



northern  
beaches  
council

# **ATTACHMENT BOOKLET 4**

**ORDINARY COUNCIL MEETING**

**TUESDAY 27 AUGUST 2019**

## TABLE OF CONTENTS

Item No	Subject	
<b>13.2</b>	<b>STATION BEACH DOG OFF-LEASH AREA PROPOSED TRIAL</b>	
Attachment 1:	Letter from State Department of Industry - Station Beach 10 September 2018.....	2
Attachment 2:	Letter from State Department of Industry, Station Beach, 15 November 2018.....	6
Attachment 3:	Station Beach Dog Off-Leash Area Proposed Trial Concept Plan for Public Exhibition - November 2018.....	7
Attachment 4:	Station Beach Dog Off-leash Area, Proposed Trial - Review of Environmental Factors 24 May 2019 .....	8
Attachment 5:	Station Beach Dog Off Leash Area Proposed Trial Community Engagement Report - Final Report June 2019.....	149
Attachment 6:	Station Beach Review of Environmental Factors Community Engagement Report 9 August 2019.....	287
Attachment 7:	Station Beach Summary of Feedback from Community Engagement on the Proposed Trial and REF 2019.....	345
Attachment 8:	Station Beach Trial Concept Plan Showing Off-leash Boundaries - High Tide.....	350
Attachment 9:	Station Beach Trial Concept Plan Showing Off-leash Boundaries - Low Tide.....	351
Attachment 10:	Proposed Marker Buoy, Station Beach Dog Off-Leash Area Trial .....	352
Attachment 11:	Letter from the State Department of Primary Industries Fisheries - Station Beach 14 August 2019.....	353
Attachment 12:	Draft Station Beach Dog Off-Leash Trial Sign.....	355



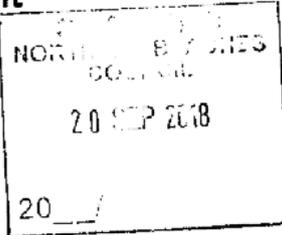
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Department  
of Industry

Our Reference: MN07H4

Chief Executive Officer  
Northern Beaches Council  
PO Box 882  
MONA VALE NSW 1660



Attn: Jenny Cronan – Senior Recreation Planner

Dear Madam

**Station Beach, Palm Beach proposal for comment**

The Department of Industry - Lands & Water (the department) has received a request from Jenny Cronan at Northern Beaches Council on 20 August 2018 to comment on a proposed dog-off-leash trail at Station Beach, Pittwater.

The department provided comment to Pittwater Council on a similar proposed dog swimming trial at Station Beach on 6 November 2009. A copy of this 2009 response is included in Attachment A.

In consideration of off-leash dog swimming areas in the Pittwater region, the department would prefer that Northern Beaches Council evaluate a range of sites in addition to the Station Beach site, which has inherent environmental sensitivities due to the presences of an endangered species of offshore seagrass. The department is supportive of Council's initiative to accommodate recreational uses within its local government area but would prefer that such an activity be confined to more environmentally resilient sites in Pittwater, rather than Station Beach. For example, Hitchcock Park – Careel Bay, which is only 4.5km from Station Beach, provides a more suitable environment for an off-leash dog area.

In March 2010, areas of *Posidonia australis*, including the beds established off Station Beach, were listed as endangered populations under the threatened species schedules of the *NSW Fisheries Management Act 1994* and listed as endangered under the *Environmental Protection and Biodiversity Conservation (EPBC) Act 1979* by the Commonwealth in May 2015.

These listings flag the significance of such seagrass areas and the need for State and Local governments to protect them. Seagrass beds provide ideal breeding habitat for Stingrays and species of the Syngnathidae family (e.g. seahorse, seadragon, pipefish), many of which are also listed as "protected" under the *NSW Fisheries Management Act 1994* and EPBC Act.

Section 1.4 of the *Crown Land Management Act 2016* sets out Principles of Crown land Management for the management and use of Crown land, which includes; (a) that environmental protection principles are observed and (b) natural resources conserved

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wherever possible. These principles support responsible management of Crown land at localities such as Station Beach where land below mean high water mark supports conservation and protection of seagrass beds.

The shoreline at Station Beach provides suitable habitat for shorebirds and other native fauna (e.g. penguins and sea turtles) that would likely be disrupted by the introduction of off-leash dogs. To ensure the potential impacts on shorebirds are addressed, Council is encouraged to engage an ornithologist consultant who is able to provide informed advice regarding the comparative significance of Station Beach to other sandy beaches in Pittwater and whether the potential loss of habitat will impact Australia's three bilateral migratory bird agreements with Japan, China and the Republic of Korea.

If Station Beach is chosen to trial an off-leash dog swimming area, Council would need to take out a licence, subject to conditions from the department to conduct a trial, given activities would occur on submerged Crown land (i.e. land below mean high water mark).

Given the environmental sensitivities of the site, the department will require a Review of Environmental Factors (REF) be included with the licence application in order to set both quantitative and qualitative parameters to adequately monitor the impact of off-leash dogs.

Matters to be considered in the REF include, but are not limited to:

- a) Impacts on the surrounding reserve, the beach shoreline environment and the local native fauna.
- b) Quantitative and qualitative measures to assess impacts such as eutrophication, changes in water quality and the possible increased presence of invasive species on native seagrasses, *Posidonia australis* and *Zostera marina* (Eelgrass).
- c) Details of one or more control sites to compare outcomes, including who will manage components of the trial, the control site/s and methods to monitor the results.

Unauthorised harm to seagrass during the trial may result in the licence being terminated and possible compliance action taken.

Please keep the department informed of any developments.

Should you require further information please contact Mr Stan Rees on 9842 8327.

Yours sincerely



Ben Tax

A/Area Manager, Sydney & South Coast

Date: 10 September 2018

Attachment A

**COPY**



Land and Property  
Management Authority

Mr Les Munn  
Manager - Reserves, Recreation & Building  
Services  
Pittwater Council  
PO Box 882,  
MONA VALE NSW 1660

Regional Manager - Sydney  
10 Valentine Ave, Parramatta NSW 2124  
PO Box 1935, Parramatta NSW 2150  
Telephone: 8336 5300, Facsimile: 8336 5365  
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6 November 2009

Contact Officer: Stan Rees  
Telephone: 8336 5346  
Email: [stan.rees@lpma.nsw.gov.au](mailto:stan.rees@lpma.nsw.gov.au)  
Our Ref: M200734

Dear Mr Munn,

**Re: REF for Proposed Trial Dog Swimming Area at Station Beach, Pittwater**

I refer to your letter dated 13 October 2009 enquiring as to a recommended response for the Land and Property Management Authority (LPMA) as to an earlier letters on the subject trial. I apologise for the late response.

Particular reference is made to your letter dated 11 December 2008 which included accompanying Review of Environmental Factors (REF) and Biodiversity Assessment, as prepared by NGH Environmental in October 2008, in support of a proposed trial dog swimming area at Station Beach.

Both the REF and Biodiversity Assessment provide useful background information on the Station Beach environment, with the REF outlining some alternative sites for off-leash dog swimming areas considered. It is noted that the reports indicate that numerous safeguards are proposed in order to mitigate potential impacts of the trial off-leash dog swimming area at Station Beach. However, the reports lack detail on how the trial and safeguard proposals would be implemented.

The LPMA's letter of 3 December 2007 to you flagged the need for an appropriate level of assessment and monitoring, in advance of public consultation.

While the REF and Biodiversity Assessment provided, do generally address assessment and monitoring safeguards proposed at Station Beach, it is apparent that details of the operation of the trial, compliance measures and the specifics of scientific monitoring during the trial and beyond are yet to be documented else otherwise determined.

Given that some aspects of the REF and Biodiversity Assessment were beyond the LPMA's usual expertise, the Department has sought external comment.

Discussion with the local office of the Department of Climate Change and Water has indicated that representatives at that office are not supportive of dog swimming/off-leash etc. at Station beach due to the damage and stress caused to wildlife. The office has likely provided correspondence to Council directly on this matter.



Recent advice from the Department of Primary Industries (Fisheries), now part of the Department of Industry and Investment, suggested that there was a significant lack of information in the REF relating to:

- the parameters that would need to be monitored; and
- the experimental design that will be used to detect a significant impact of increased dog usage on the beach would be needed as part of this process.

The LPMA understands that conducting a proper scientific trial including monitoring, assessment and using control sites, is beyond the scope of the trial as outlined in the REF and Biodiversity Assessment provided and would likely prove quite costly.

The REF and Biodiversity Assessment documents also do not accurately reflect positions of State agencies. Please note in Table 4.1 of the REF provided, that the statement that the Department of Lands "Agrees to the Proposal under the same conditions as DPI (Fisheries)" is not accurate. The position of the LPMA's predecessor was set out in the letter of the General Manager for the then Department of Lands to you, dated 3 December 2007.

Further to this, the Principles of Crown Land Management (Section 11 of the Crown Lands Act 1989) require that the LPMA apply the principles in managing Crown land for the people of New South Wales. There are six principles, which afford environmental protection principles and conservation of natural resources. A proposed dog swimming trial as outlined is not readily complimentary with the Principles of Crown Land Management if applied to Station beach.

Further, based on its own understanding as well as comment by other agencies on the REF and associated Biodiversity Assessment, the LPMA would not recommend that a dog swimming trial at Station Beach proceed.

Should details of the trial subsequently be resolved to the LPMA's satisfaction, these would need to be subject to public consultation and if then, Council elects to proceed with the trial, the LPMA would require that Council accept a licence for an appropriate purpose at a statutory minimum rent.

Please keep the Department informed of any developments and feel free to contact me on 88365333 or Mr Stan Rees on 88365346, should you require any further information.

Yours sincerely

Andrew McAnespie  
Regional Manager  
Sydney

Scanned 29-11-2018



Department  
of Industry

Our Reference: MN07H4

Jenny Cronan - Senior Recreation Planner Northern Beaches Council  
PO Box 882  
MONA VALE NSW 1660



Dear Jenny

**Proposed dog off-leash trial at Station Beach, Pittwater**

Thank you for your email of 7 November 2018 advising of Council's intentions to commence community consultation on 15 November 2018.

The Department of Industry - Lands & Water (the department) is comfortable with Council, as part of their community consultation process, placing the department's letter of 10 September 2018 and the Land and Property Management Authority letter of 6 November 2009 on its website, in an un-altered state, provided that all personal details are deleted from both letters. The department is also comfortable with this letter being placed on Council's website, provided that all personal details are removed.

I would like to take the opportunity to reiterate the department's concern in previous correspondence regarding the environmental sensitivities of the proposed site due to the presence of endangered seagrass species and the important breeding habitats they provide.

As outlined, the proposed trial would require Council to hold a valid tenure over the site with the department. To facilitate this, a licence application can be submitted by Council for consideration by the department.

In order to consider Council's licence application, the department will require a Review of Environmental Factors (REF) and consent from NSW Department of Primary Industries, Fisheries (Fisheries). The granting of a license over the subject site for the proposed purpose would be subject to the department's satisfaction that the application is in line with the principles of Crown Land management and that our before mentioned concerns have been adequately addressed.

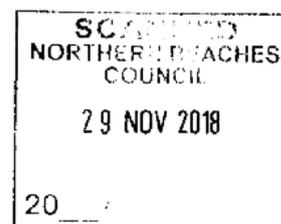
Please note the department's reference to Hitchcock Park in the letter of 10 September 2018 relates to the closest designated off-leash dog area and does not suggest the sites suitability as an off-leash dog swimming area. It is noted the Hitchcock Park borders the Careel Bay Intertidal Area - a declared Wildlife Protection Area established in accordance with the *NSW Companion Animals Act 1998*, where dogs are strictly prohibited.

Should you wish to discuss this matter further, Mr Stan Rees, Natural Resource Management Project Officer, can be contacted, on (02) 9842 8327.

Yours sincerely



Ben Tax  
A/Area Manager, Sydney & South Coast  
Date: 15 November 2018



Department of Industry - Crown Lands  
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T: 1300 886 235 | www.industry.nsw.gov.au/lands | ABN: 72 189 919 072



PROPOSED ENTRY STAIRS AND SEATING AREA TO STATION BEACH ADJACENT TO THE BOAT HOUSE FOR GENERAL COMMUNITY ACCESS

**LEGEND**

-  Signage
-  Bin & bag dispenser

Dogs proposed to be permitted off-leash in the yellow zone at the following times: *Dates TBC*  
 4.00 pm - 10.30 am (7 days) *Australian Eastern Standard Time (AEST)*  
 5.30 pm - 10.30 am (Mon - Fri) *Australian Eastern Daylight Time (AEDT)*



Aerial Map provided by Nearmap

# Review of Environmental Factors

Station Beach Off-Leash Dog Area –  
Proposed Trial

59919048



Prepared for  
Northern Beaches Council

24 May 2019



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Rev A	20/2/19	Draft for client comment	AB, AG	BC
Rev B	22/2/19	Draft addressing preliminary client comments	AB, AG	BC
Rev C	27/2/19	Draft addressing client comments	AB, AG	BC
Rev 0	18/04/19	Final Report	AG	BC/Kevin Roberts (KR)
Rev 1	29/04/19	Final Report	AG	KR
Rev 2	24/05/2019	Final Report	AG	KR

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## Executive Summary

Cardno (NSW/ACT) Pty Ltd (Cardno) was commissioned by Northern Beaches Council (Council) to prepare a Review of Environmental Factors (REF) for the proposed off-leash dog area trial at Station Beach, on Pittwater. The REF was prepared under Division 5.1 of the *Environmental Planning and Assessment Act* (EP&A Act) and assesses the potential environmental impacts associated with the proposed trial.

Council is proposing to conduct a trial of an off-leash dog area with access to swimming areas at Station Beach, to provide greater access to recreational areas for residents with dogs. The trial is proposed to operate for 12 months, should the project proceed.

The trial is in response to calls from the community for additional off-leash foreshore areas with water access. Station Beach is located on the western shore of the Palm Beach tombolo and is bound to the east by Palm Beach Golf Club and Pittwater Estuary to the west.

The objective of the trial is to determine the extent of environmental and community impacts of an off-leash dog area at Station Beach, which will inform a decision about whether or not a permanent off-leash dog area should be established.

The NSW Department of Primary Industry (DPI, Fisheries), NSW Department of Industry (DoI, Lands and Water) and NSW National Parks & Wildlife Service (NPWS) were consulted regarding the proposed trial. Comments received have been addressed in this REF. This REF indicates that the main potential impacts of the trial would be to the aquatic environment including water quality and marine biodiversity. The trial is unlikely to have any significant or long-term negative environmental impacts providing the appropriate mitigation measures outlined in this REF are implemented during the trial.



## Table of Contents

Glossary and Abbreviations	vi
1 Introduction	1
1.1 Background	1
1.2 Purpose	1
1.3 Land Description and Tenure for Proposed Trial	2
1.4 Document Purpose and Content	2
2 Proposed Trial	5
2.1 Objectives of Proposed Trial	5
2.2 Need for Proposed Trial	5
2.3 Project Description	5
3 Statutory and Planning Framework	9
3.1 Planning Legislation and Framework	9
3.2 Other Legislation and Framework	12
3.3 Summary of Licences and Approvals	15
4 Stakeholder Consultation	16
5 Environmental Assessment	18
5.1 Traffic and access	18
5.2 Marine Biodiversity	19
5.3 Hydrology, Water Quality and Sediments	24
5.4 Terrestrial Biodiversity	25
5.5 Socio-economic	26
5.6 Waste management	27
5.7 Noise	27
5.8 Climate and Air Quality	28
5.9 Heritage	29
5.10 Cumulative environmental impacts	29
6 Environmental Management	31
7 Conclusions	33
7.1 Summary of Consideration of Environmental Factors	33
7.2 Conclusions	34
8 References	35

## Appendices

**Appendix A** EPBC ACT SEARCH

**Appendix B** Consultation Correspondence

**Appendix C** Estuarine ecological component Report (Karen Astles, 2019)

**Appendix D** Station Beach Dog exercise area trial Avifauna report (Phil Straw, 2019)

## Tables

Table 1-1	Land tenure of proposed trial	2
Table 3-1	Coastal SEPP Clause 13 matters for consideration	9
Table 3-2	Pittwater LEP 2014 land use zonings	10
Table 3-3	Potential impacts of matters of NES (DOEE, 2019)	12
Table 3-4	Summary of State legislation and required permits and approvals	13
Table 4-1	Summary of comments raised and response	16
Table 5-1	Mitigation measures for traffic and access impacts	19
Table 5-2	Mitigation measures for marine biodiversity impacts	23
Table 5-3	Mitigation measures for hydrology, water quality and sediments impacts	25
Table 5-4	Mitigation measures for terrestrial biodiversity impacts	26
Table 5-5	Mitigation measures for socio-economic impacts	26
Table 5-6	Mitigation measures for waste management impacts	27
Table 5-7	Nearby noise receivers	28
Table 5-8	Mitigation measures for noise impacts	28
Table 5-9	Non-Aboriginal heritage items in the vicinity of the proposed trial area	29
Table 5-10	Mitigation measures for Aboriginal and non-Aboriginal heritage impacts	29
Table 6-1	Summary of proposed mitigation measures	31
Table 7-1	Summary of consideration of environmental factors under Commonwealth and NSW State Legislation	33

## Figures

Figure 1-1	Site Location	3
Figure 1-2	Crown Lands tenure (showing lot and parcel)	4
Figure 2-1	Station Beach off-leash dog area trial, concept plan	8
Figure 5-1	Widths of beach and water available for dog activity	22



## Glossary and Abbreviations

ABS	Australian Bureau of Statistics
AEST	Australian Eastern Standard Time
AEDT	Australian Eastern Daylight Time
AHIMS	Aboriginal Heritage Information Management System
BC Act	<i>Biodiversity Conservation Act 2016</i>
BOM	Australian Bureau of Meteorology
CAMBA	China-Australia Migratory Bird Agreement
Cardno	Cardno (NSW/ACT) Pty Ltd
Coastal SEPP	<i>State Environmental Planning Policy (Coastal Management) 2018</i>
Council	Northern Beaches Council (comprising former Warringah, Pittwater, and Manly Councils)
DoEE	Department of the Environment and Energy
DoI	Department of Industry
DP&E	NSW Department of Planning and Environment
DPI	NSW Department of Primary Industries
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulations	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environmental Protection and Biodiversity Conservation Act 1999</i>
FM Act	<i>NSW Fisheries Management Act 1994</i>
Infrastructure SEPP	<i>State Environmental Planning Policy (Infrastructure) 2007</i>
JAMBA	Japan-Australia Migratory Bird Agreement
LEP	Local Environment Plan
LGA	Local Government Area
NES	National Environmental Significance. Matters of NES are listed under the EPBC Act
OEH	NSW Office of Environment and Heritage
PMST	DoEE's Protected Matters Search Tool
REF	Review of Environmental Factors
Roads and Maritime Services	Roads and Maritime
ROKAMBA	Republic of Korea-Australia Migratory Bird Agreement
SEPP	State Environmental Planning Policy

## 1 Introduction

This Review of Environmental Factors (REF) has been prepared by Cardno (NSW/ACT) Pty Ltd (Cardno) on behalf of Northern Beaches Council (Council) to assess the potential environmental impacts associated with the proposed Off-Leash Dog Area Trial at Station Beach, on Pittwater (refer Figure 1-1 for regional location).

The project is considered to be an activity and therefore an REF has been prepared in accordance with Division 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Development consent under Division 4.1 of the EP&A Act is not required as the proposed dog off-leash trial is not considered to be a development.

### 1.1 Background

The Northern Beaches Local Government Area (LGA) currently has 29 areas where dogs are allowed off-leash, with a mix of restricted and unrestricted access hours. Rowland Reserve in Bayview is the only permanent and unrestricted area at the northern end of the LGA where dogs have unleashed access to a park area and the water.

The proposed trial area, Station Beach, is bound to the east by Palm Beach Golf Club and Pittwater Estuary to the west. The shallows approaching the beach contain extensive seagrass beds, including that of the endangered *Posidonia australis*, and the area serves as a potential habitat for resident and migratory birds.

The areas around the proposed trial area include Governor Phillip Park, the Boathouse Palm Beach Café, and parking and pedestrian access to Ku-Ring Gai Chase National Park and the heritage listed Barrenjoey Lighthouse. Pittwater Estuary to the west feeds into Broken Bay, part of the Hawkesbury Nepean Catchment Area.

A previous proposal of using Station Beach as an off-leash dog area was investigated by the former Pittwater Council in 2008, however the REF prepared by NGH Environmental (NGH) for the trial did not lead to an outcome. Advice from the Land and Property Management Authority provided in a letter on the 6 November 2009 indicated that the REF lacked of important information including:

- > The parameters that would need to be monitored; and
- > The experimental design required to be used to assess significant impact of increase dog usage at this location.

Requests from residents and community groups have prompted Council to investigate the provision of a foreshore area with access to water for off leash dogs.

### 1.2 Purpose

The purpose of the REF is to provide guidance to the Council in deciding on whether to conduct the trial or not, describe the proposal, to document the likely impacts of the trial on the environment, and to detail mitigation measures to be implemented. The REF is also required as part of Council's licence application to the Department of Industry (Dol) Lands & Water, as land owner of land below the high water mark, to conduct the trial. The licence is expected to contain conditions for the use of the area to meet the Dol Lands & Water requirements.

The description of the proposed trial and associated environmental impacts have been undertaken in context of Clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the *Biodiversity Conservation Act 2016* (BC Act), and the Australian Government's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). In doing so, the REF helps to fulfil the requirements of Section 5.5 of the EP&A Act, namely that Council examine and take into account to the fullest extent possible, the matters affecting or likely to affect the environment by reason of the activity.

The findings of the REF would be considered when assessing:

- > Whether the proposal is likely to have a significant impact on the environment and therefore the necessity for an environmental impact statement to be prepared and approval to be sought from the Minister for Planning under Division 5.2 of the EP&A Act;
- > The significance of any impact on threatened species as defined by the BC Act, in Section 1.7 of the EP&A Act and therefore the requirement for a Species Impact Statement or a Biodiversity Development Assessment Report; and



- > The potential for the proposal to significantly impact a matter of national environmental significance or Commonwealth land and the need to make a referral to the Australian Government Department of the Environment for a decision by the Commonwealth Minister for the Environment on whether assessment and approval is required under the EPBC Act.

### 1.3 Land Description and Tenure for Proposed Trial

Table 1-1 Land tenure of proposed trial

Lot	DP Number	Owner	Description
7005	1117451	Crown Land (Northern Beaches Council as Trustee)	Palm Beach Golf Club (within Governor Phillip Park). Crown Lands extends to Mean High Water Mark (MHWM).
7007	1117454	Crown Land (Northern Beaches Council as Trustee)	Palm Beach Golf Club (within Governor Phillip Park). Crown Lands extends to MHWM.
N/A	N/A	Crown Land	Water below MHWM.

### 1.4 Document Purpose and Content

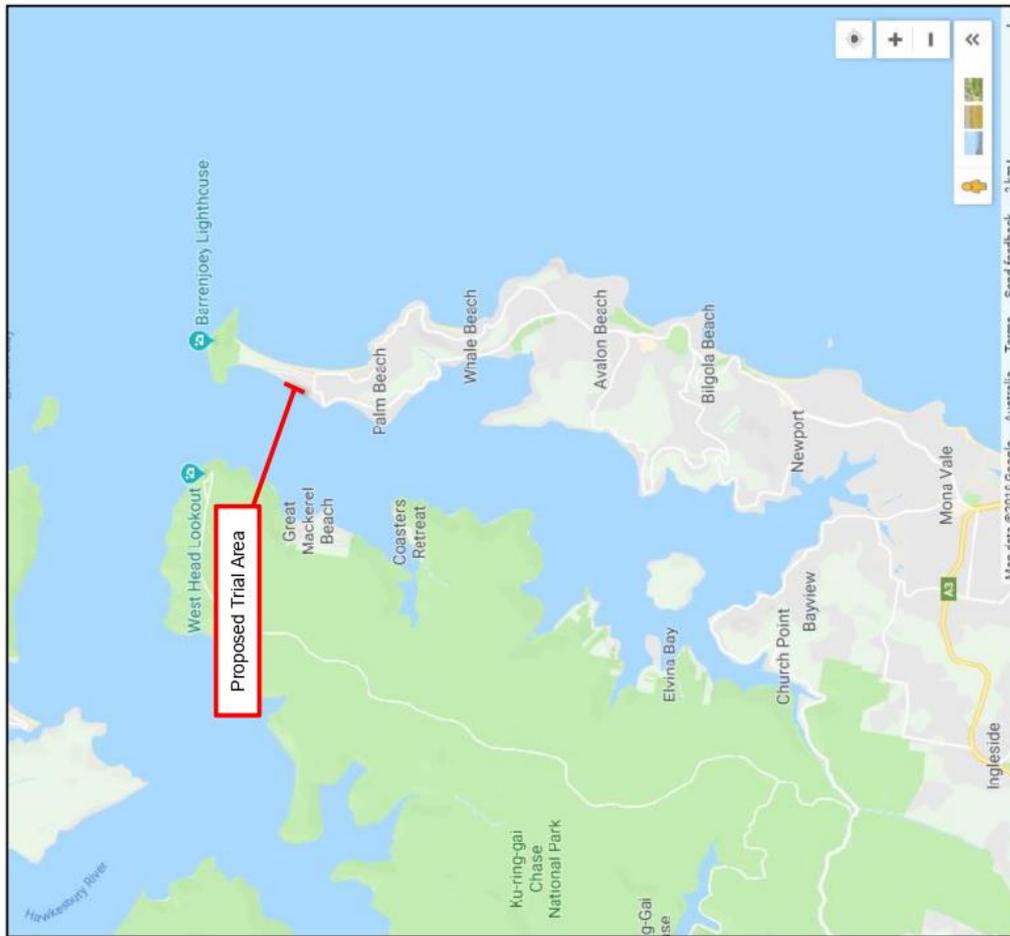
The purpose of this REF is to facilitate the assessment of the proposed activity by Council. It provides a description of the proposed trial, relevant planning controls, the existing environment in the vicinity of the proposed trial, the potential environmental impacts associated with the proposed trial, and environmental mitigation measures to address any potential impacts identified.

This REF consists of the following sections:

- > **Section 2** – a description of, need for, and objectives of the proposal. A description of the proposal including proposed monitoring methodology and timeframes is also provided;
- > **Section 3** – presents an overview of the planning and regulatory context for the proposal;
- > **Section 4** – provides details of the stakeholder consultation undertaken;
- > **Section 5** – details the environmental impact assessment undertaken;
- > **Section 6** – summarises recommended environmental mitigation measures;
- > **Section 7** – summarises and concludes the assessment;
- > **Section 8** – lists the references discussed in this assessment; and
- > **Appendices** – contains supporting information including drawings and database searches.



Figure 1-1 Site Location



Source: Google Maps®

59919048 | 24 May 2019 | Commercial in Confidence

Figure 1-2 Crown Lands tenure (showing lot and parcel)



## 2 Proposed Trial

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### 2.1 Objectives of Proposed Trial

The objectives of the trial are:

- > To allow dogs off leash and swimming at Station Beach on specific days at restricted times;
- > Maintain the environmental integrity of the area;
- > Provide Council with information on the effects of off-leash activities on the environment and on the community particularly nearby residents and businesses;
- > Collect data to predict the impacts of a permanent off-leash dog area; and
- > Gather information to determine the suitability of a permanent off-leash dog area at Station Beach.

### 2.2 Need for Proposed Trial

The proposed trial is in response to continued calls from Northern Beaches community groups and residents to provide an additional off-leash dog area, which provides dogs access to a foreshore and swimming areas. Council is investigating the suitability of Station Beach as a potential location through the proposed 12-month trial. The REF requires an examination of alternatives to the activity which may have a lesser environmental impact. The decision from Council to undertake the dog off-leash trial at Station Beach was taken during the Ordinary Council Meeting on 26 June 2018. The relevant points from the Council's resolution are summarised below:

**Subject:** Notice of Motion No 39/2018 - Station Beach Unleashed Dog Trial

**Date:** 21/08/2018

That:

- A. Council note the existing former Pittwater Council resolution: "subject to receiving support for the proposal from the Government Agencies, it be placed on public exhibition and the results be reported back to Council".
- B. Council note that this Pittwater decision is prior to the introduction of the Northern Beaches Council Code of Meeting Practice requiring a funding source and budget to be identified before a motion can be progressed.
- C. Council invite the Executive Committee of Pittwater Unleashed to help develop the parameters for the Station Beach trial prior to being placed on public exhibition.
- D. The public consultation process begins within 12 weeks, subject to there being no unresolvable barriers to do so, presented in the Government Agency correspondence response.

### 2.3 Project Description

#### 2.3.1 Overview

The proposed trial would be implemented by Northern Beaches Council, with additional specialist works (seagrass monitoring) carried out by a suitably qualified contractor.

The proposal comprises:

- > Trial of an off-leash dog area with swimming access at Station Beach (southern end); and
- > Twelve-month monitoring of seagrass beds and other requirements, carried out concurrently with the trial by suitably qualified contractor.



### 2.3.2 Project Details

The proposed trial area is approximately 600m long along the southern end of Station Beach, Pittwater Estuary, commencing north of Beach Road and finishing near Boathouse Palm Beach Cafe, 630m south of Ku-Ring Gai Chase National Park. It is bounded to the east by Palm Beach Golf Club and to the west by Pittwater Estuary. The proposed trial concept plan prepared by Council is shown in Figure 2-1.

### 2.3.3 Staging

#### *Pre-trial*

Once the relevant approvals, permits and licences are obtained, the proposed area would be prepared by Council. This would involve preparing a community engagement plan including internal review points, updating Council's website information, developing management plans and installing temporary signage including at the north and south access points to clearly show the trial site boundaries and approved hours for off-leash activity, and environmental information. Temporary dog-waste disposal facilities, and general garbage bins would also be installed at the north and south access points at this time.

One monitoring event would occur within one week prior to the off-leash trial commencing.

#### *Off-leash trial*

The trial is proposed to run for 12 months. During this time, dog owners would be allowed to have their dogs off-leash within the prescribed area, including access to swimming areas east of the proposed minimum buffer zone to the edge of the seagrass (see Section 5.2.3). See Figure 5-1 for a schematic representation of tides at Station Beach generated by Astles (2019).

Signage would be located on the beach at both north and south access points informing dog owners of the relevant restrictions in place. The signage would also include environmental information advising of the sensitivity of the seagrass beds located in the nearshore zone. Dog-waste disposal facilities and general garbage bins would be available at the north and south access points to dog owners for the duration of the trial. Increased Council patrols would occur during the trial to ensure compliance with restrictions.

#### *Monitoring*

Surveys of the seagrass beds showing species, distribution, density and condition along Station Beach would be undertaken throughout the trial. The surveys will also assess the presence/absence and potential impacts on the white seahorse potentially present within the seagrass. The surveys are to be conducted by a suitably qualified contractor. An additional site located approximately 100m north of the proposed site would be established as a control area.

Monitoring the seagrass density and condition to identify changes potentially associated with dog activity would be carried out as follows:

- > Monitoring sites;
  - Monitoring of three random sites along the trial area. Each monitoring site would be subdivided into two areas. The first area, 'Area A', within the shoreline seagrass bed. The second area, 'Area B', 10m west of Area A;
  - Seagrass would be assessed in five (5) quadrants of 50 m x 50 m within Area A and Area B and each site, for a total of 30 quadrants;
  - Monitoring of one control site, approximately 100m north of the proposed dog unleashed playing area using the same method as described above Area A and Area B, five (5) 50x50m quadrants;
  - Sixty quadrants would be sampled during each monitoring event (30 within the trial area, 30 within the control area); and
  - The monitoring area and control area are shown in Figure 1-2.
- > Monitoring frequency;
  - A monitoring event of the seagrass beds is to be undertaken immediately prior to the off-leash trial commencing;
  - Undertake a monitoring event during the dog unleashed trial every month (a total of twelve times); and



- A monitoring event of the seagrass beds is to be undertaken immediately after the off-leash trial concluding.
- > Monitoring would be conducted during low tides.

Water quality monitoring would be undertaken for a period of 12 months concurrently with the seagrass/white seahorse monitoring. Water quality monitoring would be undertaken by a qualified consultant engaged by Council.

The monitoring would be carried out during low tide at four preselected locations along Station Beach, three within the dog off leash trial area and one within the control area with testing for the following parameters:

- > Dissolved oxygen (using hand held field equipment);
- > Turbidity (using hand held field equipment);
- > Electrical conductivity (using hand held field equipment);
- > pH (using hand held field equipment);
- > Temperature (using hand held field equipment);
- > Microbial sampling (enterococci) based on AS/NZS 4276.9:2007. Samples would be sent to NATA approved laboratories for analysis.

During the water quality and seagrass monitoring events, observations of potential presence of migratory and threatened birds at the proposed trial area would be undertaken. If shorebirds are observed during the monitoring events, Council would be notified to assess whether a shorebird monitoring program should be implemented.

#### *Post-trial*

A monitoring event would occur within one week of the off-leash trial finishing. Using the data from the seagrass and water quality monitoring program, and from community and stakeholder feedback received throughout the off-leash trial period, Council would consider whether or not to continue the site as a permanent off-leash dog area.

#### **2.3.4 Access Hours and Timeframe**

The proposed off-leash trial period would be for 12 months from mid - 2019 to mid- 2020.

During this period, off-leash access is planned to be restricted to the following:

Australian Eastern Standard Time (AEST): Monday – Sunday 1600 – 1030

Australian Eastern Daylight Time (AEDT): Monday – Friday 1730 – 1030  
(Summer)



Figure 2-1 Station Beach off-leash dog area trial, concept plan



Source: Northern Beaches Council (2018)

### 3 Statutory and Planning Framework

This section of the REF provides an overview of the key planning instruments and legislation relevant to the proposed off-leash dog area trial at Station Beach.

#### 3.1 Planning Legislation and Framework

##### 3.1.1 Environmental Planning and Assessment Act 1979

An activity in NSW falls under the provisions of the EP&A Act and subordinate legislation. This REF has been prepared in accordance with Division 5.1 of the EP&A Act.

Under Section 5.5 of the EP&A Act, there is a duty for the determining authority to consider the environmental impacts of proposed activities. The specific aspects of these environmental considerations are detailed in Clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). All requirements of Clause 228 have been adequately addressed throughout this REF and are summarised in 7.1

Development consent under Division 4.1 of the EP&A Act is not required as the proposed dog off-leash trial is not considered to be a development.

##### 3.1.2 Sydney Regional Environmental Plan No. 20 – Hawkesbury - Nepean River (No 2 -1997)

The aim of the *Sydney Regional Environmental Plan No. 20 Hawkesbury – Nepean River (No 2 – 1997)* is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

According to Clause 4 of the REP:

- 1) The general planning considerations set out in clause 5, and the specific planning policies and related recommended strategies set out in clause 6 which are applicable to the proposed development, must be taken into consideration:
  - (a) by a consent authority determining an application for consent to the carrying out of development on land to which this plan applies, and
  - (b) by a person, company, public authority or a company State owned corporation proposing to carry out development which does not require development consent.
- 2) Those considerations, policies and strategies should be taken into consideration in the preparation of each environmental planning instrument and development control plan that applies to land to which this plan applies.

The activity related to this assessment will need to consider the general planning consideration, specific planning policies and recommended strategies under Part 2 of the REP.

##### 3.1.3 State Environmental Planning Policy (Coastal Management) 2018

Station Beach is subject to the State *Environmental Planning Policy (Coastal Management) 2018* (Coastal SEPP), which aims to promote an integrated and coordinated approach to land use planning in the coastal zone in a manner consistent with the objectives of the *Coastal Management Act 2016*.

Under the Coastal SEPP, the proposed trial area is mapped as a 'Coastal Environment Area' (Clause 13). Clause 13 identifies a number of matters that are to be taken into account by Council when determining a proposal on land in this mapped zone. These have been listed in Table 3-1 along with comments on how they relate to the proposed trial.

The proposed trial area is not mapped as 'Coastal Wetlands' or 'Proximity to Coastal Wetlands' under the Coastal Management SEPP so development consent is not required under the Coastal SEPP.

Table 3-1 Coastal SEPP Clause 13 matters for consideration

Matter	Relevance to Proposal
13 (1)(a) The integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment is maintained	The trial would not negatively impact water quality or ecological environment provided the mitigation measures in this REF are implemented.



Matter	Relevance to Proposal
13 (1)(b) Coastal environmental values and natural coastal processes are not adversely impacted	The proposal would not impact upon coastal processes.
13 (1)(c) The water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i> ), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1	The trial would not negatively impact the marine estate provided the mitigation measures in this REF are implemented.
13 (1)(d) Marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms	The proposal has moderate potential for short term negative impacts to marine vegetation and marine fauna habitats.
13 (1)(e) Existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability	The proposal would improve access to the foreshore and beach for the public for the duration of the trial.
13 (1)(f) Aboriginal cultural heritage, practices and places	There are no identified Aboriginal sites at, or near the proposed trial.
13 (1)(g) Use of the surf zone	The proposal would not impact the surf zone.

### 3.1.4 Local Environmental Plans

#### 3.1.4.1 Pittwater Local Environmental Plan 2014

Station Beach is located within the Northern Beaches Council Local Government Area (LGA), formerly the Pittwater Council LGA. This section of the REF considers the consistency of the proposal with the former *Pittwater Local Environmental Plan 2014* (Pittwater LEP).

Under the Pittwater LEP, the proposed trial area is zoned as RE1 Public Recreation, and is adjacent to an area zoned E2 Environmental Conservation. The objectives of each of these zones are discussed in Table 3-2.

As the trial is not considered a development, the Pittwater LEP and development consent under Division 4.1 of the EP&A Act is not required. Nonetheless, issues raised in the LEPs of potential relevance to the proposed trial are considered in Section 5.

Table 3-2 Pittwater LEP 2014 land use zonings

Zone	Objectives
RE1 Public Recreation	<p>The objectives of this zone are:</p> <ul style="list-style-type: none"> <li>▪ To enable land to be used for public open space or recreational purposes;</li> <li>▪ To provide a range of recreational settings and activities and compatible land uses;</li> <li>▪ To protect and enhance the natural environment for recreational purposes;</li> <li>▪ To allow development that does not substantially diminish public use of, or access to, public open space resources; and</li> <li>▪ To provide passive and active public open space resources, and ancillary development, to meet the needs of the community.</li> </ul>
E2 Environmental Conservation	<p>The objectives of this zone are:</p> <ul style="list-style-type: none"> <li>▪ To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values;</li> <li>▪ To prevent development that could destroy, damage or otherwise have an adverse effect on those values;</li> <li>▪ To ensure the continued viability of ecological communities and threatened species; and</li> <li>▪ To protect, manage, restore and enhance the ecology, hydrology and scenic values of riparian corridors and waterways, groundwater resources, biodiversity corridors, areas of remnant native vegetation and dependent ecosystems.</li> </ul>



### 3.1.5 Companion Animals Act 1998

The aim of this Act is to “provide for the effective and responsible care and management of companion animals”. Clause 13 (6) of the Act states that “ a local authority can by order declare a public place to be an off-leash area. Such a declaration can be limited so as to apply during a particular period or periods of the day or to different periods of different days. However, there must at all times be at least one public place in the area of a local authority that is an off-leash area.”

Public place within the Act is defined as:

- (a) any pathway, road, bridge, jetty, wharf, road-ferry, reserve, park, beach or garden, and
- (b) any other place,

that the public are entitled to use.

Notwithstanding this, as part of the proposed off-leash area is on land under the care and control of Dol (Lands & Water) (the land above MHWM is under the care and control of Council), Dol has advised that a licence from Dol (Lands & Water) would be required to undertake the proposed trial.

## 3.2 Other Legislation and Framework

### 3.2.1 Commonwealth Legislation

#### 3.2.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the Australian Government's key piece of environmental legislation, focusing on matters of National Environmental Significance (NES), with States and Territories having responsibility for matters of State and local significance.

Approval is required from the Commonwealth Minister for the Environment and Energy (Minister) for any controlled action that may result in a significant impact on matters of NES.

A search of the EPBC Act database, using the Protected Matters Search Tool (PMST), was carried out on 12 February 2019 (refer Appendix C). The nine matters of NES protected under the EPBC Act are shown in Table 3-3, which also identifies the potential for occurrence within 1km of the proposed trial.

Table 3-3 Potential impacts of matters of NES (DOEE, 2019)

Matter of NES	Potentially Occurring
World heritage properties	None
National heritage places	1
Wetlands of international importance (listed under the Ramsar Convention)	None
Great Barrier Reef Marine Park	None
Commonwealth marine areas	None
Listed Threatened ecological communities	3
Listed Threatened species	67
Listed Migratory species (protected under international agreements such as the Bonn Convention, JAMBA, CAMBA, AND ROKAMBA <sup>1</sup> )	56
Nuclear action	None

As indicated in Table 3-3, one national heritage place (Ku-Ring Gai National Park), three threatened ecological communities (*Posidonia australis* seagrass meadows of the Manning-Hawkesbury ecoregion, Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland ecological community and Coastal Upland Swamps in the Sydney Basin Bioregion), 67 listed threatened species and 56 migratory species have the potential to be located within 1km of the proposed trial.

Based on the outcomes of the investigations summarised in Section 5, the proposed trial is unlikely to have a significant impact on NES and therefore a referral under the EPBC Act is not required.

### 3.2.2 State Legislation

A summary of relevant State legislation and the permits and approvals that are required for the proposed trial is provided in Table 3-4.

<sup>1</sup> Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention), Japan-Australia Migratory Bird Agreement (JAMBA), China-Australia Migratory Bird Agreement (CAMBA), Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA)



Table 3-4 Summary of State legislation and required permits and approvals

State Legislation	Approval Authority	Relevance to the Proposal	Required Permits and Approvals
<i>Coastal Management Act 2016</i>	Office of the Environment and Heritage (OEH) Northern Beaches Council	The objects of the Act are to manage the coastal environment of New South Wales in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic wellbeing of the people of the State.	None. The trial would be carried out in a manner consistent with the objectives of the CM Act.
<i>Contaminated Land Management Act 1997</i>	Environment Protection Authority (EPA)	Must report to EPA if contaminated land is encountered during the trial that meets the duty to report contamination requirements under Section 60 of this Act	None. There would be no excavation during the proposed trial.
<i>Heritage Act 1977</i>	OEH (NSW Heritage Office)	Relates to non-Aboriginal artifacts and/or sites (older than 50 years) if uncovered during the trial.	None. There would be no excavation during the proposed trial.
<i>National Parks and Wildlife Act 1974</i>	OEH	Relates to disturbance or destruction of any Aboriginal objects or places and removal of identified native species, populations or ecological communities.	None. No Aboriginal cultural heritage sites or items were identified as part of the due diligence database search. Should any Aboriginal object be detected during construction, a Section 90 consent would need to be obtained if the object named cannot be avoided.
<i>Biodiversity Conservation Act 2016</i>	OEH	The purpose of this Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development	None. The proposed trial is not anticipated to have a significant impact on threatened or endangered species identified near the proposed trial provided the mitigation measures identified in this REF are implemented.
<i>Biosecurity Act 2015</i>	OEH	The object of this Act is to provide a framework for the prevention, elimination and minimisation of biosecurity risks posed by biosecurity matter, dealing with biosecurity matter, carriers and potential carriers, and other activities that involve biosecurity matter, carriers or potential carriers	None. However, off-leash dogs pose a potential risk of the introduction and/or spread of invasive species harmful to threatened ecological communities.
<i>Protection of the Environment Operations Act 1997</i> <i>Protection of the Environment Operations (Waste) Regulation 2005</i>	EPA	Relates to noise, air and water pollution and waste management for activities that may cause water pollution. Scheduled activities as listed under Schedule 1 of the Act require an Environmental Protection License (EPL) from the EPA, unless clauses in Schedule 1 specify otherwise.	None. Proposed trial does not require an EPL from the EPA.
<i>Roads Act 1993</i>	Appropriate Roads Authority	Consent of the appropriate roads authority must be received in the event that there is a need to close,	None.



