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Pet-Friendly Urban Parks in Pursuit of Sustainable Green Spaces

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ABSTRACT

Pet-friendly parks are crucial elements in the development of urban cities. As cities grow with the increasing population, urban parks are crucial recreational spaces for the residents. Urban pet parks enhance the quality of both pets and owners. This paper analyses how pet park management addresses legal responsibilities and aligns with the Sustainable Development Goals (SDGs) of the United Nations, especially those related to sustainable cities, life on land, and climate change. By studying the relevant policies and practices, this research aims to suggest mitigating strategies and explore sustainable development practices in the development of urban pet parks. Finding a balance between tort liabilities and encouraging sustainability contributes to a better urban environment for living. This research aims to enhance the quality of urban life and preserve the environment.

Keywords: Green spaces; Urban pet parks; Pet-friendly; Sustainable cities; Sustainable Development Goals

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1. Introduction

Pets are considered part of the family in the majority of households worldwide. An international survey by Rakuten Insight in 2021 revealed that 59% out of 97,000 respondents



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owned a pet in their home. In Malaysia, 20% of the respondents owned a dog, while 34% owned a cat, which shows that most Malaysians are fur parents. Owning pets can positively impact some aspects of their owners' mental health and well-being, particularly during very challenging times, like during the Movement Control Order in 2020 due to the COVID-19 pandemic.¹ Due to this, it is not surprising that pets for many people are considered to be "family members". However, owning a pet comes with a considerable responsibility for its owner. While pets include various domestic animals like cats, birds, rabbits, and dogs, this article shall focus the research on cats and dogs due to their significant impact on the need for pet-friendly parks. Besides, these are the two most common animal companions in Malaysia. Today, pets are being raised in lofts, condos, apartments, townhouses, and single-family homes of the city without a backyard. The importance of pet-friendly parks, specifically dog-friendly parks where these furry babies are allowed to roam and play freely, comes into the picture. Some researchers also elicited that pet-friendly parks in towns and near residential areas could improve life quality and the environment, adding to the property value as well.²

Public parks in Malaysia have been a great need in urban communities, where they could be considered places for social interactions. Thus, they need to be well-designed for a safe and healthy environment. Local authorities have introduced various public parks, which are set aside for human enjoyment and nature preservation and promote sustainable development.³ In Malaysia, with the rapid urban development, there is a high demand for parks within the city to ensure a balanced and healthy lifestyle. Notably, public parks are equally utilised by all levels of society despite of age, gender, and race.⁴ For example, Urban City at Central Park City, Kuala Lumpur, attracts residents from outside the township due to its pet-friendly nature. Thus, park management plays a huge role in ensuring safety for its visitors and promoting sustainability within urban development.

¹ Dasha Grajfoner, Guek Nee Ke and Rachel Mei Ming Wong, 'The Effect of Pets on Human Mental Health and Wellbeing During COVID-19 Lockdown in Malaysia' (2021) 11(9) *Animals* 2689 <<https://doi.org/10.3390/ani11092689>>.

² Hyung-Sook Lee, Mardelle Shepley and Chang-Shan Huang, 'Evaluation of Off-Leash Dog Parks in Texas and Florida: A Study of Use Patterns, User Satisfaction, and Perception' (2009) 92 *Landscape and Urban Planning* 314–324 <<https://doi.org/10.1016/j.landurbplan.2009.05.015>>.

³ Ahmad Nazrin Aris Anuar, Che Bon Ahmad, Rabiatul Adawiyah Nasir and Nur Zufarahanim Natrah M Zainuddin, 'The Development of Friendly Public Park Benchmarking: A Qualitative Study' (2016) 11(20) *The Social Sciences* 4970–4976 <https://www.researchgate.net/publication/311928550_The_development_of_friendly_public_park_benchmarking_A_qualitative_study>.

⁴ Jolanda Maas, Robert A Verjeij, Peter P Groenewegen, Sjerp de Vries and Peter Spreeuwenberg, 'Green Space, Urbanity, and Health: How Strong Is the Relation?' (2006) 60(7) *Journal of Epidemiology & Community Health* 587–592 <<https://doi.org/10.1136/jech.2005.043125>>.

1.1 Animal Rights

When it comes to laws and policies relating to animal welfare, a concept has been given significant attention which is that animals are sentient beings who can experience pleasure and pain. Animals are said to be sentient because it is capable of being aware of their surroundings, their relationships with other animals and humans and sensations in their own body, including pain, hunger, heat, or cold.⁵ This concept is the basis for many countries in proposing laws, regulations, codes, and strategies that aim to protect and promote animal welfare.⁶

There are few federal-based national regulations for protecting companion animals, including dogs and cats, in Malaysia⁷ which is also based on the concept of animal sentience. The Animal Welfare Act 2015 (Act 772) was enacted to “promote the welfare and responsible ownership of animals”.⁸ This Act symbolises the progressive movement towards animal welfare and emphasises responsible ownership and care.⁹ Section 24 of the Act is said to include the Five Freedoms of Animals proposed by the Universal Declaration of Animal Welfare i.e.: (i) freedom from hunger and thirst, (ii) freedom from fear and distress, (iii) freedom from discomfort, (iv) freedom from pain, injury, or disease, and (v) freedom to express normal behaviour.¹⁰ Section 24 provides that the owner (of the animal) shall have the duty to take reasonable steps to ensure that the needs of an animal are fulfilled, which includes its need for a suitable environment, suitable diet, the need for it to be able to exhibit its normal behaviour patterns, the need for it to be housed with or apart from other animals, and the need for it to be protected from pain, suffering, injury, and disease.¹¹ Failure to adhere to Section 24(1) is a criminal offence and the owner, on conviction, shall be liable to a fine of not less than RM15,000 and not more than RM75,000 or to imprisonment for a term not more than two years or both.

