

Councillor Fraser Brindley
Chairman
Environment Committee
City of Melbourne
Town Hall
Swanston Street
Melbourne 3000

5 December 2007

Dear Councillor Brindley - Fraser

Submission to City of Melbourne Concerning Proposals for New and Expanded Dogs Off-Leash Areas in Royal Park

I am writing on behalf of the Royal Park Protection Group Inc. (**RPPG**). I apologise for the delay. Here are our comments:

1. Rationale for Changes to Dog Off Leash Areas:

At present, under the Melbourne City Council Order in Council pertaining to the Domestic (Feral and Nuisance) Animals Act 1994, dog owners/walkers have two designated dogs off-leash areas in Royal Park. - one off Macarthur Road and one the former MacPherson Baseball Field across from the Zoo on Poplar Road.

Council apparently agreed to review these areas following representations by the Royal Park Dogs Group (**RPDG**). This is a small group based in the City of Melbourne but with members in other municipalities. The RPDG has requested that new and expanded areas covering approximately 50% of Royal Park be designated as dogs off-leash zones - namely the hill top north of the Royal Children's Hospital and north west of the Australian Native Garden plus land in the south west of Royal Park bounded by Flemington Road, Elliott Avenue and the Coburg East tramline across the centre of the Park. This includes the billabong specifically designated for wild ducks.

Members of the RPDG complain that the existing off-leash areas are located near roads and their dogs run off across the roads. RPPG says that there is adequate space in these two areas of Royal Park away from roads. RPPG says that if dog walkers allow dogs to run off onto roads they are contravening a local law. (See below). RPDG members apparently like to stand and chat while their dogs run freely. They say that it gives an opportunity for their dogs to "socialise". RPPG says that Royal Park should not be a therapy centre for dogs and that a small group such as the RPDG should not be able to hold the rest of park users to ransom. (RPDG conducted a "survey" on this question of dogs on and off leash but RPPG does not regard it as valid as respondents did not have to identify themselves.)

RPPG considers that the Council is showing unfair bias to the RPDG and is unduly considering the demands of this special interest group. If met, the demands of the RPDG group in expanding the dogs off-leash areas of the Park will inevitably be destructive of wildlife and displace the many other park user groups – walkers, joggers, cyclists, kite flyers and other dog walkers plus those that visit the Park for "passive recreation". Over the last five years many RPPG members and local residents in the other suburbs surrounding the Park, especially family groups with elderly and children, report that they no longer visit the Park having been subject to intimidation and harassment by dogs not leashed but running around out of control through on-leash areas. (Some months ago a Council staff member's child was bitten in Royal Park in a dog attack.)

2 Dogs Off Leash in Royal Park Threaten and Destroy Wildlife

The Royal Park Master Plan aimed to create an indigenous bushland reminiscent of the pre-settlement landscape. It was intended that, by replanting with indigenous vegetation, habitat for wildlife would be created. This has been remarkably successful. Since the implementation of the Master Plan in 1987, the City of Melbourne has invested millions in the establishment of indigenous vegetation in grasslands, open parkland and wetlands. The recent City of Melbourne birds' survey details birds in the habitat areas of Royal Park.

The chief areas designated by the RPDG and by Councillors for dogs off-leash areas are wildlife habitat areas. These include areas on Macarthur Road, the hilltop (The Circle) and the south west of Royal Park. Ground nesting or feeding birds are amongst species threatened by dogs off leash include cockatoos, parrots and quail. The water birds at risk are herons, various species of ducks and ibis. Also swallows and little bush birds, which used to live near the billabongs. (Few of these birds are now seen in Royal Park since they have been driven out by the increase in dog numbers and the fact that there is ineffectual monitoring and no prosecution of offenders by Council. In addition the fact that approximately 25 hectares with over 2500 trees have been cleared from Royal Park for major developments - the State Netball and Hockey Centre, the "Games Village" aka the Parkville Gardens residential development and the Royal Children's Hospital. I have witnessed dogs attacking and killing ducks in the billabong in the Australian Native Garden.

Council simply cannot allow dogs off leash in wild life zones – the two are incompatible. Councillors voted to allow a 200 metres zone around the billabong east of the Tennis Courts. An imaginary line drawn through the dogs off-leash area is not going to stop dogs from reaching the billabong and attacking water birds. It should be pointed out that Park maintenance guidelines now include leaving fallen trucks and branches as habitat for birds and insects. The RPPG demands that wild life in Royal Park be respected and protected as they are in other parks under for instance Parks Victoria. The City of Melbourne does not have a wildlife policy, unlike other municipalities.

RPPG wishes to point to Albert Park under the management of Parks Victoria. Wildlife habitat areas, specifically the foreshore of the Lake and the islands plus the "Corroboree Tree" habitat zone, are designated dogs on-leash areas. A number of sports grounds/ovals, well away from the Lake and water bird habitat, have been allocated for dogs off-leash areas. The park rangers in the Albert Park Office of Parks Victoria plus park users report that there is no problem in dog walkers using sports grounds when not in use by the sports' fraternity.

