



3. DECLARATIONS OF CONFLICTS OF INTEREST

4. PETITIONS AND JOINT LETTERS

Item 4.1 Petition to fence Gasworks Park (Richardson St and Pickles St sides)

A Petition/Joint Letter containing 53 signatures was received from Mr Ian Adair and presented to a Council Meeting on 4 July 2018.

The Petition states the following:

We, the undersigned residents of the City of Port Phillip request you to urgently consider the fencing of Gasworks Park on Richardson and Pickles street to protect dogs (off lead) and car drivers from unnecessary and dangerous contact between dogs and vehicles.

There have been numerous dog accidents (and more near misses) of dogs running out onto the road. It is a fabulous facility for dogs and their owners to have a lead-free park, but the reality is that being lead free, dogs will, for multiple reasons, venture onto busy roads.

A fence would dramatically reduce the possibility of this happening.

OFFICER COMMENT

Gasworks Arts Park

Gasworks Arts Park is effectively bordered by Graham, Pickles, Richardson and Foote Streets in Albert Park. There are existing walls along Graham and Pickles Streets, a low wall along Foote Street and access points into Gasworks Arts Park along each street.

Gasworks Arts Park is a Designated Area (dog off-leash area) at all times under Council's Order No. 3 Section 26(2) of the *Domestic Animals Act 1994* (the Act); however, dogs are not permitted within five metres of the playground and barbecue areas.

Council does not have any current or future plans to install fencing in Gasworks Arts Park for the purpose of a dog off-leash area.

Shared use of public open spaces

Council's *Open Space Strategy 2009* and *Domestic Animal Management Plan 2017 – 2021* recognise the demand for public open spaces to provide areas for dog exercising as urban density increases and the size of private open spaces decreases. However, Council officers are aware of the conflict that can exist between dogs and other users of Council's public open spaces.

Additionally, Council is committed to supporting the provision of accessible and well maintained public open spaces and fencing in public open spaces can cause barriers to accessibility.



Dog Owners' obligations in a Designated Area

In accordance with Council's Order No. 3 Section 26(2) of the Act, a dog may be exercised off a chain, cord or leash in a Designated Area, if the owner:

- a) carries a chain, cord or leash sufficient to bring the dog under control by placing the dog on a chain, cord or leash if the dog behaves in a manner which threatens any person or animal;
- b) remains in effective voice and 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 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.

Next steps

A key initiative of the *Council Plan 2017 – 27*, Direction 4: We are growing and keeping our character is the development of a new Public Space Strategy. The concept of fencing in Council's public open spaces will be considered in the development of this strategy.

This is consistent with Council's *Domestic Animal Management Plan 2017 - 2021*, which includes an action to investigate fencing on Council owned and managed reserves as part of Council's development of the new Public Space Strategy.

Council officers will consider the residents' suggestion regarding the safety of dogs off-leash as part of the development of a draft Park Plan for Gasworks Arts Park which will be developed in 2019 in compliance with the Contamination Management Action Plan.

OFFICER RECOMMENDATION

That Council:

Notes the petition.

Advises the petitioner, Mr Ian Adair, that:

- Council will not be installing fencing in Gasworks Arts Park for the purpose of a dog off-leash area at this time
- The petition will be considered as part of community consultation scheduled to occur in 2019 on the draft Park Plan that Council is currently developing for Gasworks Arts Park
- There will be future opportunities for broad community consultation on fencing in public open spaces as part of Council's consultation on the new Public Space Strategy
- The nearest fenced dog off-leash area is Eastern Reserve North in South Melbourne, approximately 1.7 kilometres from Gasworks Arts Park, which is a designated dog off-leash area between 7am and 3pm.

TRIM FILE NO: 62/01/376