



10.2 PETITION RESPONSE - REQUEST FOR DOG RESTRICTION CHANGES, KIRRIP PARK.

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1. PURPOSE

- 1.1 To report on the site specific review of dog restrictions at Kirrip Park, and the results of community consultation undertaken as part of the review.

2. EXECUTIVE SUMMARY

- 2.1 Kirrip Park was opened in October 2018 as a catalyst project jointly funded by the Victorian Government and the City of Port Phillip, to provide new public space for the future community of the Montague Precinct of Fishermans Bend. Council invested more than \$12M in the purchase of the land, and design and construction of the park and surrounding area. With funds from the State the entire project cost in excess of \$20M.
- 2.2 The Park was delivered as part of the broader Ferrars Street Education and Community Precinct and is co-located with South Melbourne Primary School as a local neighbourhood park that can be developed in stages as the population of the area grows.
- 2.3 The park is currently designated as a dog on lead area in recognition of its small scale, the high number of child users and the intent of the Council investment to create a local neighbourhood park for families and local workers to enjoy.
- 2.4 In November 2020 Council received a petition via Change.org containing 417 signatures, requesting Kirrip Park become 'off leash' after 5pm on weekdays and anytime during the weekend and/or public holidays. At the time, Council noted that officers would undertake a site-specific review of Kirrip Park as a potential dog off leash area in 2021, and report to Council following the review's completion.
- 2.5 This report outlines the factors that have been considered in the petition response and recommends that current dog on leash restrictions at Kirrip Park be retained.

3. RECOMMENDATION

That Council:

- 3.1 Thanks the community for their petition and acknowledges the benefits that pet ownership and gathering with other dog owners can have.
- 3.2 Notes the feedback provided in the community consultation report.
- 3.3 Notes the important role that Kirrip Park plays in the provision of open space at this early stage of development in Fishermans Bend, and the significant investment of public funds that has occurred to develop the park for the local community.



- 3.4 Notes that the draft Public Space Strategy contains actions in response to community feedback to review dog off lead areas, and investigate fencing of some dog off lead sections of the light rail trail.
- 3.5 Notes the various dog off-leash parks within 900M radius of Kirrip Park.
- 3.6 Notes the potential increase in costs to maintain the park if the dog restrictions were changed.
- 3.7 Retains the current dog on leash restrictions in Kirrip Park, South Melbourne.

4. KEY POINTS/ISSUES

Site Specific Review

4.1 In reviewing the petitioners' request, the following has been considered:

4.2 Role and purpose of the Park in the Precinct

Kirrip Park has been developed as a local community park, the first major investment in the creation of open space in the Montague Precinct of Fishermans Bend. It is the only grassed park of its kind in the area, and has been designed to be further developed in stages as the local resident population increases.

Potential benefits for dogs and their owners

- There are social benefits associated with dog off lead parks, where owners can gather and socialise whilst their dogs exercise. The health and wellbeing benefits of pet ownership are well documented, and the social connections made around so called "dog parks" are highly valued by pet owners, particularly during the pandemic.
- Similarly, dogs benefit from exercise off leash and the social elements of running and playing.

4.3 Proximity to alternate dog off leash areas

- The closest Council-managed dog off leash area to Kirrip Park is approximately 850M away at Station Street, Port Melbourne. From this point, dogs can be off leash for 800M along the light rail trail towards Graham Street, Port Melbourne. There is also Eastern Reserve at a distance of 1.3KM to the south east of Kirrip Park.
- The City of Melbourne will shortly complete a dog off-lead pocket park in the Kings Way undercroft (Kings Way and Moray Street Reserve), 900M from Kirrip Park.
- These are considered reasonable distances for most owners to walk or travel to access a dog off lead area.

4.4 Amenity and Waste

- The area surrounding the Park is being developed with new residential towers. The use by dogs of parks in similar settings, such as Eastern North Reserve in South Melbourne, results in numerous complaints arising from the intensive use, and noise from barking dogs which impact upon on the amenity of neighbouring properties.