RPPG recommends therefore:

1. That wildlife habitat areas - virtually all of Royal Park - except for sports grounds - be designated "**dogs on-leash**" zones.
2. That the Wetlands in West Royal Park plus the billabong zones in the Australian Native Garden and in the south west of the Park (east of the Flemington Road Tennis Courts.) be designated "**dogs prohibited**" zones.
3. That open sports grounds in the Park, including Poplar Oval on The Avenue, (already proposed) be designated as "**dog off-leash**" zones

3 Off Leash Dogs Damage Vegetation in Royal Park

RPPG has seen the damage done by dogs off the leash and how they retard the restoration of areas of the Park. This has been witnessed in the hilltop grasslands area and in the shrubs planted on the perimeter of the Australian Native Garden. This vegetation is damaged when dogs run through the vegetation. I am a member of the Vegetation Management Group, a sub committee of the Royal Park Master Plan Implementation Advisory Committee and this problem has been discussed for

years. It is surprising that, given the amount of money spent by Council on revegetating the Park, this damage has been allowed to continue.

4 Legal Obligations of Dog Walkers

As mentioned, in the City of Melbourne, under a municipal order pertaining to Section 26 (2) of the Domestic (Feral and Nuisance) Animal Act 1994, dog-owners/walkers' obligations are spelt out. Under the law as regards a dog off-leash, the dog may be exercised provided that the owner: "*remains in effective voice or hand control of the dog*" and "*in constant sight of the dog*" in order to leash it if that becomes necessary. Dogs are not allowed to threaten or worry persons or other animals in the park. So there should be no risk of dogs running away onto roads - as claimed by RPDG - as they should be under effective control at all times. Hugh Wirth, former RSPCA President, said recently on the ABC Radio 774 Saturday morning Dog Show that 80% of dog owners/walkers do not have their dogs under effective control when off leash.

5 Failure of City of Melbourne to Prosecute Offenders:

It is unfortunate that the City of Melbourne does not prosecute dog walkers contravening the local law relating to keeping dogs on a leash. The contractor - the Lost Dogs' Home, who is supposed to police the law, is said to only turn up in Royal Park infrequently and even then only warns people breaching the law. This is unlike other municipalities where there is regular surveillance and where stiff penalties are laid down for infringement. It appears to us that the law is breached with impunity in Royal Park. I have witnessed what is reported to be a common practice by commercial dog walking companies. Some time ago I saw a van draw up in Gatehouse Street and let six dogs out then unleash them in the hillside area of Royal Park and let them run at will, out of control, round in the Park. It is very rare to see dogs leashed in on lead areas of the Park or under any kind of control. It is a wonder that the City of Melbourne has not been prosecuted for dog attack. The question occurs as to whether any assessment has been made of the risk involved in having extensive areas of Royal Park designated as dogs off the leash zones. Under the Wildlife Act 1975 Clause 48 it is an offence for dogs to attack wildlife and offending animals can be seized. No cognisance appears to have been paid by Council of the obligation to protect wildlife in parks under its care.

6 Health Risks of Dogs' Excrement on Streets and in Parks

Unlike other municipalities the City of Melbourne does not have many stands in Royal Park with plastic bags for owners to collect dog droppings. Nor is there any prosecution of people who do not pick up after their dogs. It may be a generalisation but one never sees an owner/walker attempt to pick up dog droppings in Royal Park when the dog is ranging about some distance away. It is unlikely that owners clean up after their dogs if off the leash.

The health risks of children touching dog excrement and being contaminated with roundworm, which causes in some cases blindness, was detailed in The Sunday Age article of 13 May 2007. The article also reveals the environmental hazards of tonnes of dog faeces every day being washed into drains and whence into the Bay. We recommend that the City of Melbourne adopt measures such as those implemented by Port Phillip Council relating to management of dogs leaving excrement in streets and parks.

7 Health Risks for Dogs in Running Off Leash through Wildlife Habitat Areas

There is another problem associated with dogs swimming in billabongs and wetlands in Royal Park. Dogs have been known to develop severe skin infections after immersion in the stagnant water of these tracts of water. Also it is not advisable for longhaired dogs to run through long grass with the

problem of grass seeds. There is the risk of snake attack in summer especially near water. Some members of the RPDG are apparently of the view that it is safer for dogs to run off leash in playing and sports fields rather than in habitat zones. We agree with this view.

8 Recommendations re Dog Off Leash

The Royal Park Protection Group Inc. is opposed to any of Royal Park, a wild habitat park, being turned over for dogs' off-leash areas on the grounds that it will be destructive of wild life and a threat to other park users.

Two-thirds of what's left of Royal Park is made up of sports fields and ovals. These are greatly under - utilised and would provide open and safe areas for dogs to be exercised off the leash. By way of example, apart from the baseball pitch, the huge area of the Ross Straw Field in West Royal Park is not used during the week. The use of sports grounds for off-leash dogs is the practice in Albert Park. Even the RPDG is said to agree with this. In addition the Royal Park sports grounds are well served with parking areas. Agreement has already been reached that the Poplar Oval on the Avenue could be thus used. There needs to be investigation as to whether this can be extended to other sports grounds.

Also recommended is that the City of Melbourne review its responsibilities to park users; commence proper surveillance and scrutiny of whether dog walkers are failing to observe the local law regarding dogs on leash; and prosecute accordingly. RPPG also recommends that Council's legal section undertake an assessment of the increased risk of dog attack if these areas are to be greatly expanded.

I trust that you and fellow Councillors will take our comments into consideration when deciding on any changes to the current legal basis governing the walking of dogs in Royal Park.

Yours sincerely

Julianne Bell
Convenor
Royal Park Protection Group Inc.
PO Box 197
Parkville 3052

98184114 or 0408022408

cc Lord Mayor and Councillors

Mr Rob Adams, Director of Design and Urban Environment

Mr Rob Moore, Manager, Parks and Urban Design

Ms Cathy Kiss, Senior Planning Officer, Design and Urban Environment