Pet-friendly parks is an effort to comply with the provisions in Section 24 by fulfilling a pet’s need for a suitable environment and a pet’s need to be able to exhibit its normal behaviour pattern. Dogs, for example, need a pet-friendly park as a place where they can engage in social play with other canines, where they can finally romp off-leash and “be dogs.” The reason why pet-friendly parks are prevalent in other countries is because of

⁵ Suresh Kumar, Sanjay Choudhary, Rohit Kumar, Alok Kumar, Prasanna Pal and Kanika Mahajan, ‘Animal Sentience and Welfare: An Overview’ (2019) 8(8) *International Journal of Current Microbiology and Applied Sciences* 635–646 <<https://doi.org/10.20546/ijcmas.2019.808.074>>.

⁶ Miah Gibson, ‘The Universal Declaration of Animal Welfare’ (2011) 16(2) *Deakin Law Review* 539–567 <<https://doi.org/10.21153/dlr2011vol16no2art112>>.

⁷ Syafiq Munir Ismail Munir, Mohd Istajib Mokhtar and Ahmad Firdhaus Arham, ‘Public Perspectives on Strays and Companion Animal Management in Malaysia’ (2023) 23(1) *BMC Public Health* 1428 <<https://doi.org/10.1186/s12889-023-16276-5>>.

⁸ Preamble to Animal Welfare Act 2015.

⁹ ‘Malaysia’ (Advocates for Animals, May 27, 2023) <https://www.advocates-for-animals.com/post/_mala>.

¹⁰ Universal Declaration of Animal Welfare <<https://europaregina.eu/business-ethics/animal-ethics/universal-declaration-on-animal-welfare/>>.

¹¹ Animal Welfare Act 2015, s 24(1)(a)(i)–(v).

humans' growing recognition and respect for dogs' social, emotional, and physical needs.¹² Even cats need access to the outside world which offers welfare benefits by allowing cats to perform natural behaviours such as hunting, exploring, and climbing. However, uncontrolled outdoor access is associated with a number of welfare concerns for companion cats, including increased risks of disease and parasites, injury or death due to traffic, predation or ingestion of toxic substances, and getting permanently separated from their owner.¹³ Hence, pet-friendly parks can be a solution to this problem by providing controlled outdoor access for cats to meet their behavioural needs.

1.2 Pet Parks Management

Pets like dogs have social and behavioural needs that ought to be accommodated beyond the private space of the home of their owners, which is how pet-friendly parks come into existence.¹⁴ The parks are essential as they provide safe and controllable environments for dogs and their owners to socialise and exercise legally.¹⁵ It is usually situated within a larger urban park where an off-leash area is designed to allow dogs and their owners to run free without leashes (Malaysian National Animal Welfare Foundation). This is especially important in Malaysia, where it is an offence under the Minor Offences Act 1955 to let dogs loose without a leash and cause them to attack other animals, vehicles, persons, or properties. It is usually situated within a larger urban park where an off-leash area is designed to allow dogs and their owners to run free without leashes (Malaysian National Animal Welfare Foundation). This is especially important in Malaysia, where it is an offence under the Minor Offences Act 1955 to let dogs loose without a leash and cause them to attack other animals, vehicles, persons, or properties.

In Malaysia, pet-friendly parks are typically located in the Klang Valley. A quick search on the Says.com website showed a list of twelve pet-friendly parks, mainly in Kuala Lumpur or Selangor. It is not clear whether there are any pet-friendly parks in other states in Malaysia, but there is a plan by the Malaysian National Animal Welfare Foundation to engage with local councils to create dog and pet-friendly parks in other parts of the country. As pet-friendly parks are considered to be a recent trend in Malaysia, it is also crucial that people, mainly the park owners/occupiers, be aware of their liabilities when it comes to pet-friendly parks. This is essential to ensure safety and hygiene and create a wonderful experience for all park visitors.

¹² Justyna Włodarczyk, "'My Dog and I, We Need the Park': More-than-Human Agency and the Emergence of Dog Parks in Poland, 2015–2020' (2021) 28(3) *Cultural Geographies* 495–511 <<https://doi.org/10.1177/1474474020987249>>.

¹³ Sarah ML Tan, Anastasia C Stellato and Lee Niel, 'Uncontrolled Outdoor Access for Cats: An Assessment of Risks and Benefits' (2020) 10(2) *Animals* 258 <<https://doi.org/10.3390/ani10020258>>.

¹⁴ Julie Urbanik and Mary Morgan, 'A Tale of Tails: The Place of Dog Parks in the Urban Imaginary' (2013) 44 *Geoforum* 292–302 <<https://doi.org/10.1016/j.geoforum.2012.08.001>>.

