

ITEM 13.5	STATION BEACH DOG ON-LEASH AREA TRIAL
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/701529
ATTACHMENTS	1 Station Beach On Leash Dog Area Proposed Concept Plan

PURPOSE

To provide an update on the implementation of Council Resolution 267/19 - Station Beach Dog Off-Leash Area Proposed Trial and to allow dogs on-leash at Station Beach on specified days and at specified times pending the enactment of that resolution.

EXECUTIVE SUMMARY

At the Council meeting held on 27 August 2019, Council resolved to:

- A. *Conduct a dog off-leash area trial at Station Beach, Palm Beach for 12 months as outlined in this report.*
- B. *Delegate authority to the Chief Executive Officer to enter into a licence agreement with the Department of Industry, Lands and Water for the trial.*
- C. *Declare Station Beach an off-leash area, for the purpose of a trial, under section 13(6) of the Companion Animals Act 1998 subject to the granting of a licence with the Department of Industry, Lands and Water.*
- D. *Investigate other beach locations prior to appointing a permanent dog off-leash area at Station Beach.*

In accordance with the above resolution (Off-Leash Resolution), Council submitted a licence application to conduct a dog off-leash area trial at Station Beach to the NSW Department of Planning, Industry and Environment - Crown Lands (Department) in September 2019. The intent was that the trial commence by December 2019. At the time of writing this report, a licence is yet to be granted to Council.

Given the Council and community support for the exercise of dogs at Station Beach, Council may wish to consider the partial removal of the prohibition of dogs on Station Beach as an interim option pending the issue of a licence by the Department. Should this occur as outlined in the report, residents will be able to take dogs on-leash on a specified portion of Station Beach on the specified days and at the specified times provided they are controlled in accordance with the requirements of the Companion Animals Act 1998.

The former Pittwater Council Dog Control Policy (N° 30) (Policy) is still in force. This policy states that *all beaches are prohibited areas* for dogs. The effect of the Off-Leash Resolution is to amend the Policy. Similarly, if Council adopts the recommendation of this report, it will have the effect of amending the Policy to the extent necessary to implement any resolution of Council in this regard. Council staff will continue to pursue a licence to conduct a dog off-leash area trial at Station Beach in accordance with the Off-Leash Resolution. Should a licence be granted and agreed to by Council, the Station Beach dog off-leash area trial would be initiated in accordance with the Off-Leash Resolution and would replace the interim option outlined in this report.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Allow dogs on-leash at Station Beach, Palm Beach as outlined in the report (including as to specified location, days and times).
 2. Note that this resolution and Council Resolution 267/19 have the effect of amending the former Pittwater Council Dog Control Policy (N° 30).
 3. Authorise the CEO to do all things necessary to give effect to this resolution including to erect and remove signage.
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REPORT

BACKGROUND

At the Council meeting held on 27 August 2019, Council resolved to:

- A. *Conduct a dog off-leash area trial at Station Beach, Palm Beach for 12 months as outlined in this report.*
- B. *Delegate authority to the Chief Executive Officer to enter into a licence agreement with the Department of Industry, Lands and Water for the trial.*
- C. *Declare Station Beach an off-leash area, for the purpose of a trial, under section 13(6) of the Companion Animals Act 1998 subject to the granting of a licence with the Department of Industry, Lands and Water.*
- D. *Investigate other beach locations prior to appointing a permanent dog off-leash area at Station Beach.*

In accordance with the above resolution (Off-Leash Resolution), Council submitted a licence application to conduct a dog off-leash area trial at Station Beach to the NSW Department of Planning, Industry and Environment - Crown Lands (Department) in September 2019. The intent was that the trial commence by December 2019. At the time of writing this report a licence is yet to be granted to Council.

As indicated in the report to the Council meeting held on 27 August 2019 in respect of Item 13.2 - Station Beach Dog Off-Leash Area Proposed Trial, 87.8% of the 2,880 Northern Beaches residents that provided feedback supported a trial.

