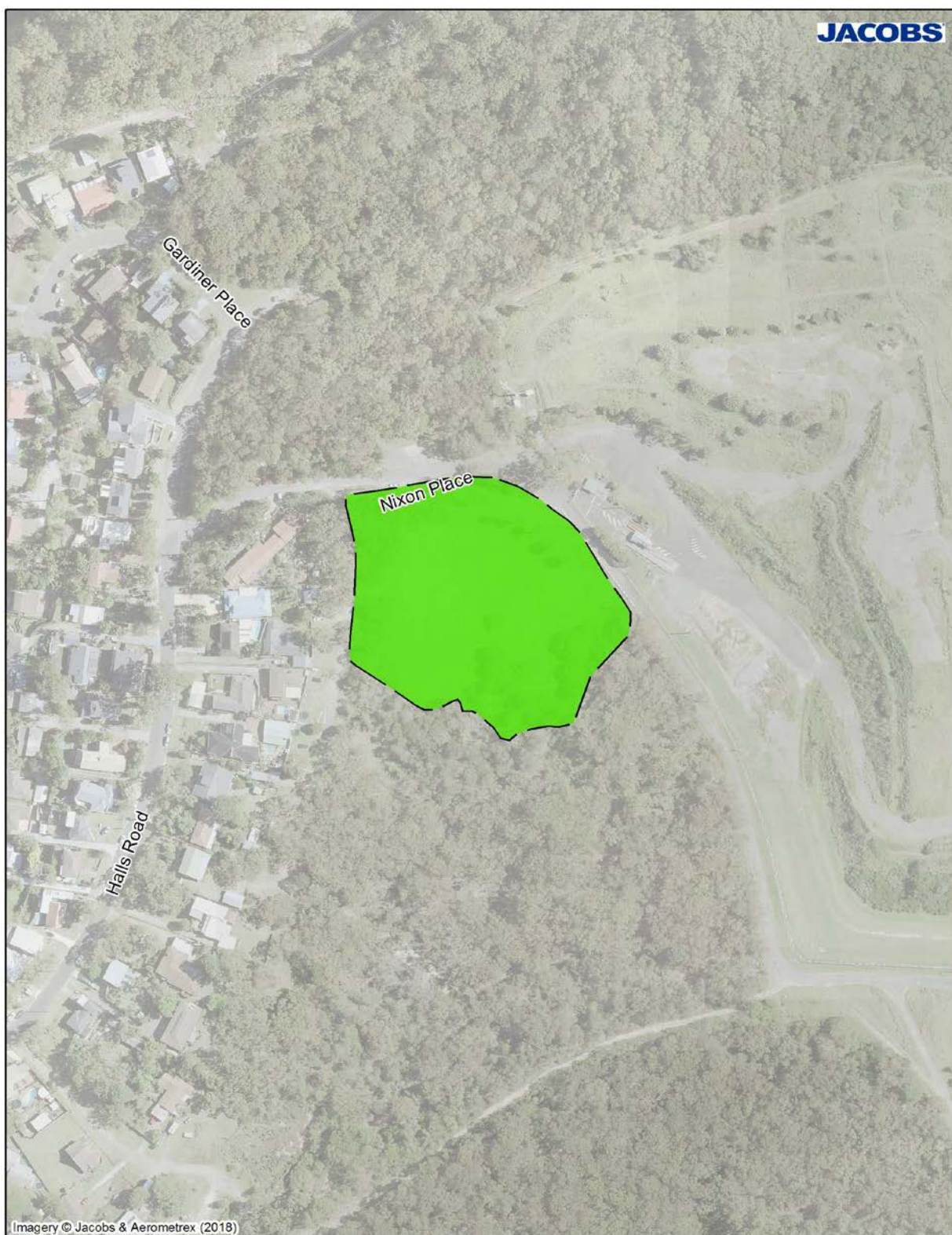
**Map 9: Figtree Oval, Figtree**



**Map 10: King George V Park, Port Kembla**

		<b>Map 10:</b> <b>King George V Park, Port Kembla</b>		 	GIS ref.: g11745_01
<b>Off Leash</b> <b>Timed</b> <b>Prohibited</b>		Printed: 19/03/2019			
		Aerial Photography: 2018			
		Scale 1:2,500			



**Map 11: Proud Park, Helensburgh**

**Map 12: Reed Park, Dapto**

SUMMARY SHEET		
Responsible Division	Regulation & Enforcement	
Date/s adopted	<i>Executive Management Committee</i> 9 July 2019	<i>Council</i> 22 July 2019
Date/s of previous adoptions	24/11/2014, 26/11/2012, 27/04/2011, 28/09/2010	
Date of next review	July 2023	
Responsible Manager	Regulation & Enforcement Manager in consultation with Property & Recreation Manager	
Authorised by	Director Planning and Environment	