- Based on trends from other parks, there is a high likelihood that dog waste could become an issue at the Park. Community consultation for Kirrip Park and the Domestic Animal Management Plan, has highlighted that uncollected dog waste is a significant concern.

4.5 Implications for park maintenance and costs

- Based on the experience in other dog off-leash areas in the municipality (e.g Eastern North Reserve, Peanut Farm and JL Murphy) any proposed off-leash area is likely to result in deterioration of the grassed surfaces over time, due to dog claws breaking the turf and dogs digging. This turf layer must be kept intact as it provides a vital barrier between park users and contaminated soils.
- Maintenance would require parts of the park to be cordoned off to be rehabilitated and rested throughout the year. The estimated cost of additional maintenance is \$65,000 per annum - to undertake soil aeration, increased fertilisation, top soil dressing and increased watering to keep the grass healthy.
- A change in dog restrictions would also require new signage at a cost of approximately \$2000.

4.6 Implications of the proposed change for other users of the Park:

- In managing its open spaces, Council aims to balance the needs of all users. Finding solutions where dogs and people can harmoniously share our open spaces can be challenging, particularly in an inner-city environment.
- Dog off-leash parks have the potential to particularly impact:
 - Those who fear dogs and do not wish to encounter them while in the park;
 - Children who are playing and may have a dog approach them;
 - Those who are eating and have a dog approach them, attracted by the food;
 - Those participating in picnics, informal parents' group gatherings etc.

Implications for the School:

- Users of Kirrip Park include members of the adjacent South Melbourne Primary School community. The proposed off-lead times are after 5pm on weekdays and on weekends and will not interfere with this current utilisation by the school.
- The main concern raised has been that dog waste may not be collected, and this will impact children using the park before and after school and during the day.

4.7 Implications for future staged improvements at the Park:

- The Park has been designed to be further developed over time (subject to funding) as the number of local residents grows, with the potential inclusion of a children's playground and facilities (such as a local market/small event space).
- If these enhancements occurred, the space available for dogs off leash would decrease. In the case of playgrounds, dogs will need to be kept more than 5m from play equipment at all times. Any future concentration of use in a smaller area of the Park would increase pressure on the surfaces and maintenance regimes.



Synopsis of Community Consultation Feedback

- 4.8 In August and September 2021, community consultation was undertaken on the petition request. The consultation was timed to coincide with consultation on the Domestic Animal Management Plan, and pre-planned Neighbourhood Engagement Sessions.
- 4.9 A total of 117 community members were engaged via Council's Have Your Say online survey. Survey respondents predominantly lived or worked within the area of Kirrip Park (95.7%). (Refer Attachment 1)
- 4.10 A majority of respondents (79.5%) supported Kirrip Park becoming an off-leash area after 5pm on weekdays and anytime on weekends and Public Holidays.
- 4.11 Key feedback included:
- The Park is suitable for off-leash as it is quiet and safe: Seventeen respondents believed the park is suitable for off-leash dogs as it is generally quiet and, often unused after the proposed time of 5pm. Participants noted the lack of heavy traffic around Kirrip Park, which they perceived as making the park safe for dogs off-leash.
 - Proximity of the park to high rise buildings: Sixteen respondents highlighted the importance of a dedicated dog park in a heavily urbanised area with high rise buildings in close proximity. Many of these respondents stated that dogs residing in apartment complexes need a place close by to exercise for their health and wellbeing.
 - Off-leash park would improve community spirit: A number of respondents (16) noted that they enjoy going to dog parks to socialise and build connections with other dog owners in the neighbourhood, as well as letting their own dogs exercise.
 - Safety concerns: The most common reason cited by respondents opposed to this proposal was their concern for the safety of children (10). Some of these respondents stated that Kirrip Park is widely used by children, especially those from the local primary school, and therefore believed that the current restrictions should not change.
 - Dog parks in the area: Several respondents (7) referenced there were already dog parks close to Kirrip Park. Given there is limited open space for the community to enjoy in the area, they believed the current restrictions should remain at Kirrip Park.
 - Non-compliance with rules and regulations: Some respondents (6) were concerned dog owners would not pick up after their dogs or adhere to the proposed off-leash times if the proposed changes are implemented, making the park an unpleasant place for children to use

5. CONSULTATION AND STAKEHOLDERS

- 5.1 In accordance with the Community Engagement Policy (2021) an engagement online survey ran on Council's Have Your Say page from 6 August to 5 September 2021. A total of 117 community members provided feedback.