State Legislation	Approval Authority	Relevance to the Proposal	Required Permits and Approvals
		or conduct works on or over a public road.	
<i>Waste Avoidance and Resource Recovery Act 2001</i>	EPA	Works which would use resources and generate waste, need to consider the Resource Management Hierarchy (Avoidance, Recovery, Disposal) in the Act.	None.
<i>Water Management Act 2000</i> <i>Water Management (General) Regulation 2004</i>	Department of Industry(Dol) (Natural Resources Access Regulator)	A controlled activity approval is required under the Act to undertake any controlled activities (which include the removal of material by way of extraction) in, on or under waterfront land, where waterfront land includes the bed of the coastal waters and any land up to 40m inland from the mean high water mark of the coastal waters.	None. The proposed trial is located on waterfront land, however, councils are exempt and do not require a controlled activity approval to carry out works in, on or under waterfront land.
<i>Fisheries Management Act 1994</i> <i>Fisheries Management (General) Regulation 2010</i>	Department of Primary Industries (DPI, Fisheries)	Certain marine and estuarine species are listed as vulnerable under the Act and protected under the Regulation. Permits are required under the following sections of the Act to undertake the activities specified: <ul style="list-style-type: none"> <li>Section 201: Carrying out of dredging and reclamation works;</li> <li>Section 205: Works that harm marine vegetation (i.e. seagrass); and</li> <li>Section 219: Works that block the passage of fish.</li> </ul>	None. The proposed trial is not anticipated to harm marine vegetation provided the mitigation measures identified in this REF are implemented. Council should consult with DPI Fisheries to determine if a permit is required.
<i>Crown Lands Management Act 2016</i> <i>Crown Lands Management Regulation 2018</i>	Dol Lands & Water	The objects of this Act are to provide for the ownership, use and management of the Crown land of New South Wales, to provide clarity concerning the law applicable to Crown land, to require environmental, social, cultural heritage and economic considerations to be taken into account in decision-making about Crown land, to provide for the consistent, efficient, fair and transparent management of Crown land for the benefit of the people of New South Wales, and to provide for the management of Crown land having regard to the principles of Crown land management.	As the land on which the works would occur is Dol (Lands & Water) (although the land above MHWL is under the care and control of Council) a licence from Dol (Lands & Water) would be required to undertake the proposed trial. The trial is considered consistent with the principles of Crown Land Management.
<i>Marine Estate Management Act 2014</i> <i>Marine Estate Management Regulations 2017</i>	Department of Primary Industries (DPI, Fisheries)	The objective of this Act mainly is to conserve the biological diversity, and maintain ecosystem integrity and ecosystem function, of bioregions in the marine estate and to provide management and use of resources in the marine parks as well as provide opportunities for public enjoyment of a marine park.	None, as then study area is not located within a marine park or aquatic reserve.



Cardno reviewed the Governor Phillip Park Plan of Management (2002) prepared by Pittwater Council in relation to any restriction to use the park for dog off-leash activity. The plan lists in Table 3.8 Land use Planning dog off leash activity as permissible not requiring development consent, but may require approval under part V of the EPA ACT 1979.

### 3.3 Summary of Licences and Approvals

Provided that the necessary permits and approvals are obtained as outlined below, the proposal for the Station Beach Off-Leash Dog Area Trial is considered consistent with the relevant legislation and planning instruments.

As per the DoI (Lands & Water) letter to Council on the 15 November 2018 (see Appendix B), a licence would be granted subject to the department's satisfaction of the trial under the *Crown Lands Management Act 2016*.

## 4 Stakeholder Consultation

To ensure a robust assessment of potential issues in relation to the proposed trial, the following authorities were consulted regarding the proposal:

- > NSW DPI (Fisheries);
- > NSW DoI (Lands and Water); and
- > NSW National Parks and Wildlife Service.

Correspondence from the above agencies were received by Council from August to November 2018. Extract from various comments raised by the agencies are outlined in Table 4-1 and the section of the REF where the issues is attached is also noted. A copy of the correspondence received is provided in Appendix B.

Table 4-1 Summary of comments raised and response

Comment	Section Issue is Addressed in REF
<b>NSW Department of Primary Industries - Fisheries</b>	
NSW DPI (Fisheries) has no objection to the off-leash dog area trial on Station Beach, if the following conditions/comments are met:	
<ul style="list-style-type: none"> <li>▪ Signage is installed on the beach, stating that dogs must not be allowed to run through seagrass beds at low tide;</li> </ul>	2.3.3, 5.2
<ul style="list-style-type: none"> <li>▪ Consider providing environmental information, advising that seagrass beds are present in the nearshore zone, including the endangered population of <i>Posidonia australis</i> seagrass. Seagrass is important habitat for fish, providing shelter, food and a nursery for young; and</li> </ul>	2.3.3, 5.2,
<ul style="list-style-type: none"> <li>▪ Surveys of the seagrass are undertaken, showing species, distribution and density along Station Beach. The survey should be undertaken immediately prior to and immediately following the trial period.</li> </ul>	2.3.3
<b>NSW Department of Industry – Lands and Water</b>	
<ul style="list-style-type: none"> <li>▪ Section 1.4 of the <i>Crown Land Management Act 2016</i> sets out principles for the management and use of Crown land, which includes;               <ul style="list-style-type: none"> <li>(a) that environmental protection principles are observed and</li> <li>(b) natural resources are conserved wherever possible.</li> </ul> </li> </ul>	
<p>These principles support responsible management of Crown land at localities such as Station Beach where land below mean high water mark supports conservation and protection of seagrass beds; and</p>	3.2.2, 5.2
<ul style="list-style-type: none"> <li>▪ The shoreline at Station Beach provides suitable habitat for shorebirds and other native fauna (e.g. penguins and sea turtles) that would likely be disrupted by the introduction of off-leash dogs. To ensure the potential impacts on shorebirds are addressed, Council is encouraged to engage an ornithologist consultant who is able to provide informed advice regarding the comparative significance of Station Beach to other sandy beaches in Pittwater and whether the potential loss of habitat will impact Australia's three bilateral migratory bird agreements with Japan, China and the Republic of Korea.</li> </ul>	5.3
<ul style="list-style-type: none"> <li>▪ Station Beach is Crown Land and land below the water mark supports seagrass beds that need to be protected. Potential impacts on the surrounding reserve, the beach shoreline environment and the local native fauna are considered. The beach's shoreline provides potential habitats for shorebirds and other native fauna that may be disrupted by off-leash dogs and requests to engage an ornithologist to provide advice on the matter;</li> </ul>	5.2, 5.3
<ul style="list-style-type: none"> <li>▪ Council would need to get a licence, "subject to conditions from the department to conduct a trial, given activities would occur on submerged Crown land";</li> </ul>	3.3
<ul style="list-style-type: none"> <li>▪ Quantitative and qualitative measures to assess impacts such as eutrophication, changes in water quality and the possible increased presence of invasive species on native seagrasses, <i>Posidonia australis</i> and <i>Zostera marina</i> (Eelgrass). Details of one or more control sites to compare outcomes, including who will manage components of the trial, the control site/s and methods to monitor the results".</li> </ul>	



Comment	Section Issue is Addressed in REF
<p><b>National Parks and Wildlife Service (NPWS)</b></p> <ul style="list-style-type: none"> <li>▪ “NPWS does not have any concerns with this proposal as long as it is clearly signed posted that the northern boundary of the off-leash area is the Boathouse Wharf”</li> <li>▪ Council will need to ensure compliance with the northern boundary to prevent off – leash dogs entering the national park to the north”</li> </ul>	<p><b>2.4.3, 5.2 and 5.5</b></p>

## 5 Environmental Assessment

This section of the report provides assessment of the potential environmental impacts of the proposed trial. This section is divided up into headings describing the various environmental impacts assessed, including:

- > Traffic and access;
- > Hydrology, water quality and sediments;
- > Marine biodiversity;
- > Terrestrial biodiversity;
- > Socio-economic;
- > Noise;
- > Waste management;
- > Climate and air quality;
- > Heritage; and
- > Cumulative environmental impacts.

The assessment has been conducted using available published information, detailed reports completed by specialists, and inspections of the proposed trial site in November 2018.

### 5.1 Traffic and access

#### 5.1.1 Existing Environment

Vehicular access to Palm Beach is via Barrenjoey Road, with vehicular access to Station Beach being via Beach Road only. It serves as the only route into or out of the area surrounding the proposed trial area.

Parking is available near both the north and south access points of the proposed trial site, as well as additional parking along the internal access road through Governor Phillip Park.

The northern access point has a parking area that can accommodate approximately 40 vehicles, and serves as the main parking area for patrons of the Boathouse Palm Beach Café and users of the nearby park.

The parking area near the southern access point has angled parking along Beach Road for approximately 25 vehicles. Along the internal access road within Governor Phillip Park, there are marked and unmarked spaces for over 100 vehicles.

There are two access points for pedestrians using the beach. The northern access point from the carpark adjacent to the Boathouse Palm Beach Café, and the southern access point from the end of Beach Road near Waratah Road.

Access for pedestrians at the southern end of the proposed trial area is via concrete stairs built over the grassed dune. This access point is not easily accessible for the elderly or persons with a disability.

Pedestrian access at the northern end of the proposed trial area is directly over a worn path through the grassed dune adjacent to the Boathouse Palm Beach Café. This access point is not easily accessible for the elderly or persons with a disability. Council has approved construction of improved access to the beach near the northern end of the trial area. The project is being carried out separately from the trial.

The eastern side of the golf course has a fence limiting pedestrian access to the course from Governor Phillip Park. However, there is no boundary between Station Beach and the Palm Beach Golf Club, allowing informal access from and to the proposed trial area at this location. It is important to note that there is a level change of approximately one metre between the beach area and the golf course minimising the potential access from pedestrians to and from the golf course.

#### 5.1.2 Potential Impacts

People travelling to the area to use the dog area have the potential to cause an increase in traffic flow and congestion, particularly during popular times for visitors to the area for other activities (e.g. accessing Ku-Ring Gai Chase National Park, Palm Beach, and Palm Beach Golf Club). Usage is seasonal, with summer and particularly school holidays generally being the busiest times. The increased vehicle traffic is likely to impact demand for parking spaces within, and around Governor Phillip Park, potentially leading to 'informal'

or illegal parking on grassed areas. The proposed trial allows for off leash access at specified times. These times are more likely to coincide with off-peak or lower demand times for other park users. Because of this, the off-leash trial is unlikely to lead to significant additional congestion. It is important to monitor traffic changes/conditions during the proposed trial.

The difficult access points for the elderly and persons with a disability at both the north and south ends of the proposed trial area potentially limit those who are able to utilise the beach and may pose a potential safety hazard for those who do try to access the trial area.

The unfenced boundary between the golf club and the proposed trial area allows unrestricted access for pedestrians from the golf course. However, this access is minimised by the presence of a fence along the eastern side of the golf course and the presence of a level change between both areas.

### 5.1.3 Mitigation Measures

Table 5-1 outlines measures that would be implemented to manage and mitigate potential impacts to traffic and access to the study area.

Table 5-1 Mitigation measures for traffic and access impacts

Potential Impacts	Mitigation
Increase in vehicle traffic and congestion in surrounding streets	<ul style="list-style-type: none"> <li>Monitor traffic conditions during the 12-month trial; and</li> <li>Limit off-leash hours to non-peak hours to offset traffic impacts.</li> </ul>
Vehicles parked illegally in unmarked areas or grassed areas	<ul style="list-style-type: none"> <li>Provide clear signage displaying parking bays and limits; and</li> <li>Increased patrols by Council officers.</li> </ul>
Restricted access and safety risk for the elderly or people with a disability	<ul style="list-style-type: none"> <li>Improve pedestrian access points at both the north and south ends of the beach.</li> </ul>
Unrestricted access to and from golf club	<ul style="list-style-type: none"> <li>Council to consider undertaking a risk assessment in regards to golf balls exiting the golf course onto Station Beach and take action as required.</li> </ul>

## 5.2 Marine Biodiversity

### 5.2.1 Existing Environment

A report prepared by an estuarine ecologist (Astles, 2019), based on field studies during November and December 2018, examined the marine biodiversity off Station Beach (refer Appendix C). Three species of seagrasses have been identified as present in Pittwater Estuary, including along Station Beach. These are *Posidonia australis* (*P. australis*), *Zostera muelleri* subspecies *capricornia* (*Z. muelleri*) and *Halophila ovalis* (*H. ovalis*).

The largest bed of seagrass in Pittwater Estuary is located off Station Beach, covering an area of 879,000m<sup>2</sup> and representing 47% of the total area of seagrass within the estuary. Seagrass at Station Beach estuarine area is dominated by a mix of *P. australis* and *Z. muelleri* c. covering an area of 719,000m<sup>2</sup>, 92.7% of all mixed stands in Pittwater.

*P. australis* in Pittwater Estuary is part of the Hawkesbury-Manning Bioregion, and is listed as a threatened ecological community under the EPBC Act. The seagrass in Pittwater Estuary is the largest community in the bioregion by area, making up 56.3% of the seagrass in the Hawkesbury estuary. The seagrass beds off Station Beach is the largest continuous bed of seagrass in Pittwater Estuary.

Astles (2019) calculated that the potential dog swimming area covers approximately 35,901m<sup>2</sup> including the beach and out into the water (in line with end of the wharf). Approximately 28,720m<sup>2</sup> of this area (65% of the total study area) contains seagrass.

Seagrass located within the potential dog swimming area was calculated to be 2.11% of the total seagrass bed off Station Beach with which it forms a continuous bed of seagrass. In relation to the spatial area of *P. Australia* and *Z. muelleri* within the dog swimming area, it covers an area of approximately 3,633m<sup>2</sup> that represents 0.46% and 0.49% of the total spatial area of *P. Australia/Z. muelleri* in Pittwater Estuary and Station Beach respectively.

Astles (2019) undertook an analysis of the tides within the study area and the potential exposure of seagrass during low tides. Results from the surveys showed that the average distance between the water's edge and

the seagrass edge at spring high tide is 20.96m compared to 4.53m at spring low tide, with the average depth of seagrass being 1.42m and 0.04m respectively. Astles (2019) concluded that the beach width at spring high tide is narrow (average 9.32m) and wide at spring low tide (average 30.65m) confirming that the seagrass habitat and its surrounding soft sediment habitat is more accessible to dog and human encounter at low tide.

A study in Pittwater undertaken by Shokri et al in 2009 identified seven species of Syngnathids, including one seahorse and six pipefish species with the hairy pipefish (*Urocampus carinirostris*) as the most abundant one. These species, protected under the FM Act 1994, are generally found in association with seagrass beds, and any disturbance to, or removal of, seagrass habitat could indirectly impact these species. Habitat destruction is one of the main threats to the species globally (Harrasti, 2016).

Seagrass beds off Station Beach provide habitat and food sources for many estuarine species of fish, invertebrates, algae and plankton, including habitat for White's seahorse (*Hippocampus whitei*) listed as endangered under the IUCN Redlist. *H. whitei* lives mainly in three types of habitats including seagrasses, artificial structures and sponge gardens (Vincent et al., 2005; Harasti & Gladstone, 2013) to depths of 20 m (Kuitert, 2009). This species is considered as site faithful to a home range (males averaging 8m<sup>2</sup> and females 12m<sup>2</sup>) (Vincent et al. 2005) and their breeding period mainly occurs between October and April.

Harasti et al. in 2012 concluded in its investigation that degradation of habitats could have a detrimental effect on *H. whitei* due to its limited distribution and this species have been found living in some of the most populated estuaries in Australia (NSW EPA, 2012). Shokri et al in 2009 concluded that even though the species is protected within NSW from fishing activities, the loss of habitat such as seagrass due to anthropogenic activities may impact the future conservation of the species. Astles (2019) concluded that this *H. whitei* only occupies the subtidal component of the existing seagrass in the area which represents less than 0.49% of the total coverage of 3,633.2 m<sup>2</sup> potentially affected by the dog swimming activity.

Cardno reviewed the NSW Marine Estate Threat and Risk Assessment report (2017) (TARA) and identified that off-leash dogs and dog-walkers on beaches designated for this purpose can disturb shorebirds, nesting turtles and other species of concern in a local area. The TARA recognises that risks such as this are unlikely to be widespread but should be considered in local scale management plans and policies. Hence, the REF and proposed management plans are consistent with this approach.

Turtles do not nest at Station Beach. Phil Straw, Ornithologist from Avifauna Research and Services Avifauna undertook the bird assessment for Station Beach (see report attached in Appendix D) and considered that "*shorebirds were unlikely to use the site for foraging or roosting*". Other species of concern include the seagrass *Posidonia australis* and White Seahorse (which could possibly reside in seagrass adjacent to Station Beach).

The Australian Fur Seal, Grey Nurse Shark and White Shark are unlikely to be resident species and encounters would only occur of individuals transiting through the study area.

*Caulerpa taxifolia* is an invasive marine plant that is listed in NSW as noxious marine vegetation under the FM Act. The species is perceived as a threat because it grows rapidly, and may out-compete other native species. It also produces toxic substances that deter many herbivores from grazing upon it, reducing the potential for grazing to limit its spread (NSW Fisheries, 2009). This species is known to alter physical and chemical habitat, affecting biodiversity. It tends to colonise gaps within seagrass beds and unvegetated habitat outside seagrass beds. Astles (2019) states that "*C. taxifolia* has been spreading in Pittwater since 2001; it may be spread further into the seagrass bed through vegetative growth of broken fragments, especially at the southern end of the DSA where it is less abundant". During the seagrass survey, the presence of *C. taxifolia* within the study area was observed confirming its presence. The presence of *C. taxifolia* within Pittwater estuary was also confirmed in the 2010 Pittwater estuary management plan prepared by BMT WBM Pty Ltd for Pittwater Council.

### 5.2.2 Potential Impacts

There is potential that dogs and their owners would interact with seagrass and soft sediment habitats in the intertidal zone, which may generate several impacts including trampling, dislodgement of flowers during reproductive seasons, disruption of the micro topography of sediments affecting seedling distribution, spread of invasive species, and introduction of nutrients from dog faeces.

Trampling by people on seagrass plants can lead to a loss of seagrass canopy, through damaged leaves, and increased disturbed sediments leading to greater turbidity and lower light penetration (Eckrich et al., 2000). Trampling over long periods of time can result in seagrass blades becoming shorter and their plants having fewer shoots. This can reduce the productivity of the seagrass bed (i.e. smaller biomass), and decrease its reproductive output which, in turn, changes the habitat for the ecological community of fish,



invertebrates and algae that use it. Dogs swimming among these plants during their reproductive season could result in dislodgement of flowers and fruits before they are mature leading to mortality, in particular for *P. australis* as they grow in the upper canopy and at maturity rise above the canopy to aid pollination and dispersal.

The likely response to dog swimming disturbance during high tide at the scale of individual plants is estimated to be low for all species. However, the disturbance by dog swimming during low tide at the scale of individual plants and bed is likely to be very high as *P. australis* has low capacity to respond to disturbance while for *Z. muelleri* and *H. ovalis* is considered to be moderate to high at the scale of individual plants as they occur in shallower water and likely will be trampled. This will depend on the level of disturbance. It is important to note that the spatial area of *P. Australia/Z. muelleri* within the potential dog swimming area is 3,633.2m<sup>2</sup>, which represents a 0.46% and 0.49% of the total spatial area of *P. Australia/Z. muelleri* in Pittwater Estuary and Station Beach respectively.

Dog excrement, in particular during low tides where seagrass may get exposed, may also impact seagrasses as it can potentially contribute to enterococci loading in the immediate vicinity of the seagrass, but would likely reduce as it is broken down over a few hours (Zhu et al., 2011). Any substantial increase in enterococci loading would depend on the intensity of dog swimming (number of dogs defecating per day), average size of dogs and frequency of defecating (number of times per week) (Oates et al., 2017). It is considered that the potential of seagrass exposure in the area is low (only during very low tides) and therefore the potential of dogs defecating on seagrass is considered to be low.

The beach width at spring high tide is on average 9.32m while at spring low tide the average was 30.65m. This shows that seagrass habitat and its surrounding soft sediment habitat is more accessible to dog and human encounter at low tide.

There are other activities not related to dog swimming/trampling that may impact on seagrasses including propeller scars, anchoring, moorings and shading (e.g. Colomer et al., 2017; Glasby and West, 2018). The above activities were evident off Station Beach and observed during the site visits.

There is potential for *C. taxifolia* to be remobilised as the trampling of the dogs while unleashed in the estuarine area. Based on Astles (2019) assessment, dogs are considered to be a potential source for spreading non-indigenous invasive species, such as the alga *C. taxifolia*. Dogs may break off parts of this plant as they trample through the intertidal area and pieces of the plant could stick to the fur of dogs and be carried into other areas either within Station Beach or another water body. *C. taxifolia* may also be washed down, where it can colonise and spread through vegetative growth. However, this could be minor compared to natural dispersal.

*H. whitei* would only occupy the subtidal component of this extent within the dog swimming area which would vary depending on the height of low tide; therefore, percentage of seagrass habitat of *H. whitei* affected would be less than 0.49% (approximately 3,600m<sup>2</sup>). Therefore, it is unlikely to result in the local occurrence of the White's seahorse becoming extinct. Additionally, given the relatively short timeframe of the dogs swimming in the area and the uncommon occurrence of these species in the study area, any interactions would be considered very unlikely. Indirect impacts to threatened species include a reduction in water quality (such as increased turbidity) due to the potential trampling of dogs and its owners of the seagrass from sediment movement. However, this impact is considered to be minimal.

It is considered that the potential impact on the seagrass community will depend on the level of disturbance and accessibility. To minimise its disturbance, appropriate measures are required to be in place during the proposed dog unleash trial, including the restriction of unleashed dogs accessing the soft sediment and seagrass area. Other human activities not related to the trial such as boating, anchoring, mooring, etc. may interfere in the trial results (if undertaken) and therefore, need to be taken into account.

### 5.2.3 Mitigation Measures

Astles (2019) (based on a Council request), assessed the requirement for allowing dog swimming in the DSA at any time of the tide while protecting the soft sediment and seagrass area (buffer depth). The assessment assumed a minimum depth above the bottom of the seabed of 1 m and the average dog height of 0.6m.

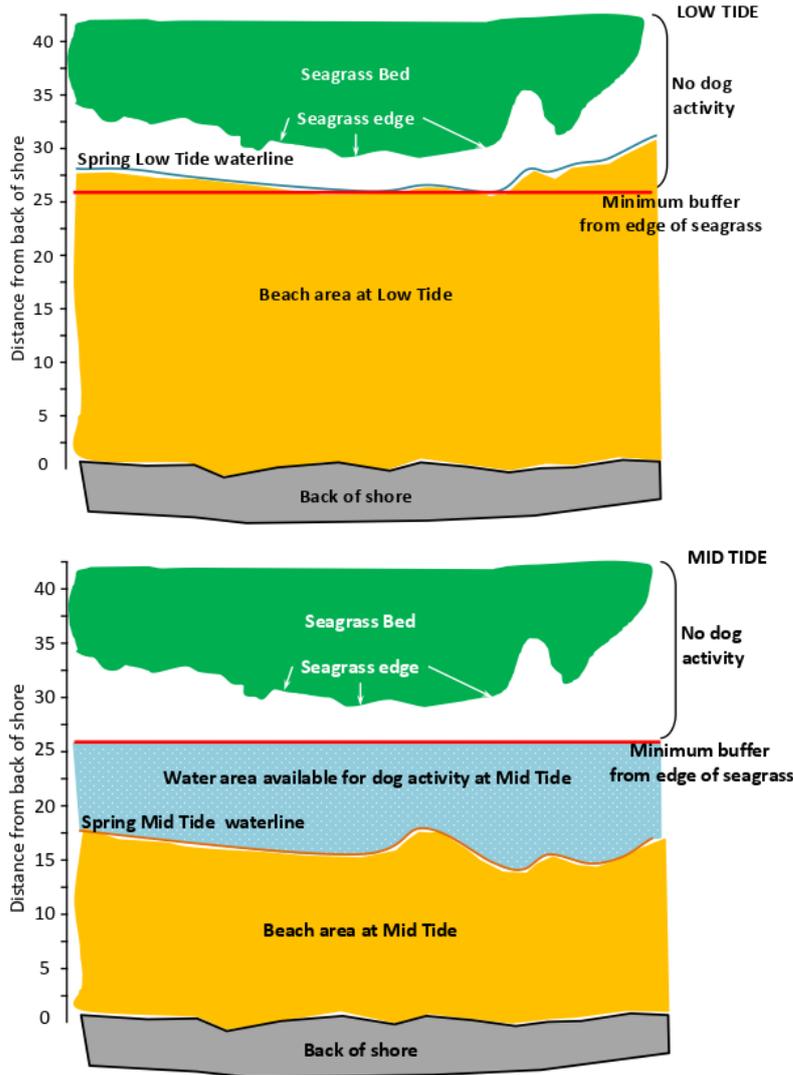
Astles (2019) concluded that at high tide, only three transects located in the southern end showed adequate water depth for dog swimming over the seagrass (See report in Appendix C). The results show that no transects had adequate water depth for dog swimming at low tide, which means that dogs can only walk across the sediments/seagrass beds.

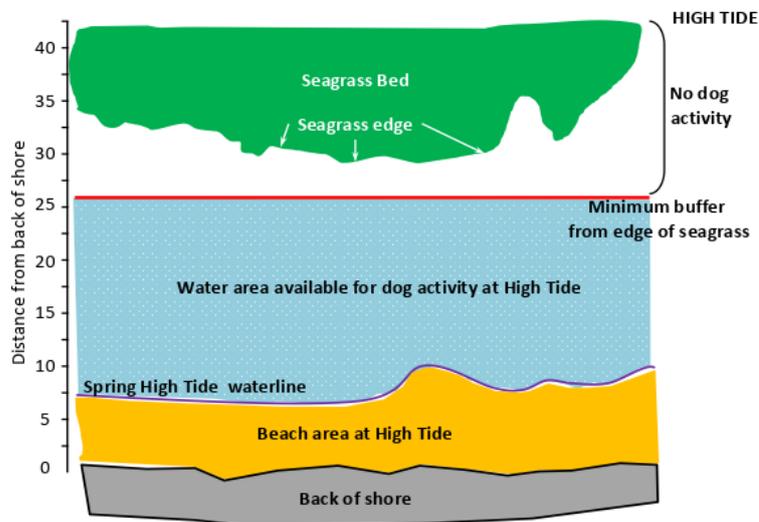
Astles then implemented a width buffer area of 3m from the landward edge of the seagrass bed to protect the seagrass and soft sediment from disturbance. A combined width and depth buffer zones showed that at high tide, only the southern end transects (7-9) have adequate depth and width to allow dog swimming within



the two buffer zones. At low tide none of the transects have adequate depth and width to allow dog swimming.

Based on the above, Astles (2019) considered that, if dog swimming/activity is permitted, a proposed swimming area is required to be identified. This area should be based on a straight boundary line to be placed 3m from the edge of the seagrass bed closest to -and running parallel to the beach. Dog activity should only be allowed east of this line. The Figure 5-1 below (Source: Astles 2019) shows the widths of the beach and water available for dog activity at different tides east of the boundary line.





Astles in 2019 also states that the southern end of the proposed DSA should be shortened (approximately 30 m) to avoid potential impacts with seagrass in that area as it is present close to the shore. Based on the reduction of the 30m on the southern end and the use of the minimum buffer zone, the DSA will be reduced.

Table 5-2 outlines measures that would be implemented to manage and mitigate potential impacts to marine biodiversity.

Table 5-2 Mitigation measures for marine biodiversity impacts

Potential Impacts	Mitigation
Decline in estuarine water quality	<ul style="list-style-type: none"> <li>Install dog waste bins (with waste disposal bags available) at each access point and consider a third in the middle section of the beach;</li> <li>Clearly signpost requirements for beach users to dispose of dog faeces and outline penalties for failing to comply under the <i>Companion Animals Act 1998</i>;</li> <li>Install signs informing users that dogs must not be allowed to run through seagrass beds;</li> <li>Increased compliance patrols by Council officers to ensure compliance with permitted high tide swimming periods; and</li> <li>Carry out water quality monitoring during the trial event.</li> </ul>
Impacts to marine vegetation, habitat and fauna	<ul style="list-style-type: none"> <li>Install dog waste bins (with waste disposal bags available) at each access point and consider a third in the middle section of the beach;</li> <li>Clearly signpost requirements for beach users to dispose of dog faeces and outline penalties for failing to comply under the <i>Companion Animals Act 1998</i>;</li> <li>Prior to commencing with the DSA, a minimum buffer zone to the edge of the seagrass closest to - and running parallel to the beach should be identified and marked. This buffer zone line should be located as a minimum 3m east of the edge of the seagrass bed landward;</li> <li>Install markers to sign the minimum buffer zone to the edge of the seagrass. Markers should not interfere with water craft navigation. Prior to installing the markers, consultation with relevant authorities should be undertaken;</li> <li>Dog activity only to be allowed east of the minimum buffer zone;</li> <li>The southern end of the proposed DSA should be shortened to avoid interaction with the endangered population of <i>P. australis</i> seagrass bed that occurs close the shore;</li> <li>Install signs informing users that dogs must not be allowed to run through seagrass beds;</li> <li>Install signs educating site visitors about <i>C. taxifolia</i>, including how to minimise its spread in the area should be placed at both ends of the site;</li> </ul>



Potential Impacts	Mitigation
	<ul style="list-style-type: none"> <li>▪ Undertake monitoring of the seagrass and white seahorse on monthly basis during the trial to assess potential impacts of the activity;</li> <li>▪ Increased compliance patrols by Council officers to ensure compliance with permitted dog access areas and times; and</li> <li>▪ Other human activities not related to the trial such as boating, anchoring, mooring, etc. may interfere in the trial results. Such activities should be taken into account when assessing the potential impact of the off-leash dog trial on the marine environment.</li> </ul>

## 5.3 Hydrology, Water Quality and Sediments

### 5.3.1 Existing Environment

#### Hydrology and Water Quality

The OEH 2017-2018 State of the Beaches Report (OEH, 2018) provides a summary of the water quality at Barrenjoey Beach along the same sand stretch to the north of Station Beach. The report indicates that microbial water quality at the beach is suitable for swimming most of the time, but may be susceptible to pollution following rain with several potential sources of faecal contamination. The report also states that Barrenjoey Beach suitability grade was upgraded from poor in 2016 to good grade in 2017 as potential pollution sources were eliminated in November 2016 with the removal of the onsite toilet facilities at the lighthouse, Fisherman's and Boatman's cottages located at the northern end of the beach. The report also states that the water quality at Barrenjoey Beach may take longer to recover from stormwater events as the area is considered as having lower levels of flushing. Therefore, the presence of dogs may also increase the concentrations of faecal contamination at the beach. The area is used by beach and boat users that may also impact the water quality in the area.

The bed of Pittwater Estuary is soft sediment incorporating sand and clay. There is some disturbance of the bed from marine vessel activities (propellers, anchors etc.); however, this occurs in deeper waters.

#### Sediments

Station Beach consists of exposed sand with grassed soils along the boundary with Palm Beach Golf Club. The intertidal areas supporting seagrass beds are composed of soft sediment (sand or mud). These areas of unvegetated sand and mud also considered important habitats in estuaries as they support a large variety of benthic (bottom-dwelling) invertebrates, including worms considered major sources of food to many fish species (Fonseca et al., 2011; York et al., 2018 in Astles 2019). Recreational use of these areas, including pedestrians and dogs can also impact on substrates by trampling on benthic unvegetated invertebrate habitat and compaction of sediment. There is existing evidence of impacts to the soft sediment intertidal habitats of Station Beach including propeller scars, anchoring, moorings, and shading (Astles, 2019).

Station Beach has previously experienced erosion from increased use along the frontal dune.

### 5.3.2 Potential Impacts

#### Hydrology and Water Quality

The proposed trial has potential to impact water quality causing eutrophication through introduction of dog faeces, resulting in damage to marine flora and fauna.

Dog activities in the water can cause potential sediment disruption resulting in increased turbidity and reduced light penetration to seagrass beds.

#### Sediments

Increased use of the beach by the public has previously been shown to cause dune erosion. An increase in beach goers during the trial has the potential to have a similar impact.

Dogs swimming at the beach has the potential to damage the soft sediment habitats that support seagrass beds. Potential impacts include trampling of seagrass beds causing reduced sediment stability, increased disturbance of sediments causing increased turbidity, dislodgement of seagrass seedlings from the sediment layer, and 'potholing' from dog footprints altering the micro topography of the bed.

### 5.3.3 Mitigation Measures

Table 5-3 outlines measures that would be implemented to manage and mitigate potential impacts to hydrology, water quality and sediments.

Table 5-3 Mitigation measures for hydrology, water quality and sediments impacts

Potential Impacts	Mitigation
Eutrophication from introduction of dog faeces	<ul style="list-style-type: none"> <li>▪ Install dog waste bins (with waste disposal bags available) at each access point and consider a third in the middle section of the beach;</li> <li>▪ Clearly signpost requirements for beach users to dispose of dog faeces and outline penalties for failing to comply under the <i>Companion Animals Act 1998</i>; and</li> <li>▪ Monitor water quality through the trial period.</li> </ul>
Disruption of soft sediment habitats supporting seagrass beds	<ul style="list-style-type: none"> <li>▪ Prior to commencing with the DSA, a minimum buffer zone to the edge of the seagrass closest to - and running parallel to the beach should be identified and marked. This buffer zone line should be located as a minimum 3m east of the edge of the seagrass bed landward;</li> <li>▪ Install markers to sign the minimum buffer zone to the edge of the seagrass. Markers should not interfere with water craft navigation. Prior to installing the markers, consultation with relevant authorities should be undertaken;</li> <li>▪ Dog activity only to be allowed east of the minimum buffer zone;</li> <li>▪ Install signs informing users that dogs must not be allowed to run through seagrass beds;</li> <li>▪ Include erosion information on beach signage; and</li> <li>▪ Increased compliance patrols by Council officers to ensure compliance with permitted dog access areas and times.</li> </ul>
Erosion of frontal dune from increased beach traffic	<ul style="list-style-type: none"> <li>▪ Conduct visual inspections of dune health throughout trial period.</li> </ul>

## 5.4 Terrestrial Biodiversity

### 5.4.1 Existing Environment

Council engaged Phil Straw, Ornithologist from Avifauna Research and Services to undertake the assessment on potential impact of the proposed trial on the bird community including shorebirds and other waterbirds (refer Appendix C). Mr Straw undertook surveys during the months of November and December 2018 and prepared the report titled "Station Beach Dog Exercise Area Trial (2019) Draft Report" (Straw, 2019).

A total of six site visits were undertaken to identify any birds visiting the beach using high resolution binoculars (10x50) within both the project site and north of Boathouse Palm Beach Cafe. Six bird species were observed during the site visits:

- > Little Pied Cormorant (*Phalacrocorax melanoleucos*);
- > White-faced Heron (*Egretta novaehollandiae*);
- > Eastern Great Egret (*Ardea modesta*);
- > Silver Gull (*Chroicocephalus novaehollandiae*);
- > Crested Tern (*Thaasseus bergii*); and
- > Masked Lapwing (*Vanellus miles*).

During the site visits, Straw (2019) carried out a visual inspection of the beach and no migratory shorebirds were seen on site. Additionally, no records were found of shorebirds present in the area based on a search of the Birdlife Australia Shorebirds 2020 database and therefore it is unlikely that the site is used for foraging or roosting. Straw (2019) considers that the survey results show low diversity of birds within the site. The highly disturbed nature and topography (narrow and steeply sloping nature) of the beach is considered not to be suitable foraging habitat for threatened or migratory shorebirds.

Other species likely to visit the study area include cormorants, gulls, terns, pelicans, ducks and swans that feed on or below the surface of the water. However, the majority of these birds would be slightly disturbed by the presence on dogs unless allowed to run into the seagrass beds.

### 5.4.2 Potential Impacts

Due to the highly disturbed nature, the topography of Station Beach and the absence of shorebirds during the site investigations, it is considered that the presence of shorebirds is unlikely. Therefore, the study area



is not considered suitable for threatened or migratory shorebirds and the impact of unleashed dogs at the beach is considered to be low.

#### 5.4.3 Mitigation Measures

Table 5-4 outlines measures that would be implemented to manage and mitigate potential impacts to terrestrial biodiversity.

Table 5-4 Mitigation measures for terrestrial biodiversity impacts

Potential Impacts	Mitigation
Disturbance to threatened or migratory birds	<ul style="list-style-type: none"> <li>▪ During the water quality and seagrass monitoring events, undertake observations of potential presence of migratory and threatened birds at the proposed trial area. If shorebirds are observed during the monitoring events, notify Council to assess whether a shorebird monitoring program should be implemented.</li> </ul>

## 5.5 Socio-economic

### 5.5.1 Existing Environment

The 2016 census found that the Northern Beaches LGA had a population of approximately 252,878 people, based on the place of usual residence (ABS, 2016).

The proposed trial area, and the areas surrounding it, are zoned for environmental and public recreation purposes (Pittwater Council, 2014). The area around the proposed location include the publicly accessed Governor Phillip Park to the north, the Boathouse Palm Beach Café, and parking and pedestrian access to Ku-Ring Gai Chase National Park and the heritage listed Barrenjoey Lighthouse.

The Northern Beaches LGA currently has 29 off-leash dog areas, with Rowland Reserve in Bayview providing the only water access at the northern end of the LGA.

The OEH 2017-2018 State of the Beaches Report (OEH, 2018) provides a summary of the water quality at Barrenjoey Beach along the same sand stretch to the north of Station Beach. The report indicates that microbial water quality at the beach is suitable for swimming most of the time, but may be susceptible to pollution following rain with several potential sources of faecal contamination.

The proposed area lies adjacent to the Palm Beach Golf Club. The golf club is not fenced and access to the golf club by the public is not restricted.

### 5.5.2 Potential Impacts

The proposed trial has potential to impact access to the Ku-Ring Gai Chase National Park and potentially minimise parking accessibility to the Boathouse Palm Beach Café customers.

Incorrectly disposed of dog waste along the trial area has the potential to negatively impact the overall amenity of the beach, as well as the beach's suitability for swimming through a reduction in microbial water quality.

The lack of safety screens to prevent golf balls exiting the golf club boundary poses a safety risk to beach goers.

Interactions between beach users, golf club patrons, and other beach goers, pose a potential risk to the health and safety of both groups. Restricting off-leash dogs to the approved trial boundaries would be dependent upon dog owners maintaining control of their pets.

### 5.5.3 Mitigation Measures

Table 5-5 outlines measures that would be implemented to manage and mitigate potential socio-economic impacts.

Table 5-5 Mitigation measures for socio-economic impacts

Potential Impacts	Mitigation
Restrictions to public access	<ul style="list-style-type: none"> <li>▪ Monitor traffic conditions during the 12-month trial;</li> <li>▪ Limit off-leash hours to non-peak hours to offset traffic impacts;</li> <li>▪ Provide clear signage displaying parking bays and limits; and</li> </ul>



Potential Impacts	Mitigation
	<ul style="list-style-type: none"> <li>Increased patrols by Council officers.</li> </ul>
Reduced microbial water quality from dog faeces resulting in loss of suitability for swimming	<ul style="list-style-type: none"> <li>Install dog waste bins (with waste disposal bags available) at each access point and consider a third in the middle section of the beach; and</li> <li>Clearly signpost requirements for beach users to dispose of dog faeces and outline penalties for failing to comply under the <i>Companion Animals Act 1998</i>.</li> </ul>
Injuries from interactions between beach goers, dogs, and golf course patrons	<ul style="list-style-type: none"> <li>Council to consider undertaking a risk assessment in regards to golf balls exiting the golf course onto Station Beach and take action as required;</li> <li>Install signage with information for dog owners of their responsibility to maintain control of their dogs while both on and off-leash in public spaces; and</li> <li>Monitor and investigate any complaints made to Council of aggressive dogs in or around the proposed trial area.</li> </ul>

## 5.6 Waste management

### 5.6.1 Existing Environment

Existing sources of waste would be minor and include general litter from recreational users of the beachfront. A site visit and inspection was carried out on 20 November 2018. No litter was observed at the proposed trial site, and the area is generally considered to be well maintained, with the Northern Beaches LGA community in general placing a high importance on elements of the natural environment and cleanliness of public space (Northern Beaches Council, 2018).

There are currently no public garbage bins on Station Beach or at either the north or south access points.

### 5.6.2 Potential Impacts

The proposed trial has the potential to impact the site through the incorrect disposal of dog faeces by beach users. There is also potential for an increase in litter in the proposed trial area from increased utilisation of the beach. Increased litter along the proposed trial area has the potential to result in impact to the visual amenity of the beach.

In addition to the potential impacts upon visual amenity, incorrectly disposed of dog faeces poses potential risk to human health (refer Section 5.5), and water quality (refer Section 5.3).

### 5.6.3 Mitigation Measures

Table 5-6 outlines measures that would be implemented to manage and mitigate potential waste impacts.

Table 5-6 Mitigation measures for waste management impacts

Potential Impacts	Mitigation
Beach users not disposing of dog faeces	<ul style="list-style-type: none"> <li>Install dog waste bins (with waste disposal bags available) at each access point and consider a third in the middle section of the beach; and</li> <li>Clearly signpost requirements for beach users to dispose of dog faeces and outline penalties for failing to comply under the <i>Companion Animals Act 1998</i>.</li> </ul>
Increased litter from greater numbers of beach users	<ul style="list-style-type: none"> <li>Provide waste separation bins (general and recyclable waste) at each access point; and</li> <li>Clearly signpost requirements for beach users to dispose of litter appropriately and outline penalties for failing to comply under the <i>Protection of the Environment Operations Act 1997</i> (POEO Act).</li> </ul>

## 5.7 Noise

### 5.7.1 Existing Environment

The proposed trial area is located within an area used for recreational activities. The background noise levels in the area would be influenced primarily by traffic entering and exiting the parking zone for the National Park and beaches access, customers of the Boathouse Palm Beach Café, and recreational users in Governor Phillip Reserve and Palm Beach Golf Club and along Station Beach.



### 5.7.2 Potential Impacts

The proposed trial could impact nearby noise receivers (identified in Table 5-7) through the barking of dogs using the beach. An increase in vehicle traffic at peak times could also create minor noise impacts to residents along Beach Road. However, Astles (2019) recommended to avoid undertaking the trial within the first 30m (southern end) of the original proposed area, which is closest to the residential areas.

Table 5-7 Nearby noise receivers

Address	Distance
4 Waratah Rd, Palm Beach	195m
2 Waratah Rd, Palm Beach	165m
1/1A Waratah Rd, Palm Beach	155m
3 Beach Rd, Palm Beach	185m
4 Beach Rd, Palm Beach	190m

### 5.7.3 Mitigation Measures

Table 5-8 outlines measures that would be implemented to manage and mitigate potential noise impacts.

Table 5-8 Mitigation measures for noise impacts

Potential Impacts	Mitigation
Noise disturbance from barking dogs	<ul style="list-style-type: none"> <li>▪ Ensure signage is clear indicating times and off-leash boundaries to minimise dogs approaching sensitive receivers;</li> <li>▪ Not to undertake the trial within the initial 30m (southern end) of the original proposed trial area; and</li> <li>▪ Monitor any noise complaints received through Council's online complaints management system.</li> </ul>
Noise disturbance from increased traffic during peak times	<ul style="list-style-type: none"> <li>▪ Monitor any noise complaints received through Council's online complaints management system.</li> </ul>

## 5.8 Climate and Air Quality

### 5.8.1 Existing Environment

The closest Bureau of Meteorology automatic weather station to Station Beach is the Observatory Hill weather station in Sydney (site number 066062), approximately 31km south of the study area. Mean daily maximum temperature ranges from 25.9°C in January to 16.3°C in July. Average yearly rainfall is 1,212.8 mm, with the highest mean rainfall occurring in June (BoM, 2015).

