

GREEN

ITEM NUMBER	14.2
SUBJECT	FOR APPROVAL: West Epping Park Dog Off-Leash Area Feasibility
REFERENCE	F2021/00521 - D08132009
REPORT OF	Senior Open Space & Natural Area Planner

REASON IN CARETAKER:

This matter may be considered during the Caretaker Period as it does not contravene the provisions of Clause 393B of the Local Government (General) Regulations 2021.

WORKSHOP/BRIEFING DATE: Nil**PURPOSE:**

To advise Council on the feasibility of establishing a fenced dog off-leash area in West Epping Park as identified in the adopted masterplan and to recommend that it be publicly exhibited prior to endorsement.

To acknowledge the Epping resident and dog owner petition received at the 15 June 2021 Council Meeting.

To respond to the Notice of Motion (NoM) - Shortage of Dog Parks in Epping Ward, which was tabled by Councillor Davis, at the 15 June 2021 Council Meeting.

RECOMMENDATION

- (a) **That** Council notes that a dog off-leash area at West Epping Park is feasible to meet growing community demand and aligns with Councils strategic direction.
- (b) **That** community consultation is undertaken prior to Council declaration of a dog off-leash area in West Epping Park.
- (c) **That** the proposed West Epping Park dog off-leash area be placed on public exhibition for 28 days.
- (d) **That** property owners adjacent the proposed dog off-leash area be notified of the public exhibition.
- (e) **That** temporary signage be erected at entrances to West Epping Park advising users of the public exhibition.
- (f) **Further, that** a report be submitted to Council upon completion of the public exhibition period for further consideration and assessment of submissions.

BACKGROUND

1. In 2015 the West Epping Park masterplan was adopted by Hornsby Shire Council to guide major upgrade works. This masterplan identifies a potential dog off-leash area near Grant Close (Item 18) in response to submissions received during public exhibition (**Refer Attachment 1**).

2. West Epping Park was transferred to the City of Parramatta (Epping Ward) in May 2016 following local government boundary changes. Council subsequently implemented the major upgrade works approved by Hornsby Shire Council as per the adopted masterplan in 2018. The dog off-leash area was not included within the scope of works completed by Council in recognition of the need for additional community consultation.
3. A petition submitted on behalf of Epping residents and dog owners was tabled at the 15 June 2021 Council Meeting requesting *'Council to provide to our community a dog off leash exercise facility in originally envisaged Area 18, covering two grassy areas adjacent to the Tennis Courts. This was promised five years ago, but never completed'*.
4. Also, a Notice of Motion (NoM) - Shortage of Dog Parks in Epping Ward, was tabled by Councillor Davis, at the 15 June 2021 Council Meeting, and was resolved as follows:

'that a report be brought to Council regarding the feasibility of a fenced off-leash dog park on the open lawn at West Epping Park (referred to on the Masterplan as #18). Further, that this report:

- i. notes that the West Epping Park Masterplan included the potential for a dog off-leash area on the open lawn (referred to as #18) subject to separate approval,*
- ii. acknowledges that the Community Infrastructure Strategy identifies there is a lack of dedicated dog parks in Catchment 3, defined as Epping, Beecroft and Eastwood,*
- iii. identifies potential funding sources for an off-leash dog park at West Epping Park including, but not limited, to planning, community consultation, detailed design and construction,*
- iv. be returned to a Council meeting for consideration in the fourth quarter of 2021.'*

5. This report addresses both the NoM and Petition received.

ISSUES/OPTIONS/CONSEQUENCES

6. A feasibility assessment has been undertaken for a dog off-leash area in West Epping Park. It has reviewed strategic alignment, benefits and demand, best-practice provision, site constraints and opportunities, detailed design infrastructure, construction funding, and legislative considerations.

Strategic Alignment

7. Councils Community Infrastructure Strategy (CIS) recognises the need to increase opportunities for dog off-leash exercise to support health high density living. It identifies a high need for dog off-leash provision in Catchment 3 (Epping / Eastwood / Beecroft). West Epping Park is located within this catchment and a dog off-leash area as identified in the masterplan is consistent with the CIS.
8. Dog off-leash areas provide important opportunities for physical activity by both dogs and their owners. A new dog off-leash area at West Epping Park is consistent with Councils Community Strategic Plan, which aims to 'support

people to live active and healthy lives’ and to ‘invest in services and facilities for our growing community’.