- 5.2 Council promoted the engagement opportunity to the community using a range of online and offline channels, including Have Your Say, corflute signage at the park's entrances and a letter drop to all adjoining business owners and occupiers.
- 5.3 South Melbourne Primary School shared a link to Council's Have Your Say page in their School Newsletter and the survey was circulated to all teachers and staff at the school.
- 5.4 Internal consultation has occurred with staff who have a role in managing, planning and/or maintaining open spaces including: Local Laws and Animal Management; City Amenity; Open Space & Recreation; Public Space Planning; City Design; Parks Maintenance; Waste Management Services; Street & Beach Cleaning; Project Services; Economic Growth and Activation and the Program Manager for Fisherman's Bend.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 All Local Government Authorities are required to amend Council Orders in accordance with Section 26 (2) of the Domestic Animals Act 1994.
- 6.2 Council can make an order by resolution, imposing conditions on the presence of dogs in any public place of the municipality, including off leash areas and times. Council's current Order No. (3) designates areas and restrictions that are currently gazetted as dog off leash areas.
- 6.3 An Order made by the Council pursuant to S.26 (2) of the Act must then be published in the Government Gazette and local newspaper.
- 6.4 Under Section 55 of the Local Government Act (2020) Council must adopt and maintain a Community Engagement Policy. Council's Community Engagement Policy (2021) outlines the principles for engagement, and methods for how and when Council will engage with the community.

7. FINANCIAL IMPACT

- 7.1 A change to a dog off-leash park will require an additional \$65,000 per year in maintenance funding, which is unfunded in Council's current budget.
- 7.2 Existing signage changes would cost approximately \$2000.

8. ENVIRONMENTAL IMPACT

- 8.1 There is a low risk of environmental impact if the park maintenance requirements are funded, which will maintain the ground cover and provide a protective barrier between people, animals and soils.

9. COMMUNITY IMPACT

- 9.1 The petitioners have highlighted the social benefits that a dog off lead area can have whereby owners can meet and socialise while their dogs exercise.
- 9.2 These factors need to be considered alongside the potential adverse impacts to parts of the community including loss of amenity in the area through noise; reduced enjoyment and safety for the children and other users of the park; and the potential for uncollected dog waste to become a problem.



MEETING OF THE PORT PHILLIP CITY COUNCIL 3 NOVEMBER 2021

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

10.1 Park and Open Space Management, and Animal Management Services, are aligned with Direction 2 of the Council Plan: *Liveable Port Phillip*.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

11.1.1 If Council resolves to make no change to the dog restrictions, no broad communication will be required, other than the correspondence noted above.

11.1.2 If Council resolves to change the dog restrictions at Kirrip Park, at the Ordinary Meeting on 17 November 2021 Council would need to approve the changes to Council Order No. 3 to allow for the temporary change in restrictions.

11.1.3 Existing signage would be updated.

11.2 COMMUNICATION

11.2.1 Advise the lead petitioner of Council's decision in response to the petition (November 2021).

11.2.2 Write to the South Melbourne Primary School to advise of the Council's decision (November 2021)

11.2.3 If a change to current restrictions occurred the following actions would be required:

- Current off-leash maps would be amended and uploaded on Council's website.
- There is a requirement to publish the change in the Government Gazette and local newspaper.
- The Council's website, signage, maps and social media pages would also need to be updated to communicate the new rules for dogs.

12. OFFICER DIRECT OR INDIRECT INTEREST

12.1 No officers involved in the preparation of this report have any material or general interest in the matter.

ATTACHMENTS 1. Kirrip Park Off Leash Engagement Summary Report  [↓](#)