¹⁵ Shuolei Chen, Zhuoran Wu, Ole Russell Sleipness and Hao Wang, 'Benefits and Conflicts: A Systematic Review of Dog Park Design and Management Strategies' (2022) 12(7) *Animals* 2251 <<https://doi.org/10.3390/ani12172251>>.

2. Responsibilities of Pet Park Management under Tort

In Malaysia, the law on occupiers' liability is based on common law principles. Unlike England, Malaysia does not have any occupiers' liability statutes; hence, all cases on occupiers' liability will come under the tort of negligence. An occupier's liability arises in a situation where the premises are not as safe as they should reasonably be and cause injury or damage to the visitor.

There are four types of visitors (also known as entrants), and the standard of care required on the occupier differs according to the different types of entrants. Firstly, contractual entrants, i.e. people who enter the premises by virtue of a contract, such as a guest in a hotel; secondly, people who enter the premises on the business of interest, both to the persons as well as the occupiers, e.g. a customer going into a shop to view the goods are invitees; thirdly, persons who enter the premise with the express or implied permission of the occupiers, without neither a contract nor community of interest is called licensees; and fourthly, persons who enter as trespassers.¹⁶

As visitors to a public park are categorised as licensees, it would be prudent to discuss the types of licensees. There are three types of licensees: entrant as of right, social visitors, and an entrant by implied permission. A visitor to a public park is considered an entrant as of right, defined as those who have the right to enter into premises that are open to the public. The duty owed by the occupier towards an entrant as of right is to take reasonable steps to avoid any damage, especially if the danger is obvious. There has been an argument that an entrant, as of right, is entitled to expect that the premise is reasonably safe, not only for himself but also for the public at large.

2.1 Duty to Maintain Safe Premises

The pet park management has to ensure a reasonable standard of safety for visitors while they are in the park and enjoying its facilities. The standard of care expected from an occupier of premises that the members of the public can enter as of right was discussed in the case of *Aiken v Kingborough Corporation*,¹⁷ which states that the occupier has to take measures to prevent the public place from falling into a state of disrepair, dilapidation, or defectiveness, and to warn or safeguard the visitors from the danger if the public place does fall into the state of disrepair, dilapidation or defectiveness.

When it comes to pet-friendly parks, some of the important features are that they must be spacious, have a fenced area so the pets can be unleashed, and have a double-gate system to keep pets safe as they go in and out of the fenced area. It would also be wise to have exercise equipment and obstacles to climb on. They would also need to ensure the grounds are free of detrimental debris and that the facilities are in safe condition.

¹⁶ *Datuk Bandaraya Kuala Lumpur v Ong Kok Peng & Anor* [1993] 2 Malayan Law Journal 234 (SC).

¹⁷ *Aiken v Kingborough Corporation* [1939] High Court of Australia 20 (HC).

Some of the pet-friendly parks in Malaysia do provide all these features. For example, within Sentul Park, there is a fully fenced pet-friendly area with specially curated obstacle courses such as hound hurdles to keep pets active and dual-gate entrances to keep them safely inside. Pet-Pavilion at Setia Eco Park also has a 3-acre fully-fenced pet-friendly park, which allows pets to be unleashed and run free in the park. It also features an obstacle area for pets' agility training. Hence, based on the case of *Aiken*, the occupier/owner of these pet-friendly parks must make sure that the fence, as well as the obstacles, are adequately maintained.

2.2 Duty to Warn of Obvious and Non-Obvious Dangers

The park management has a duty to warn all park users of all dangers that they know or should have reasonable knowledge of. If any of the obstacles is malfunctioning or the fence is broken, the park's owner/occupier must repair it or, at the very least, warn the visitors of the danger. The management might also be liable if they fail to warn or provide any signs of adequate warning of a hole in the ground where pets and people usually roam, and any injury happens.

Besides, there is also the issue of whether the occupier/owner of the park is responsible if any damage or injury occurs due to fighting between the pets, particularly dogs within the pet-friendly park vicinity, for allowing the dogs to be unleashed in the pet-friendly parks. In the case of *Donoghue v Stevenson*,¹⁸ the defendants were held liable for failing their duty to exercise a reasonable duty of care to a neighbour. In this case, other visitors and pets in the park care for neighbours, where it would be reasonably foreseeable that if the dog owner is reckless in controlling the pet, it would cause harm. Thus, the rule and duty could be analogously applied to animal behaviour under certain circumstances.

3. Risk Mitigation Strategies:

There is a need to ensure the safety of all visitors to the park. Pet-friendly parks are shown to have more pros and cons for pet owners, especially dogs. Park owners should employ various mitigation factors to ensure pet safety while in their parks. Under the principle of 'occupier's liability', the occupier owes a duty of care towards anyone who comes into or visits his premises. Thus, under this same principle, in pet-friendly parks, the park management owes their visitors a certain level of responsibility. It is established that when a person has sufficient control over a particular premise, such as the park management over pet-friendly parks, they are deemed to be the occupier and can be sued for any injuries sustained on the premises. However, it is noted that the park is not automatically at fault when someone gets injured, especially when there have been sufficient precautions taken by the occupier. There are various strategies park management could implement to enhance the safety of pets and visitors in their park, one of which is to have clear signage and rules for pets and their owners.

