

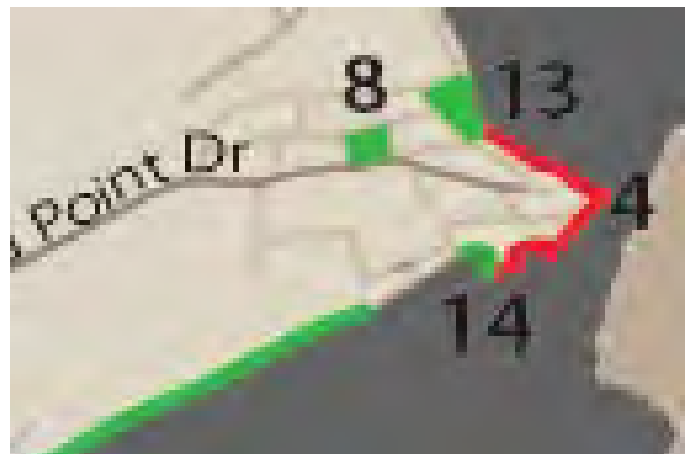
DIS208: DOG EXERCISE AREA - EMU POINT WESTERN SWIMMING BEACH

Land Description	: Reserve R22698 (DR157)
Proponent / Owner	: City of Albany
Attachments	: Summary of Responses to Public Comment
Report Prepared By	: Manager City Reserves (J Freeman)
Responsible Officers:	: Executive Director Infrastructure Development & Environment (P Camins)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Theme:** Community Health & Participation
 - **Objective:** To develop and support a healthy inclusive and accessible community
 - **Community Priority:** Develop a range of activities and facilities that connect people, promote a healthy community and are appropriate for all ages.

Maps and Diagrams:



EMU POINT WESTERN SWIMMING BEACH

14	Emu Point Western Swimming Beach	Beach area facing west between rock wall and groyne opposite corner of Boongarrie St and Cunningham St.
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In Brief:

- The *Dog Exercise, Prohibited and Rural Leashing Areas Policy* (the Policy) was adopted by Council on 27 November 2018 as per DIS132.
- Emu Point Western Swimming Beach was designated a new dog exercise area as a result of previous consultation undertaken during the development of the Policy.
- In December 2019 there was an additional sign placed at Emu Point to make users aware of the existing policy and changes to the exercise areas.
- Following the installation of the new signage a petition was tabled at the February 2020 Ordinary Council Meeting requesting the removal of this section of beach from the Policy.
- 74 submissions being received during a further public comment period, overwhelmingly being in support of dogs being prohibited in this area. 9 submissions supported the area remaining as a dog exercise area.

COVID-19 IMPACT

- Due to social distancing and extremely short time frame face to face community engagement was significantly limited.

RECOMMENDATION

DIS208: RESPONSIBLE OFFICER RECOMMENDATION VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT the *Dog Exercise, Prohibited and Rural Leashing Areas Policy*, be AMENDED to designate section 14 of Emu Point Western Swimming Beach as a Dog Prohibited Area.

BACKGROUND

2. At the Ordinary Council Meeting held on 24th March, 2020 Council resolved:

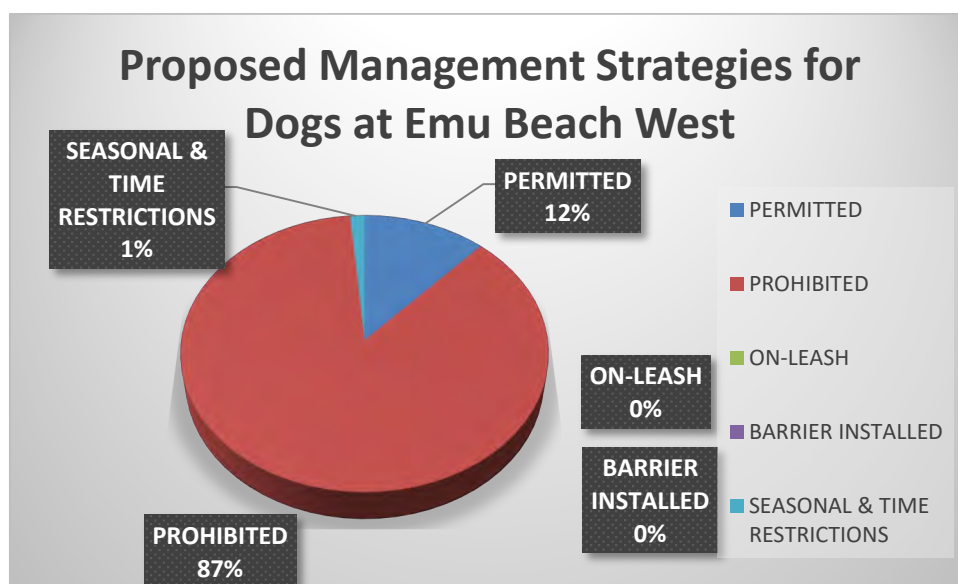
THAT Council:

