

PURPOSE

Wollongong City Council (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.

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 INTENT

The main objectives of this policy are to:

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

WOLLONGONG 2032 OBJECTIVES

This Policy is a direct contributor to the delivery of Goal 5: "We are a healthy community in the liveable City" in the 2032 Community Strategic Plan,

- 5.2 Urban areas are created and maintained to provide a healthy and safe living environment for our community and,
- 5.4 Provide a variety of quality and accessible public places and opportunities for sport, play, leisure, recreation, learning and cultural activities in the community and,
- 5.5 Provide safe, well maintained and accessible beaches and aquatic recreation facilities.

POLICY

Introduction

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

Background

The *Companion Animals Act 1998* (the Act) commenced in 1998 and Council commenced implementation in 1999 with an emphasis on managing dogs. Off-leash 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, 2018 and 2023.

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 off-leash area;
- NOTE: In off-leash 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, either the dog's owner or a person in control of a dog, can only have a maximum of four (4) dogs under their control. This applies to dogs on leash and dogs in a loff-leash 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 areas. 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 Illawarra 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, approximately 40 metres east of the Sewerage Treatment Plant entrance;
 - 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 eastern side of the Sandon Point SLSC through to the McCauley's Beach boundary, approximately 120 metres east of Garaban Court, Bulli;

- Austinmer Beach from the Thirroul Beach boundary which is located approximately 130 metres south of the Austinmer rock pool through to the Little Austinmer Beach boundary at the end 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 beginning of 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, approximately 80 metres east of the Kallaroo Avenue and Lower Coast Road intersection in Stanwell Park;
- Coalcliff Beach from the boundary of the Coalcliff rock platform, approximately 150 metres south/east of the Coalcliff train station, 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, approximately 130 metres north/east of Jim Allen Oval, Wombarra, through to the northern side of the Wombarra rock pool;
- Brickyard Point from the southern boundary of Sharkey's Beach, approximately 200 metres north of the Austinmer Boat Ramp carpark 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 public space area boundary, approximately 80 metres east of the Murray Road Carpark, East Corrimal 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, approximately 40 metres east of the Sewerage Treatment Plant entrance.

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, approximately 140 metres east of the Maxwell Crescent and The Drive intersection in Stanwell Park;
- Sharkey's Beach from the most northern point of the Sharkey's Beach carpark through to the Brickyard Point boundary, approximately 200 metres north of the Austinmer Boat Ramp carpark;
- Little Austinmer Beach from the Headlands rock platform boundary approximately 50 meters north of Headlands Beach Hotel, through to Austinmer Beach boundary at the end of Toxteth Avenue, Austinmer;
- McCauley's Beach from Corbett Avenue, Thirroul through to the Sandon Point rock platform boundary, approximately 120 metres east of Garaban Court, Bulli;
- 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 public space area boundary, approximately 230 metres north/east of the Murray Road Carpark, East Corrimal;
- 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 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 Compliance and Regulation 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 Animal Compliance Officers 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 Fines 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 menacing or 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, OR THE PERSON PRESENT AT THE TIME OF THE OFFENCE WHO IS IN CHARGE OF THE DOG, IS LEGALLY RESPONSIBLE IF THE DOG ATTACKS A PERSON OR ANIMAL (as per the *Companion Animals Act 1998* – Part 3 Responsibilities for control of dogs – Clause 13 Responsibilities while dog in public place).

Regulation and 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 ongoing 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;
- Animal Compliance Officer 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.