¹⁸ *Donoghue v Stevenson* [1932] Law Reports 562 (HL).

3.1 Clear Signs and Rules in Parks

As dog-friendly parks are public, conflict between visitors with and without dogs could be prevalent, especially in dog-gathering spaces. The owners and management must put up clear notices of the rules and regulations. Communication, strict rules, and proper fencing in designated areas could be a solution to this issue. For example, it is made clear that pets causing disruption to the surroundings, such as loud noise and aggression towards guests, will be asked to leave. So, if it can be proven that the staff and management had escorted aggressive pets out of the premises, but attacks and injuries were still sustained, they might not be liable. Under section 289 of the Penal Code (Act 574),¹⁹ if the owner or trainer of an animal does not do enough to keep their animal from possibly hurting people or causing severe harm, they could be put in jail for up to six months or fined up to two thousand ringgit, or both. One of the biggest threats to dog parks is the injuries sustained by both human and animal visitors, usually accidental from rough dog plays. With sufficient warning and strict rules by the management, it could be said that the owner shall be liable for the pets' behaviour. The courts also consider signage in and around pet parks in determining liabilities for incidents taking place in the park.²⁰

Apart from other dogs, the surroundings of the parks also bring harm. In parks, spraying pesticides to clear weeds is common. However, it must be noted that most, if not all, pesticides are detrimental to animals. Most pesticides and spray solutions are highly hazardous, and when absorbed by animals or humans, they could cause potential deaths. Cats and dogs roam around in the pet parks, where they like to lick and chew on the plants, and there is no way their guardians could determine whether a certain plant has been sprayed with pesticides or not. The authorities and park management should put up signages to send appropriate warnings when spraying pesticides in the park. A warning sign should contain the words 'Caution, the name of the chemical sprayed, and the date of spraying.' The signs should be placed in and near the area where the pesticide is being applied. This is to ensure there is adequate warning to the public that the application of spraying pesticides has occurred, and pet owners should take the necessary precautions to avoid these places. This way, pet owners can take note and avoid bringing their pets to the park until it is deemed safe without worrying about accidental ingestion of the pesticides by the pets. However, if they decide to proceed to the warned area after seeing the signs, the owners shall be responsible for the consequences. The local authorities could raise the defence of *volenti non-fit injuria* if they were blamed for the harm caused by the pesticides in the park. The warning notice put up can exclude their liabilities as the owners have consented to the risk.

¹⁹ Penal Code (Act 574), s 289.

²⁰ Adam P Karp and Margrit Lent Parker, 'Recent Developments in Animal Tort and Insurance Law' (2019) 54(2) Tort Trial & Insurance Practice Law Journal 329–356, 336.

3.2 On Off-Leash Rules

There should also be a list of dos and don'ts for both visitors with pets and visitors without pets. For visitors with pet dogs, the regulation on leashed dogs must be strictly implemented. Many municipalities require dogs to be on a leash when in public areas, such as parks, sidewalks, and other communal spaces, and pet-friendly parks are no exception. They must also be given a suitable collar with their badge fastened and visible to all under section 5 of the Licensing of Dogs and Kennel Establishment (Petaling Jaya City Council) By-Laws 2007. For example, under section 8C of the Licensing of Dogs and Kennel Establishment (Federal Territory of Kuala Lumpur) By-Laws 1991,²¹ all controlled dogs must follow a set of strict rules for their owners to obtain a license to keep them, including keeping them on a leash when it is in public places and always under constant supervision. Park Management could set up notice boards at the entrance and pathways alongside the park stating its rules, where it is stated that unless permitted, dogs must be kept on a leash. Designated off-leash areas could be provided upon permission by the local municipals. Some dog parks limit the number of dogs entering the park, according to the management of the Eco-Setia Dog Park, where the maximum number of dogs allowed inside the park per session is 10. All visitors shall be escorted out or prosecuted for failing to observe the regulations by the park management. In addition, the presence of animal trainers for pets, which have never been inculcated with basic social behaviours, would support owners and other visitors, fostering a more amiable environment.

Overly aggressive dogs whose owners do not have voice control should be discouraged from visiting these parks. Park management should also design and limit the number of dogs in certain areas by designing and implementing adequate fencing and borders. They should also design areas for small-breed and large-breed dogs to prevent unwanted and unfortunate events happen. Separating large and small dogs ensures safety and comfort for all park users, reduces conflicts, and promotes a positive atmosphere for socialisation.

3.3 Regular Maintenance and Hygiene Responsibilities

The issue of hygiene and cleanliness is also of much concern when it comes to pet park management. Pet owners should be fully responsible for maintaining hygiene for the use of others, and to ensure they always clean up after their pets. Under section 4(3) of the Parks (Federal Territory of Kuala Lumpur) by-Laws 2012, the owners shall clean excrement by the dog and dispose of it properly or be subject to a fine of two thousand ringgit or imprisonment of not more than a year. The same rule also applies in pet parks. While ideally, all pet owners should clean up the waste of their pets, it is also important for the park management and local councils to do regular inspections and pick up any waste that could have been left behind inadvertently by careless pet owners.