The main source of air pollution in the Northern Beaches LGA is from areas outside the LGA. Sources of pollution within the LGA include pollutants from motor vehicles, increased use of private motor vehicles, traffic congestion, smoke from bush fires, use of wood fires in winter, and industrial emissions (SHOROC, 2010). The main sources of local air pollution surrounding the proposed works would be vehicle emissions from vehicles travelling on Beach and Barrenjoey Roads and immediately surrounding roads.

### 5.8.2 Potential Impacts

The proposed works would have a minimal effect upon air quality, which would be limited to the potential increase of vehicle traffic to the study area.

### 5.8.3 Mitigation Measures

No specific mitigation measures are considered warranted.



## 5.9 Heritage

### 5.9.1 Existing Environment

#### Aboriginal Heritage

A search of the Aboriginal Heritage Information Management System (AHIMS) was conducted on 3 December 2018 for the proposed area, with a buffer of 50m. The search did not identify any Aboriginal sites or Aboriginal places.

#### Non-Aboriginal Heritage

As part of this REF, the Australian Heritage Database and the State Heritage Inventory were searched on 13 February 2019 to identify any items of heritage significance that may occur near the proposed area. The Australian Heritage Database contains listings for the World Heritage List, National Heritage List, and the Register of the National Estate (non-statutory archive). The State Heritage Inventory contains listings for the State Heritage Register and the Section 170 NSW State Agency Heritage Register.

Results from the database are presented in Table 5-9.

Table 5-9 Non-Aboriginal heritage items in the vicinity of the proposed trial area

Item	Location	Listing
Barrenjoey Lighthouse Group	Palm Beach	Register of the National Estate (non-statutory archive)
Barrenjoey Headland Lightstation	Barrenjoey Headland, Beach Road, Palm Beach	Pittwater LEP 2014 (Item No. 2270104)
Site of former Customs House	Station Beach, Palm Beach	Pittwater LEP 2014 (Item No. 2270102)

### 5.9.2 Potential Impacts

#### Aboriginal Heritage

No known Aboriginal sites would be impacted by the proposed trial.

#### Non-Aboriginal Heritage

The Barrenjoey Lighthouse Group and the Barrenjoey Headland Lightstation lie approximately 600m to the north of the proposed trial site within the Ku-Ring Gai Chase National Park. Under the OEH pets in parks policy, pets and domestic animals that are not certified assistance animals are not permitted within national parks.

The former Customs House site is located at the northern end of Station Beach, approximately 550m away from the proposed site. The listing identifies the site as an archaeological site with no above ground structures remaining. Under the trial, there should be no interaction between off-leash dog area users and the former Customs House site, therefore the potential for impact is minimal.

### 5.9.3 Mitigation Measures

Table 5-10 outlines measures that would be implemented to manage and mitigate potential heritage impacts.

Table 5-10 Mitigation measures for Aboriginal and non-Aboriginal heritage impacts

Potential Impacts	Mitigation
Previously unidentified Aboriginal and non-Aboriginal archaeological items are discovered.	<ul style="list-style-type: none"> <li>▪ If any unexpected archaeological items are uncovered during the proposed trial Council must be notified; and</li> <li>▪ If any skeletal material is uncovered, trial must cease immediately with access restricted, and Council, OEH and NSW Police must be notified.</li> </ul>

## 5.10 Cumulative environmental impacts

### 5.10.1 Existing Environment

There is a requirement under Clause 228(2) of the EP&A Regulations to take into account any cumulative environmental impacts of the proposed trial with other existing or planned future activities. Cumulative impacts



have the potential to arise from the interaction of individual aspects of the site and the effects of the proposal with other projects in the local area.

A search of the DP&E Major Project Register on 13 February 2019 returned no major projects within the locality of the proposed trial area.

#### **5.10.2 Potential Impacts**

No cumulative impacts are anticipated for the duration of the proposed trial period. Cardno understands that works to enhance accessibility to the site at the northern end of the study area will be undertaken by Council. However, it is unknown if the works will be carried out during the proposed off leash dog trial period.

#### **5.10.3 Mitigation Measures**

No specific mitigation measures are considered warranted.

## 6 Environmental Management

It is recommended that Council prepare a management plan (incorporating a monitoring program) for the proposed trial. At a minimum, the management plan should include all mitigation measures as detailed in this report, which are summarised in Table 6-1.

Council should ensure that the mitigation measures listed in Table 6.1 are implemented and complied with during the trial. The trial should be reassessed if it should continue if:

- At least one of the below mitigation measures are not regularly applied by the community, in particular if dogs are observed accessing the seagrass area;
- Results of the seagrass and water quality monitoring show that dogs are impacting the seagrass community; and
- The presence of shorebirds is reported frequently visiting the study area.

Table 6-1 Summary of proposed mitigation measures

Aspect	Mitigation Measures
Traffic and access	<ul style="list-style-type: none"> <li>▪ Monitor traffic conditions during the 12-month trial;</li> <li>▪ Limit off-leash hours to non-peak hours to offset traffic impacts;</li> <li>▪ Provide clear signage displaying parking bays and limits;</li> <li>▪ Increased patrols by Council officers;</li> <li>▪ Improve pedestrian access points at both the north and south ends of the beach; and</li> <li>▪ Council to consider undertaking a risk assessment in regards to golf balls exiting the golf course onto Station Beach and take action as required.</li> </ul>
Marine biodiversity	<ul style="list-style-type: none"> <li>▪ Increased compliance patrols by Council officers to ensure compliance with permitted high tide swimming periods;</li> <li>▪ Prior to commencing with the DSA, a minimum buffer zone to the edge of the seagrass closest to - and running parallel to the beach should be identified and marked. This buffer zone line should be located as a minimum 3m east of the edge of the seagrass bed landward;</li> <li>▪ Install markers to sign the minimum buffer zone to the edge of the seagrass. Markers should not interfere with water craft navigation. Prior to installing the markers, consultation with relevant authorities should be undertaken;</li> <li>▪ Dog swimming only to be allowed east of the minimum buffer zone;</li> <li>▪ The southern end of the proposed DSA should be shortened to avoid interaction with the endangered population of <i>P. australis</i> seagrass bed that occurs close the shore;</li> <li>▪ Carry out a seagrass, the white seahorse and water quality monitoring during the trial event to assess potential impacts of the activity;</li> <li>▪ Install signs educating site visitors about <i>C. taxifolia</i>, including how to minimise its spread in the area should be placed at both ends of the site; and</li> <li>▪ Other human activities not related to the trial such as boating, anchoring, mooring, etc. may interfere in the trial results. Such activities should be taken into account when assessing the potential impact of the off-leash dog trial on the marine environment.</li> </ul>
Hydrology, water quality, and sediment	<ul style="list-style-type: none"> <li>▪ Install dog waste bins (with waste disposal bags available) at each access point and consider a third in the middle section of the beach;</li> <li>▪ Clearly signpost requirements for beach users to dispose of dog faeces and outline penalties for failing to comply under the <i>Companion Animals Act 1998</i>;</li> <li>▪ Monitor water quality through the trial period;</li> <li>▪ Install signs informing users that dogs must not be allowed to run through seagrass beds;</li> <li>▪ Include erosion information on beach signage;</li> <li>▪ Increased compliance patrols by Council officers to ensure compliance with permitted dog access areas and times; and</li> <li>▪ Conduct visual inspections of dune health throughout trial period.</li> </ul>
Terrestrial biodiversity	<ul style="list-style-type: none"> <li>▪ During the water quality and seagrass monitoring events, undertake observations of potential presence of migratory and threatened birds at the proposed trial area. If shorebirds are observed during the monitoring events, notify Council to assess whether a shorebird monitoring program should be implemented.</li> </ul>



Aspect	Mitigation Measures
Socio-economic	<ul style="list-style-type: none"> <li>▪ Council to consider undertaking a risk assessment in regards to golf balls exiting the golf course onto Station Beach and take action as required.</li> <li>▪ Install signage with information for dog owners of their responsibility to maintain control of their dogs while both on and off-leash in public spaces (Companion Animals Act 1998); and</li> <li>▪ Monitor and investigate any complaints made to Council of aggressive dogs in or around the proposed trial area.</li> </ul>
Waste management	<ul style="list-style-type: none"> <li>▪ Provide waste separation bins (general and recyclable waste) at each access point.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>▪ Ensure signage is clear indicating times and off-leash boundaries to minimise dogs approaching sensitive receivers;</li> <li>▪ Not to undertake the trial within the initial 30m (southern end) of the original proposed trial area; and</li> <li>▪ Monitor any noise complaints received through Council's online complaints management system.</li> </ul>
Heritage	<ul style="list-style-type: none"> <li>▪ If any unexpected archaeological items are uncovered during the proposed trial Council must be notified; and</li> <li>▪ If any skeletal material is uncovered, trial must cease immediately with access restricted, and Council, OEH and NSW Police must be notified.</li> </ul>

## 7 Conclusions

### 7.1 Summary of Consideration of Environmental Factors

The factors listed in the EPBC Act and under Clause 228(2) of the EP&A Regulation have been addressed in Table 7-1 in accordance with the requirement that the likely impacts of the proposed trial on the natural and built environment are fully considered.

Table 7-1 Summary of consideration of environmental factors under Commonwealth and NSW State Legislation

	Environmental Factors	Impacts
EPBC Act	a. Any environmental impact on a World Heritage property? There are no World Heritage properties in the trial area.	None
	b. Any environmental impact on wetlands of international importance? There are no wetlands of international significance (i.e. Ramsar sites) near the trial area.	None
	c. Any environmental impact on Commonwealth listed threatened species or ecological communities? The search of the EPBC database indicated that 67 listed threatened species may potentially occur (or their habitat occur) within 1km of the trial area. It is not anticipated that the trial would impact threatened species and habitats with the mitigation measures described above in place.	None
	d. Any environmental impact on Commonwealth listed migratory species? The search of the EPBC database indicated that 56 Commonwealth listed migratory species may potentially occur within 1 km of the study area. However, investigations found no evidence to suggest that the proposal area is a significant habitat area for migratory species.	None
	e. Does any part of the proposal involve a nuclear action? The proposal does not involve a nuclear action.	None
	f. Any environmental impact on a Commonwealth marine area? There are no Commonwealth marine areas in the trial area.	None
	g. Any direct or indirect effect on Commonwealth land? There is no Commonwealth land in the trial area.	None
Clause 228 of the EP&A Act	a. Any environmental impact on a community? During the proposed trial period, there may be potential short-term adverse impacts on the community including increased vehicle movements and pressures on parking demands. These impacts would be temporary and localised.	Negative short term
	b. Any transformation of a locality? There is no proposed physical transformation of a locality	None
	c. Any environmental impact on the ecosystems of the locality? The proposal would not involve the clearing or disturbance of any existing vegetation.	None
	d. Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality? The proposed trial is not anticipated to result in reduction of environmental quality of endangered seagrass communities. Compliance with mitigation measures would prevent impacts.	None
	e. Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations? The proposed trial would not have an impact upon locality	None



Environmental Factors	Impacts
<p><i>f. Any impact on the habitat of any protected fauna (within the meaning of the National Parks and Wildlife Act 1974)?</i></p> <p>The proposed trial is not anticipated to have any direct impacts upon protected fauna.</p>	None
<p><i>g. Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?</i></p> <p>The proposed trial not anticipated to impact upon marine flora.</p>	None
<p><i>h. Any long-term effects on the environment?</i></p> <p>The proposed trial is not anticipated to have any long term effects on the environment.</p>	None
<p><i>i. Any degradation of the quality of the environment?</i></p> <p>The proposed trial is not anticipated to have any long term effects on the environment.</p>	None
<p><i>j. Any risk to the safety of the environment?</i></p> <p>The proposed trial would have no impact upon the safety of the environment providing the mitigation measures outlined in this REF (Section 5.5) are implemented</p>	None
<p><i>k. Any reduction in the range of beneficial uses of the environment?</i></p> <p>The proposed trial would increase the range of beneficial uses of the environment.</p>	Positive short term
<p><i>l. Any pollution of the environment?</i></p> <p>The proposed trial is not anticipated to produce additional pollution.</p>	None
<p><i>m. Any environmental problems associated with the disposal of waste?</i></p> <p>The proposed trial will not produce any contaminated waste.</p>	None
<p><i>n. Any increased demands on resources, natural or otherwise which are, or are likely to become in short supply?</i></p> <p>The proposed trial would not increase demands on any resources.</p>	None
<p><i>o. Any cumulative environmental effect with other existing or likely future activities?</i></p> <p>No cumulative impact on the environment is expected as a result of the proposed development.</p>	None

## 7.2 Conclusions

The conclusions of this REF are:

- > The proposed trial would be carried out under Division 5.1 of the EP&A Act. Northern Beaches Council is acting as both the proponent and determining authority for the proposed trial;
- > Key environmental considerations for the trial include limiting disruptive impacts to endangered seagrass communities adjacent to and within the proposed trial area, limiting impacts of erosion and sediment disturbance, and maintenance of water quality. It is considered that these risks can be managed through the mitigation measures identified throughout this document, including the implementation of a management plan and monitoring program by Council. The management plan would be developed by Council prior to the commencement of the trial;
- > The proposed trial is unlikely to have any significant or long term negative environmental impacts providing the mitigation measures outlined in this REF are implemented and enforced during the trial;
- > Strict implementation of the proposed mitigation measures is required to mitigate potential impacts on environmental sensitive species (including seagrasses and the white seahorses (potentially)) from the proposed dog off-leash trial at Station Beach; and

Council should assess other areas (including the northern part of Palm Beach) for an off-leash dog area, if the trial does not go ahead or if the trial is unsuccessful.

## 8 References

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APPENDIX

A

EPBC ACT SEARCH



## EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 12/02/19 15:32:06

[Summary](#)

[Details](#)

[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

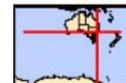
[Acknowledgements](#)



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Buffer: 1.0Km





## Summary

### Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

<a href="#">World Heritage Properties:</a>	None
<a href="#">National Heritage Places:</a>	1
<a href="#">Wetlands of International Importance:</a>	None
<a href="#">Great Barrier Reef Marine Park:</a>	None
<a href="#">Commonwealth Marine Area:</a>	None
<a href="#">Listed Threatened Ecological Communities:</a>	3
<a href="#">Listed Threatened Species:</a>	67
<a href="#">Listed Migratory Species:</a>	56

### Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

<a href="#">Commonwealth Land:</a>	None
<a href="#">Commonwealth Heritage Places:</a>	None
<a href="#">Listed Marine Species:</a>	75
<a href="#">Whales and Other Cetaceans:</a>	14
<a href="#">Critical Habitats:</a>	None
<a href="#">Commonwealth Reserves Terrestrial:</a>	None
<a href="#">Australian Marine Parks:</a>	None

### Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

<a href="#">State and Territory Reserves:</a>	1
<a href="#">Regional Forest Agreements:</a>	None
<a href="#">Invasive Species:</a>	48
<a href="#">Nationally Important Wetlands:</a>	None
<a href="#">Key Ecological Features (Marine)</a>	None



## Details

### Matters of National Environmental Significance

National Heritage Properties		[ Resource Information ]
Name	State	Status
Natural		
<a href="#">Ku-ring-gai Chase National Park, Lion, Long and Spectacle Island Nature Reserves</a>	NSW	Listed place

Listed Threatened Ecological Communities		[ Resource Information ]
For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.		
Name	Status	Type of Presence
<a href="#">Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community</a>	Endangered	Community may occur within area
<a href="#">Coastal Upland Swamps in the Sydney Basin Bioregion</a>	Endangered	Community may occur within area
<a href="#">Posidonia australis seagrass meadows of the Manning-Hawkesbury ecoregion</a>	Endangered	Community likely to occur within area

Listed Threatened Species		[ Resource Information ]
Name	Status	Type of Presence
Birds		
<a href="#">Anthochaera phrygia</a> Regent Honeyeater [82338]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Botaurus poiciloptilus</a> Australasian Bittern [1001]	Endangered	Species or species habitat likely to occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat likely to occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Dasyornis brachypterus</a> Eastern Bristlebird [533]	Endangered	Species or species habitat likely to occur within area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea antipodensis gibsoni</a> Gibson's Albatross [82270]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or



Name	Status	Type of Presence
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	related behaviour likely to occur within area
<a href="#">Fregatta grallaria grallaria</a> White-bellied Storm-Petrel (Tasman Sea), White-bellied Storm-Petrel (Australasian) [64438]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Grantiella picta</a> Painted Honeyeater [470]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Limosa lapponica baueri</a> Bar-tailed Godwit (baueri), Western Alaskan Bar-tailed Godwit [86380]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Limosa lapponica menzbieri</a> Northern Siberian Bar-tailed Godwit, Bar-tailed Godwit (menzbieri) [86432]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Pachyptila turtur subantarctica</a> Fairy Prion (southern) [64445]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pterodroma leucoptera leucoptera</a> Gould's Petrel, Australian Gould's Petrel [26033]	Endangered	Species or species habitat likely to occur within area
<a href="#">Pterodroma neglecta neglecta</a> Kermadec Petrel (western) [64450]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Rostratula australis</a> Australian Painted-snipe, Australian Painted Snipe [77037]	Endangered	Foraging, feeding or related behaviour may occur within area
<a href="#">Sternula nereis nereis</a> Australian Fairy Tern [82950]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche bulleri platei</a> Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Thalassarche cauta cauta</a> Shy Albatross, Tasmanian Shy Albatross [82345]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche cauta steadi</a> White-capped Albatross [82344]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area



Name	Status	Type of Presence to occur within area
<a href="#">Thalassarche eremita</a> Chatham Albatross [64457]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<b>Fish</b>		
<a href="#">Epinephelus daemeli</a> Black Rockcod, Black Cod, Saddled Rockcod [68449]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Macquaria australasica</a> Macquarie Perch [66632]	Endangered	Species or species habitat may occur within area
<a href="#">Prototroctes maraena</a> Australian Grayling [26179]	Vulnerable	Species or species habitat likely to occur within area
<b>Frogs</b>		
<a href="#">Heleioporus australiacus</a> Giant Burrowing Frog [1973]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Litoria aurea</a> Green and Golden Bell Frog [1870]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Litoria littlejohni</a> Littlejohn's Tree Frog, Heath Frog [64733]	Vulnerable	Species or species habitat may occur within area
<b>Mammals</b>		
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Species or species habitat may occur within area
<a href="#">Chalinolobus dwyeri</a> Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Dasyurus maculatus maculatus (SE mainland population)</a> Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat likely to occur within area
<a href="#">Eubalaena australis</a> Southern Right Whale [40]	Endangered	Species or species habitat likely to occur within area
<a href="#">Isodon obesulus obesulus</a> Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern) [68050]	Endangered	Species or species habitat likely to occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Petrogale penicillata</a> Brush-tailed Rock-wallaby [225]	Vulnerable	Species or species habitat likely to occur within area



Name	Status	Type of Presence
<b>Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)</b>		
Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat known to occur within area
<b>Potorous tridactylus tridactylus</b>		
Long-nosed Potoroo (SE mainland) [66645]	Vulnerable	Species or species habitat likely to occur within area
<b>Pseudomys novaehollandiae</b>		
New Holland Mouse, Pookila [96]	Vulnerable	Species or species habitat likely to occur within area
<b>Pteropus poliocephalus</b>		
Grey-headed Flying-fox [186]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<b>Plants</b>		
<b>Acacia bynoeana</b>		
Bynoe's Wattle, Tiny Wattle [8575]	Vulnerable	Species or species habitat may occur within area
<b>Asterolasia elegans</b>		
[56780]	Endangered	Species or species habitat likely to occur within area
<b>Astrotricha crassifolia</b>		
Thick-leaf Star-hair [10352]	Vulnerable	Species or species habitat likely to occur within area
<b>Caladenia tessellata</b>		
Thick-lipped Spider-orchid, Daddy Long-legs [2119]	Vulnerable	Species or species habitat likely to occur within area
<b>Cryptostylis hunteriana</b>		
Leafless Tongue-orchid [19533]	Vulnerable	Species or species habitat likely to occur within area
<b>Genoplesium baueri</b>		
Yellow Gnat-orchid [7528]	Endangered	Species or species habitat likely to occur within area
<b>Persoonia hirsuta</b>		
Hairy Geebung, Hairy Persoonia [19006]	Endangered	Species or species habitat likely to occur within area
<b>Pimelea curviflora var. curviflora</b>		
[4182]	Vulnerable	Species or species habitat may occur within area
<b>Syzygium paniculatum</b>		
Magenta Lilly Pilly, Magenta Cherry, Daguba, Scrub Cherry, Creek Lilly Pilly, Brush Cherry [20307]	Vulnerable	Species or species habitat likely to occur within area
<b>Thesium australe</b>		
Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat may occur within area
<b>Reptiles</b>		
<b>Caretta caretta</b>		
Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
<b>Chelonia mydas</b>		
Green Turtle [1765]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<b>Dermochelys coriacea</b>		
Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Foraging, feeding or related behaviour known to occur within area
<b>Eretmochelys imbricata</b>		
Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur



Name	Status	Type of Presence
<a href="#">Hoplocephalus bungaroides</a> Broad-headed Snake [1182]	Vulnerable	within area Species or species habitat may occur within area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<b>Sharks</b>		
<a href="#">Carcharias taurus (east coast population)</a> Grey Nurse Shark (east coast population) [68751]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Carcharodon carcharias</a> White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Rhincodon typus</a> Whale Shark [66680]	Vulnerable	Species or species habitat may occur within area
<b>Listed Migratory Species</b>		<b>[ Resource Information ]</b>
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
<b>Migratory Marine Birds</b>		
<a href="#">Anous stolidus</a> Common Noddy [825]		Species or species habitat likely to occur within area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area
<a href="#">Ardenna carneipes</a> Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Species or species habitat likely to occur within area
<a href="#">Calonectris leucomelas</a> Streaked Shearwater [1077]		Species or species habitat known to occur within area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Fregata ariel</a> Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat likely to occur within area
<a href="#">Fregata minor</a> Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat may occur within area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area



Name	Threatened	Type of Presence
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
<a href="#">Sternula albifrons</a> Little Tern [82849]		Species or species habitat may occur within area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche cauta</a> Tasmanian Shy Albatross [89224]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche eremita</a> Chatham Albatross [64457]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<b>Migratory Marine Species</b>		
<a href="#">Balaena glacialis australis</a> Southern Right Whale [75529]	Endangered*	Species or species habitat likely to occur within area
<a href="#">Balaenoptera edeni</a> Bryde's Whale [35]		Species or species habitat may occur within area
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Species or species habitat may occur within area
<a href="#">Caperea marginata</a> Pygmy Right Whale [39]		Foraging, feeding or related behaviour may occur within area
<a href="#">Carcharodon carcharias</a> White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Foraging, feeding or related behaviour known to occur within area
<a href="#">Dugong dugon</a> Dugong [28]		Species or species habitat may occur within area



Name	Threatened	Type of Presence
<a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Lagenorhynchus obscurus</a> Dusky Dolphin [43]		Species or species habitat may occur within area
<a href="#">Lamna nasus</a> Porbeagle, Mackerel Shark [83288]		Species or species habitat likely to occur within area
<a href="#">Manta alfredi</a> Reef Manta Ray, Coastal Manta Ray, Inshore Manta Ray, Prince Alfred's Ray, Resident Manta Ray [84994]		Species or species habitat may occur within area
<a href="#">Manta birostris</a> Giant Manta Ray, Chevron Manta Ray, Pacific Manta Ray, Pelagic Manta Ray, Oceanic Manta Ray [84995]		Species or species habitat may occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Orcinus orca</a> Killer Whale, Orca [46]		Species or species habitat may occur within area
<a href="#">Rhincodon typus</a> Whale Shark [66680]	Vulnerable	Species or species habitat may occur within area
<a href="#">Sousa chinensis</a> Indo-Pacific Humpback Dolphin [50]		Species or species habitat likely to occur within area
<b>Migratory Terrestrial Species</b>		
<a href="#">Cuculus optatus</a> Oriental Cuckoo, Horsfield's Cuckoo [86651]		Species or species habitat may occur within area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]		Species or species habitat known to occur within area
<a href="#">Monarcha melanopsis</a> Black-faced Monarch [609]		Species or species habitat known to occur within area
<a href="#">Monarcha trivirgatus</a> Spectacled Monarch [610]		Species or species habitat may occur within area
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat likely to occur within area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		Species or species habitat known to occur within area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat likely to occur within area
<b>Migratory Wetlands Species</b>		
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat likely to occur



Name	Threatened	Type of Presence within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat likely to occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
<a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat likely to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat known to occur within area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area

#### Other Matters Protected by the EPBC Act

Listed Marine Species		[ Resource Information ]
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
<b>Birds</b>		
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat likely to occur within area
<a href="#">Anous stolidus</a> Common Noddy [825]		Species or species habitat likely to occur within area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area
<a href="#">Ardea alba</a> Great Egret, White Egret [59541]		Species or species habitat likely to occur within area
<a href="#">Ardea ibis</a> Cattle Egret [59542]		Species or species habitat may occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area



Name	Threatened	Type of Presence
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat likely to occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area
<a href="#">Calonectris leucomelas</a> Streaked Shearwater [1077]		Species or species habitat known to occur within area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea gibsoni</a> Gibson's Albatross [64466]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Fregata ariel</a> Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat likely to occur within area
<a href="#">Fregata minor</a> Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat may occur within area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]		Species or species habitat known to occur within area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat likely to occur within area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area



Name	Threatened	Type of Presence
<a href="#">Merops ornatus</a> Rainbow Bee-eater [670]		Species or species habitat may occur within area
<a href="#">Monarcha melanopsis</a> Black-faced Monarch [609]		Species or species habitat known to occur within area
<a href="#">Monarcha trivirgatus</a> Spectacled Monarch [610]		Species or species habitat may occur within area
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat likely to occur within area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		Species or species habitat known to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Pachyptila turtur</a> Fairy Prion [1066]		Species or species habitat known to occur within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat known to occur within area
<a href="#">Puffinus carneipes</a> Flesh-footed Shearwater, Fleishy-footed Shearwater [1043]		Species or species habitat likely to occur within area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat likely to occur within area
<a href="#">Rostratula benghalensis (sensu lato)</a> Painted Snipe [889]	Endangered*	Species or species habitat may occur within area
<a href="#">Sterna albifrons</a> Little Tern [813]		Species or species habitat may occur within area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche cauta</a> Tasmanian Shy Albatross [89224]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche eremita</a> Chatham Albatross [64457]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area



Name	Threatened	Type of Presence
<a href="#">Thalassarche sp. nov.</a> Pacific Albatross [66511]	Vulnerable*	Species or species habitat may occur within area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area
<b>Fish</b>		
<a href="#">Acentronura tentaculata</a> Shortpouch Pygmy Pipehorse [66187]		Species or species habitat may occur within area
<a href="#">Festucalex cinctus</a> Girdled Pipefish [66214]		Species or species habitat may occur within area
<a href="#">Filicampus tigris</a> Tiger Pipefish [66217]		Species or species habitat may occur within area
<a href="#">Heraldia nocturna</a> Upside-down Pipefish, Eastern Upside-down Pipefish, Eastern Upside-down Pipefish [66227]		Species or species habitat may occur within area
<a href="#">Hippichthys penicillus</a> Beady Pipefish, Steep-nosed Pipefish [66231]		Species or species habitat may occur within area
<a href="#">Hippocampus abdominalis</a> Big-belly Seahorse, Eastern Potbelly Seahorse, New Zealand Potbelly Seahorse [66233]		Species or species habitat may occur within area
<a href="#">Hippocampus whitei</a> White's Seahorse, Crowned Seahorse, Sydney Seahorse [66240]		Species or species habitat likely to occur within area
<a href="#">Histiogamphelus briggsii</a> Crested Pipefish, Briggs' Crested Pipefish, Briggs' Pipefish [66242]		Species or species habitat may occur within area
<a href="#">Lissocampus runa</a> Javelin Pipefish [66251]		Species or species habitat may occur within area
<a href="#">Maroubra perserrata</a> Sawtooth Pipefish [66252]		Species or species habitat may occur within area
<a href="#">Notiocampus ruber</a> Red Pipefish [66265]		Species or species habitat may occur within area
<a href="#">Phyllopteryx taeniolatus</a> Common Seadragon, Weedy Seadragon [66268]		Species or species habitat may occur within area
<a href="#">Solegnathus spinosissimus</a> Spiny Pipehorse, Australian Spiny Pipehorse [66275]		Species or species habitat may occur within area
<a href="#">Solenostomus cyanopterus</a> Robust Ghostpipefish, Blue-finned Ghost Pipefish, [66183]		Species or species habitat may occur within area
<a href="#">Solenostomus paradoxus</a> Ornate Ghostpipefish, Harlequin Ghost Pipefish, Ornate Ghost Pipefish [66184]		Species or species habitat may occur within area



Name	Threatened	Type of Presence
<a href="#">Stigmatopora argus</a> Spotted Pipefish, Gulf Pipefish, Peacock Pipefish [66276]		Species or species habitat may occur within area
<a href="#">Stigmatopora nigra</a> Widebody Pipefish, Wide-bodied Pipefish, Black Pipefish [66277]		Species or species habitat may occur within area
<a href="#">Syngnathoides biaculeatus</a> Double-end Pipehorse, Double-ended Pipehorse, Alligator Pipefish [66279]		Species or species habitat may occur within area
<a href="#">Trachyrhamphus bicoarctatus</a> Bentstick Pipefish, Bend Stick Pipefish, Short-tailed Pipefish [66280]		Species or species habitat may occur within area
<a href="#">Urocampus carinirostris</a> Hairy Pipefish [66282]		Species or species habitat may occur within area
<a href="#">Vanacampus margaritifer</a> Mother-of-pearl Pipefish [66283]		Species or species habitat may occur within area
<b>Mammals</b>		
<a href="#">Arctocephalus forsteri</a> Long-nosed Fur-seal, New Zealand Fur-seal [20]		Species or species habitat may occur within area
<a href="#">Arctocephalus pusillus</a> Australian Fur-seal, Australo-African Fur-seal [21]		Species or species habitat may occur within area
<a href="#">Dugong dugon</a> Dugong [28]		Species or species habitat may occur within area
<b>Reptiles</b>		
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Foraging, feeding or related behaviour known to occur within area
<a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Pelamis platurus</a> Yellow-bellied Seasnake [1091]		Species or species habitat may occur within area
<b>Whales and other Cetaceans</b>		
		<b>[ Resource Information ]</b>
Name	Status	Type of Presence
<b>Mammals</b>		
<a href="#">Balaenoptera acutorostrata</a> Minke Whale [33]		Species or species habitat may occur within area
<a href="#">Balaenoptera edeni</a> Bryde's Whale [35]		Species or species habitat may occur within



Name	Status	Type of Presence area
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Species or species habitat may occur within area
<a href="#">Caperea marginata</a> Pygmy Right Whale [39]		Foraging, feeding or related behaviour may occur within area
<a href="#">Delphinus delphis</a> Common Dolphin, Short-beaked Common Dolphin [60]		Species or species habitat may occur within area
<a href="#">Eubalaena australis</a> Southern Right Whale [40]	Endangered	Species or species habitat likely to occur within area
<a href="#">Grampus griseus</a> Risso's Dolphin, Grampus [64]		Species or species habitat may occur within area
<a href="#">Lagenorhynchus obscurus</a> Dusky Dolphin [43]		Species or species habitat may occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Orcinus orca</a> Killer Whale, Orca [46]		Species or species habitat may occur within area
<a href="#">Sousa chinensis</a> Indo-Pacific Humpback Dolphin [50]		Species or species habitat likely to occur within area
<a href="#">Stenella attenuata</a> Spotted Dolphin, Pantropical Spotted Dolphin [51]		Species or species habitat may occur within area
<a href="#">Tursiops aduncus</a> Indian Ocean Bottlenose Dolphin, Spotted Bottlenose Dolphin [68418]		Species or species habitat likely to occur within area
<a href="#">Tursiops truncatus s. str.</a> Bottlenose Dolphin [68417]		Species or species habitat may occur within area

#### Extra Information

State and Territory Reserves	[ Resource Information ]
Name	State
Ku-ring-gai Chase	NSW
Invasive Species	[ Resource Information ]
Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.	

Name	Status	Type of Presence
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Name	Status	Type of Presence
<b>Birds</b>		
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area
Alauda arvensis Skylark [656]		Species or species habitat likely to occur within area
Anas platyrhynchos Mallard [974]		Species or species habitat likely to occur within area
Carduelis carduelis European Goldfinch [403]		Species or species habitat likely to occur within area
Carduelis chloris European Greenfinch [404]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Lonchura punctulata Nutmeg Mannikin [399]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Passer montanus Eurasian Tree Sparrow [406]		Species or species habitat likely to occur within area
Pycnonotus jocosus Red-whiskered Bulbul [631]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
Turdus merula Common Blackbird, Eurasian Blackbird [596]		Species or species habitat likely to occur within area
<b>Frogs</b>		
Rhinella marina Cane Toad [83218]		Species or species habitat known to occur within area
<b>Mammals</b>		
Bos taurus Domestic Cattle [16]		Species or species habitat likely to occur within area
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Feral deer Feral deer species in Australia [85733]		Species or species



Name	Status	Type of Presence
Lepus capensis Brown Hare [127]		habitat likely to occur within area  Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Rattus norvegicus Brown Rat, Norway Rat [83]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area
<b>Plants</b>		
Alternanthera philoxeroides Alligator Weed [11620]		Species or species habitat likely to occur within area
Anredera cordifolia Madeira Vine, Jalap, Lamb's-tail, Mignonette Vine, Anredera, Gulf Madeiravine, Heartleaf Madeiravine, Potato Vine [2643]		Species or species habitat likely to occur within area
Asparagus aethiopicus Asparagus Fern, Ground Asparagus, Basket Fern, Sprengi's Fern, Bushy Asparagus, Emerald Asparagus [62425]		Species or species habitat likely to occur within area
Asparagus asparagoides Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473]		Species or species habitat likely to occur within area
Asparagus plumosus Climbing Asparagus-fern [48993]		Species or species habitat likely to occur within area
Asparagus scandens Asparagus Fern, Climbing Asparagus Fern [23255]		Species or species habitat likely to occur within area
Cabomba caroliniana Cabomba, Fanwort, Carolina Watershield, Fish Grass, Washington Grass, Watershield, Carolina Fanwort, Common Cabomba [5171]		Species or species habitat likely to occur within area
Chrysanthemoides monilifera Bitou Bush, Boneseed [18983]		Species or species habitat may occur within area
Chrysanthemoides monilifera subsp. monilifera Boneseed [16905]		Species or species habitat likely to occur within area
Chrysanthemoides monilifera subsp. rotundata Bitou Bush [16332]		Species or species habitat likely to occur within area
Cytisus scoparius Broom, English Broom, Scotch Broom, Common Broom, Scottish Broom, Spanish Broom [5934]		Species or species habitat likely to occur within area
Dolichandra unguis-cati Cat's Claw Vine, Yellow Trumpet Vine, Cat's Claw		Species or species



Name	Status	Type of Presence
Creeper, Funnel Creeper [85119]		habitat likely to occur within area
Eichhornia crassipes Water Hyacinth, Water Orchid, Nile Lily [13466]		Species or species habitat likely to occur within area
Genista monspessulana Montpellier Broom, Cape Broom, Canary Broom, Common Broom, French Broom, Soft Broom [20126]		Species or species habitat likely to occur within area
Genista sp. X Genista monspessulana Broom [67538]		Species or species habitat may occur within area
Lantana camara Lantana, Common Lantana, Kamara Lantana, Large-leaf Lantana, Pink Flowered Lantana, Red Flowered Lantana, Red-Flowered Sage, White Sage, Wild Sage [10892] Lycium ferocissimum African Boxthorn, Boxthorn [19235]		Species or species habitat likely to occur within area
Opuntia spp. Prickly Pears [82753]		Species or species habitat likely to occur within area
Pinus radiata Radiata Pine Monterey Pine, Insignis Pine, Wilding Pine [20780]		Species or species habitat may occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur within area
Sagittaria platyphylla Delta Arrowhead, Arrowhead, Slender Arrowhead [68483]		Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area
Salvinia molesta Salvinia, Giant Salvinia, Aquarium Watermoss, Kariba Weed [13665]		Species or species habitat likely to occur within area
Senecio madagascariensis Fireweed, Madagascar Ragwort, Madagascar Groundsel [2624]		Species or species habitat likely to occur within area



## Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

## Coordinates

-33.58867 151.32312



## Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [Office of Environment and Heritage, New South Wales](#)
- [Department of Environment and Primary Industries, Victoria](#)
- [Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [Department of Environment, Water and Natural Resources, South Australia](#)
- [Department of Land and Resource Management, Northern Territory](#)
- [Department of Environmental and Heritage Protection, Queensland](#)
- [Department of Parks and Wildlife, Western Australia](#)
- [Environment and Planning Directorate, ACT](#)
- [Birdlife Australia](#)
- [Australian Bird and Bat Banding Scheme](#)
- [Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [Museum Victoria](#)
- [Australian Museum](#)
- [South Australian Museum](#)
- [Queensland Museum](#)
- [Online Zoological Collections of Australian Museums](#)
- [Queensland Herbarium](#)
- [National Herbarium of NSW](#)
- [Royal Botanic Gardens and National Herbarium of Victoria](#)
- [Tasmanian Herbarium](#)
- [State Herbarium of South Australia](#)
- [Northern Territory Herbarium](#)
- [Western Australian Herbarium](#)
- [Australian National Herbarium, Canberra](#)
- [University of New England](#)
- [Ocean Biogeographic Information System](#)
- [Australian Government, Department of Defence](#)
- [Forestry Corporation, NSW](#)
- [Geoscience Australia](#)
- [CSIRO](#)
- [Australian Tropical Herbarium, Cairns](#)
- [eBird Australia](#)
- [Australian Government – Australian Antarctic Data Centre](#)
- [Museum and Art Gallery of the Northern Territory](#)
- [Australian Government National Environmental Science Program](#)
- [Australian Institute of Marine Science](#)
- [Reef Life Survey Australia](#)
- [American Museum of Natural History](#)
- [Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.



APPENDIX

B

CONSULTATION CORRESPONDENCE

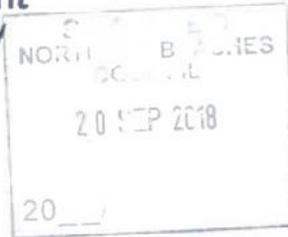
Scanned 20-09-2018



Department  
of Industry

Our Reference: MN07H4

Chief Executive Officer  
Northern Beaches Council  
PO Box 882  
MONA VALE NSW 1660



Attn: Jenny Cronan – Senior Recreation Planner

Dear Madam

**Station Beach, Palm Beach proposal for comment**

The Department of Industry - Lands & Water (the department) has received a request from Jenny Cronan at Northern Beaches Council on 20 August 2018 to comment on a proposed dog-off-leash trail at Station Beach, Pittwater.

The department provided comment to Pittwater Council on a similar proposed dog swimming trial at Station Beach on 6 November 2009. A copy of this 2009 response is included in Attachment A.

In consideration of off-leash dog swimming areas in the Pittwater region, the department would prefer that Northern Beaches Council evaluate a range of sites in addition to the Station Beach site, which has inherent environmental sensitivities due to the presences of an endangered species of offshore seagrass. The department is supportive of Council's initiative to accommodate recreational uses within its local government area but would prefer that such an activity be confined to more environmentally resilient sites in Pittwater, rather than Station Beach. For example, Hitchcock Park – Careel Bay, which is only 4.5km from Station Beach, provides a more suitable environment for an off-leash dog area.

In March 2010, areas of *Posidonia australis*, including the beds established off Station Beach, were listed as endangered populations under the threatened species schedules of the *NSW Fisheries Management Act 1994* and listed as endangered under the *Environmental Protection and Biodiversity Conservation (EPBC) Act 1979* by the Commonwealth in May 2015.

These listings flag the significance of such seagrass areas and the need for State and Local governments to protect them. Seagrass beds provide ideal breeding habitat for Stingrays and species of the Syngnathidae family (e.g. seahorse, seadragon, pipefish), many of which are also listed as "protected" under the *NSW Fisheries Management Act 1994* and EPBC Act.

Section 1.4 of the *Crown Land Management Act 2016* sets out Principles of Crown land Management for the management and use of Crown land, which includes; (a) that environmental protection principles are observed and (b) natural resources conserved

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wherever possible. These principles support responsible management of Crown land at localities such as Station Beach where land below mean high water mark supports conservation and protection of seagrass beds.

The shoreline at Station Beach provides suitable habitat for shorebirds and other native fauna (e.g. penguins and sea turtles) that would likely be disrupted by the introduction of off-leash dogs. To ensure the potential impacts on shorebirds are addressed, Council is encouraged to engage an ornithologist consultant who is able to provide informed advice regarding the comparative significance of Station Beach to other sandy beaches in Pittwater and whether the potential loss of habitat will impact Australia's three bilateral migratory bird agreements with Japan, China and the Republic of Korea.

If Station Beach is chosen to trial an off-leash dog swimming area, Council would need to take out a licence, subject to conditions from the department to conduct a trial, given activities would occur on submerged Crown land (i.e. land below mean high water mark).

Given the environmental sensitivities of the site, the department will require a Review of Environmental Factors (REF) be included with the licence application in order to set both quantitative and qualitative parameters to adequately monitor the impact of off-leash dogs.

Matters to be considered in the REF include, but are not limited to:

- a) Impacts on the surrounding reserve, the beach shoreline environment and the local native fauna.
- b) Quantitative and qualitative measures to assess impacts such as eutrophication, changes in water quality and the possible increased presence of invasive species on native seagrasses, *Posidonia australis* and *Zostera marina* (Eelgrass).
- c) Details of one or more control sites to compare outcomes, including who will manage components of the trial, the control site/s and methods to monitor the results.

Unauthorised harm to seagrass during the trial may result in the licence being terminated and possible compliance action taken.

Please keep the department informed of any developments.

Should you require further information please contact Mr Stan Rees on 9842 8327.

Yours sincerely



Ben Tax

A/Area Manager, Sydney & South Coast

Date: 10 September 2018

Attachment A

COPY



Mr Les Munn  
Manager - Reserves, Recreation & Building  
Services  
Pittwater Council  
PO Box 882,  
MONA VALE NSW 1660

Regional Manager - Sydney  
10 Valentine Ave, Parramatta NSW 2124  
PO Box 3935, Parramatta NSW 2150  
Telephone: 8836 5300, Facsimile: 8836 5365  
www.lands.nsw.gov.au

6 November 2009

Contact Officer: Stan Rees  
Telephone: 8836 5346  
Email: stan.rees@lpma.nsw.gov.au  
Our Ref: M90714

Dear Mr Munn,

**Re: REF for Proposed Trial Dog Swimming Area at Station Beach, Pittwater**

I refer to your letter dated 13 October 2009 enquiring as to a recommended response for the Land and Property Management Authority (LPMA) as to an earlier letters on the subject trial. I apologise for the late response.

Particular reference is made to your letter dated 11 December 2008 which included accompanying Review of Environmental Factors (REF) and Biodiversity Assessment, as prepared by NGH Environmental in October 2008, in support of a proposed trial dog swimming area at Station Beach.

Both the REF and Biodiversity Assessment provide useful background information on the Station Beach environment, with the REF outlining some alternative sites for off-leash dog swimming areas considered. It is noted that the reports indicate that numerous safeguards are proposed in order to mitigate potential impacts of the trial off-leash dog swimming area at Station Beach. However, the reports lack detail on how the trial and safeguard proposals would be implemented.

The LPMA's letter of 3 December 2007 to you flagged the need for an appropriate level of assessment and monitoring, in advance of public consultation.

While the REF and Biodiversity Assessment provided, do generally address assessment and monitoring safeguards proposed at Station Beach, it is apparent that details of the operation of the trial, compliance measures and the specifics of scientific monitoring during the trial and beyond are yet to be documented else otherwise determined.