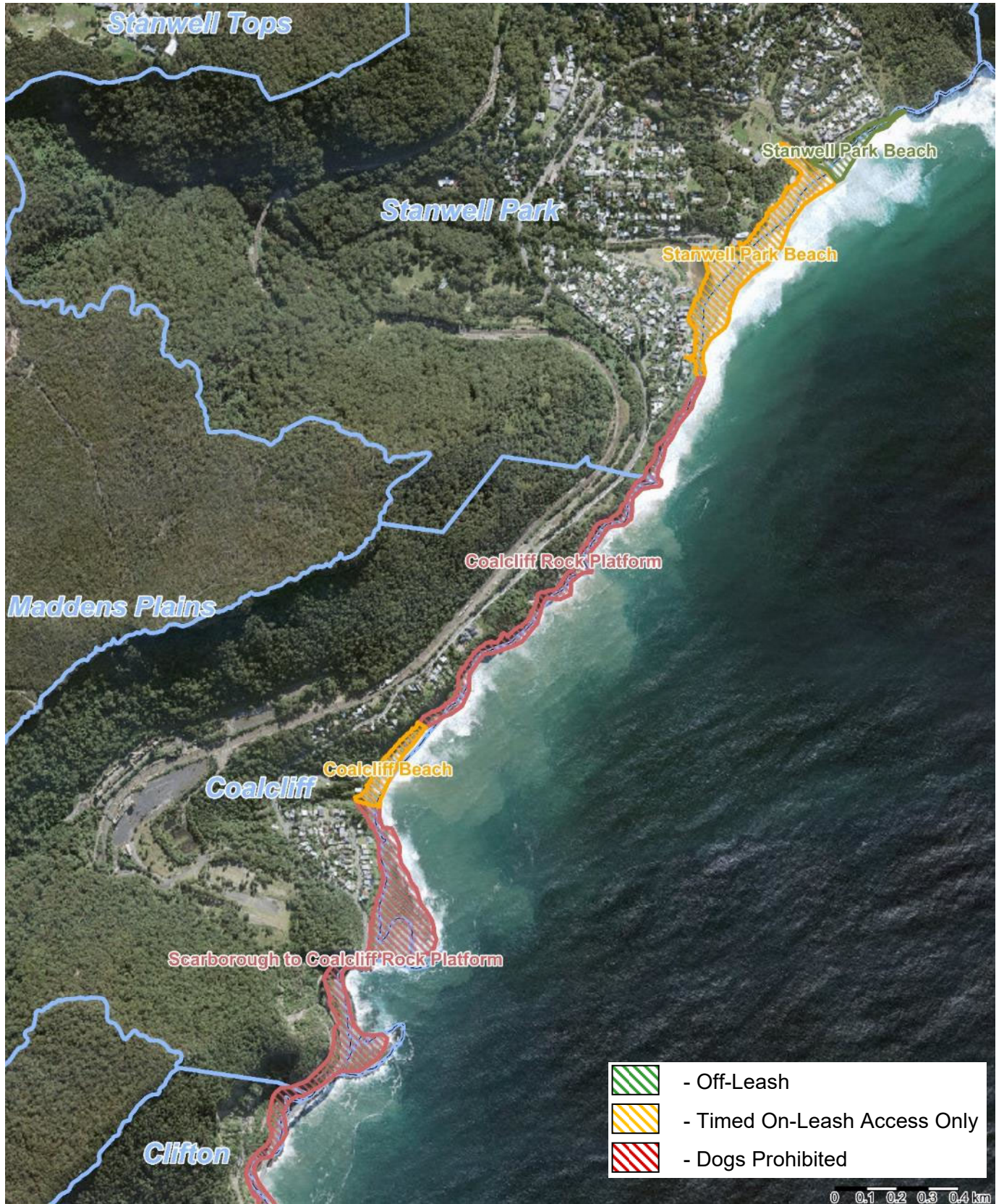
Attachments: Maps of Zone Areas

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

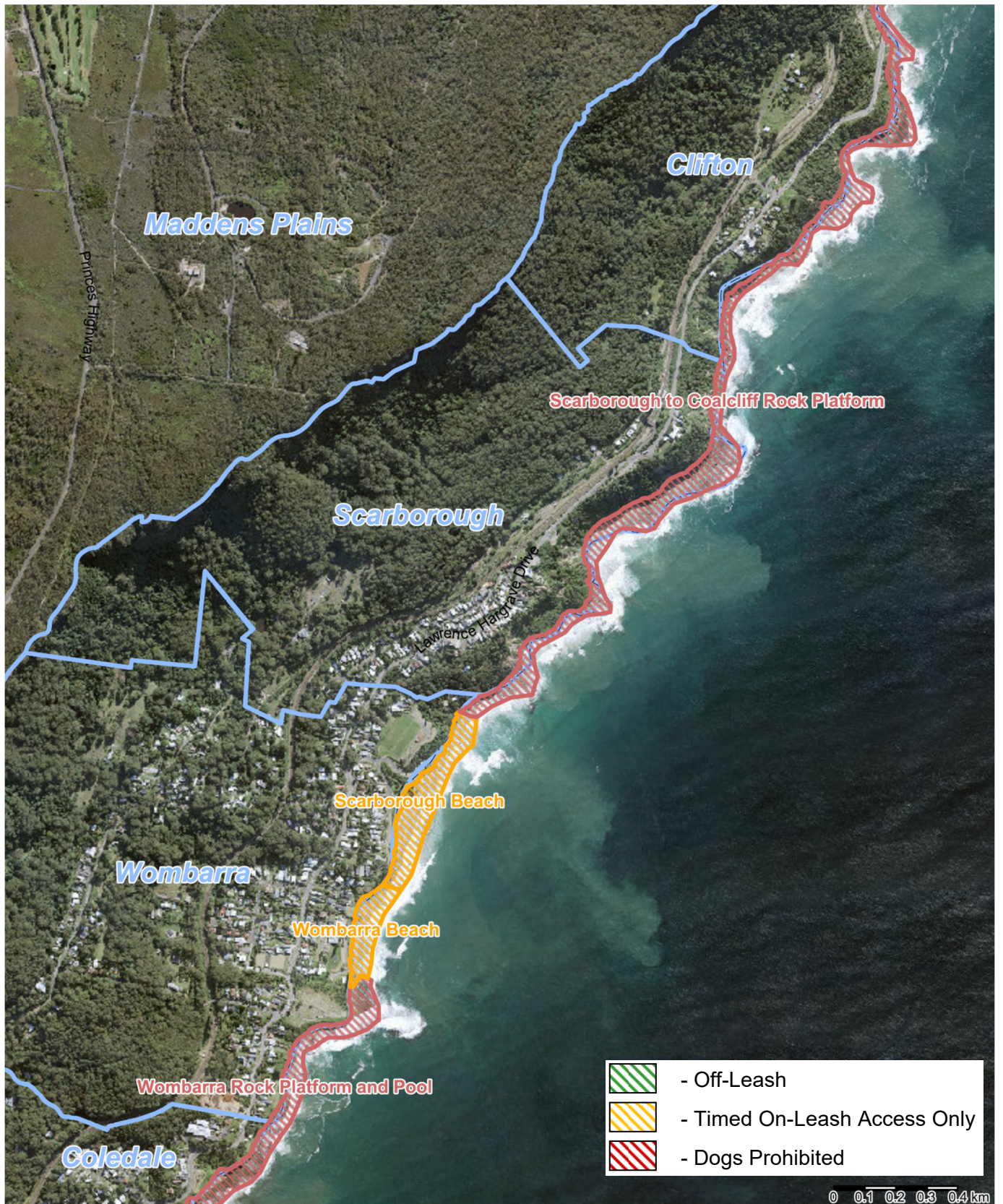
Legend:

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

Map 1: Stanwell Park - Clifton



Map 2: Clifton - Coledale



Map 3: Coledale – Thirroul



Map 4: Thirroul - Woonona



Map 5: Woonona – Bellambi



Map 6: Bellambi – North Wollongong



Map 7: North Wollongong – Wollongong



Map 8: Wollongong – Port Kembla



Map 9: Port Kembla – Primbee



Map 10: Primbee – Windang



Map 11: Figtree Oval, Figtree



Map 12: Proud Park, Helensburgh



Map 13: Riley Park, Unanderra



Map 14: Eleebana Reserve, Koonawarra



Map 15: King George V Park, Port Kembla



Map 16: Reed Park, Dapto



LEGISLATIVE REQUIREMENTS

- Local Government Act 1993
- Companion Animals Act 1998

REVIEW

This Policy will be reviewed a minimum of once every term of Council, or more frequently as required.

REPORTING

Progress on the proactive compliance program for companion animals in public places is reported to Council in both the quarterly and annual reports.

ROLES AND RESPONSIBILITIES

Manager Regulation & Enforcement is responsible for reviewing and updating the Policy.

Compliance & Regulation Manager is responsible for the implementation of the Policy, including reviewing and updating the relevant dog access signage in beach, foreshore and park areas, ensuring that beach and foreshore areas are patrolled proactively and that the appropriate enforcement action is taken against offenders, and the community is educated about responsible dog ownership.

RELATED STRATEGIES, POLICIES AND PROCEDURES

- Compliance and Enforcement – Council Policy

APPROVAL AND REVIEW	
Responsible Division	Regulation and Enforcement
Date adopted by Council	[To be inserted by Corporate Governance]
Date/s of previous adoptions	22/07/2019; 24/11/2014; 26/11/2012; 27/04/2011; 28/09/2010
Date of next review	[Not more than three years from last adoption]