²¹ Undang-Undang Kecil Perlesenan Anjing dan Rumah Pembiakan Anjing (WPKL) 1991; Local Government Act 1976 (Act 171), s 8(c).

While doing the cleaning up to maintain the hygiene of the park, the owners and management should check and ensure they are using pet-friendly products only. Always check the labels on products used in case of toxicity, which could bring harm to, if not your own, other pets. Besides, providing amenities like sufficient garbage cans, waste bags, and effective water systems helps maintain the hygiene of the park. Clear rules and guidelines within the parks also help manage the cleanliness and pet waste, ensuring a pleasant experience for all park visitors.

3.4 Design and Landscaping of the Park

Besides that, the management and local authorities ought to be responsible for ensuring the landscaping done in the park is suitable and safe for pets. Besides having enough space for pets to run and play freely, parks should also use natural features like trees and bushes to provide attractive landscapes and preserve plants and wildlife. Shades in pet-friendly parks provide a cool area for pets and owners where they sit and watch their pets. This also encourages extended visits and social interaction among visitors, contributing to the overall health and well-being of park visitors.²²

However, it is also important to choose the types of plants carefully. There are many types of plants in a park. Thus, the management should ensure that any plantings done within the perimeter of the premise of the park are non-poisonous to both people and pets. Animals, especially dogs, like to chew on plants; thus, they should avoid plants that could be detrimental to animals. Azaleas, a beautiful and colourful flowering plant also known as the Rhododendron, contains diterpene grayanotoxin, which triggers the overstimulation of the nervous system in dogs.²³

4. Case Studies of Effective Pet Park Management Policies

Pet-friendly parks have become a trend globally, especially within the urban community. Effective pet park management should address environmental impacts, visitor engagement, and establishment of clear guidelines.

4.1 Piedmont Park Dog Park

This dog park combines both public and private authorities. It is managed by a non-profit organization, Piedmont Park Conservancy in partnership with the city government.²⁴ This team has established a set of rules and regulations that are crucial for maintaining the park's functionality and the overall well-being of all park visitors. Pet owners carry the

²² Chen (n15).

²³ Zuzana Siroka, 'Toxicity of House Plants to Pet Animals' (2023) 15(5) *Toxins* 346 <<https://doi.org/10.3390/toxins15050346>>.

²⁴ Daniel Matioff and Douglas Noonan, 'Neighborhood Commons and the Rise of Dog Parks' (2012) 6(1) *International Journal of the Commons* 28–51 <<https://doi.org/10.18352/ijc.299>>.

responsibility to keep their dogs within sight and under voice control at all times. Any dogs showing signs of aggressiveness must be controlled and removed from the park. Examples of these rules show the effort by the management to ensure the safety and well-being of the parks. However, since this is a self-policing park due to the lack of funds for a park monitor, the enforcement is primarily through peer pressure, where visitors' discipline is a huge factor. This type of enforcement is effective if there is a strong sense of community responsibility.

4.2 Dog Parks in Portland

These parks are established to give dogs a designated place to roam and play without interfering with or hindering other park users.²⁵ It is mainly to provide off-leash areas for pets to roam and play freely without violating leash laws. The United States has leash laws, which vary by location, but serve the same purpose, which is to ensure the safety of the community and animals. They are often regarded as moral issues rather than legal ones, where public awareness plays a huge role in this matter. Thus, there is an acknowledgement that pets also need places where they can freely exercise without restrictions, leading to the establishment of pet-friendly parks and Off-Leash Areas for dogs. It is a compromising option to ensure public safety and environmental preservation at the same time.

4.3 Pet-Friendly Parks in Malaysia

Standard Insights' most recent Consumer Report Malaysia 2023, which gathered insights from over 1,000 Malaysian respondents on various industry-related topics, revealed that more than half of Malaysians (51.1%) have pets.²⁶ This means that there is a need for more pet-friendly facilities and places. In Malaysia, pet-friendly parks offer various recreational opportunities for pets and owners, encouraging positive social interaction within the local community. This has become a challenge, but a breakthrough for housing developers. For example, Desa ParkCity in Kuala Lumpur, located in a freehold township, is a popular spot where pet owners bring their pets for a walk. However, there is still a need for a detailed guideline to improve the design and management of parks in Malaysia in hopes of keeping them relevant and sustainable in the future.²⁷

²⁵ Edwin Gómez, 'Dog Parks: Benefits, Conflicts, and Suggestions' (2013) 31(4) *Journal of Park & Recreation Administration* <<https://js.sagamorepub.com/index.php/jpra/article/view/4549>>.

²⁶ 'Purrfect Companions: A Closer Look at Pet Ownership in Malaysia' (Standard Insights, 17 May 2023) <<https://standard-insights.com/blog/pet-ownership-in-malaysia/>>.

²⁷ Alice Sabrina Ismail, Hazrina Haja Bava Mohidin and Muhammad Syafiq Muhammad Sani, 'The Effectiveness of Public Park Management and Design for Sustainable Livelihood in Malaysian Context' (2017) 23(9) *Advanced Science Letters* 8402–8407 <<https://doi.org/10.1166/asl.2017.9899>>.