Given that some aspects of the REF and Biodiversity Assessment were beyond the LPMA's usual expertise, the Department has sought external comment.

Discussion with the local office of the Department of Climate Change and Water has indicated that representatives at that office are not supportive of dog swimming/off leash etc. at Station beach due to the damage and stress caused to wildlife. The office has likely provided correspondence to Council directly on this matter

Recent advice from the Department of Primary Industries (Fisheries), now part of the Department of Industry and Investment, suggested that there was a significant lack of information in the REF relating to:

- the parameters that would need to be monitored; and
- the experimental design that will be used to detect a significant impact of increased dog usage on the beach would be needed as part of this process.

The LPMA understands that conducting a proper scientific trial including monitoring, assessment and using control sites, is beyond the scope of the trial as outlined in the REF and Biodiversity Assessment provided and would likely prove quite costly.

The REF and Biodiversity Assessment documents also do not accurately reflect positions of State agencies. Please note in Table 4.1 of the REF provided, that the statement that the Department of Lands "Agrees to the Proposal under the same conditions as DPI (Fisheries)" is not accurate. The position of the LPMA's predecessor was set out in the letter of the General Manager for the then Department of Lands to you, dated 3 December 2007.

Further to this, the Principles of Crown Land Management (Section 11 of the Crown Lands Act 1989) require that the LPMA apply the principles in managing Crown land for the people of New South Wales. There are six principles, which afford environmental protection principles and conservation of natural resources. A proposed dog swimming trial as outlined is not readily complimentary with the Principles of Crown Land Management if applied to Station beach.

Further, based on its own understanding as well as comment by other agencies on the REF and associated Biodiversity Assessment, the LPMA would not recommend that a dog swimming trial at Station Beach proceed.

Should details of the trial subsequently be resolved to the LPMA's satisfaction, these would need to be subject to public consultation and if then, Council elects to proceed with the trial; the LPMA would require that Council accept a licence for an appropriate purpose at a statutory minimum rent.

Please keep the Department informed of any developments and feel free to contact me on 88365333 or Mr Stan Rees on 88365346, should you require any further information.

Yours sincerely



Andrew McAnespie  
Regional Manager  
Sydney



Our Reference: MN07H4

Jenny Cronan - Senior Recreation Planner Northern Beaches Council  
PO Box 882  
MONA VALE NSW 1660

Dear Jenny

**Proposed dog off-leash trial at Station Beach, Pittwater**

Thank you for your email of 7 November 2018 advising of Council's intentions to commence community consultation on 15 November 2018.

The Department of Industry - Lands & Water (the department) is comfortable with Council, as part of their community consultation process, placing the department's letter of 10 September 2018 and the Land and Property Management Authority letter of 6 November 2009 on its website, in an un-altered state, provided that all personal details are deleted from both letters. The department is also comfortable with this letter being placed on Council's website, provided that all personal details are removed.

I would like to take the opportunity to reiterate the department's concern in previous correspondence regarding the environmental sensitivities of the proposed site due to the presence of endangered seagrass species and the important breeding habitats they provide.

As outlined, the proposed trial would require Council to hold a valid tenure over the site with the department. To facilitate this, a licence application can be submitted by Council for consideration by the department.

In order to consider Council's licence application, the department will require a Review of Environmental Factors (REF) and consent from NSW Department of Primary Industries, Fisheries (Fisheries). The granting of a license over the subject site for the proposed purpose would be subject to the department's satisfaction that the application is in line with the principles of Crown Land management and that our before mentioned concerns have been adequately addressed.

Please note the department's reference to Hitchcock Park in the letter of 10 September 2018 relates to the closest designated off-leash dog area and does not suggest the sites suitability as an off-leash dog swimming area. It is noted the Hitchcock Park borders the Careel Bay Intertidal Area - a declared Wildlife Protection Area established in accordance with the *NSW Companion Animals Act 1998*, where dogs are strictly prohibited.

Should you wish to discuss this matter further, Mr Stan Rees, Natural Resource Management Project Officer, can be contacted, on (02) 9842 8327.

Yours sincerely



Ben Tax  
A/Area Manager, Sydney & South Coast  
Date: 15 November 2018

### STAKEHOLDER COMMENTS TO INCORPORATE IN THE REF

#### **Comments received from Fisheries**

"DPI Fisheries has no objections to the dog beach trial on Station Beach, provided that:

- Signage is installed on the beach, stating that dogs must not be allowed to run through seagrass beds at low tide. You may also wish to provide environmental information, advising that seagrass beds are present in the nearshore zone, including the endangered population of *Posidonia australis* seagrass. Seagrass is important habitat for fish, providing shelter, food and a nursery for young.
- Surveys of the seagrass are undertaken, showing species, distribution and density along Station Beach. The survey should be undertaken immediately prior to and immediately following the trial period.

There is no need to use the marker buoys, as recommended back in 2007 (due to possible damage caused to the seagrass by the markers themselves).

This isn't a Fisheries matter, but we hope that adequate facilities are provided and maintained for collection of dog droppings."

#### **Comments received from DoI – Land & Water**

"Section 1.4 of the *Crown Land Management Act 2016* sets out Principles of Crown land Management for the management and use of Crown land, which includes;

- (a) that environmental protection principles are observed and
- (b) natural resources conserved wherever possible. These principles support responsible management of Crown land at localities such as Station Beach where land below mean high water mark supports conservation and protection of seagrass beds.

The shoreline at Station Beach provides suitable habitat for shorebirds and other native fauna (e.g. penguins and sea turtles) that would likely be disrupted by the introduction of off-leash dogs. To ensure the potential impacts on shorebirds are addressed, Council is encouraged to engage an ornithologist consultant who is able to provide informed advice regarding the comparative significance of Station Beach to other sandy beaches in Pittwater and whether the potential loss of habitat will impact Australia's three bilateral migratory bird agreements with Japan, China and the Republic of Korea.

If Station Beach is chosen to trial an off-leash dog swimming area, Council would need to take out a licence, subject to conditions from the department to conduct a trial, given activities would occur on submerged Crown land (i.e. land below mean high water mark).

Given the environmental sensitivities of the site, the department will require a Review of Environmental Factors (REF) be included with the licence application in order to set both quantitative and qualitative parameters to adequately monitor the impact of off-leash dogs.

Matters to be considered in the REF include, but are not limited to:

- a) Impacts on the surrounding reserve, the beach shoreline environment and the local native fauna.
- b) Quantitative and qualitative measures to assess impacts such as eutrophication, changes in water quality and the possible increased presence of invasive species on native seagrasses, *Posidonia australis* and *Zostera marina* (*Eelgrass*).
- c) Details of one or more control sites to compare outcomes, including who will manage components of the trial, the control site/s and methods to monitor the results.

Unauthorised harm to seagrass during the trial may result in the licence being terminated and possible compliance action taken”.

APPENDIX

C

ESTUARINE ECOLOGICAL COMPONENT  
REPORT (KAREN ASTLES 2019)

# **Review of Environmental Factors for Dog Swimming Area at Station Beach, Pittwater**

## **Estuarine ecological component**

Revised 2

Submitted to Cardno to be incorporated into full Review of Environmental Factors Report  
for Northern Beaches Council

April 2019

Karen Astles

Research Scientist

Fisheries Research, Marine Ecosystems Unit  
NSW Department of Primary Industries | Fisheries  
P.O. Box 5106 Wollongong | NSW 2520  
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**Not to be circulated separately without express permission of the author**

## Review of Environmental Factors for Dog Swimming Area at Station Beach, Pittwater

### Estuarine ecological component - Revised

#### 1. Introduction

This report forms part of a larger review of environmental factors (REF) for the proposed dog swimming area (DSA) at Station Beach in Pittwater. It focuses only on assessing the estuarine ecological component of the environment. All other components are addressed in the larger report. Descriptions of the proposed activity and area are provided in the larger report. Section 2 provides descriptions of the estuarine communities and species present off Station Beach. Section 3 examines the potential impacts of dog swimming on these communities and species. Section 4 assesses the potential for interactions between dogs, their owners and the estuarine communities. Section 5 addresses the specific questions from the Guidelines for Review of Environmental Factors based on the information in Sections 2-4. Section 6 assesses additional options proposed by Northern Beaches Council. Finally, Section 7 provides a list of recommendations.

#### 2. Descriptions of estuarine ecological communities

##### 2.1 Seagrasses

There are three species of seagrasses present in Pittwater, including along Station Beach (Fig.1). *Posidonia australis* (also known as strap weed), *Zostera muelleri* subspecies *capricornia* (hereafter know as *Z. muelleri*) (also known as eel grass) and *Halophila ovalis* (also known as paddle weed). Tables 1 and 2 summarise the important biological and ecological characteristics of these species. It is important to note that all these characteristics are influenced by environmental conditions such as water and air temperatures, water clarity, sediment type, turbidity, hydrology and tidal regimes (Gobert et al., 2006; Moore and Short, 2006). For example, increased turbidity from natural (e.g. storms) and/or human events (e.g. boating in shallow areas) will affect light availability for photosynthesis which in turn can decrease the biomass of seagrass beds (Ralph et al., 2006; Carr et al., 2016).

**Table 1.** Summary of key biological and ecological characteristics of seagrass species found in the Pittwater estuary.

Biological/ecological characteristics	<i>Posidonia australis</i>	<i>Zostera muelleri</i>	<i>Halophila ovalis</i>
Plant size	Large, leaf length up to 60cm	Medium, leaf length 5-10cm	Small leaf, width 4-7mm
Depth range	<1m to 8-10m, depends on water clarity	Intertidal, deeper with <i>P. australis</i>	Shallow subtidal, deeper with other species
Habitat in south eastern Australia	Lagoons, estuaries, sheltered bays	Lagoons, estuaries	Lagoons, estuaries
Bed forms	Pure and mixed stands with other species	Pure and mixed stands with other species	Primarily mixed
Plant persistence	Persistent	Variable in time and space, Beds in some estuaries persistent for several years, in others varies in extent over time and location	Ephemeral
Reproductive propagules	Large seed (cm), fruit positively buoyant	Seeds in spathes, negatively buoyant	Small seeds (mm), negatively buoyant
Seed bank	None, direct development from fruit	Transient, < 1 year, replenished annually	Persistent, > 1 year
Flowering period	July- October	October - January	November - January
Fruiting period	November - December	December - March	January - May
Rhizome extension rate	1-35cm/year	25-150cm/year	c.356cm/year

Reference: Sherman et al., 2018, Waycott et al., 2014

Table 2. Flowering periods for three species of seagrass found in Pittwater estuary.

Species	Reproductive stage	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
<i>P. australis</i>	Flowering												
	Fruiting												
<i>Z. muelleri</i>	Flowering												
	Seeds												
<i>H. ovalis</i>	Flowering												
	Seeds												

Reference: Waycott et al. 2014

Figure 1 shows the spatial extent of the three seagrass species in beds and smaller patches throughout the Pittwater estuary and Table 3 presents the areas of each of these patches. As can be seen from Figure 1 Station Beach has the largest bed of seagrass (0.879 km<sup>2</sup>) in the Pittwater estuary containing 47% of the total area of seagrass of the estuary (1.856 km<sup>2</sup>) (Table 3). The second largest bed is in Careel Bay (0.397 km<sup>2</sup>) containing 21% of the total area of seagrass. By species, the largest pure beds of *P. australis* and *Z. muelleri* occur in Careel Bay, 0.191 km<sup>2</sup> and 0.205 km<sup>2</sup> respectively, representing 41.6% of the total pure stands of *P. australis* and 33.7% of pure *Z. muelleri* stands. The largest mixed stand of *P. australis* and *Z. muelleri* occur at Station Beach (0.719 km<sup>2</sup>, 92.7% of all mixed stands in Pittwater).

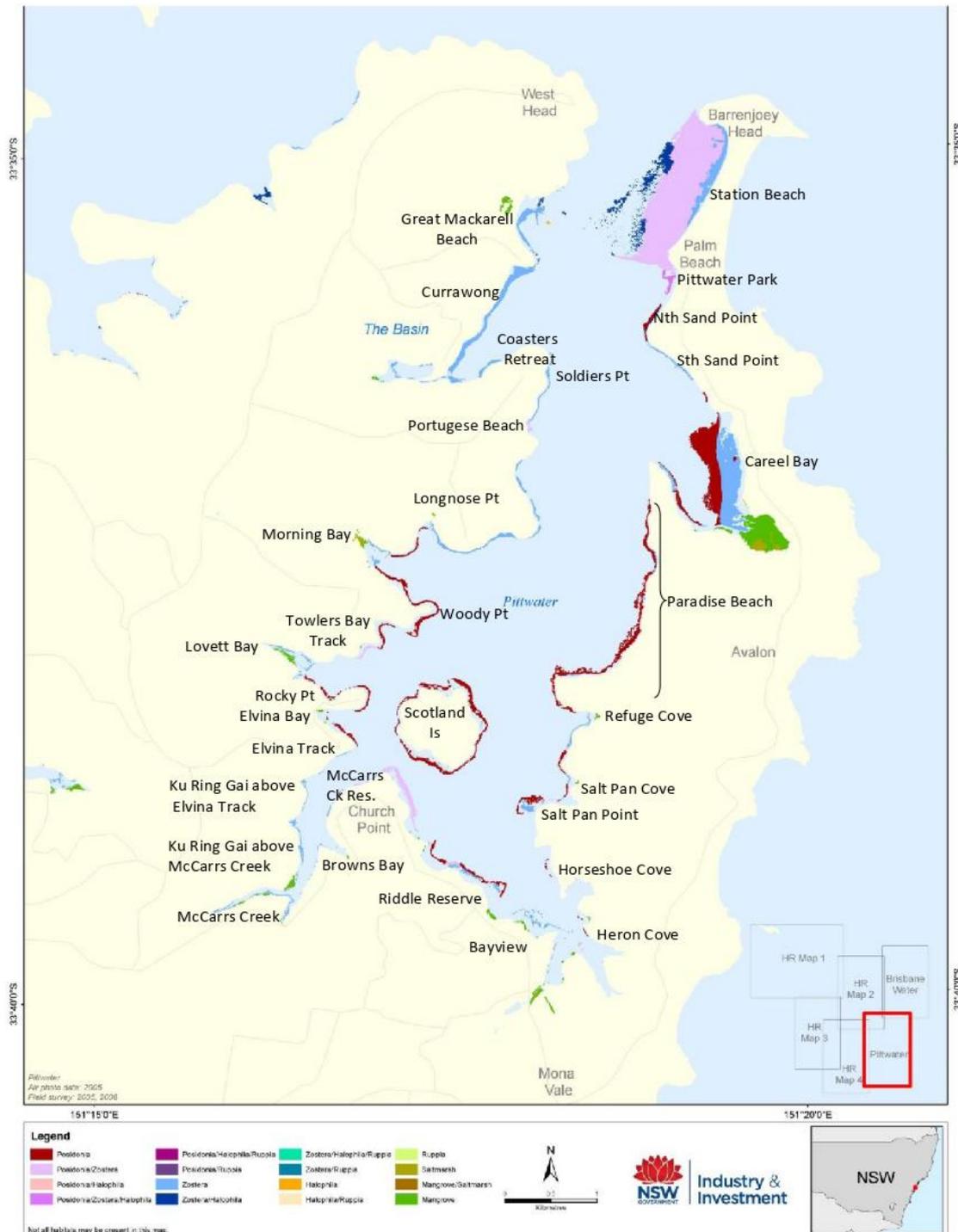


Figure 1. Map of Pittwater estuary showing the different patches of seagrass beds and their composition.

**Table 3.** List of seagrass beds in Pittwater estuary (see Figure 1), their spatial area and proportion each bed contributes to all seagrass in the Pittwater.

Site name	Species of Seagrass	Area, km <sup>2</sup>	Proportion of Total Area
Station Beach	<i>Zostera, Posidonia/Zostera, Zostera/Halophila</i>	0.880	0.474
Pittwater Park	<i>Posidonia/Zostera/Halophila</i>	0.011	0.006
North Sand Point	<i>Zostera/Halophila, Posidonia</i>	0.013	0.007
South Sand Point	<i>Zostera, Posidonia</i>	0.010	0.006
Careel Bay	<i>Posidonia, Zostera</i>	0.397	0.214
Paradise Beach to Taylors Point	<i>Posidonia, Zostera</i>	0.091	0.049
Refuge Cove	<i>Zostera, Posidonia/Zostera, Posidonia</i>	0.011	0.006
Salt Pan Cove	<i>Zostera, Posidonia, Posidonia/Zostera</i>	0.005	0.003
Salt Pan Point	<i>Posidonia, Zostera</i>	0.019	0.010
Horseshoe Cove to Heron Cove	<i>Zostera, Posidonia, Posidonia/Zostera</i>	0.003	0.001
Bayview	<i>Zostera</i>	0.010	0.005
Riddle Reserve	<i>Zostera, Posidonia/Zostera, Posidonia</i>	0.034	0.018
Church Point	<i>Posidonia/Zostera, Zostera</i>	0.034	0.018
Scotland Island	<i>Posidonia, Zostera</i>	0.064	0.035
McCarrs Creek Reserve	<i>Posidonia</i>	0.000	0.000
Browns Bay	<i>Zostera</i>	0.002	0.001
McCarrs Creek (Ck)	<i>Zostera</i>	0.010	0.005
Ku Ring Gai above McCarrs Ck	<i>Zostera</i>	0.008	0.004
Ku Ring Gai below Elvina Track	<i>Zostera</i>	0.002	0.001
Elvina Track	<i>Zostera</i>	0.001	0.001
Elvina Bay	<i>Posidonia</i>	0.007	0.004
Rocky Point	<i>Posidonia</i>	0.013	0.007
Lovett Bay	<i>Zostera</i>	0.007	0.004
Towlers Bay track	<i>Posidonia/Zostera, Posidonia</i>	0.011	0.006
Woody Point	<i>Posidonia</i>	0.031	0.016
Morning Bay	<i>Zostera, Posidonia</i>	0.014	0.008
Longnose Point	<i>Zostera</i>	0.034	0.018
Portugese Beach	<i>Posidonia/Zostera</i>	0.003	0.002
Soldiers Point	<i>Zostera</i>	0.010	0.005
Coastal retreat	<i>Zostera</i>	0.007	0.004
The Basin	<i>Zostera</i>	0.013	0.007
Currawong	<i>Zostera</i>	0.072	0.039
Great Mackerel Beach	<i>Zostera/Halophila, Zostera, Posidonia</i>	0.029	0.016
Pittwater Estuary Total	All species	1.856	

### 2.1.1 Legislative protection status of seagrass and habitat protection policy in Pittwater

All seagrass in NSW is protected as key fish habitat (Fisheries Management Act 1994). This means a person must not cut, remove, damage or destroy marine vegetation on public water land, except under a permit. All three seagrass species occurring in the waters off Station Beach are listed as Type 1 highly sensitive fish habitat. The Fisheries Management Act defines sensitivity as “the importance of the habitat to the survival of fish (noting that ‘fish’ under the FM Act includes all aquatic invertebrates) and its robustness (ability to withstand disturbance).”

Since 2008 there have been a number of legislative changes regarding the protection of *P. australis* particularly in the Hawkesbury ecoregion. These are summarised as follows:

- i) In NSW *P. australis* is listed as an endangered population in Pittwater, Port Hacking, Botany Bay, Sydney Harbour Brisbane Waters and Lake Macquarie under the Fisheries Management Act (FM Act). It was listed in September, 2010.
- ii) Nationally *P. australis* is listed as a nationally significant ecological community in the Manning-Hawkesbury ecoregions under the EPBC Act (listed in May 2015). Ecological community includes the “assemblage of plants, animals and micro-organisms associated with seagrass dominated by *P. australis*.” (Commonwealth of Australia, 2018). The Pittwater estuary is specifically included in this listing.
- iii) NSW Coastal Management Act 2016 (CM Act) and the State Environmental Planning Policy (Coastal Management) 2018 (SEPP 2018) has identified coastal management areas in the coastal zone to promote an integrated and co-ordinated approach to land use planning in the zone. In Pittwater, Station Beach has two types of proposed coastal management areas – Coastal Use Area of the beach itself and Coastal Environment Area of the waters off the beach, i.e. “land containing coastal features such as the coastal waters of the State, estuaries, coastal lakes, coastal lagoons and land adjoining those features, including headlands and rock platforms”. The first objective of Coastal Environment Area in the CM Act is:
  - (a) to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity.
- iv) Draft Pittwater Waterway Strategy of the Northern Beaches Council includes the following objective - “Improve environment protection to protect our delicate waterway habitat.” Direction 4 of this strategy is to “Investigate with the Department of Primary Industries (DPI Fisheries) establishing a ‘no-go zone’ protecting endangered seagrass habitats within the study area.”

### 2.2 Estuarine ecological communities

The estuarine ecological communities of Station Beach occur in the seagrass, in the water column of seagrass habitats and in unvegetated soft sediments habitats. Seagrasses are widely recognised as important fish habitats, particularly as a nursery for juvenile fish (York et al., 2018). Appendix 1 Table A1 lists the species of fish caught in seagrass and non-vegetated habitats in Pittwater by two studies (Jelbart et al., 2007; Shokri et al., 2009). They are especially important habitats for recreational and commercial fish species. For example juvenile yellowfin bream, luderick and leatherjackets recruit to, and live in, seagrass habitats (Gillanders, 2007). One study in Pittwater found that newly settled larvae of some fish species were more abundant in seagrass beds at the entrance to the estuary than further down into it at certain times of the year (Bell et al., 1988). This suggests that the seagrass bed off Station Beach, the closest to the estuary entrance, may be an important recruitment habitat for larvae entering from the ocean. Fish assemblages in seagrass are also known to vary in abundance, behavior and diversity between day and night (Gray et al., 1996; Guest et al., 2003;). One study caught more species of fish during the night than in the day (Guest et al., 2003). This may be due to some species being more active at night because of the increased availability of prey at night.

Seagrasses also provide habitat for some endangered fish species, including the group Syngnathiformes containing seahorses, pipefish, pipehorses and seadragons that are known to exist in NSW waters (Kuiter, 2009). The White's seahorse *Hippocampus whitei*, is endemic to NSW and listed as endangered on the IUCN Redlist. Habitat destruction is one of the main threats to the species globally (Harrasti, 2016). All species of the Syngnathiformes are listed as “protected” under the NSW Fisheries Management Act 1994. A study in

Pittwater found seven species of Syngnathids, one seahorse and six pipefish species, with the hairy pipefish *Urocampus carinirostris* the most abundant (Shokri et al., 2009).

Seagrasses provide a variety of food sources in the form of small invertebrates, plankton and algae living among or on seagrass vegetation and on or in sediments within seagrasses (Barnes, 2017; Whitfield, 2017; York et al., 2018). These fauna are eaten directly by sea urchins, crustaceans, molluscs and some fish species. Seagrass beds also act as ecological engineers by reducing physical stress such as baffling of water movements, absorbing nutrients and trapping sediments. This in turn protects smaller invertebrates from predators and enhances food availability (Orth et al., 1984). Many studies have reported high biomass, abundance, diversity and productivity of the fauna associated with seagrass beds (Edgar et al., 1994; Boström and Bonsdorff, 1997; Webster et al., 1998; Lee et al., 2001; Hirst and Atrill, 2008). Their rhizomes (roots) help to bind the sediment, thereby providing some protection against wave-induced erosion. Dead seagrass, even when washed ashore, is an important habitat and food source for small invertebrates, such as amphipods.

Areas of unvegetated sand or mud in intertidal and subtidal areas also provide important habitat in estuaries. They support a large variety of benthic (bottom-dwelling) invertebrates, including worms, molluscs and crustaceans (Fonseca et al., 2011; York et al., 2018). These invertebrates are a major source of food for many fish species such as flathead, flounder and whiting. Recreational use of these areas can also impact on substrates by trampling on benthic unvegetated invertebrate habitat and compaction of sediment.

### 3. Potential impacts of dog swimming in soft sediment intertidal areas

Dogs and their owners interacting with seagrass and soft sediment habitats in the intertidal zone can have several impacts. Trampling by people on seagrass plants can lead to a loss of seagrass canopy, through damage leaves, and increased disturbed sediments leading to greater turbidity and lower light penetration (Eckrich et al., 2000). Trampling over long periods of time can result in seagrass blades becoming shorter and their plants having fewer shoots. This can reduce the productivity of the seagrass bed (i.e. smaller biomass), and decrease its reproductive output which, in turn, changes the habitat for the ecological community of fish, invertebrates and algae that use it. For example, a less dense seagrass bed provides less shelter from predators for juvenile fish (Bell and Westoby, 1986a,b).

Whilst dogs, on average, are smaller and lighter than people, swimming among seagrass can still have an effect. The flowers and fruits of *P. australis* grow in the upper canopy and at maturity rise above the canopy to aid pollination and dispersal. Larger dogs will swim but have long legs potentially reaching the tops of the seagrass canopy. Swimming among these plants during their reproductive season could result in dislodgement of flowers and fruits before they are mature leading to mortality. Dogs walking or running through soft sediments and seagrass are often erratic and boisterous. Smaller dogs are more likely to walk/run rather than swim. This can have four effects. First, trampling over seed beds of *Z. muelleri* and *H. ovalis* can result in burying them deeper to a depth where germination is less likely to occur (Sherman et al., 2018). This decreases their capacity to recover from other impacts. Second, it can result in seedlings being dislodged from the sediment before they have time to establish, resulting in mortality. Third, dog foot prints create small "pot holes" in the surface and this changes the micro topography of the sediments affecting seed distribution and microclimate for germination (Sherman et al., 2018). Fourth, dogs can be a means of spreading non-indigenous invasive species, such as the alga *Caulerpa taxifolia*. Dogs may break off parts of this plant as they trample through the intertidal area and pieces of the plant could stick to the fur of dogs and be carried into other areas either within Station Beach or another water body, if they are not first washed down, where it can colonise and spread through vegetative growth. However, this could be minor compared to natural dispersal. *C. taxifolia* has been shown to survive out of water for several days (West et al., 2007). This alga can impact sediment infauna and change the fish fauna and invertebrates that live there (York et al. 2006; Wright et al., 2007; Gallucci et al., 2012). It tends to colonise gaps within seagrass beds and unvegetated habitat outside seagrass beds.

Dogs may also impact seagrasses by defecating in the water or on exposed sand (see Figure 4). Dog faecal events in the water can potentially contribute to enterococci loading in the immediate vicinity of the seagrass but will likely reduce as it is broken down over a few hours (Zhu et al., 2011). However, any substantial increase in enterococci loading will depend on the intensity of dog swimming (number of dogs defecating per day), average size of dogs and frequency of defecating (number of times per week) (Oates et al., 2017).

Increased nutrients from dog faeces may lead to increased epiphytic growth on the leaves of seagrass, which in turn can reduce the photosynthetic capacity of seagrass (less light able to penetrate) potentially reducing its productivity.

There are many other obvious impacts on seagrasses not related to dog swimming including propeller scares, anchoring, moorings and shading (e.g. Colomer et al., 2017; Glasby and West, 2018). All of these are evident off Station Beach (Appendix 2, Figure A2.1). The potential impacts of dogs and their owners in seagrasses and soft sediment intertidal habitats listed above will add to these existing impacts. Therefore, the overall cumulative impact on these intertidal habitats off Station Beach from multiple human activities needs to be taken into consideration (Grech et al., 2011) when assessing the effects of allowing dog swimming on the beach.

#### 4. Potential for interactions between dogs, their owner and the seagrass and soft sediment habitats at Station beach

The possible impacts from dog swimming listed above (Section 3) will depend on three things – seagrasses and soft sediments capacity to respond to disturbance, the overlap and accessibility between dog activity and the habitats and the factors contributing to the level of disturbance.

##### 4.1 Capacity of seagrass and soft sediment habitats to respond to disturbances

The capacity to respond (CTR) relates to an organism’s biological and ecological characteristics that enable it to resist and/or recover from a disturbance (Astles, 2014; Unsworth et al., 2015; O’Brien et al., 2018). The CTR of seagrass is related to two aspects – resistance to disturbance and recovery from disturbance. These aspects differ depending on the species of seagrass and local environmental factors through space and time (O’Brien et al., 2018).

Resistance is measured based on the size of the plants and include rhizome diameter, shoot weight and total biomass. Resistance to a disturbance, which equates to survival time, is roughly scaled to the size of the plant. Small colonizing species have a survival time of less than one month but large persistent species may have a survival time of up to two years. Recovery is measured primarily by their ability to recolonize and regrow. Recovery capacity decreases with seagrass size. It is measured by sexual reproduction (seed density), clonal growth (horizontal expansion rate) and growth from fragments (leaf turnover, above ground biomass) (O’Brien et al., 2018). A detailed study is required to quantify all these measures for the seagrass species at Station Beach, which lack of time and resources prohibited for this report. Therefore, a brief qualitative summary of the CTR of the three species present off Station Beach is provided in Table 4.

**Table 4.** Summary of key characteristics of the seagrass species’ capacity to respond (CTR) to disturbance.

Species	Characteristics	CTR summary
<i>P. australis</i>	- long lived, slow growing, large plants, often large standing biomass - seeds develop directly, no seed bank	- CTR strongly dependent on resisting disturbances rather than recovering from disturbances - low recovery rates vulnerable to landscape scale losses
<i>Z. muelleri</i>	- capable of forming large long lived clones, large rhizome diameter, varying ratio of above:below ground biomass - forms annual seed banks	- CTR adapted to wide range of conditions - annual seed bank vulnerable to disruption by environmental and human disturbances
<i>H. ovalis</i>	- short lived, produces large density of seeds, seeds remain viable for months to years, low biomass -forms persistent seed banks	- CTR low resistance to disturbance but rapid recovery - vulnerable to interrupted recruitment and feedbacks preventing recolonisation

Reference: O’Brien et al., 2018

There is substantial variation in the resistance and recovery capacities within species, which will be influenced by environmental conditions and the condition of the seagrass habitat off Station Beach. Species characteristics alone cannot be relied on to predict a seagrass response to environmental change and human disturbances (O’Brien et al., 2018).

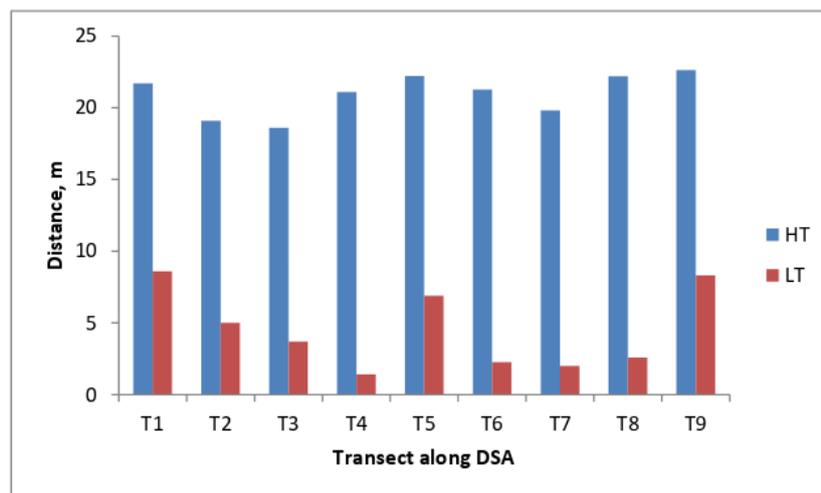
#### 4.2 Accessibility to seagrass habitat

To determine the likelihood that dogs and their owners will interact with seagrasses off Station Beach in the dog swimming area two site visits were made, one during spring high tide (7/12/18, 9.02am, 1.79m) and one during spring low tide (22/1/19, 4.30pm, 0.10m), representing the extreme high and low tides respectively. On each of these tides, nine transects within the dog swimming area were laid perpendicular to the shore. Along these transects the following measurements were made: distance from the back of the shore to the water's edge, distance from water's edge to the start of the seagrass bed, depth of water at the seagrass bed, depth of water at one to three intervals between the seagrass bed and the back of the shore. Table 5 provides a summary of these data.

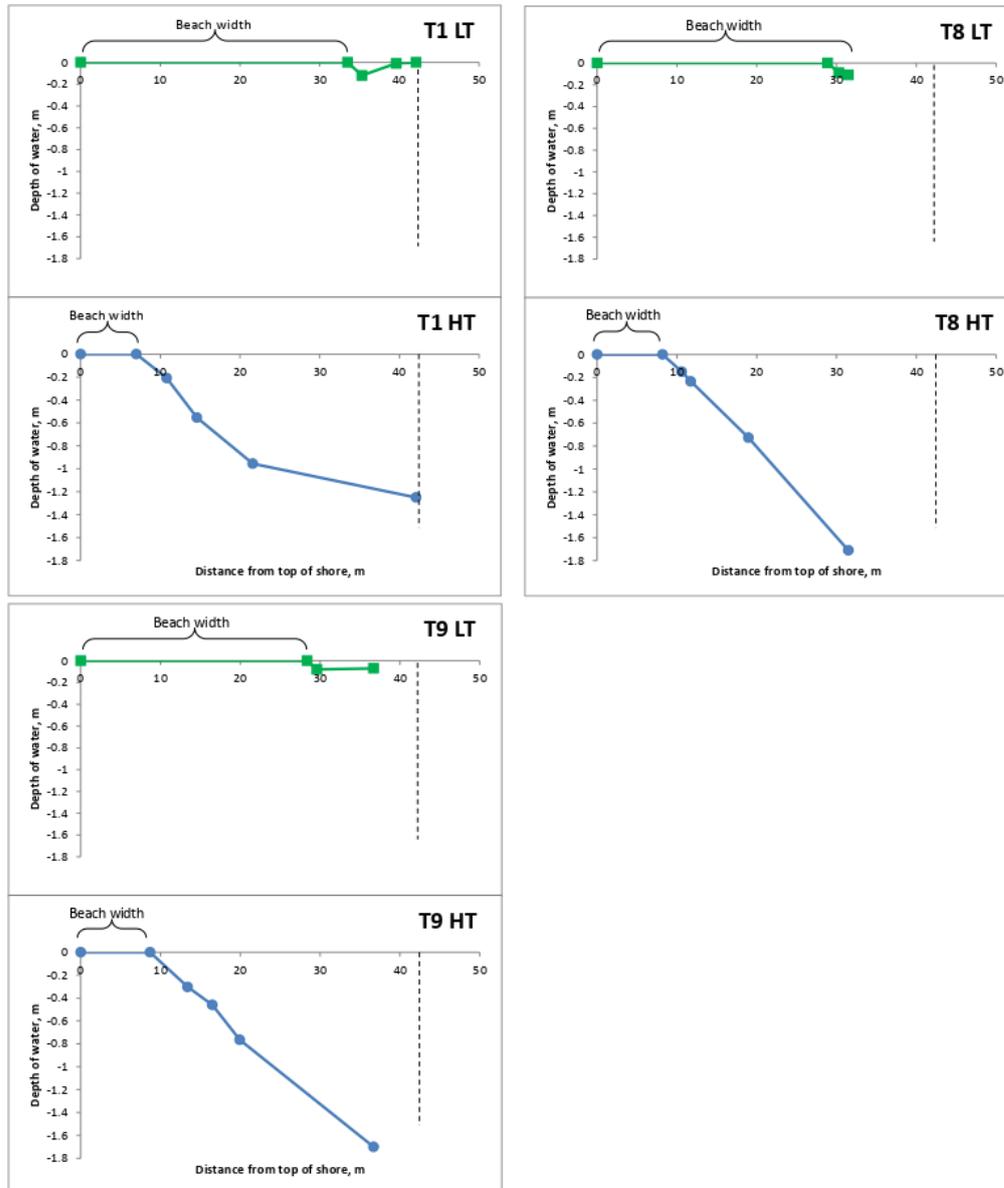
**Table 5.** Mean ( $\pm$  standard error) distance and water depth of nine transects along Station Beach during spring high and low tide. Point 1 - distance from the back of the shore to the water's edge; Point 2 - distance from the back of the shore to the start of the seagrass bed; Points 3-5 - one to three intervals between the back of the shore and the seagrass bed.

Point on transect	Length, m		Depth, m	
	High Tide	Low Tide	High Tide	Low Tide
1	9.32 $\pm$ 0.45	30.65 $\pm$ 0.62	0	0
2	30.27 $\pm$ 0.49	35.17 $\pm$ 1.29	-1.48 $\pm$ 0.06	-0.041 $\pm$ 0.01
3	12.63 $\pm$ 0.57	32.33 $\pm$ 0.74	-0.26 $\pm$ 0.018	-0.09 $\pm$ 0.01
4	20.53 $\pm$ 3.92	37.8 $\pm$ 0.95	-0.49 $\pm$ 0.022	-0.01 $\pm$ 3.33E-05
5	21.12 $\pm$ 0.44	-	-0.78 $\pm$ 0.03	-

The average distance between the water's edge and the seagrass edge at spring high tide is 20.96m compared to 4.53m at spring low tide, with the average depth of seagrass being 1.42m and 0.04m respectively (Figure 2). Conversely, the beach width at spring high tide is narrow (average 9.32m) and wide at spring low tide (average 30.65m) (Figure 2). Therefore, the seagrass habitat and its surrounding soft sediment habitat is more accessible to dog and human encounter at low tide. Figure 3 shows the differences in distance and water depth between high and low tides for three of the transects measured (northern end, middle and southern end of the DSA, remaining graphs are in Appendix 2, Figure A2.3) For location of transects along the beach see Appendix 2, Figure A2.2.



**Figure 2.** Comparison between high and low tides of the distance between the water's edge and the seagrass edge along the DSA on Station Beach for all transects (north to south). HT – high tide, LT – low tide.



**Figure 3.** Comparison between high and low tides of the distance and water depth from the back of the shore along Station Beach for three transects. T1 - northern end of the DSA; T8 – middle of the DSA; T9 - southern end of the DSA; Dashed line – position of wharf at the northern end beyond the DSA.

Although it is proposed that the DSA would only be used for dogs off their leash during high tide, it is possible that this restriction may not always be adhered to. Therefore, use of the DSA during low tide must be taken into account. To estimate how often low tides occur during the year at the times of day the DSA would operate, the frequency of high and low tides occurring at 6am and 6pm during five months of the year (2019) was calculated. Week days and weekends were calculated separately to reflect the potential for higher usage on weekend days. The frequencies were then expressed as a proportion of the total number of week days and weekend days in each month. The proportion of week days and weekend days that have low tides in the morning or evening varies depending on the month. For week day evenings January and March have the largest proportions of low tide events, whereas for weekend days the largest proportion of low tide events in the mornings occur in August and in the evenings in January (Figure 3). Therefore, in

these months and times there will be a greater likelihood of dogs and their owners interacting with the seagrass habitat and surrounding soft sediments. Increased compliance patrols would be warranted during these times to minimize this likelihood.

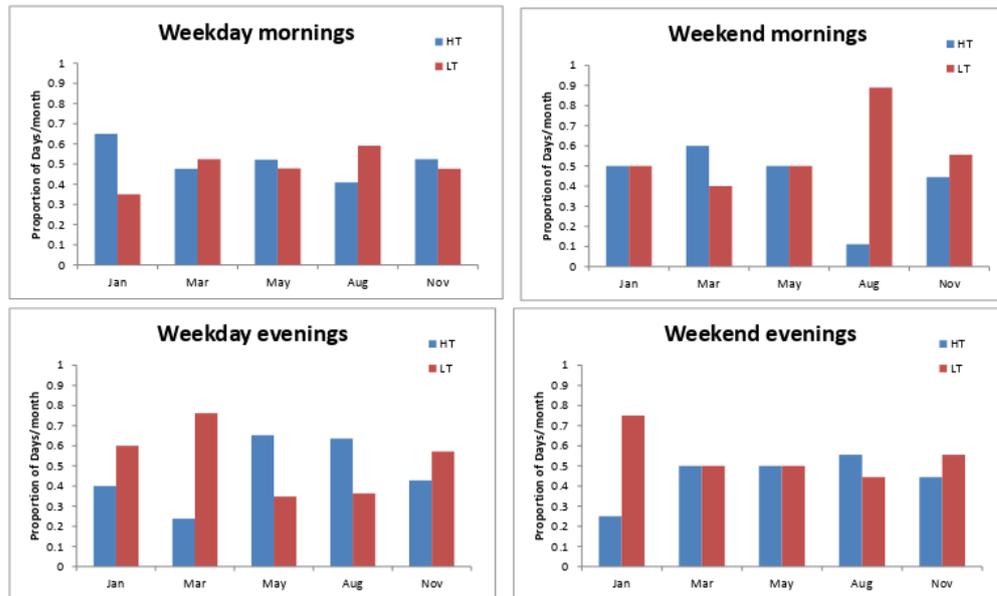


Figure 4. Proportion of days per month when predicted low and high tides occur at 6am and 6pm for 2019.

The estimated areal cover of seagrass within the dog swimming area is 18754.32m<sup>2</sup> which represents 2.11% of the total seagrass present off Station Beach (Table 6). This areal extent of the seagrass (>5m<sup>2</sup>) and its species composition means it falls within the Type 1 highly sensitive key fish habitat of DPI Habitat Management Guidelines. The seagrass makes up 65.3 % of the total water area (28,720.9m<sup>2</sup>) at mid tide within the DSA (Table 6) which means under certain tidal conditions swimming dogs and their owners could interact with the seagrass.

Table 6. Summary of spatial area and percentage of seagrass area, dog swimming area (DSA) and water surface area at Station Beach. SG – seagrass.

	Station Beach	DSA SG	% SG Station Beach	DSA	% SG DSA
SG Area, m <sup>2</sup>	890648.41	18754.32	2.11		
Area of DSA, m <sup>2</sup>				35901.09	
Water Area of DSA, m <sup>2</sup>				28720.87	65.3

#### 4.3 Factors contributing to level of disturbance by dogs and their owners

Whether the interaction between dogs, their owners and seagrass habitats is substantial enough to cause damage to this seagrass and the surrounding soft sediments depends on the intensity of dog activity, frequency, duration and timing, spatial extent, level of compliance to rules and the cumulative effects with other human disturbances in the area. Intensity would be determined by the number and size of dogs using the area, type of activity they engaged in (e.g. walking, running, swimming, see Figure 5) and whether their owners also participated in the activity with their dog in the habitats. Frequency, duration and timing relates to how many week days or weekend days per month the dog swimming area was used, whether this varies during school holidays, public holidays and between winter and summer, how many hours the DSA was used per day and any differences the use between morning and evening. Spatial extent relates to where in the dog swimming area dogs and their owners spend most of their time (e.g. shallow versus deep). Level of

compliance relates to the extent to which dog owners use the DSA during low tide and/or outside the designated area. Finally there are other human disturbances having an impact on the seagrass and soft sediment habitats along Station Beach (e.g. propeller, mooring and anchor scaring) and therefore any additional impacts that maybe caused by dog swimming need to be included in assessing the cumulative pressures on the habitats in this area (Grech et al., 2011.).

An appropriately designed study that specifically collects data for these factors would be needed to determine the level of disturbance by dogs within the DSA at Station Beach compared to control areas. During three site visits made to Station Beach for this report, dogs and their owners were observed on the beach despite the fact that there are signs prohibiting dogs on the beach. The number of dogs observed per visit over a three hour period was 2, 3 and 3 and there was evidence of other dogs based on fresh footprints in the sand along the beach. Dogs were medium to large in size and all the dogs were off their leash. This indicates that compliance to the rules of a DSA may be a significant issue. There are approximately 50,000 dogs in the Pittwater area (Northern Beaches Council, pers. comm.) so the potential for more dogs to be using this area is substantial.



**Figure 5.** Examples of dog activity on Station Beach observed on 22 January, 2019, 4.45pm at low tide. Green patches are exposed seagrass habitat. The owner of the dog in the right-hand photo removed the dog's faeces immediately after it was deposited.

### 5. Review of Environment Factors – Questions regarding biological impacts

This section answers the specific questions in Section 3.9 of the Review of Environmental Factor Guidelines (Office of Environment and Heritage, 2016) using the information in the preceding sections of this report. Answers are given in point form.