- 1) *ACKNOWLEDGES the petition received requesting Council review the current Dog Exercise, Prohibited and Rural Leashing Areas Policy, specifically that the section of Emu Point Western Swimming Beach adjacent to Cunningham Street no longer be designated as a Dog Exercise Area.*
- 2) *REQUEST City Officers to review the current policy position to evaluate the following management strategies:*
 - *Removing the area from the Policy (effectively allowing the area as a dog-on-leash area); or*
 - *Changing the designation to a Dog Prohibited area; or*
 - *Restricted use based on season and times; and/or*
 - *Installing a barrier between the two beaches to deter dogs moving between the current dog exercise and dog prohibited areas.*
- 3) *REQUEST the Chief Executive Officer to prepare an Officer Report and Recommendation for Council review by no later than April OCM 2020, following further community engagement.*

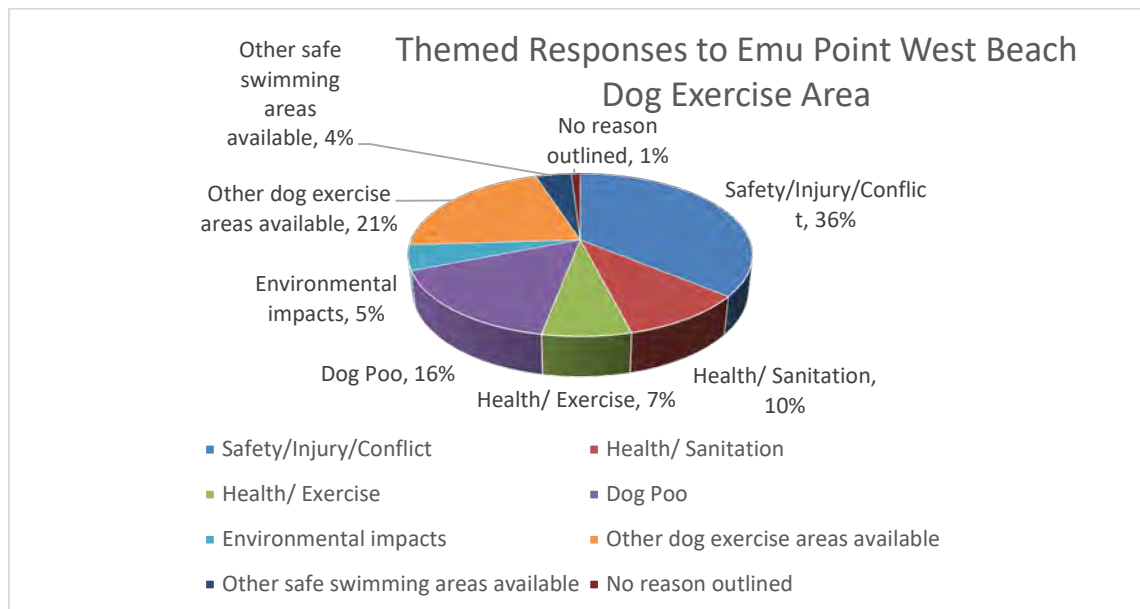
3. The *Dog Exercise, Prohibited and Rural Leashing Areas Policy* (item DIS132) was adopted by Council in November 2018. The purpose of the Policy is to identify areas within the City's municipal boundary under the following categories:
- **Prohibited areas** – areas where dogs are prohibited at all times.
 - **Dog Exercise Areas** – areas where dogs may be exercised off leash (but still under control) at all times.
 - **Rural Leashing Areas** – areas outside of town sites (as gazetted) where dogs must be exercised on a lead.
 - All other areas within a gazetted town site not detailed in the Policy default to requiring a dog to be restrained on a leash or under control at all times.
4. The City of Albany currently manages a large number of reserves and public open spaces that the community uses for a variety of purposes including the exercise of dogs. There are 14 other reserves designated as Dog Exercise Areas in the Policy.
5. Emu Point Western Swimming Beach was a new dog exercise area included in this Policy with relevant signage installed in December 2019. The Emu Point Western Swimming Beach is recognised by all users as a small section of beach (approximately 80m length) which provides for a beach and ocean experience less exposed to the elements enabling safer swimming and enjoyment of the area.
6. A petition containing 301 signatures was received by Council at the February 2020 Ordinary Council Meeting, requesting that the section of Emu Point Western Beach adjacent to Cunningham Street no longer be designated as a Dog Exercise Area.