5. Contributions to the United Nations Sustainable Development Goals (SDGs)

Mitigating the risks and liabilities of pet parks is important because they play a significant role in contributing to the United Nations Sustainable Development Goals (SDGs). They specifically relate to sustainable cities, environmental sustainability, and community well-being.

In 2015, all members of the United Nations adopted the 2030 Agenda for Sustainable Development, which is an urgent call for all countries to work together. There are 17 goals,²⁸ all of which emphasise cooperating to end poverty with strategies that enhance health and education, promote equality and improve the economy, as well as address climate change and preserve Mother Earth. Parks and green spaces are important public spaces that can offer solutions to health, well-being, and sustainability. There are a few ways in which pet-friendly parks relate and could contribute to sustainability.

5.1 SDG 11: Sustainable Cities and Human Settlements

Pet parks play an important role in increasing green spaces in urban residential environments. This is in line with goal 11, namely sustainable cities and communities. It aims to provide access to safe, inclusive, resilient, and sustainable spaces. More and more people keep pets. Thus, the demand for pet-friendly parks increases. Both pets and pet owners need and deserve a place that has a healthy and friendly environment. Town planners in Malaysia have been stressing the importance of effective sustainable city development, but there has been weak support due to limited resources and political interventions.²⁹ Studies have shown that pet-friendly parks play a crucial role in increasing cities' sustainability in terms of physical and social benefits for both pets and owners.³⁰

Urban parks are important to promote the health of urban residents by providing green spaces. Studies in China show that quality of life increases with the existence of parks, which provide green space for recreational activities and relaxation.³¹ This is because nature and humans co-exist together, where the sustainability and liveability of urban spaces are driven by accessibility to natural spaces. Parks may vary in size, but the ecosystem present at the parks helps sustainable urbanism. In hotter places or weather, fountains or ponds available at parks provide water, whereas the flora provides shade. The same applies to pet-friendly parks and dog parks. It keeps both pet and owner active and socially engaged, aligning with

²⁸ United Nations, Department of Economic and Social Affairs, 'The 17 Goals' <<https://sdgs.un.org/goals>>.

²⁹ Peter Aning Tedong, Wan Nor Azriyati Wan Abd Aziz and Zafirah Al-Sadat Zyed, 'Planners' Perspectives on Governing and Producing Sustainable Cities in Malaysia' (2021) 153(3) *Social Indicators Research* 1197–1214 <<https://doi.org/10.1007/s11205-020-02522-5>>.

³⁰ Chen (n15).

³¹ Yiyang Fan and Yuning Cheng, 'A Layout Optimisation Approach to Urban Park Green Spaces Based on Accessibility Evaluation: A Case Study of the Central Area in Wuxi City' (2022) 27(12) *Local Environment* 1479–1498 <<https://doi.org/10.1080/13549839.2022.2113866>>.

the multifunctional aspect, which is crucial for sustainable urban development³². Interaction of visitors without pets can also help reduce stress and anxiety, which promotes good mental health.

5.2 SDG 15: Life on Land

This goal aims to protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.³³ It is dedicated to ensuring that the variety of life on Earth is preserved. It ensures that the future generation is able to benefit from land-based ecosystems. Protecting the land ecosystem, which is home to a wide variety of plants and animals, is fundamental for human survival and well-being. Rapid development requires more space; thus, planting more trees in towns and cities can help reduce carbon dioxide and make our planet healthier for everyone. This is why having parks in urban spaces is so important.

Having parks in urban spaces helps in the conservation and extension of the current ecosystem's biodiversity. They offer ecosystems to the cities, like air purification and temperature regulation, making cities a better place to reside. Pet-friendly parks play similar roles. The presence of pet parks in urban areas contributes to the overall quality of green infrastructure, which creates space for a diverse range of species, encouraging biodiversity and reducing the negative impacts of human activities due to urbanisation.³⁴ This is because pet parks require ample space for pets to play, run and roam free. They also need adequate plants in and around the park for visitors. This means that a properly and safely designed pet-friendly park that is well-maintained can play a huge role in preserving native plant species and providing habitats for urban wildlife. All these efforts and features of an urban pet-friendly park support SDG 15 on protecting, restoring and promoting sustainable use of terrestrial ecosystems.

5.3 SDG 13: Climate Change

Climate change is one of the biggest threats to the environment. Urban parks play a crucial role in mitigating climate change. Studies have shown that urban parks can cool down the

³² G Yu Morozova, 'Development of Park Spaces as a Planning Element for a Sustainable City' (2023) 26(2) *Regional Problems* 54–59 <<https://doi.org/10.31433/2618-9593-2023-26-2-54-59>>.

³³ Jeffrey Sayer, Douglas Sheil, Glenn Galloway, Rebecca A Riggs, Gavyn Mewett, Kenneth G MacDicken, Bas Arts, Agni K Boedihartono, James Langston and David P Edwards, 'SDG 15: Life on Land: The Central Role of Forests in Sustainable Development' in Pia Katila, Carol J Pierce Colfer, Wil de Jong, Glenn Galloway, Pablo Pacheco and Georg Winkel (eds) *Sustainable Development Goals: Their Impacts on Forests and People* (Cambridge University Press 2019) 482–509, 486 <<https://doi.org/10.1017/9781108765015>>.