STATION BEACH DOG ON-LEASH AREA TRIAL PROPOSAL

The *Companion Animals Act 1998* provides that dogs are prohibited in certain public places, which relevantly include public recreation areas and bathing areas in which the local authority has ordered that dogs are prohibited and in which, or near the boundaries of which, there are conspicuously exhibited by the local authority at reasonable intervals notices to the effect that dogs are prohibited in or on that public place.

The former Pittwater Council Dog Control Policy (N^o 30) (Policy) is still in force. This policy states that *all beaches are prohibited areas* for dogs. Signage notices to the effect that dogs are prohibited are erected at Station Beach.

Given the delays to the implementation of the Off-Leash Resolution, Council may wish to consider the partial removal of the prohibition of dogs on Station Beach. Should this occur as outlined in this report, this would allow dogs on-leash at Station Beach on the specified days and at the specified times provided they are controlled in accordance with the requirements of the *Companion Animals Act 1998*.

This could allow an option pending the issue of a licence by the Department. If so, it is considered that this could be as follows:

- On-leash area boundaries (Attachment 1):
 - Northern boundary to be the southern edge of the Station Beach wharf (as adopted for the Station Beach dog off-leash area trial).
 - Southern boundary to be the southern edge of Beach Road (as adopted for the Station Beach dog off-leash area trial).

- Eastern boundary to be the western boundary of the Palm Beach Golf Club Ltd's lease area as identified in Council's lease with club.
- On-leash area days and times (being the same as adopted for the Station Beach dog off-leash area trial):
 - 4:00pm to 10:30am, Monday to Sunday (Australian Eastern Standard Time, non-daylight saving time).
 - 5:30pm to 10:30am, Monday to Friday (Australian Eastern Daylight Time, daylight-saving time, summer).
 - Dogs prohibited on Station Beach outside these days and times.

Council will continue to pursue a licence as contemplated by the Off-Leash Resolution. Should a licence be granted by the Department and agreed to by Council, the Station Beach dog off-leash area trial would commence in accordance with the Off-Leash Resolution and would replace the option outlined in this report.

CONSULTATION

The Station Beach dog off-leash area trial underwent extensive community consultation. It was publically exhibited from 16 November 2018 to 28 February 2019. 87.8% of the 2,880 Northern Beaches residents that provided feedback supported an off-leash area trial (Station Beach Dog Off-Leash Area Proposed Trial Community Engagement Report, June 2019).

TIMING

If approved, commencement of the project would be dependent on completion of these tasks:

- Installation of signs that outline the conditions relating to the presence of dogs at Station Beach and a map.
- Installation of two dog bag dispensers, bags and relevant signage.
- Notification of key stakeholders, Pittwater Unleashed, Palm Beach Protection Group Inc. and Palm Beach Whale Beach Association Inc, about the dog off-leash area trial at Station Beach.

It is anticipated that these tasks could be completed and the on-leash area initiated by 1 January 2020.

LINK TO COUNCIL STRATEGY

The proposal relates to the Community Strategic Plan Outcome Places for People:

- Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

The estimate of costs for this proposal are:

- Infrastructure (design, install and construct):
 - Signs \$2,000, two large entry signs with a map and conditions of use and smaller information signs.

SOCIAL CONSIDERATIONS

Dogs play an important role in human companionship. Our general health and well-being are enhanced through the physical, emotional and social benefits of owning a dog. Similarly, dogs depend on their owners to obtain an appropriate level of physical activity.

Council recognises both the community benefits from accessing places where dogs are welcome and also the importance of managing the potential impacts on nearby residents and other users of Station Beach. The above mentioned management measures would seek to minimise community impacts associated with dogs at Station Beach.

ENVIRONMENTAL CONSIDERATIONS

If approved, the change would be managed in accordance with Council's policies and relevant legislation such as the *Companion Animals Act 1998*.

GOVERNANCE AND RISK CONSIDERATIONS

If approved, non-compliance with the conditions of use would be managed through community education and notification, on-site signage and Ranger visits and enforcement. Currently, Rangers visit Palm Beach at least three times a week at varying days and times between 6am and 7pm. Additional patrols would be conducted initially and as deemed necessary.