DISCUSSION

7. Due to the current COVID-19 restrictions around social distancing and the extremely short timeframe to report back to Council, it has been very difficult to conduct meaningful engagement with the community on this matter.
8. With the current restrictions on social distancing, the only way to effectively engage at this time would have been online or over the phone. Given that most of the responses have come from the 65+ age group and many may not have access internet or email access it was considered that it would be difficult to determine who this may be without a letter drop.
9. Conducting random polling by telephone was also considered, but not implemented due to the time restrictions.
10. The option of conducting site meetings with interested residents was not possible due the current social distancing and outdoor gathering restrictions as a result of the COVID-19 pandemic.
11. Given these restrictions the City staff sought further comment from users of this beach by advertising in the newspapers, the City's website and installing a sign on site at the beach. The social media pages were not available to utilise at this time due to community messaging requirements around the COVID-19 pandemic.
12. A total of 74 submissions were received in response with 65 being in support of returning this area to a dog prohibited area with 9 supporting the area remaining as a dog exercise area.
13. Of the four management strategies proposed by Council, there were no submissions received recommending removing the area from the Policy effectively allowing the area to be a dog-on-leash area.
14. Conversely, 64 submissions (88%) were in favour of changing the location to a Dog Prohibited Area.
15. Of the submissions in favour of keeping the area as a Dog Exercise area, some recommended implementing a system of restrictions based on seasons and times as a form of compromise; whereas other submissions in favour of prohibiting dogs were against the idea of seasonal and time restrictions due to the complexity in monitoring and enforcement.
16. There were zero submissions received in favour of barrier installation citing primarily cost-prohibition and ineffectiveness. See graph below.



18. The majority of submissions (88%) responded in favour of designating the area as a Dog Prohibited Area. The remaining submissions (12%) responded in favour of keeping the area as a designated Dog Exercise Area, citing that is a safe swimming area for families with dogs and small children, the elderly and the infirm with their dogs, whilst stating that the City has numerous other safe swimming areas for people where dogs are not permitted.
19. The reasons outlined both for and against the area being designated as a dog exercise area ranged from:
 - Safety from potential injury;
 - Avoidance of conflict between different user-groups;
 - Sanitation and hygiene issues from dogs urinating on towels and other belongings;
 - Dog excrement not being picked up by owners;
 - Swimming for health reasons at a safer calmer location;
 - Environmental values at risk from dogs at this beach or equally at other beaches if it becomes a prohibited area;
 - Other beach areas being available for people to take their dogs to exercise; and
 - Other beach areas being available for people to swim unhindered by dogs.
20. See graph below.



GOVERNMENT & PUBLIC CONSULTATION

21. Public Comment was invited through an advertisement in the local newspapers (*Albany Advertiser* and the *Weekender*); by placing it on the City of Albany's Public Comments web page; and through installation of signs on site at the Emu Beach Western Swimming Area to ensure those that utilise this area had a chance to provide comment. Public comment was open for a period of more than two weeks from installation of the sign on site on 02/04/2020 until submissions closed on Friday 17/04/2020.
22. See attached summary of responses.
23. For previous community engagement on the development of the Policy refer to *Community Engagement Report* attached to DIS132, from OCM November 2018.

STATUTORY IMPLICATIONS

24. Legislation in place that is applicable to the management of dogs in the City of Albany is included in the Dog Act 1976 and the City of Albany's Dog Local Law 2017.

POLICY IMPLICATIONS

25. Should Council adopt the Responsible Officer Recommendation, the Policy will require amendments to remove Emu Point Western Swimming Beach from Section B Table as a Dog Exercise Area, and place as an addition in Section A Table as a Dog Prohibited Area.

RISK IDENTIFICATION & MITIGATION

26. The risk identification and categorisation relies on the City's Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputation: Noting this policy position attracted significant levels of community comment, some members of the public may not be happy if there are any changes.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>If the proposed amendment to the policy is either supported and/or not supported, staff will provide further information and education.</i>
<i>Opportunity: To provide an up to date Council Policy Position.</i>				

FINANCIAL IMPLICATIONS

27. Funds within the current operational budget will be utilised.

LEGAL IMPLICATIONS

28. There are no legal ramifications related to this report.

ENVIRONMENTAL CONSIDERATIONS

29. It is acknowledged that dogs have the potential to impact on environmental values especially where they are not controlled or on leash.

ALTERNATE OPTIONS

30. Council may choose to leave the Policy as it is with Emu Point Western Swimming Beach remaining as a designated Dog Exercise Area with no further action from Officers.

CONCLUSION

31. In summary, collation and subsequent analysis of the submissions received indicated the vast majority (88%) stated a strong preference for the Emu Beach Western Swimming Area to be changed to a Dog Prohibited Area.

Consulted References	:	<ul style="list-style-type: none"> OCM 27/11/2018 Resolution DIS132 OCM 24/03/2020 Resolution DIS202
File Number	:	CR.COC.54 – Community Relations, Community Consultation Dog Exercise Area Policy