³⁴ Silvia Ronchi and Stefano Salata, 'Insights for the Enhancement of Urban Biodiversity Using Nature-Based Solutions: The Role of Urban Spaces in Green Infrastructures Design' in Israa H Mahmoud, Eugenio Morello, Fabiano Lemes de Oliveira and Davide Geneletti (eds), *Nature-based Solutions for Sustainable Urban Planning* (Springer 2022) 47–68 <https://doi.org/10.1007/978-3-030-89525-9_3>.

surrounding areas during hot weather, like summer. It is a well-established concept that urban green spaces contribute to improving air quality.³⁵ This shows that parks can lower temperature, increase humidity in an area, and improve human comfort in weather. This would reduce the need for air conditioning and lower carbon emissions. The increasing number and quality of green spaces could potentially mitigate short-lived climate pollutants. It could reduce the Urban Heat Island effect, saving energy and improving cities' climate quality.³⁶ Vegetation growing in parks can decrease the temperature via evaporation and transpiration. Photosynthesis in plants and trees growing in the park removes carbon dioxide from the air. They also provide shade to surfaces that might absorb short-wave radiation that causes more heat. The distance and location of parks also affect the temperature experienced by citizens, which suggests that it has a significant influence on the thermal effect.³⁷

Pet-friendly parks are places where it is accessible for the public to spend time with their pets. Having a pet-friendly park in urban residential areas is a co-benefit approach, where it provides space for leisure activities and reduces carbon emissions. Besides, pet parks with excellent and proper landscape planning could be an effective stormwater management runoff. Parks are full of plants and trees, making them a perfect place to absorb and filter rainwater, decreasing flood risks. This could be of great help in fighting the effects of extreme weather, which has been increasing in frequency and magnitude due to climate change. Having these parks encourages a more sustainable approach to city planning and development by helping cities adapt to climate change more effectively.

6. Balancing Legal Liabilities and Sustainable Goals

6.1 Insurance Coverage for Pet Parks

Pets are In the United States (US), recent developments in animal tort and insurance laws have shed light on the importance of pet insurance and the owner's responsibility for injuries caused by dogs in dog parks. In cases where injuries occur due to dog collisions in dog parks, the assumption of risk and comparative negligence principles are considered for determining liability.³⁸ This is why it is important for pet owners to always ensure their pets have a certain level of protection, just in case anything happens that results in damages.

³⁵ Hsiao-Lan Liu, and Yu-Sheng Shen, 'The Impact of Green Space Changes on Air Pollution and Microclimates: A Case Study of the Taipei Metropolitan Area' (2014) 6(12) *Sustainability* 8827–8855 <<https://doi.org/10.3390/su6128827>>.

³⁶ Laura Kleerekoper, Marjolein Van Esch and Tadeo Baldiri Salcedo, 'How to Make a City Climate-Proof, Addressing the Urban Heat Island Effect' (2012) 64 *Resources, Conservation and Recycling* 30–38, 31–32 <<https://doi.org/10.1016/j.resconrec.2011.06.004>>.

³⁷ Farshid Aram, Ebrahim Solgi, Ester Higuera Garcia and Amir Mosavi, 'Urban Heat Resilience at the Time of Global Warming: Evaluating the Impact of the Urban Parks on Outdoor Thermal Comfort' (2020) 32 *Environmental Sciences Europe* 117 <<https://doi.org/10.1186/s12302-020-00393-8>>.

³⁸ Karp (n28).

Many risks and factors arise when you own a pet, even outside a pet park. If a pet owner would like better and broader coverage and protection for their furry babies, after sourcing for the most suitable pet parks in their area, perhaps it would be advisable for them to get insurance protection for their pets. This encourages pet owners also to take responsibility for the welfare of their pets.³⁹ In fact, you could say it is one of the most valuable risk management strategies. The critical reason owners have insurance for their pets is due to the rising cost of keeping pets. Owning a pet can be costly, especially when it comes to veterinary expenses. As responsible pet owners, it is best recommended that you provide pet insurance so that your pet's well-being can be maintained in case of emergencies. It also provides peace of mind to the owners, knowing that their loved ones are well-cared for no matter what happens. It also eases financial burden.

It is essential to note that pet insurance is not the same as human healthcare insurance. Pet insurance is a form of property insurance rather than health insurance.⁴⁰ All insurance policies define what is covered and what is excluded from insurance coverage. For example, if a pet suffers from osteoarthritis, once reimbursed for the medical expenses, most insurance policies will not cover the follow-ups and ongoing care of the same disease.

In Malaysia, there are several policies and pet insurance providers, such as MSIG Pet Insurance, Oyen Pet Health Insurance, and CG Cover Pet Insurance.⁴¹ Pet insurance covers veterinary expenses related to the health of the pet, including medical treatments, surgeries, and medications needed.⁴² In Malaysia, some insurance also provides reward payments and advertising in the event a pet goes missing.⁴³ Most insurance also covers third-party liabilities, for example, dog bites. Suppose a dog bites another visitor or another pet in the pet park. In that case, the owner might be able to cover legal costs and damages, which vary according to the insurance premium and policies. However, it should also be noted that insurance companies could also disclaim coverage where the dog has a history of being vicious towards other people. Thus, policy language and definitions for each insurance should be well understood and analysed to help in determining the extent of insurance coverage.