Benefits and Demand

9. Companion animals such as dogs, have significant social and health benefits for their owners. Off-leash exercise is beneficial to the welfare of dogs and may reduce incidences of nuisance behaviour. In addition to dog exercise, off-leash parks also provide social opportunities for dog owners, increasing community participation and interaction.
10. Increasing residential densities are resulting in less residents having access to large backyards within the local government area (LGA). This is resulting in growing demand for local off-leash areas to provide safe dog exercise and socialisation opportunities, particularly for the increasing proportion of residents living in apartments.
11. Research indicates that the proportion of households with dogs has increased from 40% to 47% during from COVID-19 pandemic. Whilst approximately 6800 households within the Epping Ward (2016 Census) are likely to have at least one dog, there are currently no off-leash areas provided by Council. The closest are located within the adjoining City of Ryde and Hornsby Shire LGAs, with the use of many of these being restricted during peak times, such as during organised sporting activities. They also typically require City of Parramatta residents to cross major roads and/or railway lines for access.
12. A new dog off-leash area at West Epping Park will provide significant social benefits to the growing number of dog owners within Epping Ward. It will increase accessibility to local off-leash opportunities and reduce the need for City of Parramatta residents to travel longer distances to facilities within adjoining LGAs.

Best-Practice Provision

13. There is no current standard benchmark for dog off-leash provision based on population size, particularly in the context of increasing densities. It is considered best-practice for provision to be based on ‘walkability’, with a 20-minute walk (approximately 1.5 to 2km) widely accepted as a reasonable benchmark.
14. Dog off-leash areas should be of a sufficient size, shape, and free of obstacles to adequately disperse dog movement and minimise potential conflicts between dogs whilst also reducing surface wear. The allocation of dedicated off-leash space must also balance the needs of dog owners with those of other park users.
15. Whilst a minimum of 3000m² is regarded as best practice, this is not always feasible in a highly urbanised context with limited suitable land availability. A minimum size of 1000-1500m² is typically provided by other Sydney metropolitan LGAs to reflect this constraint.
16. To ensure adequate amenity for both dogs and their owners, dog off-leash areas also require access to water, seating, shade, and waste disposal facilities. Information signs are also important to encourage appropriate behaviour and to educate owners of their responsibilities under the *Companion Animals Act 1998*.

17. Fenced off-leash areas provide a secure space separate from other park users that allow dogs to run freely whilst minimising potential conflicts. This contained area is also of benefit to assist older and/or less mobile owners to maintain effective control, whilst also keeping dogs out of environmentally sensitive areas to reduce impacts on native wildlife.
18. The proposed fenced West Epping Park dog off-leash area comprises approximately 1670m² consistent with best-practice provision benchmarks within a metropolitan context. It is centrally located within the Epping Ward to maximise the proportion of residents within a 2km catchment. The area identified in the masterplan comprises open grass free of obstacles with adequate surveillance that will minimise potential conflict between dogs and can also be readily fenced to provide a secure exercise space.

Site Constraints and Opportunities

19. West Epping Park experiences high levels of use associated with its diverse facilities, which include sporting fields, children's play, youth recreation, picnic and BBQs and tennis courts. These facilities occupy most of the park and limit available space that is suitable for a new dog off-leash area. The open grassed area located off Grant close, as identified in the adopted masterplan, is the only adequately sized and unconstrained portion of the park suitable for a dog off-leash area.
20. The proposed dog off-leash area can be readily fenced to create a dedicated facility that will not significantly impact upon other park users and will discourage dogs on the adjacent synthetic sporting fields. It provides unobstructed views with clear sight lines to ensure owners can maintain a visual connection with their dog, which will assist with behavior management and effective control. An existing landscaped zone also provides a buffer to adjacent properties to minimise potential amenity impacts.

Infrastructure and Funding

21. To ensure adequate amenity and compliance with regulatory requirements, it is estimated that the cost to establish the West Epping Park dog off-leash area would be approximately \$70K (including 10% contingency) as outlined in **Attachment 3**. This would comprise of the following infrastructure:

Item	Estimated Cost
Fencing / Gates	\$28,600
Signage (Regulatory / Educational)	\$5,000
Trees (Shade)	\$3,500
Waste (Bins / Bag Dispensers)	\$9,000
Water (Connection / Drinking Station)	\$17,000

These improvements are permitted to be undertaken by Council as 'exempt development' under *State Environmental Planning Policy (Infrastructure) 2007*.