#### 5.1 Is any vegetation to be cleared or modified?

Yes – three species of seagrass: *Posidonia australis*, *Zostera muelleri*, *Halophila ovalis*

- modification, such as destroying individual plants or part thereof, will likely occur if dog swimming occurs during low or mid-tide, including during night time

Status – *P. australis* in Pittwater is specifically listed as an endangered population in NSW (Fisheries Scientific Committee, 2010)

- *P. australis* in Pittwater is part of the Hawkesbury-Manning Bioregion specifically listed as an endangered ecological community by the Australian government (Commonwealth of Australia, 2015)

Economic and social value – seagrass supports commercial and recreational fisheries by providing habitat for the juvenile stages of important fish species taken by these sectors such as luderick, sand whiting and yellowfin bream.

Habitat provision – seagrass off Station Beach provides habitat and food sources for many estuarine species of fish, invertebrates, algae and plankton.

- provides habitat for White's seahorse (*Hippocampus whitei*) listed as endangered on the IUCN Red List (Harasti and Pollom, 2017).

Area of proposed activity – total area is 35901m<sup>2</sup> including beach and out into the water level with the end of the wharf, which is accessible during low tide.

- Water area only of the proposed activity is 28720.87m<sup>2</sup>, 65% of which contains seagrass; extent of this area potentially modified by dog interaction cannot be determined until data in the level of disturbance is determined (see 4.3 above)

Condition of the seagrass – *P. australis* off Station Beach is dense with relatively long leaves but in shallow areas tips are affected by exposure to sun during low tides, many shoots with leaves covered with epiphytes with some being grazed by marine snails, abundant fruiting evident in November.

*Z. muelleri* sparse to dense from intertidal to subtidal with short leaves, shallow intertidal plants affected by exposure to sun, many covered by filamentous brown algae potentially affecting light availability to leaves, *Colpomenia sinuosa* (foliose algae) covering the sediments between shoots in the shallow intertidal potentially affecting light penetration to seed banks in sediments;

*H. ovalis* sparse throughout bed, short shoots easily disturbed and buried by sediment

Proximity to other natural habitats – seagrass within the dog swimming area is 2.11% of the total seagrass bed off Station Beach with which it forms a continuous bed of seagrass; the seagrass off Station Beach is the largest continuous bed of seagrass in Pittwater (0.879 km<sup>2</sup>, 47% of all seagrass species in Pittwater) and the largest mixed stand of *P. australis* and *Z. muelleri* in Pittwater (0.719km<sup>2</sup>, 92.7%) (see 2.1 above)

Likely response to dog swimming disturbance – disturbance by dog swimming alone during high tide at the scale of individual plants is estimated to be low for all species; disturbance by dog swimming during low tide at the scale of individual plants and bed within the DSA is likely to be very high; *P. australis* has low capacity to respond to disturbance (see 4.1 above); for *Z. muelleri* and *H. ovalis* CTR is moderate to high at the scale of individual plants (see 4.1 above) because they occur in shallower water and likely will be trampled ; but this depends on the level of disturbance (see 4.3 above)

- disturbance by dog swimming in combination with other human disturbances off Station Beach may add to the cumulative impacts affecting the seagrass and its ecological community by depleting the edge of the seagrass habitat along the landward side of the DSA; this may diminish the capacity of the seagrass and its ecological community to re-colonise along this edge and affect the stability of the bed in the area along Station Beach but this depends on the level of cumulative human disturbances (see 4.3 above)

Invasive species – *C. taxifolia* has been spreading in Pittwater since 2001; it may be spread further into the seagrass bed through vegetative growth of broken fragments, especially at the southern end of the DSA where it is less abundant; *C. taxifolia* can potentially change the composition of the fish and invertebrate community (see 3. above).

## 5.2 Is the activity likely to have a significant effect on threatened flora or fauna species, populations or their habitats or an endangered ecological community or its habitat?

5.2.1 Assessment of significance – endangered population of *P. australis*: will the action proposed likely have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction?

Reduction in population size and reproductive success – depending on the level of disturbance by dog swimming (see 4.3) it is possible individual plants may be damaged and fruits and flowers during its breeding season dislodged before reaching maturity. This could result, over time, in a small reduction of the size of the population and reproductive success. However, the spatial area of *Posidonia/Zostera* within the dog swimming area is 3633.2m<sup>2</sup> which is 0.46% and 0.49% of the total spatial area of *Posidonia/Zostera* in Pittwater and Station Beach respectively. Therefore, the risk of extinction of the local population of *P. australis* from disturbance by dog swimming alone is low, but depends on the level of disturbance occurring as per section 4.3 of this report.

5.2.2 Assessment of significance – endangered ecological community of *P. australis*: will the action proposed likely have an adverse effect on the extent of the ecological community or substantially modify the

composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction

Local occurrence - in the Manning-Hawkesbury ecoregion, seagrass in Pittwater is the fourth largest in the region, 245000m<sup>2</sup> (Commonwealth of Australia, 2018)

- in the Hawkesbury estuary as a whole, the seagrass in Pittwater is the largest by area, making up 56.3% of the seagrass in the Hawkesbury estuary
- since 1980 it is estimated that there has been a 12% decline in the spatial area of seagrass in the whole of Pittwater (Commonwealth of Australia, 2018)
- the above shows that the spatial extent of *Posidonia/Zostera* seagrass beds within Pittwater provide a substantial, complex habitat to sustain its endangered ecological community
- the spatial area of *Posidonia/Zostera* within the dog swimming area is 3633.2m<sup>2</sup> which is 0.46% and 0.49% of the total spatial area of *Posidonia/Zostera* in Pittwater and Station Beach respectively. Therefore the local occurrence of the ecological community off Station Beach is not likely to be substantially reduced, but depends on the level of disturbance occurring as per section 4.3 of this report.

Risk of extinction – the persistence of the local occurrence of the ecological community may be affected if the dog swimming activity results in a decline of the structure of the *P. australis* bed over time

- given the spatial area of *Posidonia/Zostera* within the dog swimming area is 0.49% of the total in Station Beach, loss of this proportion of habitat alone is unlikely to result in the local occurrence of the ecological community becoming extinct, but depends on the level of disturbance occurring as per section 4.3 of this report.

Composition – the species composition, structure and function of the ecological community may be affected if the dog swimming activity results in the spread of the invasive alga *C. taxifolia* (see 3.0 of this report);

- changes to the composition of the ecological community may occur if mobile species, such as fish and invertebrates, temporarily leave or avoid the dog swimming area, potentially disrupting foraging and increasing stress levels, particularly in juvenile species
- it is difficult to determine whether the composition of the ecological community will be modified without more information about the level of disturbance of dog swimming (section 4.3 of this report) but given the small proportion of the *Posidonia* ecological community exposed to the activity (0.49%) change in composition is likely to be low.

### 5.2.3 Assessment of significance – population and habitat of the threatened species White's seahorse

(*Hippocampus whitei*): will the action proposed likely have an adverse effect on the life cycle of the species, extent of habitat modification, fragmentation of habitat or importance of the habitat to the long term survival of the species such that a viable local population of the species is likely to be placed at risk of extinction?

Population - *Hippocampus whitei* displays rapid growth, early maturity and reproduction (Harasti et al. 2012), indicating that it has the ability to develop large populations if conditions are appropriate, such as the availability of suitable habitat and few predators (Harasti et al. 2014b); information is available on population status for *H. whitei* from two estuaries where this species was found to be most abundant: Port Stephens and Port Jackson (Sydney Harbour) (Harasti et al. 2012). Resurveys of population abundance at both Port Stephens and Sydney Harbour have found declines in population abundance over the past decade; it is suspected that declines of at least 50-70% have occurred based on the data from the most populated portion of the species' range.

Habitat – *H. whitei* is known to occur at depths to 12 m, using a wide range of habitat types including subtidal seagrasses, macroalgae, corals, sponges, and anthropogenic structures (Kuiter 2009, Harasti et al. 2014); they are site-faithful to a home range (averaging 8 m<sup>2</sup> for males, 12 m<sup>2</sup> for females: Vincent et al. 2005) during their breeding season (October to April); The species is known to display strong site fidelity with tagged males occurring on the same site for up to 56 months and females 49 months, whilst no seahorses were ever recorded moving between sites. The species is known not to move far, as the largest distance a tagged animal was found to travel was only 70 m.

Importance of habitat - major threat to *H. whitei* is loss of essential marine and estuarine habitats across its range; as the species displays strong site fidelity and has specific habitat preferences (Vincent et al. 2005, Harasti et al. 2014a), the further loss of key habitats through anthropogenic effects would result in a negative effect on species abundance and distribution; the species has very limited chance for dispersal given that there is no pelagic stage for juveniles, with newborns generally settling in the area of birth and not travelling far (Harasti et al. 2014a); limited geographical distribution and increasing pressures from anthropogenic sources on its habitats.

- life-history parameters of *H. whitei* suggest it may be reasonably resilient if conditions are suitable

Local occurrence – known to be present in Pittwater (see Appendix 1) but there is no information about abundance and distribution over time and spatial extent of *H. whitei* within Pittwater

Extent of seagrass habitat potentially affected by the dog swimming activity – maximum extent is 3633.2m<sup>2</sup> (0.49% of seagrass off Station Beach); but *H. whitei* would only occupy the subtidal component of this extent within the dog swimming area which would vary depending on the height of low tide; therefore percentage of seagrass habitat of *H. whitei* affected would be less than 0.49%.

- given the spatial area of seagrass habitat within the dog swimming area is less than 1% of the total in Station Beach, it is unlikely to result in the local occurrence of the White's seahorse becoming extinct, but depends on the level of disturbance occurring as per section 4.3 of this report and the abundance and distribution of White's seahorse within Pittwater.

#### 6. Additional Options Proposed by Northern Beaches Council

Northern Beaches Council wanted an evaluation of the option of allowing dog swimming in the area at any time of the tide over the unvegetated (i.e. without seagrass) soft sediment before the seagrass area.

Therefore, at the request of the Council this section provides the following information:

- a) investigation of a buffer zone – for the soft sediment area, before the seagrass area, as an option for dog access to the water at low and mid tide (as well as high tide);
- b) provide a map of the proposed trial area showing where the seagrass is and the soft sediment as well as the buffer;
- c) provide a recommendation for the water depth required above the top of the seagrass and soft sediment bed that would enable dogs to swim in these areas.

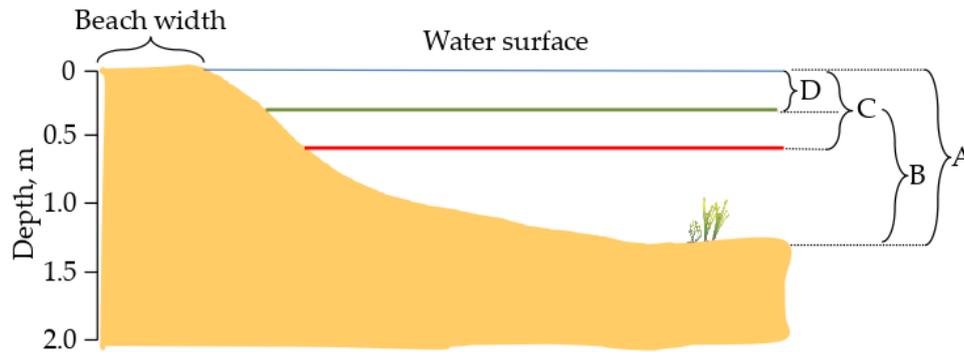
It should be noted that DPI Fisheries do not have maps of soft sediment habitats in the Pittwater estuary; it only has maps of where seagrass, mangroves and saltmarsh occur. Therefore, the distribution of soft sediment can only be inferred from the maps available and cannot be relied upon to accurately represent neither the type nor the distribution of the actual soft sediment.

#### 6.1. Assessment of Buffer Zones

##### 6.1.1 Depth buffer zone

In order to allow dog swimming over seagrass and soft sediment at any time of the tide a minimum depth is needed to protect the seagrass canopy and soft sediment near the edge of the seagrass bed from disturbance. The soft sediment needs to be protected from trampling disturbance because this can impact the seed beds of two species of seagrass present in Pittwater, *Zostera muelleri* and *Halophia ovalis*. The following method was used to assess the adequacy of a depth buffer.

For each of the nine transects measured within the dog swimming area (DSA) along Station Beach a minimum depth above the bottom of the seabed of 1 metre (B in Figure 6) was applied to the deepest point measured (see Appendix 3 for diagrams and graphs showing the affect of dog height on depth buffer). The water depth available for dog swimming (D in Figure 6) was calculated by subtracting the buffer (B) from the total depth (A in Figure 6). The available water depth (D) was then compared to the average dog height (shoulder height, see Appendix 3, Table A3.1) of 0.6 metre (C in Figure 6).



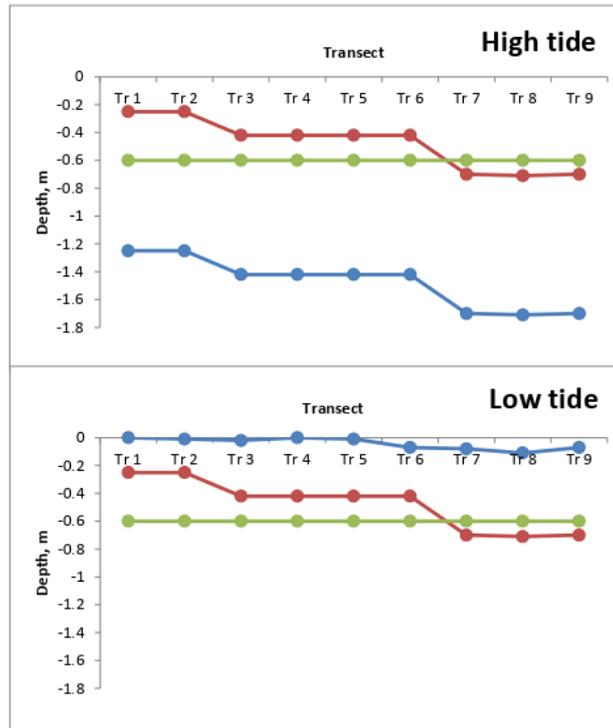
**Figure 6.** Schematic diagram showing measurements used on each transect to evaluate the adequacy of a depth buffer at high and low tides. A – depth of seagrass, B – depth buffer, 1m, C – average dog height, D – water depth available for dog swimming.

### 6.1.2 Results

The results show that at high tide only three transects have adequate water depth to accommodate dog swimming over the seagrass (Table 7 and Figure 7). The three transects at high tide are at the mid to southern end of the DSA of Station Beach (see Appendix 2, Figure A2.2). The beach has an increasing depth gradient along its north to south length. Consequently, there are deeper areas at the southern end than the northern end. At low tide no transects had adequate water depth for dog swimming. The transects without adequate water depth means that dogs can only walk across the sediments/seagrass beds.

**Table 7.** Results of depth buffer analysis for each transect. SG – seagrass, HT – high tide, LT – low tide, ht – height. See Figure 6 for explanation of A- D.

Transect	(A)	(B)	(C)	(D)	Adequate	(A)	Adequate
	SG Depth HT, m	Buffer Depth, m	Dog ht, m	Depth available, m	water available at HT	SG Depth LT, m	water available at LT
Tr 1	-1.25	-1	-0.6	-0.25	No	0	No
Tr 2	-1.25	-1	-0.6	-0.25	No	-0.0099	No
Tr 3	-1.42	-1	-0.6	-0.42	No	-0.02	No
Tr 4	-1.42	-1	-0.6	-0.42	No	0	No
Tr 5	-1.42	-1	-0.6	-0.42	No	-0.01	No
Tr 6	-1.42	-1	-0.6	-0.42	No	-0.07	No
Tr 7	-1.7	-1	-0.6	-0.7	Yes	-0.08	No
Tr 8	-1.71	-1	-0.6	-0.71	Yes	-0.11	No
Tr 9	-1.7	-1	-0.6	-0.7	Yes	-0.07	No

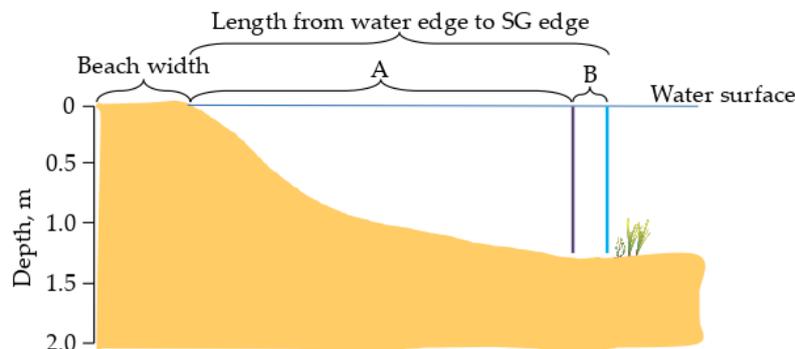


**Figure 7.** Graphs showing the available water depth above the depth buffer compared to the average dog height for each of the transects along Station Beach in the DSA at high and low tide. Red line – depth available for dog swimming, Green – average dog height, Blue – depth of seagrass bed.

**6.1.3 Width buffer zone**

In order to allow dog swimming over seagrass and soft sediment at any time of the tide a minimum distance from the landward edge of the seagrass is needed to protect the seagrass and soft sediment near the edge of the seagrass bed from disturbance. The following method was used to assess the adequacy of a width buffer.

For each of the nine transects measured within the dog swimming area (DSA) along Station Beach a minimum width from the landward edge of the seagrass bed of 3 metres (B in Figure 8) was applied to the furthest point measured. The water length available for dog swimming (A in Figure 8) was calculated by subtracting the buffer (B) from the total length from the water's edge to the edge of the seagrass bed (Figure 8). The available water length (A) was then compared to the width buffer (B in Figure 8).



**Figure 8.** Schematic diagram showing measurements used on each transect to evaluate the adequacy of a width buffer at high and low tides. A – length between water edge and buffer, B – width buffer, 3m.

### 6.1.4 Results

The results show that at high tide there is adequate water length between the water's edge and the landward edge of the width buffer for dog activity (Table 8 and Figure 9). At low tide, however, only three transects have adequate water length for dog activity, T1, 5, 9. This is due to the irregular landward edge of the seagrass bed north to south along Station Beach. It should be noted that the seagrass edge will vary throughout the year due to seasonal growth patterns of *Z. muelleri* and *H. ovalis*. These species are more productive during summer months and reduce their productivity during winter. Therefore, the seagrass edge will vary naturally as the plants expand and reduce seasonally. The water length in the remaining transects falls within the width buffer zone.

Table 8. Results of width buffer analysis for each transect. SG – seagrass, HT – high tide, LT – low tide.

Transect	Length from back of shore to SG Edge	Width buffer	Length from back of shore to buffer edge	Length from water edge to buffer edge		Available length adequate	
				HT	LT	HT	LT
Tr 1	42.1	3	39.1	32.1	5.6	Yes	Yes
Tr 2	38	3	35	26.1	2	Yes	No
Tr 3	35.6	3	32.6	22.74	0.7	Yes	No
Tr 4	32.1	3	29.1	19	-1.6	Yes	No
Tr 5	38	3	35	25.51	3.9	Yes	Yes
Tr 6	31.29	3	28.29	18.46	-0.74	Yes	No
Tr 7	31.3	3	28.3	16.5	-1	Yes	No
Tr 8	31.48	3	28.48	20.28	-0.42	Yes	No
Tr 9	36.7	3	33.7	25	5.32	Yes	Yes

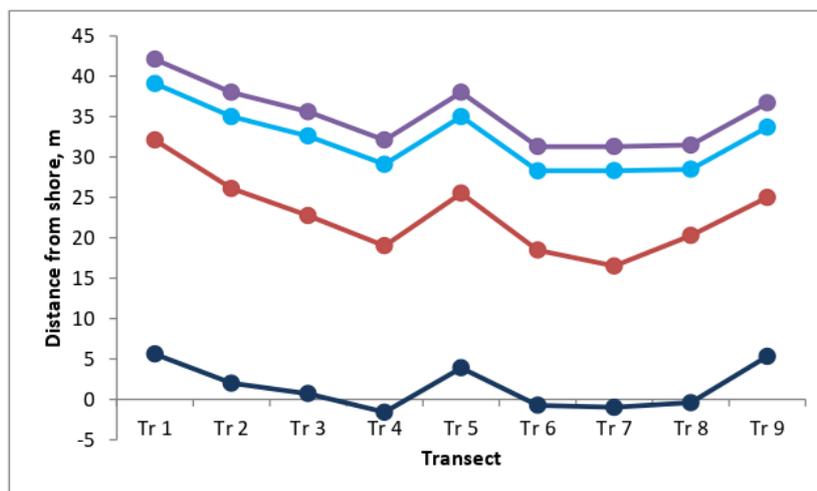


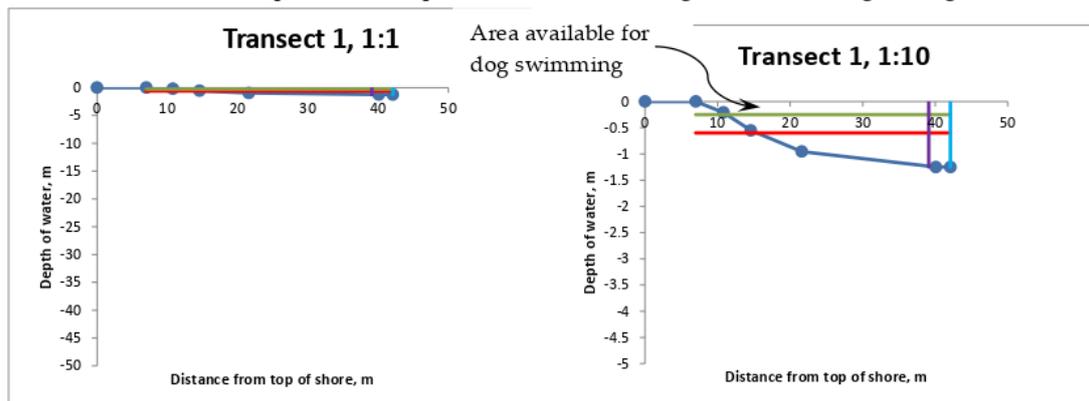
Figure 9. Graph showing the available water length before the width buffer at high and low tides for each of the transects along Station Beach in the DSA Purple – seagrass edge length, Light blue line – buffer width, Red – length from shore at high tide, Dark blue – length from shore at low tide.

### 6.2 Combining width and depth buffer zones

By combining the depth and width buffer zone analyses the transects where there is both adequate depth and length of water for dog swimming can be identified. At high tide only Transects 7-9 have adequate depth and width to allow dog swimming within the two buffer zones. At low tide none of the transects have adequate depth and width to allow dog swimming. Because of the very shallow topography of the beach

profile from shore to sea, the difference between high and low tide is very small (Figure 10). Therefore, mid tide depths and widths will show little improvement in the available water depth and length. Figure 11 shows profile views of each transect at high and low tide showing the depth and width buffer zones and the available space where dog activity can occur. In order to show the buffer zones clearly the graphs have been plotted at a 1:10 ratio, i.e. 1 metre depth equals 10 metres length. An example of the actual beach profile of 1:1 is compared in Figure 10 for Transect 1.

**Figure 10.** Graph comparing the high tide beach profile of Transect 1 at actual size (left graph, 1m depth = 1m length) to 1:10 size (right graph, 1 m depth = 10m length) with the depth and width buffer zones. Blue dots and line – water depth to sediment surface, Red line – average dog height, Green line – depth buffer, Purple line – width buffer, Light blue line – seagrass edge.



**Figure 11.** Graphs comparing the beach profiles of each transect at high tide (HT) and low tide (LT) at 1:10 size ratio, showing the depth and width buffer zones. Blue dots and line – water depth to sediment surface high tide, Green squares and line - water depth to sediment surface low tide, Red line – average dog height, Green line – depth buffer, Purple line – width buffer, Light blue line – seagrass edge.

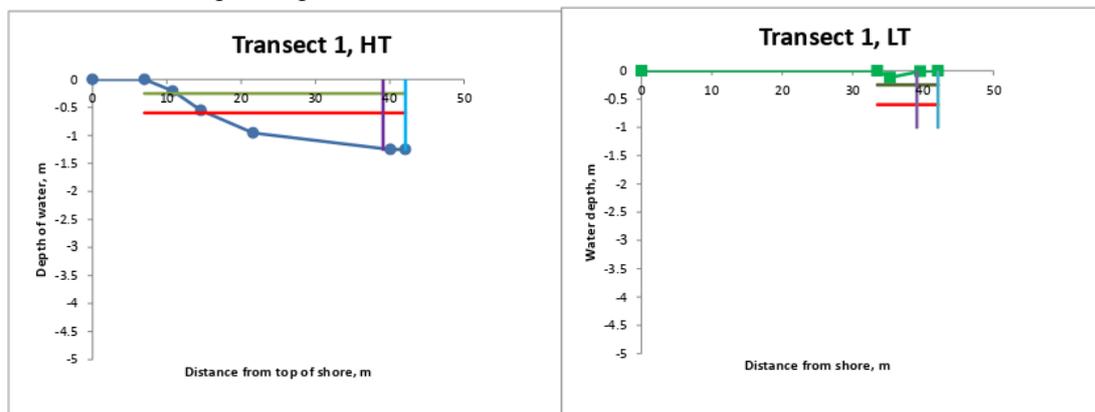


Figure 11 continued

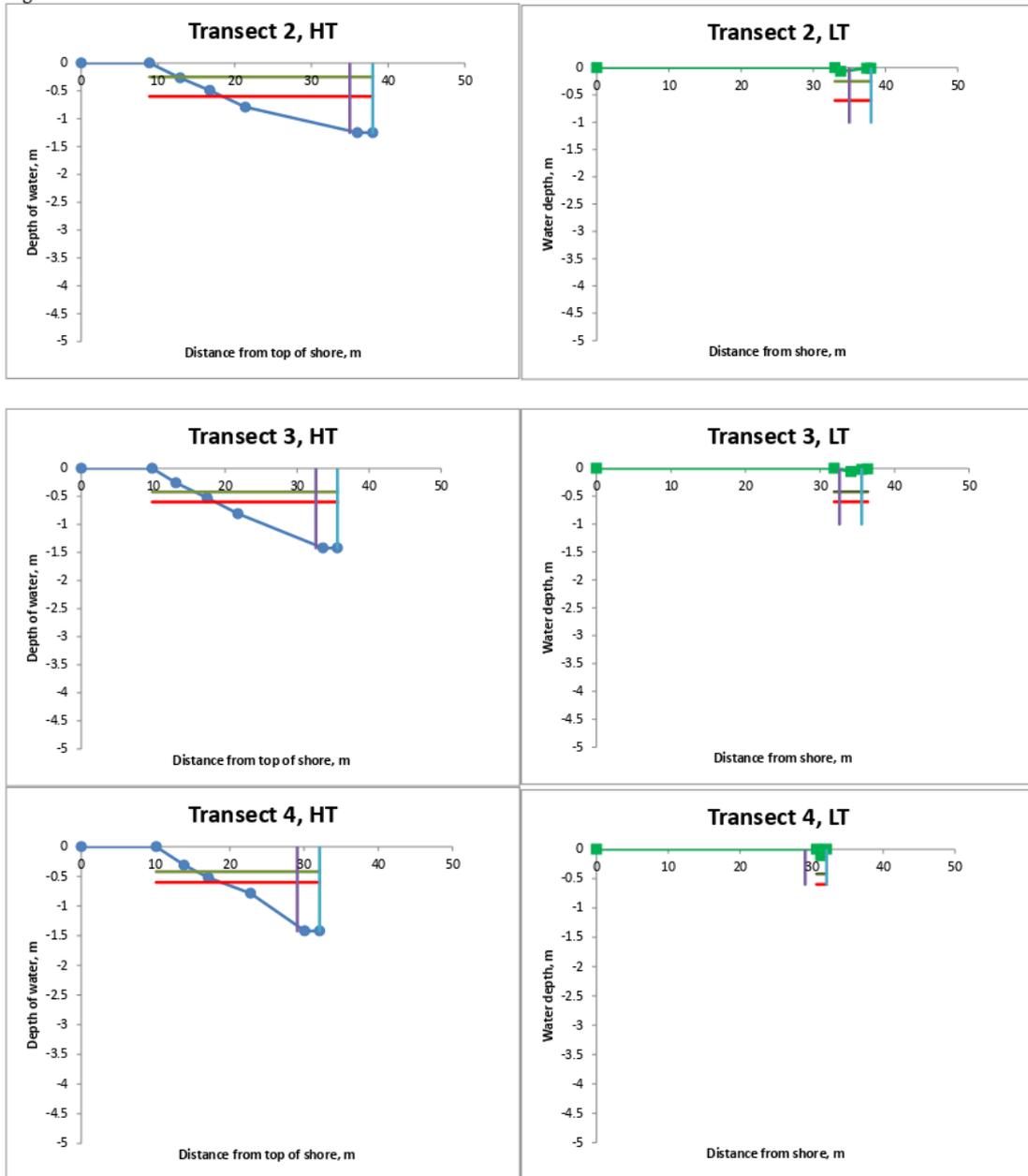


Figure 11 continued

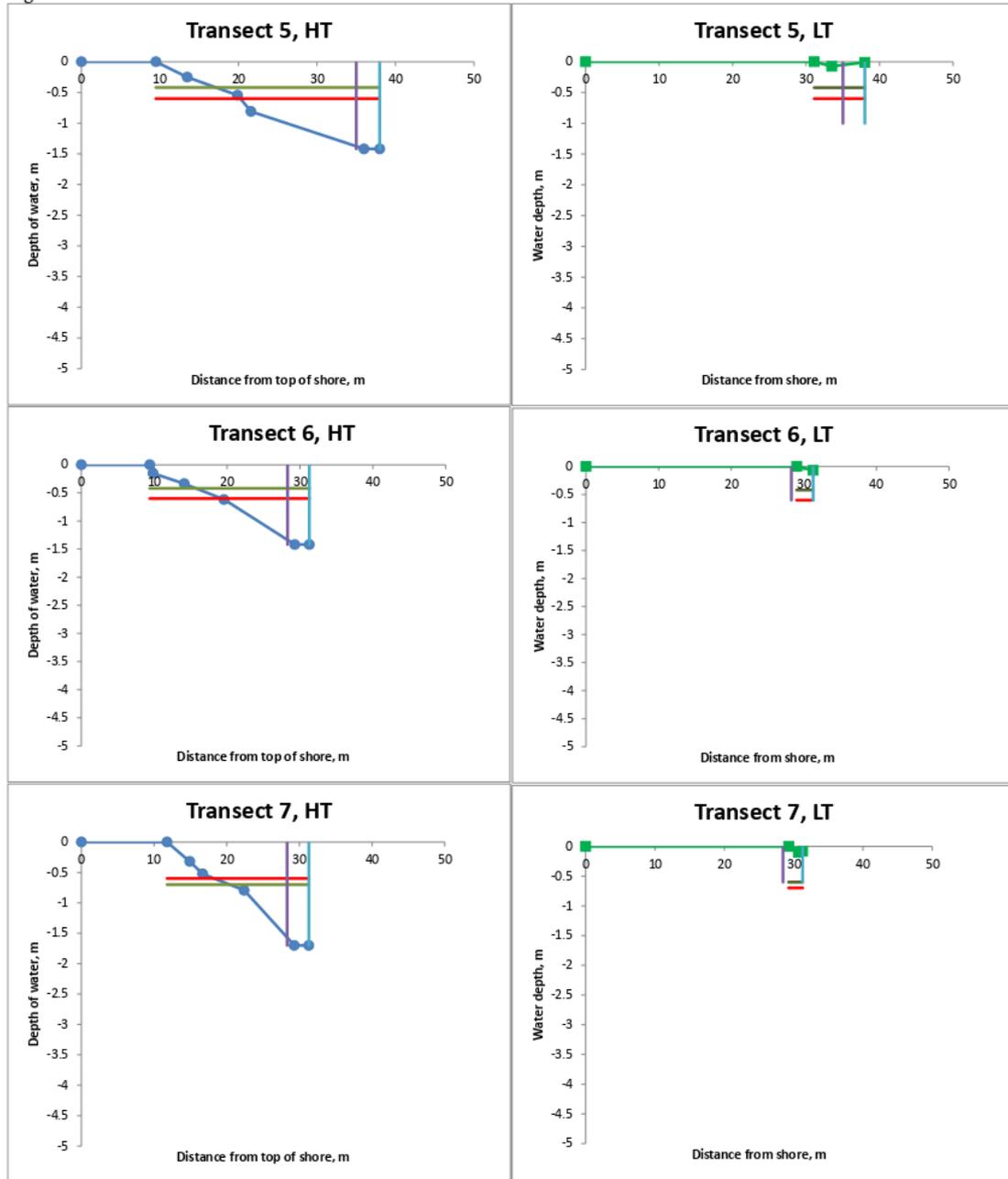
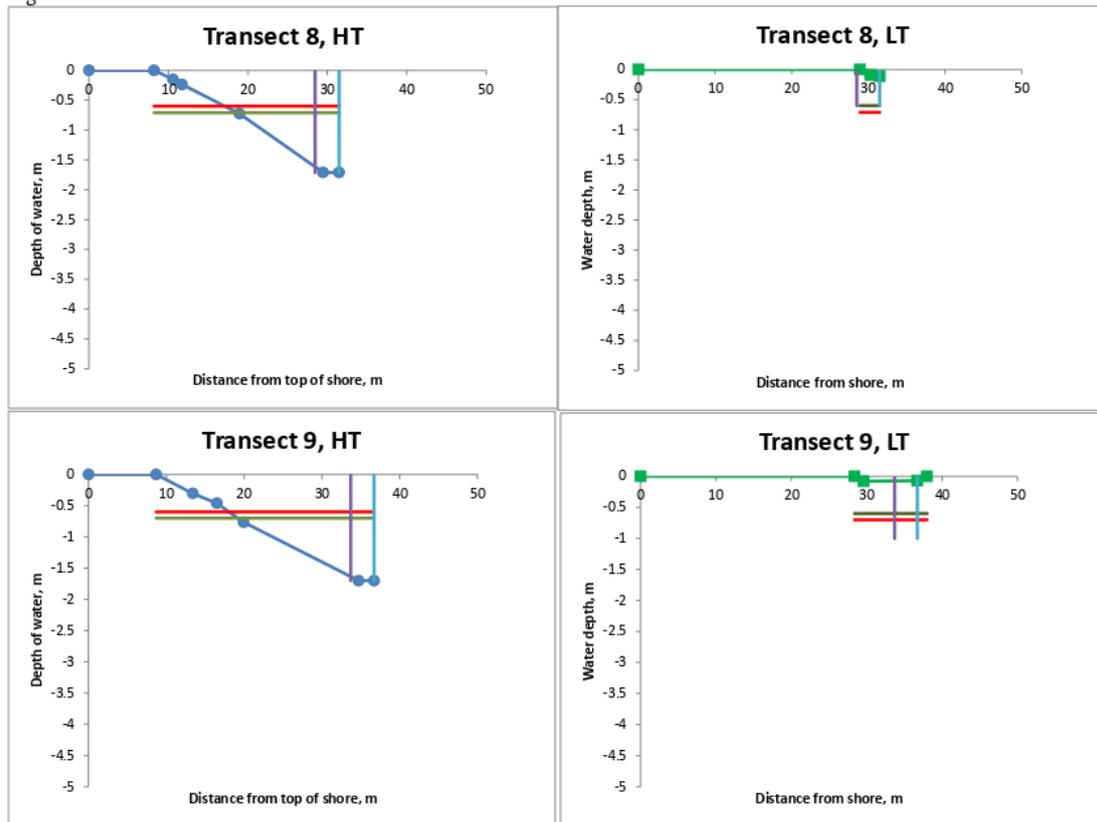


Figure 11 continued



### 6.3. Map of seagrass bed showing soft sediment edge

Figure 12 show the map of the seagrass bed adjacent to Station Beach. This map is several years old and so the sediment edge may not be accurate. The seagrass beds in Pittwater will be remapped this year (2019) but an updated map will not be available until the end of the year or early next year. Therefore, interpretation of the location of the sediment area in Figure 12 should be done cautiously. It was not possible to show the width buffer zone on this map due to the inaccuracy of the estimate of the sediment edge. It should be noted that seagrass naturally varies seasonally in productivity, more seagrass is produced in summer and less in winter. Consequently, the position of the soft sediment edge will vary throughout the year and from year to year.

### 6.4. Compromise Option

In consultation with Northern Beaches Council a compromise option was proposed as follows.

A straight boundary line three metres from the edge of the seagrass bed closest to the beach and running parallel to the beach the length of the proposed dog swimming area could be placed to designate the area permitted for dog swimming activity east of the line (Figure 12.). This line would enable dog swimming to be permitted at any time of the tide east of this line.

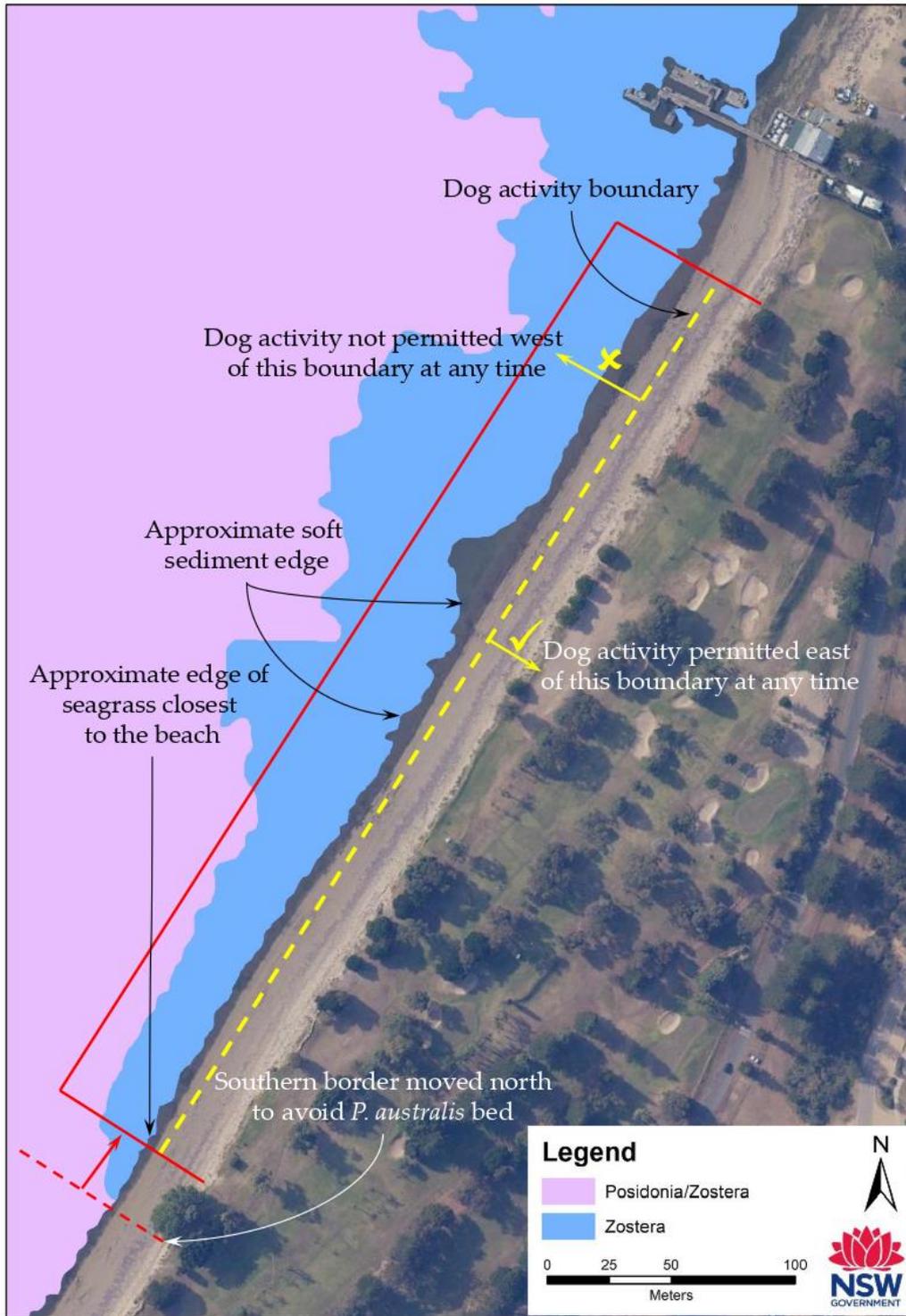
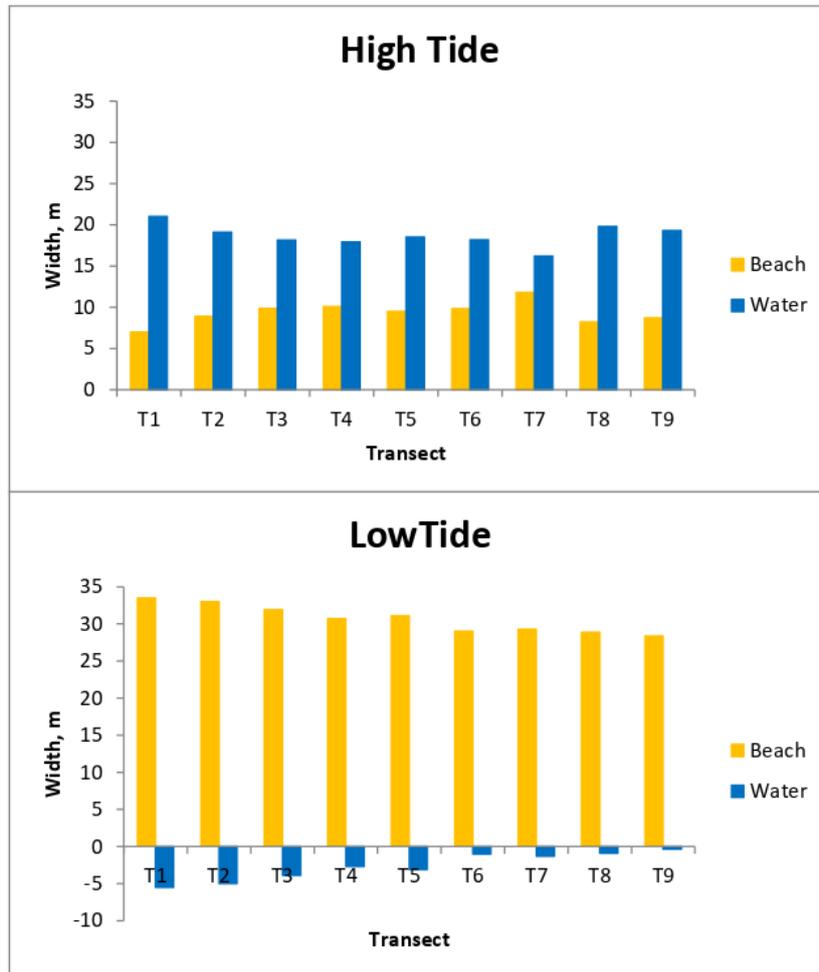


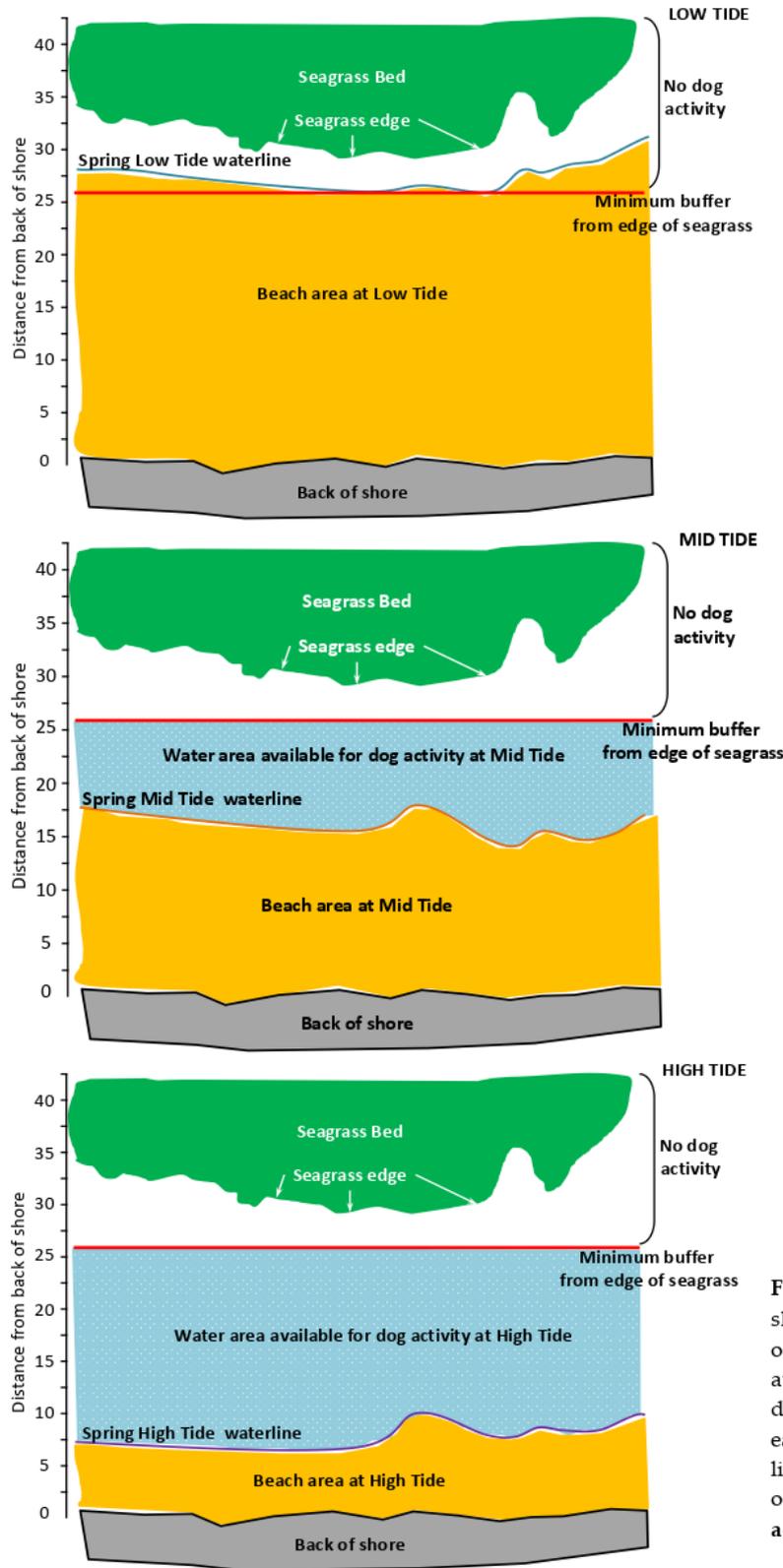
Figure 12. Aerial photo of Station Beach showing the position of the straight boundary line separating dog activity from the seagrass bed.