Pet insurance also promotes the long-term health and well-being of pets. This creates a more sustainable pet care system by reducing the potential risks and need for emergency care for pets. This also ensures that the healthcare insurance for animals is being allocated effectively. Healthier pets also mean a healthier community because they prevent the

³⁹ Ermanto Fahamsyah, Iswi Hariyani and Ance Rimba, 'Regulating Pet Insurance in Indonesia' (2020) 7(1) *Lentera Hukum* 56–68 <<https://doi.org/10.19184/ejllh.v7i1.11370>>.

⁴⁰ Lowell Ackerman (ed), *Pet-Specific Care for the Veterinary Team* (Wiley-Blackwell 2021).

⁴¹ Pet Lovers Centre, 'The Ultimate Guide to Pet Insurance in Malaysia 2023' (Pet Blog for Malaysians, 10 October 2023) <<https://blog.petloverscentre.com.my/the-ultimate-guide-to-pet-insurance-in-malaysia-2023/>>.

⁴² Fangying Yuan, Mengmeng Jiang, Huayu Guan and Huang Yan, 'Exploration of the Development of Pet Insurance' (2019) 29(3) *Revista Científica de la Facultad de Ciencias Veterinarias* 567–574 <https://link.gale.com/apps/doc/A624611366/AONE?u=tacoma_comm&sid=googleScholar&xid=c41f2b36>.

⁴³ MSIG Insurance (Malaysia) Bhd, Pet Insurance Policy <https://takeiteasy.msig.com.my/perinsuranbrokar/resource/Pet_Policy_Wording.pdf>.

spreading of disease, aligning with the sustainable development goals for good health and well-being. Besides, with pet-friendly parks on the rise, insurance companies could collaborate with park management to produce services and policies that are in line with sustainability. Insurance companies must support projects that can help people and the environment, contributing to the well-being of the wider community.⁴⁴

The role of pet insurance in covering such accidental incidents in a pet park is crucial in managing the risks that arise when visiting a pet park. While pet park management holds a certain degree of responsibility to ensure the safety of visitors, pet owners should also take extra steps to get their pet's insurance to cover potential risks and unexpected incidents. Such insurance would also offer financial protection that ensures the park's sustainability. It not only helps manage pets but also supports sustainable practices for the well-being of society.

6.2 Comprehensive Planning and Designs

Pet parks should plan and design biodiversity-friendly landscapes that cater to both safety and contribute to environmental sustainability and urban resilience. By studying SDG 10: reduced inequalities,⁴⁵ the designer should also be aware that the park needs to be convenient and accessible for people from all walks of life. For example, in Japan, the parks were designed to align with the resident's preferences, a move which should be adopted by designers to improve urban parks.⁴⁶ This process is divided into three main steps first sharing the information with the public, designing activities where people can contribute ideas, and collecting feedback and reviews to refine the designs. Pet Park management should adopt this participatory design process, and by facilitating the voices of the public and expert town planners, they can make sure that everyone's needs, including pet owners, have been considered in the final design. They should focus on harmonising urban development with the natural landscape, heeding advice from the public and expert opinions. The culture, social, and economic values of the community should also be considered.⁴⁷ Focusing on the social and built context of the neighbouring residential areas ensures that the final design suits the needs and characteristics of the local community. This will also foster a strong community spirit among the community, where everyone will be more considerate towards each other, leading to a reduction in inequalities.

⁴⁴ Muhammad Izzuddin Syakir Ishak, Nur Farhana Asyikeen Ishak, Mohd Sayuti Hassan, Azlan Amran, Mohd Hafiidz Jaafar and Mohamad Shaharudin Samsurijan, 'The Role of Multinational Companies for World Sustainable Development Agenda' (2017) 12(2) *Journal of Sustainability Science and Management* 228–252 <<https://jssm.umt.edu.my/wp-content/uploads/2020/05/25-12.2.pdf>>.

⁴⁵ 'Goal 10: Reduced Inequalities' (The Global Goals) <www.globalgoals.org/goals/10-reduced-inequalities/>.

⁴⁶ U Surahman, MS Barliana and J Maknun, 'Development of Participatory Design Processes for Designing the Sustainable Urban Park in Indonesia: A Planning Method in Eco-Model Cities of Japan' (2020) 3 *Global Conferences Series: Sciences and Technology (GCSST)* 57–63 <<https://doi.org/10.32698/tech3236>>.

⁴⁷ Lei Meng, Bao-Gang Lin, Hui-Zhong Zhang and Rui Bu, 'Sustainable Development Evaluation on the Landscape Design of Industrial Heritage Park: A Case Study of Tao Sichuan, China' (2023) 3 *Journal of Environmental and Public Health* <<https://doi.org/10.1155/2023/1564614>>.

7. Conclusion

Pet-friendly parks play a crucial role in enhancing the urban life of the people by providing green spaces, which is beneficial for both pets and their owners. It is also important for these parks to address legal and safety concerns through meticulous management, like clear signage and rules to prevent accidents and ensure a safe environment for park visitors. Pet-friendly parks represent a harmonious combination of urban living and nature, where they ensure the safety of park visitors while contributing to environmental sustainability.

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