Feasibility Summary and Options

22. A fenced dog off-leash area off in West Epping Park has been identified to be the preferred option to address under-provision in the Epping Ward. This is summarized in the following table:

Preferred Option - New Off-Leash Area at West Epping Park	
Advantages <ul style="list-style-type: none"> • Consistent with masterplan and Council strategies e.g. CIS • Central location within Epping Ward • Suitable land size, shape and buffer to adjoining private properties • Ancillary facility availability e.g. carparking • Discourage dogs on adjacent synthetic sporting fields 	Disadvantages <ul style="list-style-type: none"> • Additional capital and ongoing maintenance costs • Potential existing informal recreational use of open grass area • Community consultation required
Alternative Option 1 – No Change	
Advantages <ul style="list-style-type: none"> • No additional costs • Community consultation not required • No reduction of open space available for informal recreation 	Disadvantages <ul style="list-style-type: none"> • Significant gap in provision • Reputational risk as community petition / expectations • Inconsistent with masterplan and Council strategies • Inequality with other Wards
Alternative Option 2 – New Off-Leash Area at another Park within Epping Ward	
Advantages <ul style="list-style-type: none"> • No impact on existing use of informal open space at West Epping Park • Improved provision consistent with Council strategies e.g. CIS 	Disadvantages <ul style="list-style-type: none"> • Inconsistent with masterplan and community expectations • Limited suitable open space e.g. size or private property interface • Less central location within Epping Ward • Community consultation required • Additional capital and ongoing maintenance costs

23. The West Epping Park dog off-leash area is consistent with Councils strategic direction and meets minimum best practice standards. It is centrally located to maximise accessibility and address current under-provision in the Epping Ward as illustrated in **Attachment 4**.
24. It is anticipated that the West Epping Park facility would experience a high level of use due to the growing demand from increasing housing densities and dog ownership rates. The proposed off-leash facility will only require minimal infrastructure and nominal ongoing costs to provide significant community benefit.
25. Whilst the proposed West Epping dog off-leash area is feasible due to the significant public benefit and relatively minor cost, it has not previously been subject to community consultation. As dog off-leash areas are potentially contentious with the immediate surrounding community, it is recommended that targeted community consultation be undertaken in early 2022 as the final stage

of this feasibility work. The consultation will then form part of Council's consideration prior to approval by the fourth quarter of the 2021/22 financial year.

CONSULTATION & TIMING

Stakeholder Consultation

26. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
15 June 2021 Community Petition	Local Residents	Request dog off-leash area at West Epping Park as per adopted masterplan	Under-provision identified in Community Infrastructure Strategy Supported subject to outcomes of targeted community consultation	Open Space & Natural Resources
27 September 2021	Regulatory Services	Request that the area be fenced	Fencing supported to minimise potential conflicts with other park users	Open Space & Natural Resources
5 October 2021	Cleansing	Advised of bin servicing and waste collection costs	Noted	Cleansing
7 October 2021	Parks	Advised of waste disposal bags costs	Noted	Parks

Councillor Consultation

27. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
15 June 2021 Notice of Motion	All Councillors	No dog parks within Epping Ward Increased demand for dog parks due to housing densities	West Epping Park dog off-leash area consistent with masterplan and Community Infrastructure Strategy Potentially contentious issue	Open Space & Natural Resources

		Dog off-leash area identified in West Epping Park Masterplan	that requires further community consultation	
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LEGAL IMPLICATIONS FOR COUNCIL

28. The *Companion Animals Act 1998* (CAA) requires that dogs are to be under effective control and on a leash when in a public place, such as a park or reserve, unless in a designated off-leash area. It also prohibits dogs from within 10 metres of public playgrounds, picnic and barbeque facilities, or within wildlife protection areas. A fenced off-leash facility will assist owners to ensure that dogs do not enter these prohibited areas.
29. The owner or carer of a dog found to be off-leash outside of a declared off-leash area is guilty of an offence and could potentially incur a penalty. A new dog off-leash area at West Epping Park would require official declaration under Section 13(6) of the CAA. It would also require Council to provide rubbish receptacles for the disposal of dog faeces under Section 20(2).

FINANCIAL IMPLICATIONS FOR COUNCIL

30. If Council resolves to approve this report in accordance with the proposed resolution, it will result in public consultation/exhibition costs of approximately \$5K. These costs can be funded from the existing 2021/22 Open Space and Natural Resources base budgets.
31. Following the proposed public exhibition period, if Council were to progress with a dog off-leash area at West Epping Park the following costs would apply;
- An infrastructure costs of approximately \$70K and an internal detailed design and project management cost of approximately \$10K. These costs could be funded under the 2022/23 Parks Improvement Project.
 - The annual maintenance of dog waste bins and bags would be approximately \$8K. This operational cost would need to be funded out of General Revenue.
32. The table below summarises the financial impacts on the budget arising from approval of this report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result		Nil		
Funding Source		N/A		
CAPEX				
CAPEX				
External				
Internal				
Other				

Total CAPEX		Nil		
Funding Source		N/A		

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ATTACHMENTS:

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| 1 | West Epping Park Landscape Masterplan | 1 Page |
| 2 | West Epping Park Dog Off-Leash Concept Plan | 1 Page |
| 3 | Dog Off-Leash Provision Map | 1 Page |

REFERENCE MATERIAL