Application of the line would result in a width of water and beach for dog activity that varies with the tide. Based on the transects measured for this report the average beach width at spring high tide is 9.32m and the average water width available for dog activity east of the straight boundary line is 18.68m. At spring low tide beach width is 30.65 m and the average water width available for dog activity east of the straight boundary line is -2.65m, i.e. no water (Figure 13).



**Figure 13.** Graphs showing the width of the beach and water available for dog activity at each transect for spring high and low tides on Station Beach.

Figure 14 illustrates schematically the effect of the straight boundary line on the available space for dog activity at different heights of the tide and Figure 15 shows Station Beach at different times of the tide (see also photos in Appendix 4). Only at low tide is there no water available for dog activity. Dogs would only have the beach area to exercise in east of the boundary line during low tide. However, at high and mid tides dogs would have access to a substantial area of water for exercise under their owner’s supervision.



**Figure 14.** Schematic diagrams showing the different widths of the beach and water available for dog activity at different heights of the tide east of the straight boundary line. This is an illustration only and does not show the actual minimum buffer line.

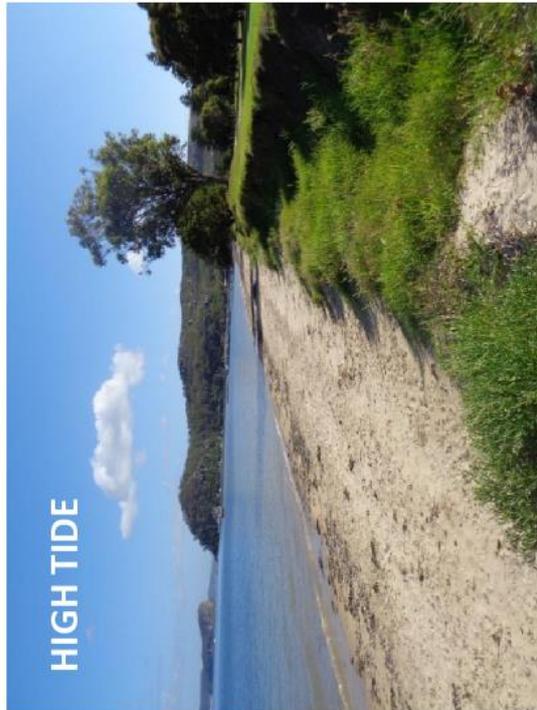
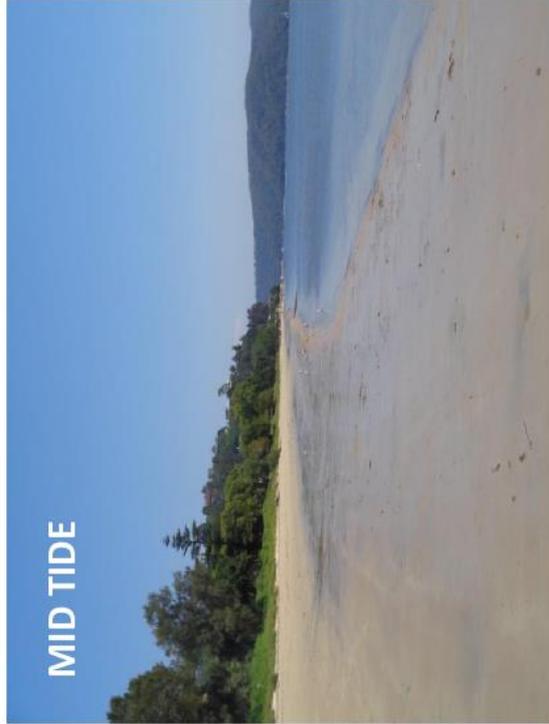


Figure 15. Photos of Station beach at different heights of the tide.

Using a straight boundary line would serve the following functions:

- i) Allows dog swimming activity at any time of the tide whilst keeping dogs and their owners away from the seagrass bed
- ii) Provides a consistent suitable buffer between dog activity and the seagrass bed, limiting disturbance, which allows for seasonal variation in the position of the edge the seagrass bed over time
- iii) Provides a clear permanent boundary line for the community and dog owners that enables them to easily comply with the rules of the DSA
- iv) Provides a clear permanent boundary line for compliance monitoring

#### 7. Recommendations

a) Given the widespread damage to the seagrass bed from other human disturbances off Station Beach, any further damage from disturbances by dog swimming should be avoided. This would be consistent with the conservation advice for *P. australis* ecological community in Pittwater from the Commonwealth of Australia Department of the Environment (2015) (see box below).

*Approved Conservation Advice:*  
4.3 Priority recovery and threat abatement actions  
Habitat loss, disturbance and fragmentation  
High priorities:  
- Avoid further loss and fragmentation of the ecological community.

- b) Serious consideration should be given to whether the introduction of a dog swimming area at Station Beach adjacent to the largest seagrass bed in the Pittwater estuary is consistent with the intent of the legislative and policy commitments provided in Section 2.1.1 of this report and Northern Beaches Council own Draft Pittwater Waterway Strategy.
- c) Educational sessions and information should be provided to local residents of Pittwater, especially dog owners, about the significance and importance of the seagrass beds in Pittwater, particularly regarding their endangered status and the potential impacts of dog swimming and trampling in these habitats.
- d) Council should take the minimum depth buffer zone from the sediment surface to above the seagrass canopy of 1 metre into account in making any decisions regarding allowing human and dog activities in the area off Station Beach
- e) Council should take the minimum width buffer zone from the edge of the seagrass bed landward of 3 metres in making any decisions regarding allowing human and dog activities in the area off Station Beach  
If dog swimming/activity is permitted then:
  - f) a straight boundary line be placed three metres from the edge of the seagrass bed closest to the beach and running parallel to the beach the length of the proposed dog swimming area. The latest seagrass habitat map for Pittwater should be used to position this line. NSW Fisheries is in the process of remapping this bed in 2019 and should be contacted for the latest map.
  - g) dog activity be allowed east of this line only, i.e. between the line and the beach, at anytime of the tide
  - h) no dog activity should occur west of this, i.e. over the seagrass area, at anytime
  - i) the southern end of the proposed DSA should be shortened to avoid interaction with the endangered population of *P. australis* seagrass bed that occurs close the shore, see Figure 12.
  - j) compliance patrols should be increased, particularly during peak usage times, such as weekends and school holidays to ensure rules are adhered to
  - k) comprehensive signage at Station Beach should be provided explaining the protection of seagrass in NSW, the endangered status of seagrass in Pittwater and clear explanation of the rules and map of the seagrass and DSA. These signs should be placed at locations at the north and south ends of the DSA where people enter the beach and can be clearly seen and read. The locations of signs on the proposed concept map on the Council's website are inadequate.
  - l) the level of use of the DSA should be monitored to determine the intensity, duration, frequency and timing of disturbances by dogs and their owners on the seagrass and sediment habitats.

m) monitoring the condition and extent of the seagrass habitats within the DSA compared to areas without dog swimming over a year should be conducted to determine whether and to what extent impacts of dog swimming have occurred

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Appendix 1.

Table A1. List of fish species caught in Pittwater in seagrass and unvegetated habitats. Compiled from Jelbart et al. (2006) and Shokri et al., (2009).

Family	Species	Common name
Apogonidae	<i>Apogon cookii</i>	Cook's cardinalfish
	<i>Vincentia novaehollandiae</i>	Eastern Gobbleguts
Atherinidae	<i>Atherinomorus ogilbyi</i>	Ogilby's hardyhead
Blenniidae	<i>Petroscirtes lupus</i>	Brown sabretooth blenny
Carangidae	<i>Caranx spp</i>	Trevally
	<i>Trachinotus spp</i>	Dart
Chandidae	<i>Ambassis jacksoniensis</i>	Glassfish
Clinidae	<i>Cristiceps argyropleura</i>	Silver-sided weedfish
	<i>Cristiceps aurantiacus</i>	Crested Weedfish
	<i>Heteroclinus fasciatus</i>	Weedfish
	<i>Heteroclinus whiteleggi</i>	Banded Weedfish
Clupeidae	<i>Hyperlophus translucidus</i>	Glassy Sprat
	<i>Hyperlophus vittatus</i>	Sandy Sprat
	<i>Spratelloides robustus</i>	Blue sprat
Cynoglossidae	<i>Paraplagusia unicolor</i>	Lemon tongue sole
Dasyatidae	<i>Dasyatis spp</i>	Stingray
Diodontidae	<i>Dicotylichthys punctulatus</i>	Threebar Porcupinefish
Gerreidae	<i>Gerres subfasciatus</i>	Silver biddy
Girellidae	<i>Girella tricuspidata</i>	Luderick
Gobiidae	<i>Arenigobius frenatus</i>	Half-bridled goby
	<i>Bathygobius krefftii</i>	Krefft's goby
	<i>Cristatogobius gobioides</i>	Crested Oystergoby
	<i>Favonigobius exquisitus</i>	Exquisite Sandgoby Goby
	<i>Favonigobius lateralis</i>	Goby
	<i>Redigobius macrostoma</i>	Largemouth Goby
Hemiramphidae	<i>Hyporhamphus regularis</i>	River garfish
Labridae	<i>Achoerodus viridis</i>	Eastern blue groper
Leptoscopidae	<i>Lesueurina platycephala</i>	Flathead pygmy-stargazer
Micricanthidae	<i>Atypichthys strigatus</i>	Australian mado
Monacanthidae	<i>Acanthaluteres spilomelanurus</i>	Bridled leatherjacket
	<i>Brachaluteres jacksonianus</i>	Pygmy leatherjacket
	<i>Cantherhinus pardalis</i>	Honeycomb Leatherjacket
	<i>Eubalichthys mosaicus</i>	Mosaic Leatherjacket,
	<i>Meuschenia freycineti</i>	Six-spined leatherjacket
	<i>Meuschenia trachylepis</i>	Variable (yellow tailed) leatherjacket
	<i>Meuschenia venusta</i>	Chinamen Leatherjacket
	<i>Monacanthus chinensis</i>	Leatherjacket
	<i>Scobimichthys granulatus</i>	Rough Leatherjacket
Mullidae	<i>Liza argentea</i>	Flat-tail mullet
	<i>Mugil cephalus</i>	Striped mullet
	<i>Myxus elongatus</i>	Sand mullet
	<i>Parupeneus signatus</i>	Blacksaddle Goatfish
	<i>Upeneichthys lineatus</i>	Bluestriped Goatfish
	<i>Upeneus tragula</i>	Bartail Goatfish
Odacidae	<i>Neoodax balteatus</i>	Little Weed Whiting
Paralichthyidae	<i>Pseudorhombus jenynsii</i>	Smalltooth Flounder
Platycephalidae	<i>Platycephalus arenarius</i>	Northern sand flathead

Table A1. continued

Family	Species	Common name
	<i>Platycephalus fuscus</i>	Dusky flathead
Plotosidae	<i>Cnidogobius macrocephala</i>	Estuary Catfish
	<i>Plotosus lineatus</i>	Striped Catfish
Rhombosoleidae	<i>Ammotretis rostratus</i>	Flounder, large mouth
Scorpaenidae	<i>Centropogon australis</i>	Eastern fortescue
	<i>Scorpius spp</i>	Sweep juvenile
Serranidae	<i>Epinephelus daemeli</i>	Black Rockcod
Siganidae	<i>Siganus nebulosus</i>	Black Rabbitfish
Sillaginidae	<i>Sillago ciliata</i>	Sand whiting
	<i>Sillago maculata</i>	Trumpeter Whiting
Sparidae	<i>Acanthopagrus australis</i>	Yellowfin bream
	<i>Pagrus auratus</i>	Snapper
	<i>Rhabdosargus sarba</i>	Tarwhine
Sphyraenidae	<i>Sphyraena obtusata</i>	Striped sea pike
Syngnathidae	<i>Filicampus tigris</i>	Tiger pipefish
	<i>Hippocampus whitei</i>	White's seahorse
	<i>Stigmatopora argus</i>	Spotted pipefish
	<i>Stigmatopora nigra</i>	Wide body pipefish
	<i>Urocampus carinirostris</i>	Hairy pipefish
	<i>Vanacampus margaritifer</i>	Mother-of-pearl Pipefish
Terapontidae	<i>Pelates sexlineatus</i>	Eastern striped trumpeter
Tetraodontidae	<i>Reichertia halsteadi</i>	Halsteads toadfish
	<i>Tetractenos hamiltoni</i>	Common toadfish
	<i>Torquigener pleurogramma</i>	Weeping toad
	<i>Torquigener squamicauda</i>	Brush-tail toadfish
Triglidae	<i>Chelidonichthys kumu</i>	Red gurnard

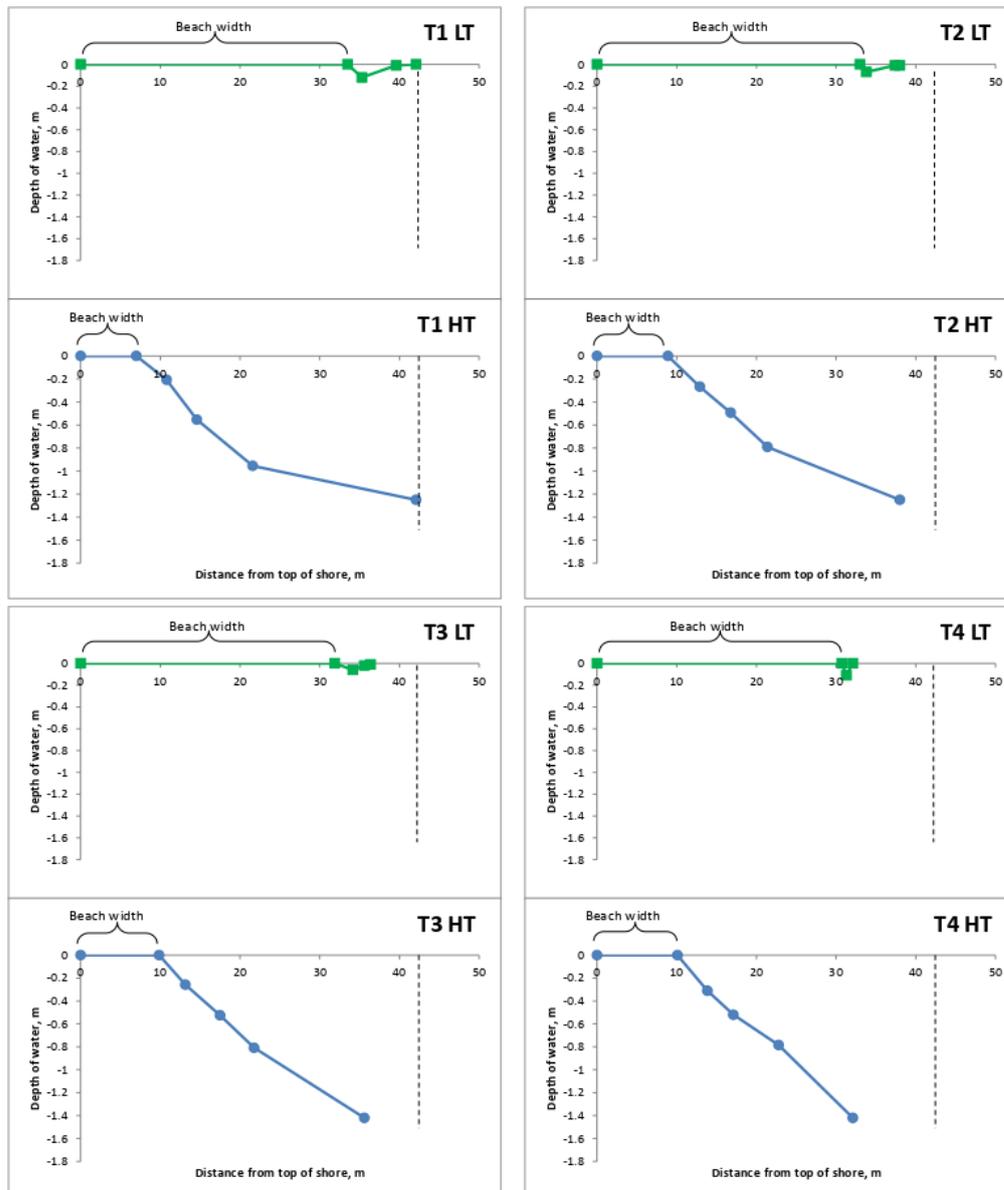
Appendix 2.



**Figure A2.1** Aerial photo showing damage to seagrass off Station Beach from boating, including propeller scaring, anchoring and moorings. Red border – proposed dog swimming area. Image source: Nearmap, Image Date: June 2018.



**Figure A2.2** Aerial photo showing positions of transects (T1-9) used to measure seagrass distance from shore and depth. Red dashed border – proposed dog swimming area; Blue lines – transects. Image source: Nearmap, Image Date: August 2017.



**Figure A2.3** Comparison between high and low tides of the distance and water depth from the back of the shore along Station Beach for all transects. Dashed line – position of wharf at the northern end beyond the DSA. HT – high tide; LT – low tide.

Figure A2.3 continued

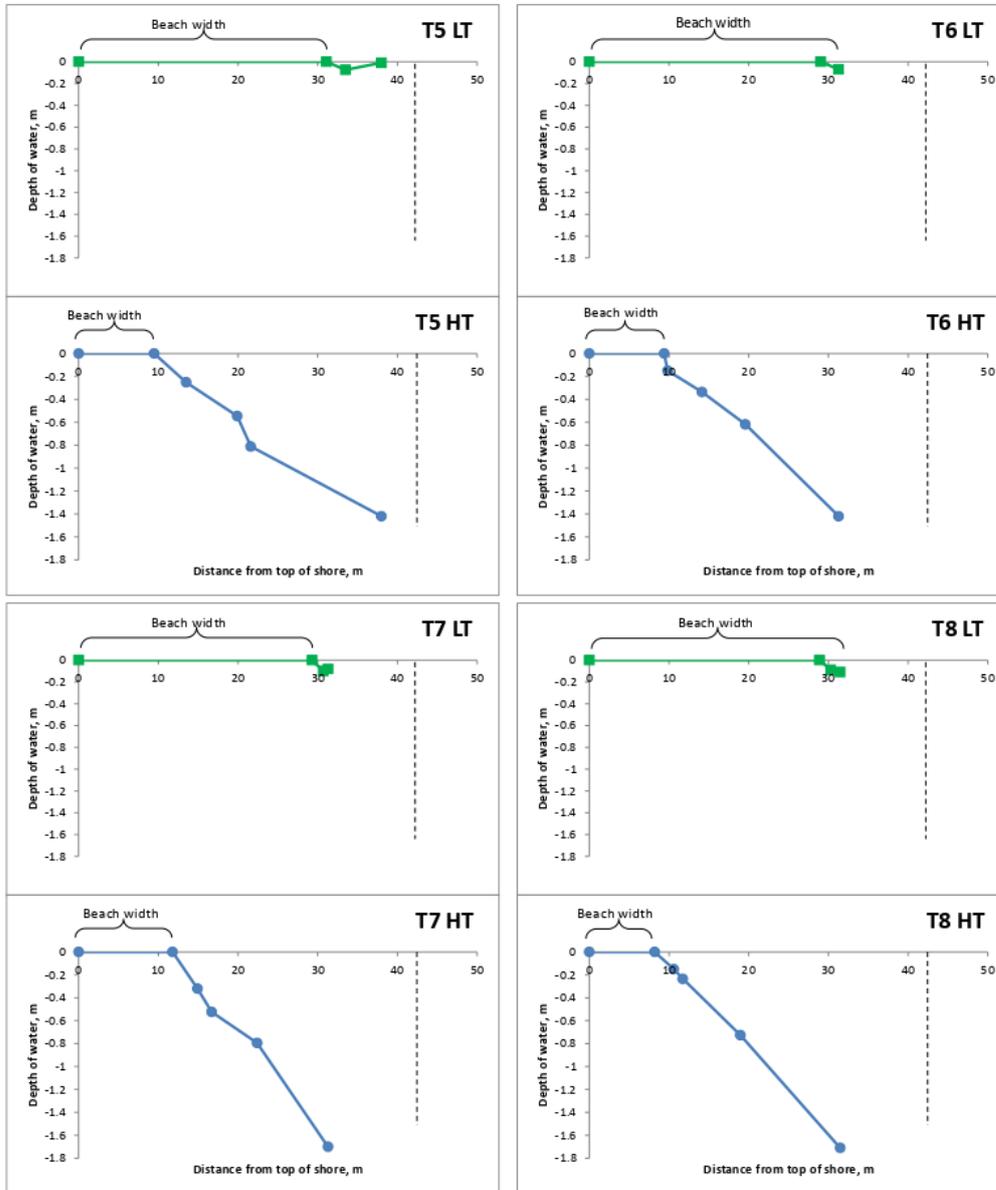
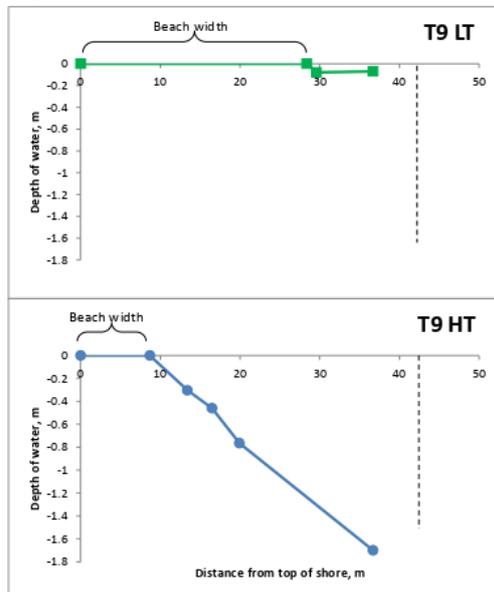


Figure A2.3 continued



### Appendix 3

**Table A3.1** List of heights of different dog breeds, measured from the shoulder used to calculate average dog height for depth buffer analyses. Source: Wikipedia.

Dog Breed	Observed on beach	Shoulder ht, cm		Male	Female
		Male	Female	Max	Max
Great Dane	Yes	76-86	71-81	86	81
Labrador	Yes	57-62	55-60	62	60
Fox terrier	Similar	36-41	33-38	41	38
Jack Russell	Similar	25-38		38	
Toy fox	No	22-29		29	
Average, cm				51.2	59.7
<b>Average, m</b>					<b>0.597</b>

**High Tide** -Depth of SG sediment is deeper than the buffer

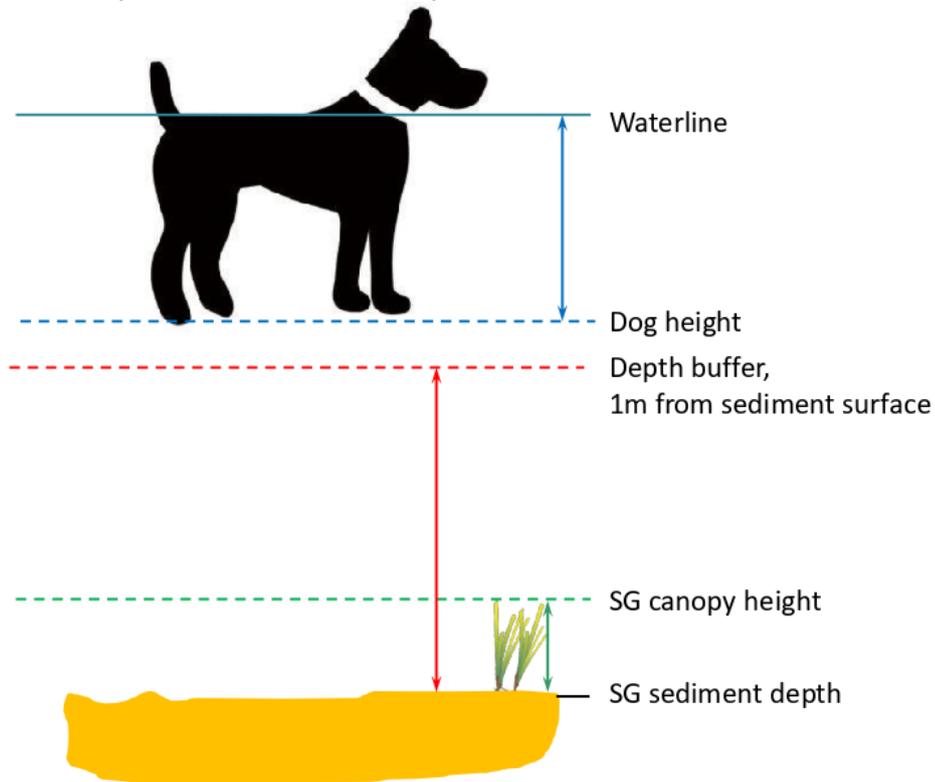


Figure A3.1 Diagram showing average dog height compared to depth buffer at high tide (HT).

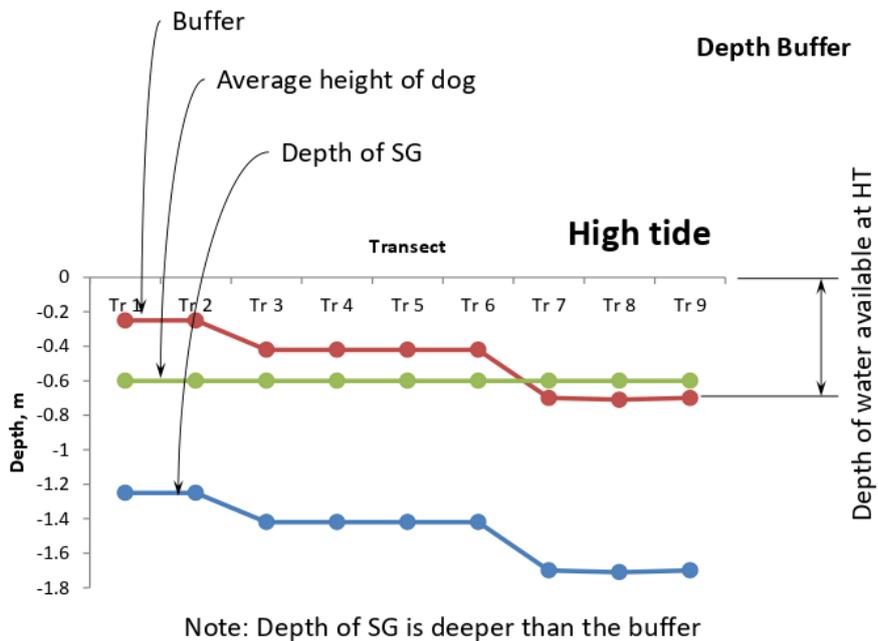


Figure A3.2 Depth of water available at each transect on Station Beach with depth buffer at high tide (HT).

**Low Tide** - Depth of SG sediment is shallower than the buffer

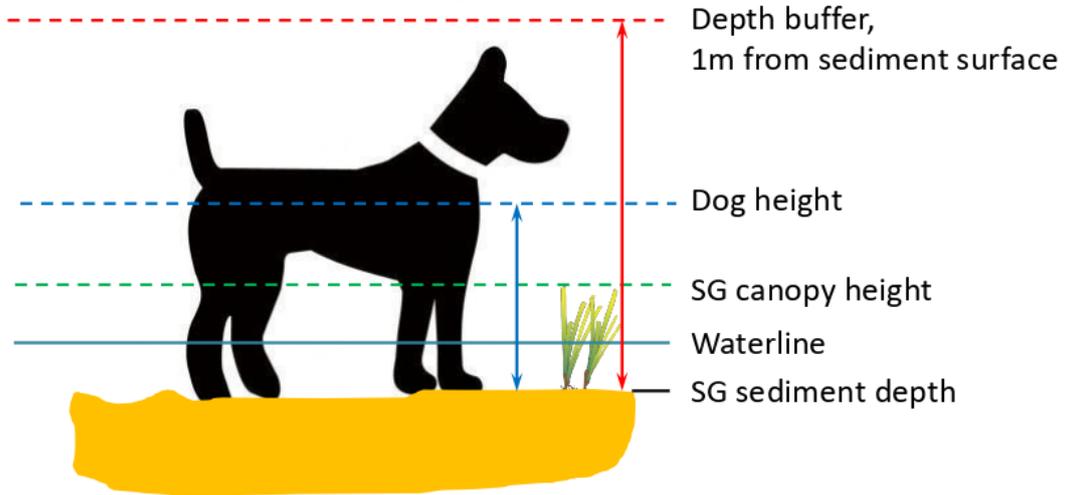


Figure A3.3 Diagram showing average dog height compared to depth buffer at low tide (LT).

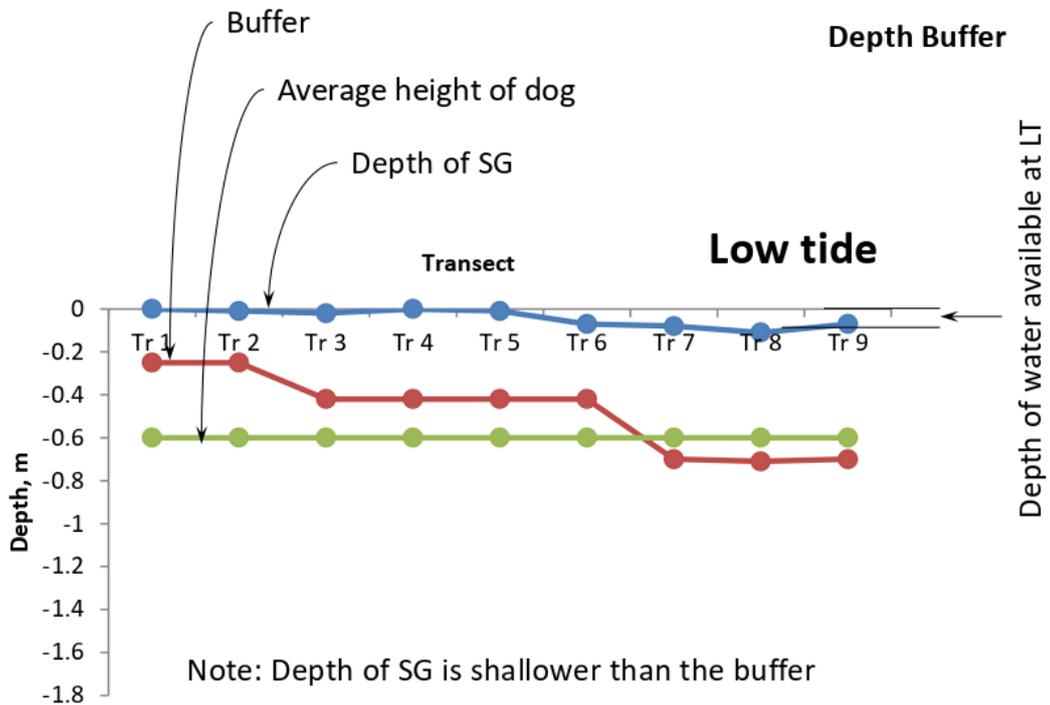


Figure A3.4 Depth of water available at each transect on Station Beach with depth buffer at low tide (LT).

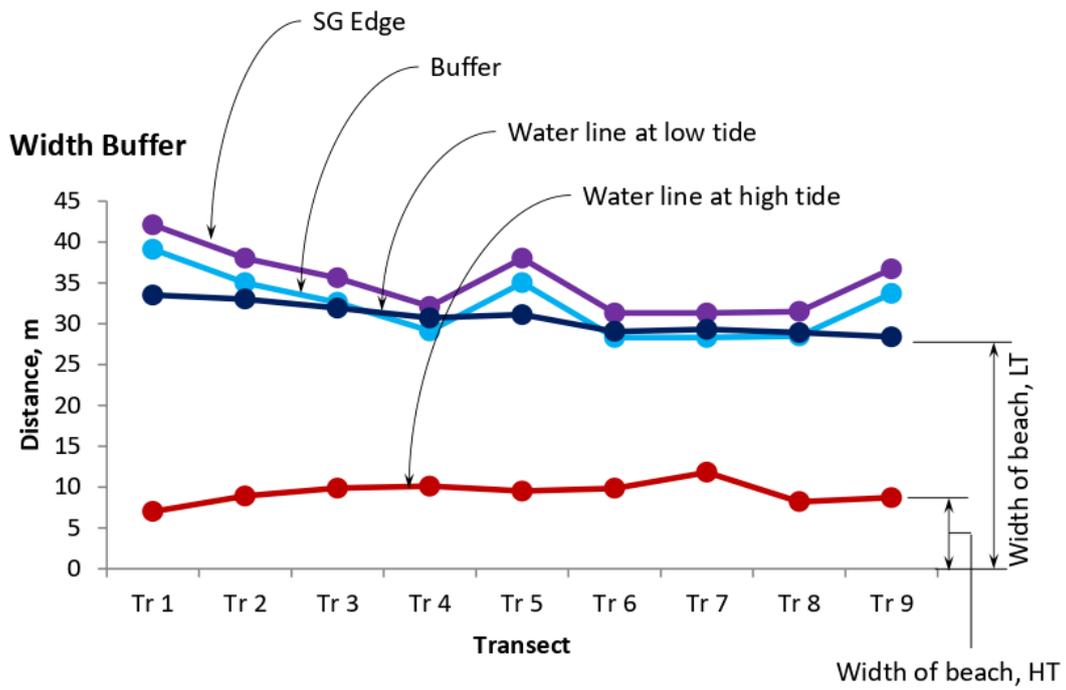


Figure A3.5 Width of beach available at each transect on Station Beach with depth buffer at low (LT) and high tides (HT).

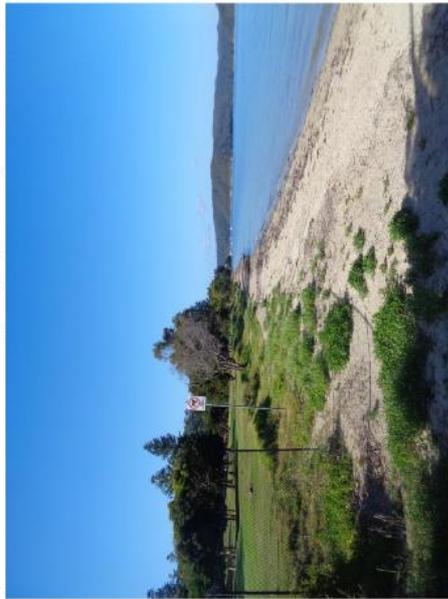
Appendix 4

Figure A4.1. Photographs of Station Beach comparing features at spring high and low tides. DSA – dog swimming area.



a) Photo of water level at spring high tide (7/12/18, 1.79m)

b) Photo of water level at spring low tide (22/1/19, 0.10m)



c) Photo of beach width at spring high tide (7/12/18, 1.79m)



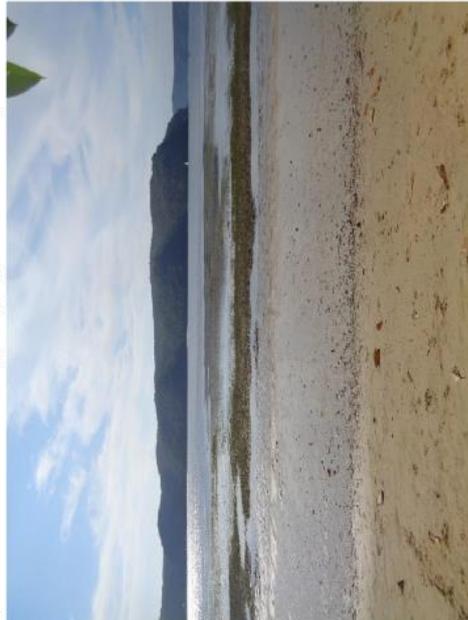
d) Photo of beach width at spring mid tide (22/1/19, 0.10m)



f) Photo of water level at spring low tide at wharf (22/1/19, 0.10m)



e) Photo of water level at spring high tide at wharf (7/12/18, 1.79m)



g) Photo of exposed seagrass at the southern end of the dog swimming area at spring low tide (22/1/19, 0.10m)



h) Photo of dog exercising within the DSA at spring low tide.



i) Photo of dog foot print in soft sediments within the DSA.



j) Photo of *Z. muelleri* seagrass exposed within the DSA at spring low tide.

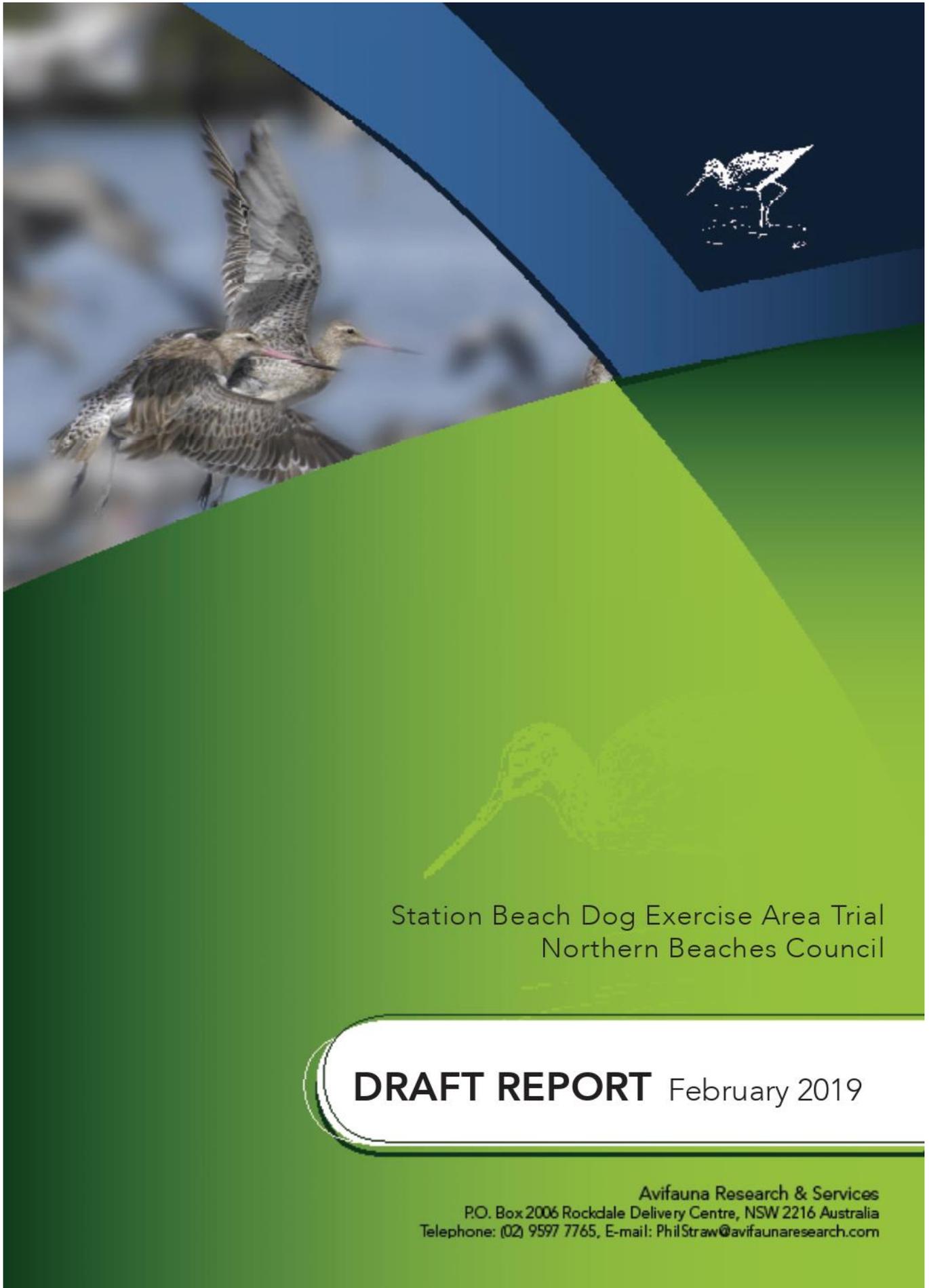


k) Photo of *P. australis* seagrass exposed within the DSA at spring low tide.

APPENDIX

D

STATION BEACH DOG EXERCISE AREA TRIAL  
AVIFAUNA REPORT (PHIL STRAW 2019)



Station Beach Dog Exercise Area Trial  
Northern Beaches Council

**DRAFT REPORT** February 2019

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## STATION BEACH DOG EXERCISE AREA TRIAL

For NORTHERN BEACHES COUNCIL



Report to Cardno

February 2019

**Avifauna Research & Services Pty Ltd**

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Telephone: 02 4048 2442 Mobile: 0411 249 075

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## Station Beach – Dog Exercise/swimming area assessment

Northern Beaches Council is proposing to trial an unleashed dog swimming area at Station Beach, Palm Beach. The proposed site for the trial is approximately 600m long and within the southern end starting at Beach Road and ending at Carmels Boat Shed in the north. The beach is approximately 20m wide at low tide and is bordered by the Palm Beach Golf Course to the east and Pittwater to the west.

Avifauna Research & Services were asked to conduct surveys (diversity of all species and abundance) using tidal flats during receding tides for two hours prior to low tide during November, December 2018 and January 2019. As per requirements for the ornithological section of the REF for the dog exercise area trial at Station Beach.

This report includes the potential impact on birds using the habitats within the study area including shorebirds and other waterbirds. Habitats of woodland and other passerine species of birds were not included in the study area and were not considered likely to be effected by the unleashed dog swimming area subject of this study.

### Study methods

Station Beach was traversed the length of southern part of the beach (trial study area) and any birds observed and identified and counted with the use of high resolution 10x50 binoculars and noted in a field note book. It was also noted whether there were any significant bird numbers to the north of Carmels Boat Shed but not recorded (no shorebirds observed there).

Six visits were made on the receding tide to the beach as part of this study during which time birds present were gulls, cormorants, herons (see Table 1)

The surface of the beach was inspected superficially for any signs of benthic organisms that might be prey for migratory shorebirds but no benthic sampling took place to accurately detect the presence or density of any invertebrates that might have been presence. The lack of shorebirds present during each of the surveys and no records of shorebirds found during a search of the BirdLife Australia Shorebirds 2020 database were taken that shorebirds were unlikely to use the site for foraging or roosting. In comparison birds were recorded at nearby sites such as Careel Bay over many years where suitable tidal flats exist.

### Potential effect on shorebirds

Shorebirds, in particular migratory shorebirds, rely on tidal mudflats for foraging for prey in the form of benthic invertebrates on or just below the surface of the sand or mud. Shorebirds tend to follow the receding tides as the tidal flats are exposed after roosting during the high tide when the tidal flats are covered and not accessible to the birds.

Frequent disturbance by people, and in particular unleashed dogs, diminishes the time shorebirds have to feed. This is particularly critical just before migration when the birds need to put on fat for an arduous migration, in the case of the Bar-tailed Godwit a 10,000km non-stop flight to the Yellow Sea coastlines of China, a flight taking a week or more (the longest flight recorded for any species of bird).

Frequent disturbance means that the birds have less time to feed and put on fat. This is particularly important just before migration when birds need to put on 50% of their body weight, or more, to sustain their long flights. Frequent disturbance results in the birds having to take flight which also means that they are using up valuable fat reserves each time they are disturbed delaying their migration or in extreme cases preventing them from migrating at all.

All migratory shorebirds are protected by bilateral agreements between Australia and China (CAMBA), Japan (JAMBA), and the Republic of Korea (ROKAMBA) under the EPBC Act 1999. The Department of Planning has responsibility for administration of the bilateral agreement in NSW.

#### **Potential effect on other beach dwelling and waterbirds**

The surveys associated with this assessment found a low diversity of birds within the area visited which included only six species of birds. Other species likely to occur include other species of cormorants, gulls, terns, pelicans, ducks and swans that feed on or below the surface of the water in particular over and within the seagrass meadows during high tide or when exposed during extreme low tides where the abundance of fish and other marine fauna appears to be high. Most of these birds would not be disturbed to any significant degree unless dogs were allowed to run into the seagrass beds, except for birds attracted to humans (as a source of food handouts), such as gulls, pelicans or ducks which become habituated to the presence of humans, and to some extent dogs.

Bird species recorded during this assessment at Station Beach:

Little Pied Cormorant	<i>Phalacrocorax melanoleucos</i>
White-faced Heron	<i>Egretta novaehollandiae</i>
Eastern Great Egret	<i>Ardea modesta</i>
Silver Gull	<i>Chroicocephalus novaehollandiae</i>
Crested Tern	<i>Thalasseus bergii</i>
Masked Lapwing	<i>Vanellus miles</i>

Not observed but likely to occur from time to time during a long term study includes other species of cormorants, including Pied Cormorant, Great Cormorant and Little Black. These birds and the Little Pied Cormorant observed during the study spend most of their time swimming and diving from the surface to feed. Little Pied Cormorants were also observed roosting (resting) on barges or the jetty.

### **Conclusion**

The narrow and steeply sloping nature of the beach did not appear to be suitable foraging habitat for shorebirds due to the topography and the confined and highly disturbed nature of the beach which made it less than ideal for shorebirds, other than gulls which are attracted by human presence.

Based on site surveys, the subject land is not considered suitable habitat for threatened or migratory shorebirds and as such, no further impact assessment is considered necessary in relation to potential impacts of the off-leash dog trial on threatened or migratory shorebirds.

Any reduction in the number of dogs off-leash at nearby Careel Bay as a result in the attraction of Station Beach as a dog swimming area would be a bonus to the shorebirds using that site.

Phil Straw  
Consultant Avian and Wetlands Ecologist  
Avifauna Research & Services.

Table 1: Site visits to Station Beach Nov 2018 to January 2019

Date	Silver Gull	Cr Tern	M Lapwing	White-f Heron	Great Egret	Little Pied Corm	People	Dogs off leash	Dogs on leash	High Tide	Low Tide	Temp	Wind	Knots	Day		
15/11/18	16	2	0	0	1	0	2	21	0	1	outgoing	14:23	21:26	21	S	18	Thurs
22/11/18	32	1	2	0	1	0	2	18	2	1	outgoing nearing	8:11	14:35	24	N	12	Thurs
5/12/18	26	0	2	1	1	1	7	45	0	0	low	7:39	14:07	20	ESE	10	Wed
30/12/18	62	1	0	1	1	1	2	46	1	2	outgoing	15:46	9:43	27	NW	8	Sun
13/1/19	46	0	0	0	2	0	3	48	1	2	outgoing	13:43	7:33	22	S	24	Sun
21/1/19	53	2	2	0	1	0	2	50	1	2	low tide	9:01	15:43	23	SSE	6	Mon

Cormorants roosting on barge



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# STATION BEACH DOG OFF LEASH AREA – PROPOSED TRIAL COMMUNITY ENGAGEMENT REPORT

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FINAL REPORT

13 JUNE 2019



NORTHERN BEACHES COUNCIL

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# STATION BEACH DOG OFF LEASH AREA – PROPOSED TRIAL

## COMMUNITY ENGAGEMENT REPORT

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FINAL REPORT

13 JUNE 2019

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# CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
Background .....	I
Parameters of the trial.....	I
Community engagement process .....	I
Submissions received.....	II
Views about the Station Beach trial .....	III
Views about the trial location.....	X
Views about the trial period .....	XII
Views about the proposed trial days and times.....	XII
Suggestions for ensuring the success of the Station Beach trial.....	XIV
Desire for other off leash areas.....	XIV
<b>1 INTRODUCTION .....</b>	<b>1</b>
1.1 Background .....	1
1.2 Purpose of this report .....	5
1.3 Process of preparing this report .....	5
1.4 Contents of this report.....	10
<b>2 OUTCOMES OF WRITTEN SUBMISSIONS.....</b>	<b>11</b>
2.1 Introduction .....	11
2.2 Views about dog off leash area trial at Station Beach.....	15
2.3 Trial location .....	45
2.4 Trial period of 12 months .....	50
2.5 Trial days and times of operation.....	53
2.6 Requirements for success of the Station Beach off leash trial.....	62
2.7 Other comments.....	63
<b>3 CONCLUSION.....</b>	<b>71</b>

## Figures

Figure 1	Concept Plan of Proposed Dog Off Leash Area at Station Beach.....	2
Figure 2	Process of preparing this report .....	6
Figure 3	Examples of Council notices .....	9
Figure 4	Postcode of respondents to Your Say Northern Beaches .....	14
Figure 5	Support for dog off leash area trial at Station Beach .....	15
Figure 6	Support for the trial by postcode.....	17
Figure 7	Support for the proposed trial location .....	45
Figure 8	Support for the proposed trial period of 12 months.....	51
Figure 9	Support for the proposed days and times of operation of the trial.....	54
Figure 10	Ocean beaches desired for off-leash dog access.....	66

## Tables

Table 1	Community engagement undertaken by Northern Beaches Council.....	6
Table 2	Sources of written feedback about proposed trial of off leash dog area at Station Beach .....	11
Table 3	Support for dog off leash area trial at Station Beach.....	15
Table 4	Support for the Station Beach trial by postcode .....	18
Table 5	Support for the proposed trial location .....	45
Table 6	Support for the Station Beach trial location by postcode .....	46
Table 7	Support for the proposed trial period of 12 months .....	51
Table 8	Summary of support for the Station Beach trial period by postcode.....	51
Table 9	Support for proposed days and times of operation of the trial.....	54
Table 10	Summary of support for the Station Beach trial days and times by postcode.....	55
Table 11	Ocean beaches desired for off-leash dog access.....	66

## Appendices

A	ONLINE NOTICES.....	73
B	MEDIA ARTICLES .....	79
C	DETAILED WRITTEN SUBMISSIONS .....	83

# EXECUTIVE SUMMARY

## Background

Over many years local residents and community groups have advocated for the community to be able to access and enjoy foreshore areas with their dogs on the Northern Beaches.

Council resolved at its meeting on 26 June 2018 to undertake community consultation regarding a potential trial dog off leash area at Station Beach.

A range of key stakeholders have been consulted with prior to a decision being made about conducting the trial, including State government agencies which have responsibilities for the management of Station Beach and the Pittwater waterway. Such agencies are NSW Department of Industry-Lands and Water, NSW Department of Industry-Fisheries, and NSW National Parks and Wildlife Service.

## Parameters of the trial

Council has proposed the following parameters for the off-leash trial at Station Beach, which is the basis for the community engagement undertaken from November 2018 to February 2019.

### Trial location

The trial would be undertaken on a specified section of Station Beach south of The Boathouse and north of Beach Road.

### Trial period

The proposed trial would be conducted over a period of 12 months. The exact dates of the trial will be determined following consideration of the feedback received during the community engagement undertaken from November 2018 to February 2019.

Should Council resolve for the trial to proceed, environmental monitoring would be undertaken and community feedback would be collected during the trial period.

### Trial days and times

It is proposed that the trial area would be available for dog off leash exercising and swimming at these days and times:

- 4:00pm - 10:30am, 7 days a week during Australian Eastern Standard Time
- 5:30pm - 10:30am, Monday to Friday during Australian Eastern Daylight Time (in the summer).

## Community engagement process

The 'Your Say Northern Beaches' project page and online submission form went live on Council's website on 16 November 2018. Between 'going live' and the closing date for submissions of 28 February 2019, Council undertook the following community engagement tasks:

- Notices in Council's column 'Northern Beaches Weekly News' in the *Manly Daily* on Saturdays 17 and 24 November, 22 December, 12 January, and 9 and 23 February
- 17 and 24 November - advertisement in the *Manly Daily*
- 21 and 22 November - letter box drop to nearby residents
- 26 November - signs installed at Station Beach
- 28 November – notification emails to key stakeholders: Boathouse Café, Channel 7 Home and Away, Dunes, North Palm Beach SLSC, Palm Beach Golf Club, Palm Beach Surf Club, Palm Beach Whale Beach Association, Seven Network (Operations)
- 28 November, and fortnightly to the Community Engagement Register
- 29 November - drop in session at Palm Beach Golf Club 6-8pm (14 people attended, 10 listed on attendance register)
- 1 December - drop in session at Palm Beach Golf Club –2:30 to 4:30pm (8 people attended)
- media releases issued throughout the community engagement period.
- e-mails sent to people involved in recent dog-related projects
- Repeat emails sent to key stakeholders and community registers.

Feature articles were published in the *Manly Daily*, *Peninsula Living* and *Pittwater Life*.

Although not part of Council's engagement process, community organisations such as Pittwater Unleashed, and, towards the end of the engagement process, Protect Palm Beach publicised their particular viewpoint and provided the link to Council's online survey on their own Facebook page to encourage their members and followers to complete the survey.

## Submissions received

3,567 written submissions were received as follows.

Source	No. submissions	Comments
Your Say Northern Beaches online survey	3,536	3,786 total responses were received by Your Say Northern Beaches at the closing date of submissions. Analysis of the submissions showed that some people made more than one submission, with some people making 4 submissions each. The additional submissions were deleted from the data-base. 250 or 6.6% of the original submissions were multiple submissions.
Emails and letters	31	62 separate written submissions were made outside Your Say Northern Beaches. Some people completed the online survey at Your Say Northern Beaches as well as sent an email to Council. The number of emails counted does not include submissions that were also made to Your Say Northern Beaches. Letters were received from individuals, and groups including: <ul style="list-style-type: none"> <li>- Boat Owners Association</li> <li>- Newport Residents Association</li> <li>- Palm Beach Protection Group (3 submissions, counted as 1)</li> <li>- Palm Beach and Whale Beach Association (2 submissions, counted as 1)</li> <li>- Pittwater Unleashed</li> </ul>
<b>TOTAL</b>	<b>3,567</b>	

The responses received at Your Say Northern Beaches were from people who ‘self-selected’ themselves to respond to the online survey, and represent the views of those people only. Therefore, it cannot be implied that the online survey data, and any conclusions drawn from aggregating responses to the online survey, is representative of the views of the general community.

A submission received from the Palm Beach Protection Group included the results of a telephone survey of 400 people in Pittwater Ward, and a report on the impacts of off leash dog activity on seagrasses at Station Beach, both of which were commissioned by the Palm Beach Protection Group.

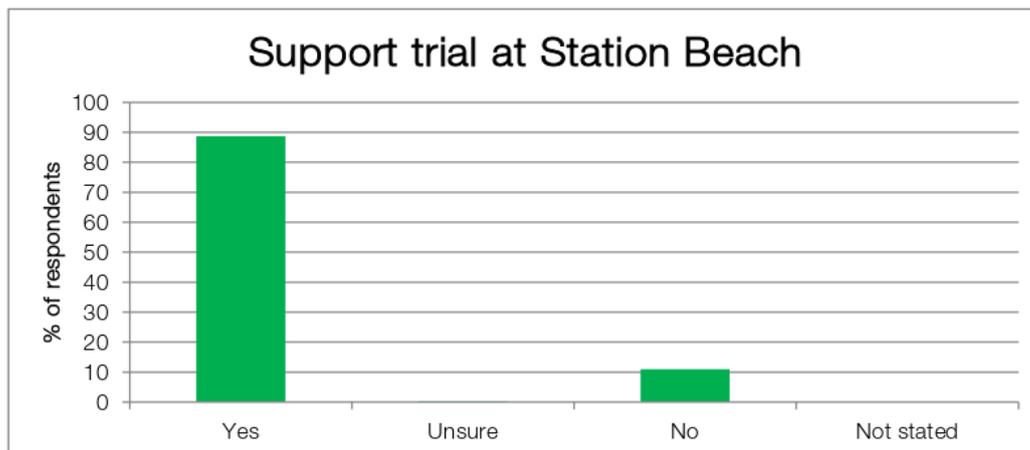
Groups that people commenting via Your Say Northern Beaches identified themselves with are Pittwater Unleashed 48, Pound Patrol 4, Manly Dogs 2, Sydney Wildlife 2, Animal Justice Party NSW Northern Beaches Regional Group 1, CABPRA 1, Dog Lovers Association – ACT 1, Dog Lovers United 1, Dogs Off Our Beaches 1, Free the Leash Foundation 1, Liberal Democrats 1, Living Ocean Incorporated 1, Northern Beaches Envirolink 1, Northern Beaches Greens 1, NB Off Leash 1, Palm Beach Protection Group 1, Palm Beach and Whale Beach Association 1, Sydney Whippet Owners 1, The Boathouse Group 1, and University of Technology Sydney – environmental and marine biologists 1.

Peninsula residents (Palm Beach, Whale Beach, Avalon / Avalon Beach and Newport residents) comprise 48% of respondents to Your Say Northern Beaches. Other Northern Beaches residents comprise a further 33% of Your Say Northern Beaches respondents. 19% of respondents to Your Say are from outside the Northern Beaches, as far afield as Tasmania. 408 respondents who may or may not be locals didn’t record their suburb.

## Views about the Station Beach trial

### All respondents

The Your Say Northern Beaches results show strong support for an off leash area on Station Beach (89% of respondents), but there are deeply felt and valid arguments on both “sides” which should be recognised.



It should also be noted that, among the wide ranging views even by supporters of an off leash dog area at Station Beach, Council’s decision will not satisfy the majority, let alone all, the people who support the trial.

## Place of residence

### Your Say respondents

Support for the trial by postcode is shown in the figure below.

88% of responses from Palm Beach, Whale Beach and Great Mackerel Beach residents were supportive of the trial. Some people living in other postcodes were more supportive of the trial.

Dog owners from outside the Palm Beach/Avalon/local area who live on the North Shore and north-west suburbs, are excited about their dogs using Station Beach, which conflicts with the desire of some locals for an off leash area at Station Beach for local use. Some local people fear that Station Beach will soon become overcrowded with people and dogs coming from elsewhere.

### Residents of Waratah Road, Palm Beach

10 residents/households living in the estimated 15 dwellings in Waratah Road responded to Your Say Northern Beaches or made a written submission. Of those 10 households, 7 or 70% are opposed to the trial because of reasons including:

- limited vehicle parking spaces in Waratah Road and Beach Road
- people visiting Palm Beach park across their driveways
- noise from barking dogs, and owners and dogs entering their properties, are experienced regularly
- dogs may defecate and urinate in the water the residents regularly swim in.

## Reasons for supporting or opposing the trial

The reasons given by supporters and opponents for their viewpoint about the trial showed mainly two opposite points of view. In some cases tolerance for the other point of view was lacking.

Some dog owners do not approve of the trial because they think dog exercise should not occur on beaches, and some people who don't own a dog support the trial because they recognise the benefits of dog exercise in minimising nuisance barking and other undesirable behaviours.



Summary of support for the Station Beach trial and parameters by postcode

Post-code	Suburbs	No. responses	Support Station Beach Trial		Support trial location		Support 12 month trial period		Support proposed days and times	
			No.	%	No.	%	No.	%	No.	%
<i>Peninsula</i>										
2108	Palm Beach, Whale Beach, Great Mackerel Beach	316	270	85.4%	267	84.5%	259	82.0%	241	76.3%
2107	Avalon, Avalon Beach, Bilgola, Clareville	1,011	927	91.7%	919	90.9%	891	88.1%	836	82.7%
2106	Newport, Newport Beach	367	290	79.0%	286	77.9%	283	77.1%	258	70.3%
		<b>1,694</b>	<b>1,487</b>	<b>87.8%</b>	<b>1,472</b>	<b>86.9%</b>	<b>1,433</b>	<b>84.6%</b>	<b>1,335</b>	<b>78.8%</b>
<i>Other Northern Beaches suburbs</i>										
2103	Mona Vale	209	184	88.0%	180	86.1%	178	85.2%	152	72.7%
2101	Warriewood, Elanora Heights, Narrabeen, North Narrabeen, Ingleside	170	162	95.3%	157	92.4%	161	94.7%	146	85.9%
2099	Dee Why, Cromer, Narraweena, North Curl Curl	137	131	95.6%	129	94.2%	127	92.7%	114	83.2%
2102	Warriewood	105	96	91.4%	97	92.4%	93	88.6%	88	83.8%
2100	Allambie Heights, Beacon Hill, Brookvale, North Manly	89	87	97.8%	86	96.6%	86	96.6%	70	78.7%
2097	Collaroy Beach, Collaroy Plateau, Wheeler Heights	78	76	97.4%	74	94.9%	73	93.6%	65	83.3%
2096	Curl Curl, Freshwater, Queenscliff	60	57	95.0%	57	95.0%	53	88.3%	47	78.3%
2104	Bayview	60	52	86.7%	51	85.0%	50	83.3%	43	71.7%
2093	Balgowlah, Balgowlah Heights, North Balgowlah, Clontarf, Manly Vale	49	45	91.8%	45	91.8%	44	89.8%	42	85.7%
2095	Manly, Manly East	47	46	97.9%	44	93.6%	43	91.5%	36	76.6%

Post-code	Suburbs	No. responses	Support Station Beach Trial	Support trial location	Support 12 month trial period	Support proposed days and times	
2084	Terrey Hills, Duffys Forest, Cottage Point	38	97.4%	36	94.7%	28	73.7%
2085	Belrose, Belrose West, Davidson	33	90.9%	30	90.9%	29	87.9%
2086	Frenchs Forest	31	93.5%	29	93.5%	19	61.3%
2105	Church Point, Scotland Island, Elvina Bay, Lovett Bay, Morning Bay	28	85.7%	24	85.7%	21	75.0%
2094	Fairlight	22	90.9%	19	86.4%	17	77.3%
2087	Forestville, Killarney Heights	22	90.9%	20	90.9%	16	72.7%
2092	Seaforth	8	87.5%	7	87.5%	6	75.0%
<b>Outside Northern Beaches</b>							
2075	St Ives, St Ives Chase	22	100.0%	22	100.0%	20	90.9%
2088	Mosman	13	61.5%	8	61.5%	8	61.5%
2067	Chatswood, Chatswood West	8	100.0%	7	87.5%	7	87.5%
2074	Turrumurra (north, south)	8	100.0%	7	87.5%	7	87.5%
2153	Baulkham Hills	7	100.0%	7	100.0%	7	100.0%
2066	Lane Cove North	7	71.4%	4	57.1%	3	42.9%
	Other outside Northern Beaches	183	86.9%	156	85.2%	143	78.1%
<b>Not stated</b>		<b>408</b>	<b>80.6%</b>	<b>320</b>	<b>78.4%</b>	<b>293</b>	<b>71.8%</b>
<b>TOTAL</b>		<b>3,536</b>	<b>88.7%</b>	<b>3,088</b>	<b>87.3%</b>	<b>2,762</b>	<b>78.1%</b>

## Support

There was support for the trial from 89% of Your Say respondents.

Key reasons for supporting the trial are:

- it is about time/long overdue/the community has been waiting a long time
- the Pittwater Council decision to ban dogs on beaches should be relaxed or reversed
- need for another off leash area where dogs can swim north of Bilgola/Bayview/Newport as an alternative to take the pressure off the overcrowded and worn out Rowland Reserve at Bayview
- dog owners and dogs should have equitable access to open space, particularly beaches
- Station Beach is more pleasant and interesting than boring dog parks
- owners want to take their dog out with them as “part of the family”
- the proposed trial area is a small percentage of the Pittwater/Northern Beaches coastline
- more space allocated to dogs will reduce issues and complaints about dog behaviour
- off leash beaches work well without incident in many other places on the coasts of Sydney, NSW, interstate and overseas
- public health and safety risks from unleashed dogs are minimal and can be managed
- it would legalise off leash dog access to Station Beach which has been occurring for a long time
- dog owners are keen to show they are responsible for picking up faeces and controlling their dogs’ behaviour to ensure the success of the trial
- it would increase the use of Station Beach which is hardly used by the general public
- less road congestion and travel time for people living north of Bayview to access an off leash dog swimming area
- spending time with dogs has physical, psychological and social benefits for people
- benefits for people who don’t own or like dogs include that dogs will be confined to a specific area at Station Beach, and people like to see dogs enjoying themselves
- beaches are good for dogs to run, swim and have fun
- benefits for dogs through exercise and socialisation
- it is good for the local economy, especially for cafes, restaurants and shops in Palm Beach
- minimal impact on the natural environment (particularly seagrasses) and wildlife (particularly birds)
- minimal impact on adjoining residents
- it will be a legal place to exercise dogs away from the ocean beaches, where dog owners won’t be fined, and where dogs won’t upset the general public.
- it is “better than nothing” ie. it is a beach, but not a desired ocean beach.

## Opposition

People who don't support the trial (11% of Your Say respondents) oppose dog exercise on all beaches, or they don't agree with the Station Beach location.

Key reasons for opposing the trial are:

- opposition to allowing dogs on beaches in general, and at Station Beach in particular, stems largely from the negative experience(s) that opponents have had with dogs and/or irresponsible dog owners. Too many dog owners don't do the right thing by not picking up faeces after their dog, not watching and controlling their dog, letting the dog access restricted environmental or public areas, not complying with signs and off-leash area rules. Dog owners can be rude and hostile when people call out theirs or their dog's behaviour.
- the visual and recreational amenity of the beach would be spoilt. Dog activity and noise will interrupt and limit informal use of the beach for walking, swimming, watching sunsets, picnics, and running.
- a fear that Station Beach will become a "dog toilet" with smells and waste from faeces and urine.
- a precedent would be set for access for dogs to ocean beaches on the Northern Beaches.
- there are other alternatives to Station Beach for exercising dogs and for water access at Rowland Reserve, Careel Bay, and Curl Curl and Manly Lagoons.
- public safety concerns, particularly the fear of being harassed, attacked or bitten by dogs (especially on children and elderly people). Many people query Council's liability if someone is attacked and injured by a dog.
- fears for the safety of golfers from dogs on the golf course.
- safety of dogs from mis-hit golf balls and from other dogs on the beach.
- public health concerns from bacteria and parasites in dog faeces, and urine on the beach and in the water. Dog faeces attracts flies.
- some people are allergic to dogs.
- beach pollution from dog faeces, and litter from dog waste bags left on the beach.
- impact on the pristine and sensitive natural environment.
- damage to endangered seagrass beds at low tide.
- impact of dogs on wildlife, particularly migratory shorebirds and sand fauna such as crabs.
- existing traffic congestion and lack of parking in the local area, which would become worse with dog owners coming to the area.
- impact on the natural and cultural values of the Ku-ring-gai Chase National Park particularly Barrenjoey Headland.
- anger at dog owners in the minority of the community wanting the majority to accept dogs in more public places.
- unleashed dogs have been illegally taken on to Station Beach for years, annoying other beach users, diners at The Boathouse, and local residents.
- poor enforcement of the rules and the law in off leash dog exercise areas results in dog owners flouting the law and doing what they like.
- the impacts on local residents include noise from barking dogs, dog owners parking illegally, and intrusion of dogs into properties.
- Council has not released the Review of Environmental Factors (REF) so an informed view of the environmental impacts of the proposal is not possible.

- the trial parameters were set by Pittwater Unleashed and did not involve consultation with others in the community.

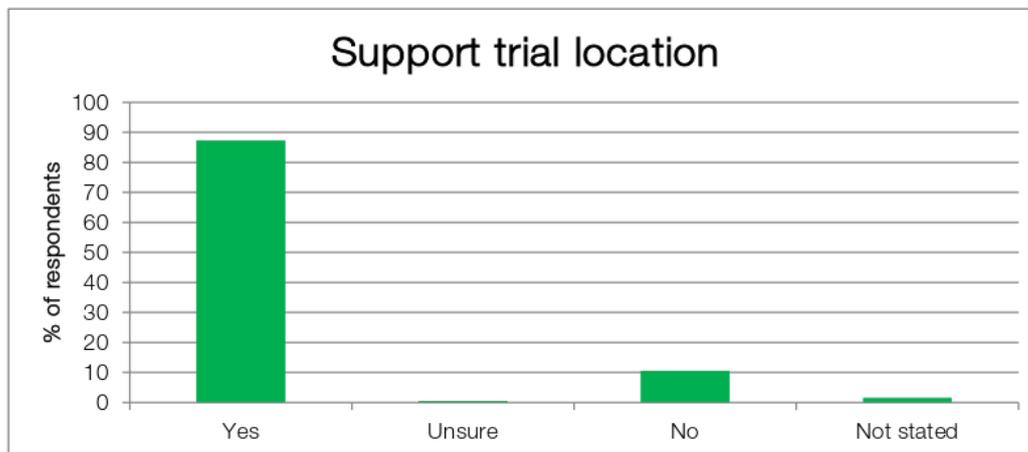
## Views about the trial location

**What are your thoughts on the proposed operational trial parameters:**

**Off-leash area between Beach Road and Boathouse café (see attachment 1).**

The trial would be undertaken on a specified section of Station Beach south of The Boathouse and north of Beach Road.

The trial location was supported by 87% of Your Say respondents.



In general, Station Beach is considered as a good/excellent/wonderful location or the perfect choice for dogs and owners to enjoy.

Reasons for supporting Station Beach as a suitable off leash exercise area are that it is:

- not a highly used public beach
- located next to the golf course
- not a good swimming area for people
- at the quiet end/stretch of Station Beach
- not affected by ticks
- not used by many people for sunbaking
- accessible for boat owners to let dogs off their boat for a run
- not next to houses
- a safe space for dogs, their owners and children, not near a busy road
- a place that allows the dogs to swim and run
- is a lovely place for dogs to swim, being relatively calm water
- next to The Boathouse
- small and local

- easy to get to
- a short distance to and from leashed areas and access and egress points
- a long stretch of sand which allows dogs to run and owners to exercise
- an excellent open area with a short width
- a consistently wide beach that doesn't decrease too much at high tide
- the tree lined strip offers shade
- allows dog owners to enjoy peaceful water and sunsets
- adjacent to the walking path
- close to home
- away from natural reserves
- a well contained area.

Suggestions for extending the proposed off leash area are to:

- extend the northern limit of the off leash area to The Boathouse / wharf
- start the off leash area from Beach Road
- include the whole/both ends of Station Beach
- start the off leash area from the car park and extend beyond The Boathouse
- open the southern end of the beach also
- extend the off leash area south to Palm Beach Wharf south of Sandy Point.

Some people think the trial area is too large. It should be limited to one off leash area away from The Boathouse with access for dogs further down the beach. The on leash area adjacent to The Boathouse should be extended so dogs do not disturb diners.

Opponents of the trial location (11% of Your Say respondents) say the key reasons to oppose the trial location at Station Beach are:

- the proposed area is a good start, but they would like the trial area extended north and/or south
- it is a favourite beach for families with young children
- dogs would not be off leash just in the designated area
- it is dangerous for unleashed dogs and people from wayward golf balls next to a golf course
- beach users will be annoyed by dogs
- it is too small and narrow with limited space for dogs to run
- dogs in water attract sharks
- there are no natural boundaries or fences
- there is inadequate parking
- dogs will annoy diners at the Boathouse
- spoils a beautiful location
- environmental reasons
- dogs will enter the golf course
- dogs will stray into seagrass beds
- an increased number of dogs and owners will increase the potential for accidents
- adjoining residents will be affected

- the proposed area is too far away
- there is no separate access to the off leash area
- it can hardly be considered as a beach.

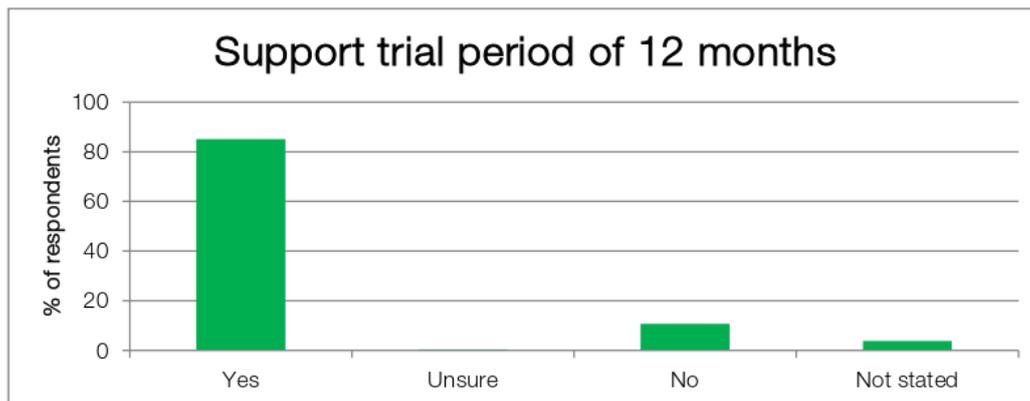
## Views about the trial period

**What are your thoughts on the proposed operational trial parameters:**  
- 12 months with restricted times

The proposed trial would be conducted over a period of 12 months. The exact dates of the trial will be determined following consideration of the feedback received during the community engagement period.

Should Council resolve for the trial to proceed, environmental monitoring would be undertaken and community feedback would be collected during the trial period.

There was support for the trial period of 12 months from 85% of Your Say respondents.



The trial period is seen as an opportunity to see how the trial works and the impacts of the trial.

11% of Your Say respondents do not support the 12 month trial period. Some people wanted a shorter trial period of 6 months, or no trial period by making Station Beach available for off leash dogs immediately.

## Views about the proposed trial days and times

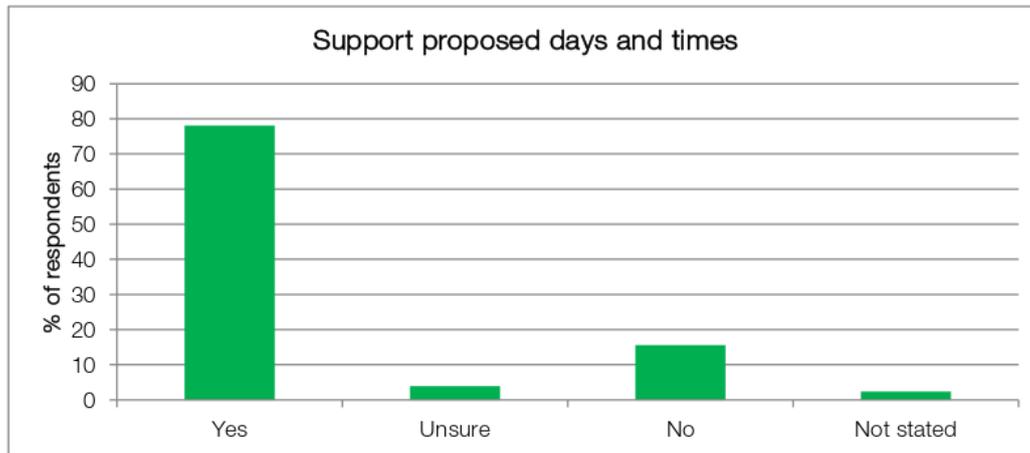
**Proposed days and times of operation for off leash access:**

- 4:00pm – 10:30am, 7 days a week during Australian Eastern Standard Time
- 5:30pm – 10:30am, Monday to Friday during Australian Eastern Daylight Time (in the summer)

Dogs will not be permitted at Station Beach at all other times.

Respondents were less satisfied with the proposed days and times of operation than the other parameters of the trial.

Support for the proposed days and times of operation came from 78% of respondents to Your Say.



Many people who said they supported the proposed days and times in fact proposed alternative days and/or times, so these suggestions are included in the discussion below.

The key reason for supporting the proposed days and times is that they are better than no time at all for off leash dogs to access Station Beach.

Other reasons for supporting the proposed days and times include:

- successful time sharing of beaches is common elsewhere
- it is a fair solution for sharing this beautiful location to keep everyone happy so everyone can enjoy the beach
- local residents want the limited timed access to enable locals to take their dogs to Station Beach, but discourage out of area visitors especially on weekends to reduce the numbers of people using the area
- the proposed times are well thought out and pragmatic
- needs of dog owners and other beach users can be balanced
- time sharing is an excellent compromise
- agreed times are a good idea so people who are uncomfortable around dogs will be aware of when they will expect to encounter dogs on the beach
- being grateful for the trial to legally take their dog on the beach
- the proposed times are reasonable and should keep numbers of people and dogs on the beach down and therefore less impact on the beach
- dog friendly hours will encourage locals to get up and exercise before work and support physical and mental health.

A condition of support for the proposed days and times is that dogs are on the beach only within the time limits. The off leash times should be policed at the outset of the trial so people stick to the times. Otherwise people who come to Palm Beach for holidays or weekends think the rules don't apply to them which will ruin it for locals.

Nearly 20% of Your Say respondents oppose or are unsure about the proposed days and times of operation of the trial at Station Beach. The proposed days and times are a good start, but

many people would like to see the days and times increased. Many people want 24 hours 7 days a week access. Others want the days and times extended in various ways, such as:

- earlier or later start and finish times in the morning and evening
- proposed times but 7 days a week
- 24 hours a day on weekdays only
- all day/daylight hours
- weekends as well as weekdays in daylight saving
- longer hours in winter.

There is concern that allowing dogs on the beach at dusk, overnight and at dawn will affect native wildlife, bird foraging and roosting, and increase the risk of shark attack.

Opponents of the trial are concerned that the proposed times conflict with informal use of the beach in the mornings and late afternoons.

## Suggestions for ensuring the success of the Station Beach trial

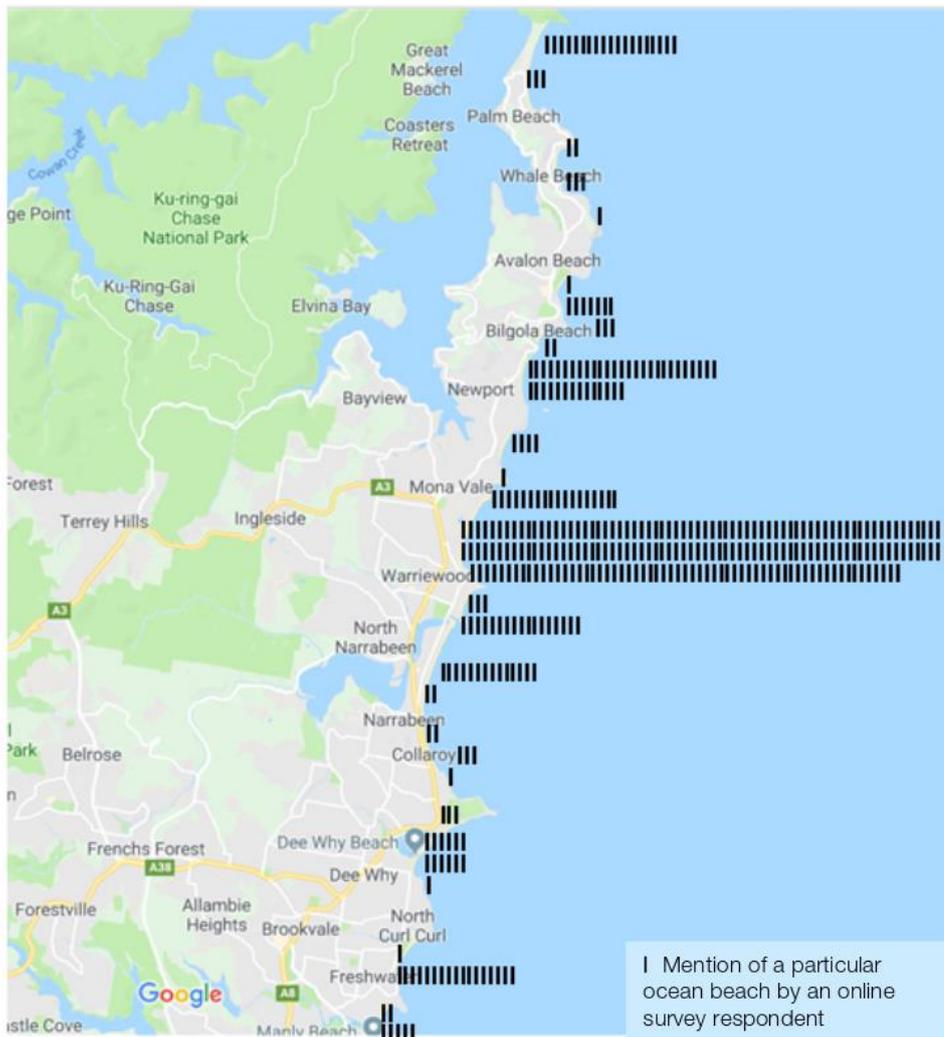
Numerous suggestions were made to help make the Station Beach trial work to show people opposing the trial that it can succeed. The suggestions are to provide:

- sufficient biodegradable dog waste bags and bins at the north, middle and south of the trial area
- adequate public parking
- large and clearly legible signs with the off leash area, hours, and fines clearly communicated
- fences between the beach and the golf course, and near The Boathouse and the wharf
- on-site rangers for education, enforcement and fines
- a payment/licence system to pay for implementation of the trial
- taps and hoses for rinsing and drinking, and water bowls
- clear definition of the off leash area
- improved access on to the beach
- closed circuit television (CCTV) to monitor picking up faeces and people attempting to take dogs on to the beach outside off leash hours
- a way to report people who do not pick up faeces after their dog
- a "traffic light" system so people are clear when dog access is on or off.

## Desire for other off leash areas

Many comments were not related to the questions asked in the online survey about the proposed trial at Station Beach. The common theme in those comments is that dog owners see Station Beach as a compromise, or a "stepping stone" towards gaining access to part or all of one, several or all ocean beaches in Pittwater/the Northern Beaches for off-leash dog exercise either part-time or full time.

South Mona Vale (most common) and north Newport Beaches were the most frequently mentioned beaches desired for off leash dog exercise as shown below.



Comments about existing off leash areas on the Northern Beaches were also made.

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# 1 INTRODUCTION

## 1.1 Background

### 1.1.1 Background to the trial

Over many years local residents and community groups have advocated for the community to be able to access and enjoy foreshore areas with their dogs on the Northern Beaches. Council recognises the benefits of off-leash areas to community well-being, including the community building aspect of owning a dog through meeting people and forming friendships at these areas. Council also recognises that the need to make provision for off-leash recreation has increased with a growing population and an increasing number of households with dogs.

Council resolved at its meeting on 26 June 2018 to undertake community consultation regarding a potential trial dog off leash area at Station Beach.

The wider community and a range of key stakeholders have been consulted with prior to a decision being made about conducting the trial. Such stakeholders include State government agencies which have responsibilities for the management of Station Beach and the Pittwater waterway.

### 1.1.2 Parameters of the trial

Council has proposed the following parameters for the off-leash trial at Station Beach, which is the basis for the community engagement undertaken from November 2018 to February 2019.

#### **Trial location**

The trial would be undertaken on a specified section of Station Beach south of The Boathouse and north of Beach Road – refer to Figure 1.

The proposed trial area is also shown in the photographs below.



Station Beach north from Beach Road

Figure 1 Concept Plan of Proposed Dog Off Leash Area at Station Beach





View south from mid trial area showing high tide mark



View north from mid trial area, with The Boathouse in the mid ground and Barrenjoey Headland and lighthouse in the background



Boundary between Station Beach and Palm Beach Golf Course



View south from Beach Road



View west to Great Mackerel Beach

## Trial period

The proposed trial would be conducted over a period of 12 months. The exact dates of the trial will be determined following consideration of the feedback received during the community engagement undertaken from November 2018 to February 2019.

Should Council resolve for the trial to proceed, environmental monitoring would be undertaken and community feedback would be collected during the trial period.

## Trial days and times

It is proposed that the trial area would be available for dog off leash exercising and swimming at these days and times:

- 4:00pm to 10:30am 7 days a week during Australian Eastern Standard Time
- 5:30pm to 10:30am Monday to Friday during Australian Eastern Daylight Time (in the summer).

The proposed times of operation would involve current use of the beach remaining unchanged during the day, and people with dogs being able to access the beach in the mornings and late afternoons.

Dogs would not be permitted at Station Beach at all other times.

### 1.1.3 Engagement with government agencies

State government agencies with responsibilities for the management of Station Beach, the Pittwater waterway and adjoining land are:

- NSW Department of Industry – Lands and Water
- NSW Department of Industry – Fisheries
- NSW National Parks and Wildlife Service.

### NSW Department of Industry – Lands and Water

NSW Department of Industry – Lands and Water has provided Council with comments about the proposed trial at Station Beach, including:

- Station Beach has inherent environmental sensitivities due to the presence of an endangered species of offshore seagrass.
- to ensure the potential impacts on migratory shorebirds which visit the site are addressed, Council is encouraged to engage an ornithological consultant who is able to provide informed advice regarding the comparative significance of Station Beach to other sandy beaches in Pittwater, and whether the potential loss of habitat will impact Australia's three bilateral migratory bird agreements.
- given the environmental sensitivities of the site, the Department will require a Review of Environmental Factors (REF) to be prepared.

### NSW Department of Industry – Fisheries

The NSW Department of Primary Industries - Fisheries has no objections to the dog beach trial on Station Beach, provided that:

- signage is installed on the beach, stating that dogs must not be allowed to run through seagrass beds at low tide. Provide environmental information, advising that seagrass beds are present in the nearshore zone, including the endangered population of *Posidonia australis* (seagrass). Seagrass is important habitat for fish, providing shelter, food and a nursery for young.
- surveys of the seagrass are undertaken, showing species, distribution and density along Station Beach. The survey should be undertaken immediately prior to and immediately following the trial period.

## NSW National Parks and Wildlife Service

The NSW National Parks and Wildlife Service (NPWS) has indicated to Council that it does not have any concerns with this proposal, as long as it is clearly signposted that the Boathouse Wharf is the northern boundary of the off-leash area. Council will need to ensure compliance with the northern boundary to prevent off-leash dogs entering Ku-ring-gai Chase National Park to the north.

## 1.2 Purpose of this report

The purposes of this report are to:

- understand the level of community support for a trial of Station Beach as an off leash area.
- obtain community feedback on the parameters of a proposed trial.

This report summarises and outlines in detail the outcomes of Council's invitation for submissions about the proposed dog off leash area trial at Station Beach, Palm Beach.

## 1.3 Process of preparing this report

### 1.3.1 Introduction

The process of preparing this report is as follows.



Date	Community engagement
Wed 21 Nov	Letter box drop to nearby residents
Thur 22 Nov	Letter box drop to nearby residents
Sat 24 Nov	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i> Advertisement in the <i>Manly Daily</i>
Mon 26 Nov	Signs installed at Station Beach
Wed 28 Nov	Emails to key stakeholders: Boathouse Café, Channel 7 Home and Away, Dunes, North Palm Beach SLSC, Palm Beach Golf Club, Palm Beach Surf Club, Palm Beach Whale Beach Association, Seven Network (Operations). Emails sent to the Community Engagement Register and to people involved in recent dog related projects
Thur 29 Nov	Drop in session 1 at Palm Beach Golf Club 6-8pm (14 people attended, 10 listed on attendance register)
Sat 1 Dec	Drop in session 2 at Palm Beach Golf Club – 2:30 to 4:30pm (8 people attended) Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Fri 7 Dec	Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates
Fri 21 Dec	Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates
Sat 22 Dec	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Fri 11 Jan	Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates
Sat 12 Jan	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Fri 25 Jan	Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates
Fri 8 Feb	Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates
Sat 9 Feb	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Fri 22 Feb	Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates
Sat 23 Feb	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Thur 28 Feb	<b>SUBMISSION PERIOD CLOSED</b>



Sign on Station Beach near The Boathouse

Media releases were issued by Council throughout the community engagement period. Feature articles were published in the *Manly Daily* and *Pittwater Life* as follows:

- 'Council has dropped off-leash lead' *Pittwater Life* November 2018
- 'Council hounded into action on Station Beach' *Pittwater Life* January 2019
- 'Off leash at Station Beach: Your Say' *Pittwater Life* February 2019
- 'Battle lines drawn on dog beach plan' *Manly Daily* 27 February 2019
- 'Barking up the right tree' *Manly Daily* 23 March 2019.

Refer to Appendix B.

Interested people could provide their comments by 28 February 2019 by:

- completing the online feedback form at [Your Say Northern Beaches](#)
- email to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)
- post to Northern Beaches Council at PO Box 82, Manly, NSW 1655.

## Community groups

Community organisations such as Pittwater Unleashed and Protect Palm Beach frequently publicised their particular viewpoint and provided the link to the online survey on their Facebook pages to encourage their own members and followers to complete the survey.

Figure 3 Examples of Council notices

**Council notices**

**18 Cliff St, Manly - re-notification of development consent**  
MOD20180465 - on Fri 31 Aug 2018, approval was granted for alterations and additions to a dwelling house. There was a typographical error in our advertisement in the Manly Daily on Sat 10 Nov 2018.

**Northern Beaches Local Planning Panel**  
Wed 21 Nov, 1pm  
Civic Centre, Dee Why

Item 3.1 - DA2018/1533 - Stregess Ave, Curl Curl - alterations and additions to a recreational facility (outdoor) to provide two coaches boxes adjacent to grounds/land.

Item 3.2 - DA2018/1109 - 36-38 South Steyne, Manly - stratum subdivision (associated with the airspace above the adjacent food reserve).

Item 3.3 - DA2018/1246 - Clontarf St, North Balgowlah - subdivision of land.

Item 3.4 - MOD2018/0470 - 22-26 Roseberry St, Balgowlah - modification of Development Consent DA300/2016 granted for demolition works, consolidation of three lots into one, construction of two shops including an Aldi store and signage.

Item 3.5 - DA2018/1325 - 25 Bhraswa Rd, Mona Vale - demolition works and construction of an attached dual occupancy.

Item 3.6 - DA2018/0607 - 29-31 Warriewood Rd, Warriewood - construction of a residential flat building comprising 27 apartments, basement car parking and landscaping within currently unregistered Lots 2, 3, 4, 14, 15, 16, 17 and 18 of an approved 40-lot subdivision.

Item 3.7 - DA2018/1066 - 27 Kevin Ave, Avalon Beach - subdivision of one lot into two lots, demolition works and construction of a driveway.

Requests to address the Panel: contact the Panel Coordinator on 9976 1526 by Tue 20 Nov, 4pm  
View the agenda online.

With views over stunning Sydney Harbour, our completely refurbished centre is ready to welcome our children back to learn and play.

Limited long day-care spaces available for 2019.

RSVP for our celebration or book a tour to day:  
harbourviewchildscentre@northernbeaches.nsw.gov.au



**Australia Day Awards 2019**

Last chance to nominate your local hero

Nominations close 5pm, Monday 19 November 2018

Enquiries 9976 1752  
For further information or to nominate visit our website



- Wed 28 Nov, 5 - 7pm
- Sat 8 Dec, 8 - 10am

Comments close: Sun 16 Dec

**Thematic History - share your stories**  
We are preparing a comprehensive Thematic History of the Northern Beaches. To help us, we want to hear your stories about what life was like growing up on the Northern Beaches. Share your story online.

Comments close: Sun 16 Dec

**Notice of proposed easement - Nanbarree Reserve, Farrer St, Balgowlah Heights**  
Under s47 of the Local Government Act 1993, we are considering granting an easement to drain water, 1m wide and approximately 15m in length, to the current owner of 11 Hogan St, Balgowlah Heights (Lot 30 DP 38454) over part of Council community land (Lot 58 DP 31731).

The purpose of formalising an easement is for construction of an underground stormwater drainage pipe within Nanbarree Reserve. The proposed easement is to be granted in perpetuity.

This is subject to Council approval and payment to Council of an independently assessed value of compensation.

Submissions close: Sun 16 Dec

**Station Beach dog off-leash area - proposed trial**  
We are seeking community feedback on whether or not to trial a dog off-leash area at Station Beach, Palm Beach. Come along and talk to our Parks & Recreation team at a drop-in session at Palm Beach Golf Club.

- Thu 28 Nov, 6 - 8pm
- Sat 1 Dec, 2:30 - 4:30pm

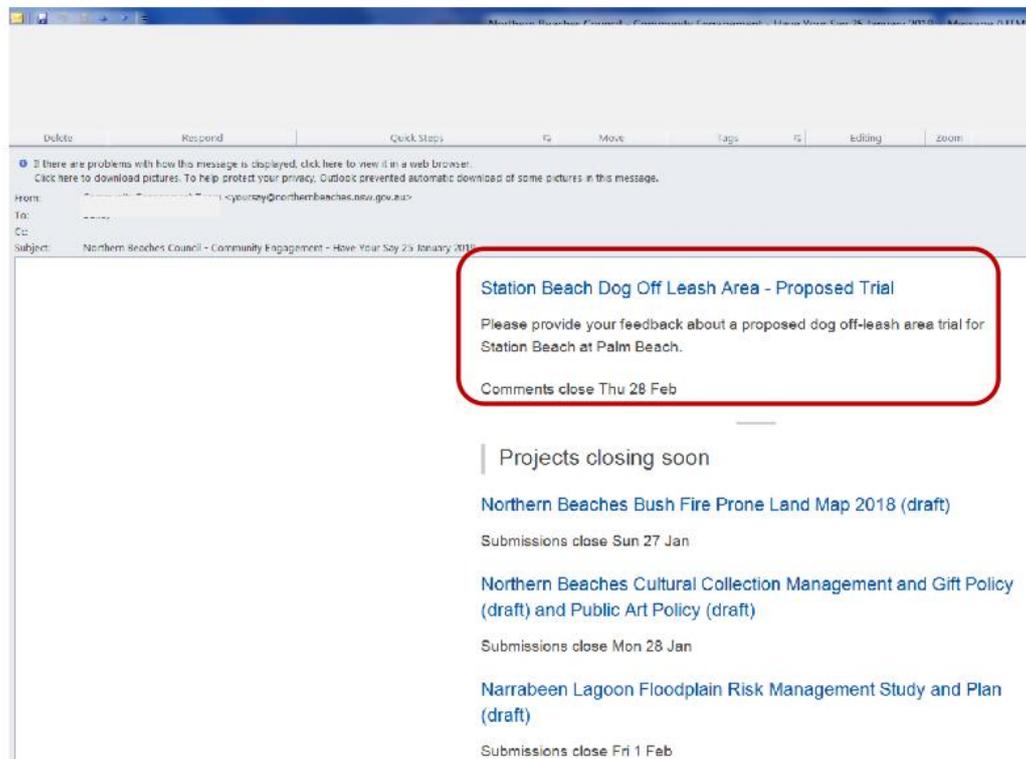
Comments close: Thu 28 Feb

 @beachescouncil

northernbeaches.nsw.gov.au

08 MANLY DAILY, Saturday, November 17, 2018

MANED2018\_V1



There are problems with how this message is displayed, click here to view it in a web browser.  
Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

From: [redacted] <yourzy@northernbeaches.nsw.gov.au>  
To: [redacted]  
Cc: [redacted]  
Subject: Northern Beaches Council - Community Engagement - Have Your Say 25 January 2019

**Station Beach Dog Off Leash Area - Proposed Trial**

Please provide your feedback about a proposed dog off-leash area trial for Station Beach at Palm Beach.

Comments close Thu 28 Feb

Projects closing soon

- Northern Beaches Bush Fire Prone Land Map 2018 (draft)**  
Submissions close Sun 27 Jan
- Northern Beaches Cultural Collection Management and Gift Policy (draft) and Public Art Policy (draft)**  
Submissions close Mon 28 Jan
- Narrabeen Lagoon Floodplain Risk Management Study and Plan (draft)**  
Submissions close Fri 1 Feb

## 1.4 Contents of this report

The remainder of this report sets out the outcomes of written submissions received by Northern Beaches Council from November 2018 to February 2019 in response to an invitation to comment on the proposed trial of a dog off leash area at Station Beach.

Appendix A includes notices from Council inviting the community to comment.

Appendix B contains feature articles published in local media.

Appendix C contains detailed comments and quotes from the community from the online survey and other written submissions.

## 2 OUTCOMES OF WRITTEN SUBMISSIONS

### 2.1 Introduction

#### 2.1.1 Methods of submissions

Information about the proposed trial of a dog off leash area at Station Beach was on public exhibition for comment for 105 days between 16 November 2018 and Thursday 28 February 2019.

18 people attended two drop-in sessions organised by Council at Palm Beach Golf Club on 29 November and 1 December 2018 during the exhibition period.

During the public exhibition period over 3,500 written responses were received by Council as follows:

**Table 2 Sources of written feedback about proposed trial of off leash dog area at Station Beach**

Source	No. submissions	Comments
Your Say Northern Beaches online survey	3,536	3,786 total responses were received by Your Say Northern Beaches at the closing date of submissions. Analysis of the submissions showed that some people made more than one submission, with some people making 4 submissions each. The additional submissions were deleted from the database. 250 or 6.6% of the original submissions were multiple submissions.
Emails and letters	31	62 separate written submissions were made outside Your Say Northern Beaches. Some people completed the online survey at Your Say Northern Beaches as well as sent an email to Council. The number of emails counted does not include submissions that were also made to Your Say Northern Beaches. Letters were received from individuals, and groups including: <ul style="list-style-type: none"> <li>- Boat Owners Association</li> <li>- Newport Residents Association</li> <li>- Palm Beach Protection Group (3 submissions, counted as 1)</li> <li>- Palm Beach and Whale Beach Association (2 submissions, counted as 1)</li> <li>- Pittwater Unleashed</li> </ul>
<b>TOTAL</b>	<b>3,567</b>	

The submission received from the Palm Beach Protection Group included the results of two independent reports which the Palm Beach Protection Group commissioned: a telephone survey of 400 people in Pittwater Ward, and a report about the impacts of off leash dog activity on seagrass at Station Beach.

## 2.1.2 Respondents to Your Say Northern Beaches

A significant number of people were motivated to engage with and inform themselves about the project pages and documents about Station Beach on the Your Say Northern Beaches website. 8,520 visitors made 9,208 visits to the Station Beach project pages at Your Say Northern Beaches, and viewed 28,043 pages about the project. On average, each visitor visited the project page 1.1 times, and viewed 3.3 pages during their visit.

3,786 responses were received at Your Say Northern Beaches on the closing date for responses of 28 February 2019. When compiling and analysing the responses it was noticed that some people had made 2, 3 and up to 4 responses, thus skewing the number of online survey submissions by 7%.

Northern Beaches Council treats public submissions by counting:

- one submission from one individual (regardless of how many times they comment/submit)
- one submission from each family member (not household) as everyone has the right to comment.
- one submission from each association, but note clearly that the submission is from a group and represents the views of the members.

When the multiple (more than one) responses were deleted from the online survey database, the total number of respondents to the online survey at Your Say Northern Beaches became 3,536.

The responses received at Your Say Northern Beaches were from people who 'self-selected' themselves to respond to the online survey, and represent the views of those people only. Therefore, it cannot be implied that the online survey data, and any conclusions drawn from aggregating responses to the online survey, is representative of the views of the general community.

Groups that people commenting via Your Say Northern Beaches identified themselves with are:

- Pittwater Unleashed 48 people
- Pound Patrol 4
- Manly Dogs 2
- Sydney Wildlife 2
- Animal Justice Party NSW Northern Beaches Regional Group 1
- CABPRA 1
- Dog Lovers Association – ACT 1
- Dog Lovers United 1
- Dogs Off Our Beaches 1
- Free the Leash Foundation 1
- Liberal Democrats 1
- Living Ocean Incorporated 1
- Northern Beaches Envirolink 1
- Northern Beaches Greens 1
- NB Off Leash 1

- Palm Beach Protection Group 1
- Palm Beach and Whale Beach Association 1
- Sydney Whippet Owners 1
- The Boathouse Group 1
- University of Technology Sydney – environmental and marine biologists 1.

## Place of residence

Written responses to Your Say Northern Beaches were received from residents of a wide range of suburbs throughout the Northern Beaches LGA, northern suburbs of Sydney, and from further afield. Refer to Figure 4 which shows the postcodes in which respondents live.

Peninsula residents (Palm Beach, Whale Beach, Avalon / Avalon Beach and Newport residents) comprise 48% of respondents to Your Say Northern Beaches.

Other Northern Beaches residents comprise a further 33% of Your Say Northern Beaches respondents.

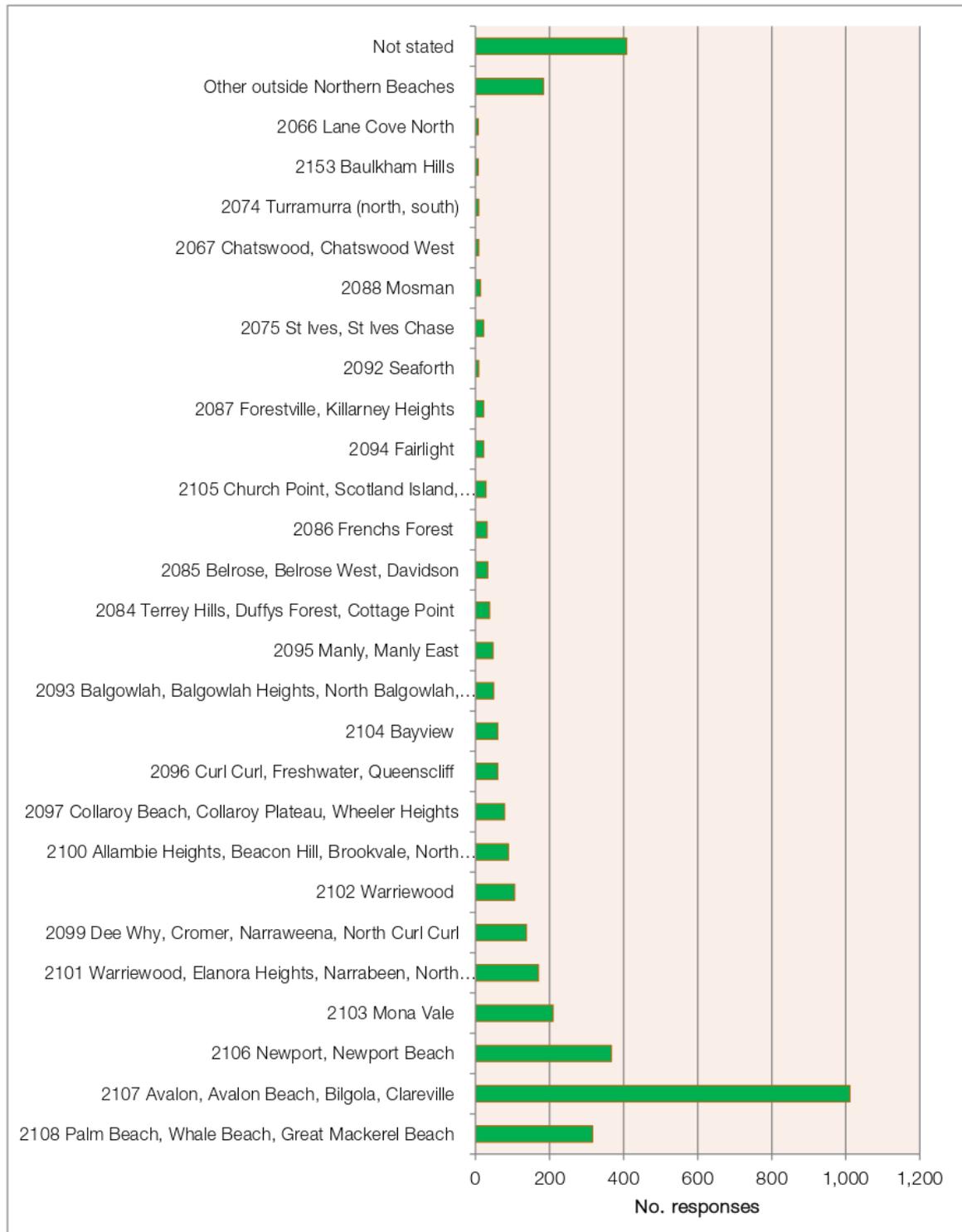
19% of respondents to Your Say are from outside the Northern Beaches, as far afield as Tasmania.

408 respondents who may or may not be local residents didn't record their suburb in Your Say Northern Beaches.

A summary discussion of all responses by question and other comments made are in Sections 2.2 to 2.7 below. The points made are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

Detailed public responses are outlined in Appendix C.

Figure 4 Postcode of respondents to Your Say Northern Beaches



## 2.2 Views about dog off leash area trial at Station Beach

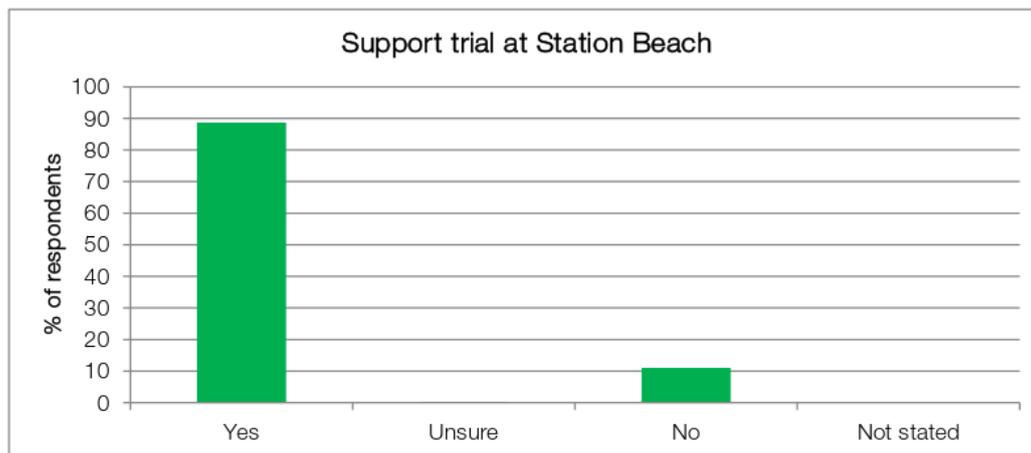
### 2.2.1 Introduction

Respondents to Your Say Northern Beaches were asked:

**Do you support a dog off leash area trial at Station Beach?**

The responses are shown in Figure 5 and Table 3.

**Figure 5 Support for dog off leash area trial at Station Beach**



**Table 3 Support for dog off leash area trial at Station Beach**

Question	Response	No.	%
"Do you support a dog off leash area trial at Station Beach?"	Yes	3,136	88.7
	Unsure	11	0.3
	No	389	11.0
	Not stated	0	0.0
<b>TOTAL</b>		<b>3,536</b>	<b>100.0</b>

Most respondents to Your Say Northern Beaches support the proposed trial of off-leash dog access at Station Beach (89% of respondents). However, there are deeply felt and valid arguments on both "sides" which should be recognised.

The reasons given by supporters and opponents for their viewpoint about the trial showed mainly two opposite points of view. In some cases tolerance for the other point of view was lacking.

Some dog owners do not approve of the trial because they think dog exercise should not occur on beaches. Some people who don't own a dog support the trial because they recognise the benefits of dog exercise to minimise nuisance barking and other undesirable behaviours.

It should also be noted that, among the wide ranging views even by supporters of off-leash dog access at Station Beach, Council's decision will not satisfy the majority, let alone all, the people who support the trial. In particular, there is less support for the proposed days and times of the proposed trial (78%) than there is for the trial itself (89%).

## 2.2.2 Support trial by place of residence

### Your Say Northern Beaches respondents

Support for the trial by postcode is shown in Figure 6 and Table 4 below.

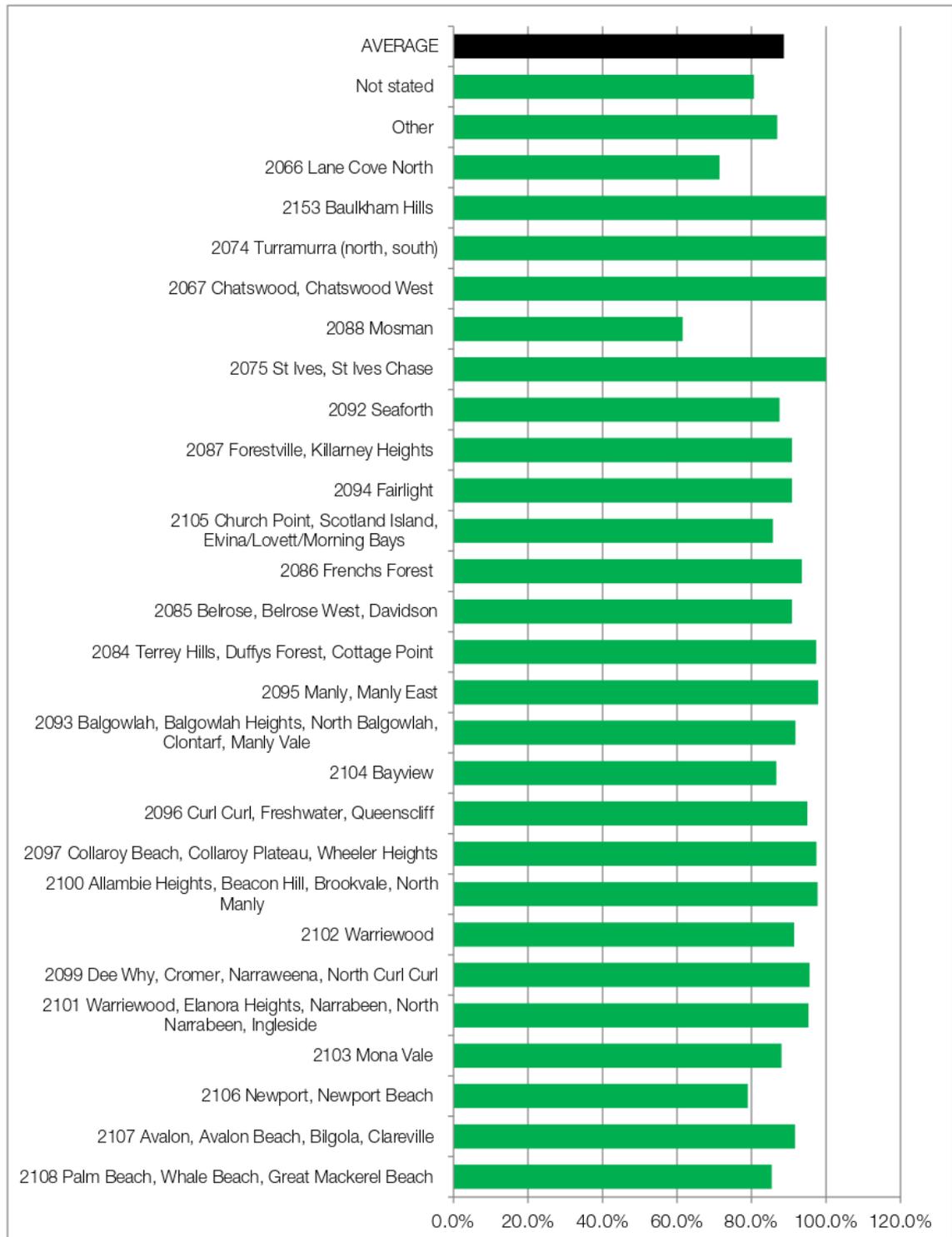
It is notable that the level of support for the trial among respondents who live in Palm Beach, Whale Beach and Great Mackerel Beach is below that of the Your Say respondents as a whole.

### Residents of Waratah Road, Palm Beach

The closest residents to the proposed trial area live in Waratah Road in Palm Beach. 10 residents/households living in the estimated 15 dwellings in Waratah Road supplied their address in Your Say Northern Beaches and/or made a written submission which included their address. Of those 10 households, 7 households or 70% are opposed to the trial because of reasons including:

- limited vehicle parking spaces in Waratah Road and Beach Road
- people visiting Palm Beach park across their driveways
- noise from barking dogs, and owners and dogs entering their properties, are experienced regularly
- dogs may defecate and urinate in the water the residents regularly swim in.

Figure 6 Support for the trial by postcode



**Table 4 Support for the Station Beach trial by postcode**

Post-code	Suburbs	No. responses	Support Station Beach Trial	
			No.	%
<i>Peninsula</i>				
2108	Palm Beach, Whale Beach, Great Mackerel Beach	316	270	85.4%
2107	Avalon, Avalon Beach, Bilgola, Clareville	1,011	927	91.7%
2106	Newport, Newport Beach	367	290	79.0%
		<b>1,694</b>	<b>1,487</b>	<b>87.8%</b>
<i>Other Northern Beaches suburbs</i>				
2103	Mona Vale	209	184	88.0%
2101	Warriewood, Elanora Heights, Narrabeen, North Narrabeen, Ingleside	170	162	95.3%
2099	Dee Why, Cromer, Narrabeena, North Curl Curl	137	131	95.6%
2102	Warriewood	105	96	91.4%
2100	Allambie Heights, Beacon Hill, Brookvale, North Manly	89	87	97.8%
2097	Collaroy Beach, Collaroy Plateau, Wheeler Heights	78	76	97.4%
2096	Curl Curl, Freshwater, Queenscliff	60	57	95.0%
2104	Bayview	60	52	86.7%
2093	Balgowlah, Balgowlah Heights, North Balgowlah, Clontarf, Manly Vale	49	45	91.8%
2095	Manly, Manly East	47	46	97.9%
2084	Terrey Hills, Duffys Forest, Cottage Point	38	37	97.4%
2085	Belrose, Belrose West, Davidson	33	30	90.9%
2086	Frenchs Forest	31	29	93.5%
2105	Church Point, Scotland Island, Elvina Bay, Lovett Bay, Morning Bay	28	24	85.7%
2094	Fairlight	22	20	90.9%
2087	Forestville, Killamey Heights	22	20	90.9%
2092	Seaforth	8	7	87.5%
<i>Outside Northern Beaches</i>				
2075	St Ives, St Ives Chase	22	22	100.0%
2088	Mosman	13	8	61.5%
2067	Chatswood, Chatswood West	8	8	100.0%

Post-code	Suburbs	No. responses	Support Station Beach Trial	
2074	Turrumurra (north, south)	8	8	100.0%
2153	Baulkham Hills	7	7	100.0%
2066	Lane Cove North	7	5	71.4%
	Other outside Northern Beaches	183	159	86.9%
<b>Not stated</b>		<b>408</b>	329	80.6%
<b>TOTAL</b>		<b>3,536</b>	<b>3,136</b>	<b>88.7%</b>

### 2.2.3 Reasons for supporting the trial

A summary discussion of reasons for supporting the Station Beach dog off leash area given by people and organisations who made written submissions is in Section 2.2.3 below.

The points made are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

Detailed public written submissions are outlined in Appendix C.

### Introduction

Respondents who support the proposed trial are happy that the trial is proposed. Many people wrote one or a few words in support. They thank Council for this initiative and other dog projects which are well thought out.

Supporters congratulated Council on their balanced and consultative approach to off-leash dog access. They welcome the trial to help Council make an informed decision.

Some people mentioned that they can't wait to take their dog to the beach to walk/swim.

People whose dog is elderly or had passed away lament they didn't have this opportunity.

### “It's about time”

Supporters of the trial variously said “it's about time / long overdue / sick of procrastination / Council is behind the times”.

Long term residents and visitors recall how the Station Beach area was leash-free in their childhoods and youth. Supporters said that dogs accompanied their owners enjoying recreational activities, such as windsurfing and swimming, on Station Beach in the 1980s.

The decision by Pittwater Council to prohibit dogs from beaches was resented by dog owners. Legal options for exercising dogs locally have been deemed unsatisfactory, so dog owners felt compelled to break the rules by taking their dogs on to beaches and other prohibited areas.

Dog owners have been waiting a long time for dogs to legally access a beach in Pittwater.

Supporters are now very pleased to now see Council's Station Beach initiative as a step toward restoring some foreshore access for families with dogs.

Dog owners think it is time that Council allows access for off leash dogs to beaches, consistent with other coastal councils.

### **Need for an off leash area with access to water north of Bayview/ Newport**

With a growing population, an increasing number of families with dogs, living spaces contracting and new apartments now allowing small companion dogs, supporters of the Station Beach trial identified there is a strong need for more off-leash spaces to exercise their "fur members" on the Northern Beaches.

Supporters identified that more off-leash exercise spaces are needed on the peninsula in general (20). Refer to Section 2.7.1 for suggestions of specific locations.

More off leash water areas/ beaches are needed. Dogs need a place to swim to cool off in summer, and some owners would like to swim with their dog.

Since dogs are no longer permitted into the water at Careel Bay, there has been nowhere convenient for dog owners north of the Bends to legally take their dogs. The proposal would provide an off leash area with access to water in the Palm Beach/Avalon/Bilgola/Newport area north of Bayview. Supporters highlighted the need for a place north of Bayview/Bilgola Bends to take dogs to swim, because the dog park at Rowland Reserve at Bayview is overcrowded and dangerous, the Careel Bay dog park is not popular, and it takes a long time to travel to other dog swimming areas on the northern beaches from the Palm Beach/Whale Beach/Avalon area.

The present off leash areas are becoming crowded as dog ownership on the beaches continues to increase. Anything that diffuses the density of dogs and owners, and therefore the probability of tension between dogs in present off leash areas, is welcome.

Bayview is known to attract people from outside the Northern Beaches to bring their dog to swim there.

A new off leash dog area at Station Beach is welcomed, to "take the pressure off" the overcrowded Bayview, Careel Bay, Curl Curl and Manly Lagoon; and to provide an alternative for dog swimming north of the bends.

Off leash areas at Rowland Reserve and Great Mackerel Beach are considered too far away for dog owners who live north of the Bends. Rowland Reserve is 12 to 15 kilometres from Palm Beach, and Great Mackerel Beach requires a ferry to access.

Station Beach would add to the network of dog parks with Bayview, Careel Bay and Great Mackerel Beach, providing an off leash area within walking distance for Palm Beach residents, and convenient access for other people living at the northern end of the peninsula.

With the Bayview dog park and the Bilgola Bends, there would be no reason for anyone other than local residents to use the areas proposed.

Station Beach is also welcomed as an alternative to having to spend time and effort driving dogs to the Central Coast on day trips, and to other places further afield for their dogs to have a swim.

Dog owners want to be able to exercise their dog in a place that is pleasant and interesting for them as well as their dog. Station Beach is a welcome alternative to “boring” current off leash dog areas.

Members of the Boat Owners Association want continued access to Station Beach to take their dogs to exercise and to “do their business” ashore.

However, some supporters question whether one area at Station Beach will be sufficient, fearing overcrowding of Station Beach also.

### **Want equitable access to public spaces, particularly beaches**

Dog owners consider that between 30% and 90% of the population/households on the peninsula own over 90,000 dogs, so they feel their dogs are entitled to access a higher proportion of beaches and other public spaces off-lead than they are allowed to at present.

Supporters argue that there should be equity/fairness in use of public spaces, and the beach belongs to everyone to use and enjoy.

Station Beach is a small part of the Northern Beaches coastline, and so little of the coastline is available to dogs.

Resident dog owners who are also ratepayers feel that as they pay rates to Council they are entitled to the same rights as other user groups, and that Council has neglected the needs of ratepaying dog owners.

Some dog owners remarked that since dog exercise is restricted on the Northern Beaches, dog owners should receive a rebate from Council rates.

Supporters point out that more space allocated to dogs will reduce issues and complaints about dogs.

Some supporters understand the need for separate beach areas for people without dogs, recognise that there are numerous other beaches close by for non dog owners or non dog lovers to use, and that beach space should be shared.

One supporter dismissed the opposing view that the Station Beach trial will be a precedent for off leash access to all beaches on the peninsula.

### **Want authorised access to beaches for off leash dogs**

Dog owners want to exercise their dogs off the leash legally without attracting fines and upsetting other people.

Station Beach is seen as a legal incentive for people to exercise their dogs away from the ocean beaches.

## Success of off-leash areas elsewhere

Many supporters of the trial feel that dogs are unwelcome on the Northern Beaches compared to other parts of the world, such as the United Kingdom (UK), Canada, United States (US), New Zealand, and Europe.

They cited examples of places overseas where dogs could be taken off leash:

- UK - beaches, pubs, restaurants, public transport
- New York City – parks, waterways, public transport.

A key point made by supporters of the Station Beach trial is that off leash dog exercise on beaches occurs in many coastal areas in Sydney, the NSW coast, interstate and overseas without apparent incident.

Off leash areas on beaches are said to be successful in other coastal areas, particularly Sandy Bay in Clontarf, Rose Bay Beach, Cronulla, the Central Coast/Gosford (8) such as Killcare and North Avoca, Grants Beach at North Haven, Wollongong, Coledale, Jervis Bay, Pambula (south coast), Port Macquarie, Crescent Head, Lennox Head, Byron Bay, Gold Coast (2), Sunshine Coast, Queensland, Brighton in Melbourne, Glenelg in Adelaide, along the Swan River in Perth, Cable Beach in Western Australia, and the North Shore in Auckland, New Zealand.

Suggestions were made for Northern Beaches Council to consult these coastal Councils regarding their management of unleashed dog exercise on beaches.

## Dogs are a part of the community

Families with dogs are considered a valued part of the community. The trial would be a welcome/positive addition to the local area/community.

Some supporters recognise that everyone in the community doesn't support the trial. However, other supporters are openly dismissive of people and groups which oppose the trial in general.

Other supporters are dismissive of people and groups which oppose the trial in because they are perceived as being in the minority of the community. Some supporters are critical of residents groups which oppose the trial because they are perceived not to be representative of the community.

## The trial legitimises an existing activity

Station Beach has been a de-facto, unofficial off-leash dog beach for many dog owners for some years, as long as they did so outside ranger hours or were prepared to risk being fined by rangers.

The trial is understood by some people to have been already approved and in operation.

One supporter justifies making beaches leash free because locals ignore the signs.

## Health and safety

Dog owners and supporters of the trial are confident that the health and safety risks of off leash dogs are minimal and can be managed.

One supporter identified a concern about an aggressive unleashed dog possibly attacking other dogs.

One supporter sees the risk of being hit by golf balls is outweighed by access to Station Beach.

### **Increased use of Station Beach**

Supporters of the Station Beach trial say that Station Beach, particularly next to the golf course, is hardly used by the general public, so dogs should be allowed on the beach to increase its use.

### **Traffic and parking**

The proposed trial at Station Beach would mean less road congestion and travel time, because dog owners living on the peninsula currently need to drive to Bayview.

Dog owners are happy that they won't necessarily have to drive or catch the ferry to the Central Coast to let their dogs have a swim.

One person is not worried by the perceived traffic and lack of parking in Palm Beach resulting from people outside the area coming to Station Beach because local people are prepared to walk and there is ample parking at Palm Beach.

Concerns about traffic congestion would be addressed by the proposed times of off leash dog exercise in the early morning and late afternoon, which are restricted to avoid peak beach activity. Such times would benefit locals and their pets, not people travelling to the area.

Having an off-leash area within walking distance for Palm Beach residents is welcomed, because walking dogs is not easy due to no or limited footpaths, and is dangerous with speeding cars especially on weekends.

One person has observed that provision of parking could be increased at the end of Beach Road by removing shrubs outside private property.

### **Dog owners are responsible**

Dog owners emphasise that they are responsible dog owners in general.

Some dog owners state that the majority of owners are responsible by controlling their behaviour and by picking up after their dogs and others' dogs. Some owners recognise that they are responsible for the behaviour of their dog and to obey rules. Therefore they deserve the opportunity to enjoy Station Beach with their dog.

Responsible dog owners will make sure that dogs are trained, and they should be given priority at Station Beach.

However some dog owners break the rules because of the limited opportunities to take their dog off leash.

Responsible dog owners welcome the opportunity to take their dogs off leash at Station Beach. Dog owners will take the trial seriously. Dog owners want the opportunity to show they can be responsible, the trial can work, and that opponents of the trial don't have anything to worry about. If people have to drive there with their dog they will be responsible. One supporter promised to respect the people who live close by.

Dog owners hope that irresponsible people won't spoil the trial for other people and their dogs.

Dog owners realise that they must display responsible behaviour, and ensure other owners are responsible, to make sure the trial is a success otherwise dog owners have only themselves to blame.

Some supporters of the trial have suggested fines and a licensing system to make sure dog owners do the right thing.

## **Benefits of unleashed dogs to people**

### **General**

The benefits of dogs to people in general were raised. Dogs which are exercised are less likely to be nuisances to other people.

### **Dog owners**

There is a high number/percentage of local dog owners needing to exercise their dogs. Respondents to Your Say Northern Beaches estimated that between 30% to 90% of the local population/households have a dog.

Supporters of the trial frequently mentioned that dogs are a valued part of their family. Dog owners want to enjoy spending time with family members and their dog(s).

Walking, swimming and playing on the beach with dogs is considered a joy of living in the area.

### *Physical benefits*

An off leash area at Station Beach will encourage people to exercise by walking to an off leash area rather having to drive.

Exercising the dog will encourage people to spend less time on screens.

Exercising the dog helps people recover from injury.

### *Social benefits*

The social benefits of exercising dogs that supporters put forward are companionship to minimise loneliness, and opportunities for local people to meet friends and other people, particularly for the many retired and elderly people in the community.

### *Psychological benefits*

Supporters say that dogs are good for the mental health, happiness and low stress levels of their owners.

Dogs help children not to be afraid of animals, and that people and animals can live together.

## **Benefits for non dog owners**

Benefits of off-leash dog exercise areas for people who do not own or like dogs cited by supporters include that:

- off leash dogs would be confined to a specific area at Station Beach
- they like to see owners and dogs enjoying themselves in a legal off leash area
- exercising dogs encourages dog owners to be active.

One person thinks that because Station Beach is not a destination beach it shouldn't affect non-dog lovers.

### **Benefits for dogs**

Off leash areas are needed to enable dogs to run freely off the lead. Walking dogs on a lead is an undesirable way to exercise a dog.

Beaches enable dogs to run free, have fun, swim, play, walk and socialise.

Dogs need access to water/beaches to swim and cool down after a walk, especially in summer. Swimming is also therapeutic for some dogs with arthritis or hip dysplasia.

Opportunities for dogs to interact and socialise with other dogs reduces problem behaviour.

### **Economic benefit**

People bringing their dogs to an off leash area at Station Beach will support the local economy through visiting shops and cafes, and from paying for parking, especially in the off-peak winter season.

### **Council restrictions are being relaxed**

Supporters of the trial have expressed ongoing resentment of former and current Council positions restricting access of dogs to beaches. Long term residents and people have moved here and found the Council is "anti dogs". Dog owners blame restrictions on dogs on over-regulation and people with a fear of dogs who are few in number and not representative of the broader community. Their view is the "no dogs" policy for the ocean beaches in Pittwater should not have been applied to the beaches on Pittwater.

Supporters of the trial welcome Council relaxing restrictions on unleashed dogs.

### **Minimal impact on the environment**

Supporters of the trial consider that dog owners love, are sensitive to and look after the environment.

People who oppose the proposed trial are not the only people who care for the environment.

Council needs to listen to everyone in the community, not just environmental groups

Council should be more concerned with the damage caused by people and domestic cats, which is greater than damage caused by dogs in an off leash area.

One person submitted that the environmental assessment will not significantly impact on the environment or the community.

One supporter believes the low environmental risk of the trial may be managed by signs and education.

## Seagrass

One supporter stated that seagrass would not be affected by the trial because the endangered species occurs further north on the beach, beyond the Boathouse.

The impact of unleashed dogs on seagrass beds in Pittwater is downplayed by supporters of the trial, who say that factors other than unleashed dogs are having and will have a greater impact on the sea grasses than unleashed dogs. Such impacts include:

- skidoos, jet skis and motorboats
- industrialisation and development, resulting in siltation
- nutrient runoff from Palm Beach Golf Course
- sea planes taking off and landing
- spearfishing.

## Waste

Supporters of the trial say that dog beaches are clean, that people leave more litter and waste on beaches than dogs do, especially on weekends, and dog owners regularly pick up waste and litter left on beaches by other people.

## Wildlife

### Birds

Some supporters of the trial believe that off leash dogs will have a low impact on birds, because there are never large numbers of birds present, and migratory birds prefer to use the area closer to the mangroves at the head of Careel Bay. As long as the birds are undisturbed there should be low impact on the birds.

### Crabs

One person observed that there are few if any crabs on Station Beach.

## Low impact on local residents

Some supporters of the trial who do not live on Waratah Road like Station Beach as the location of the trial because there are no/few houses along the beach that would be potentially affected, and so residents of those houses would not be directly affected.

One resident of Waratah Road supports the trial because most dog owners are responsible.

## Historical precedent for off-leash dogs on Sydney foreshores

One supporter stated that the dogs on the First Fleet probably enjoyed the Sydney foreshores.

## Conditions of support

Conditions that supporters of the Station Beach dog off leash trial placed on such support include:

- that all dog owners respect the privilege

- off leash dogs allowed in inland waterways only, with dogs not to be allowed on our surf beaches
- responsibility by dog owners to collect their dog's faeces
- dogs need to be trained or mild tempered and not aggressive to people or other dogs
- dogs not suited to off leash dog parks should not use them.

Some non-dog owners support the trial, subject to:

- dog owners picking up after dogs
- dog owners doing the right thing
- larger and more unpredictable breeds are under proper control by their owners.

### Requests if the trial is not approved or it fails

If the proposal is not approved by Council, one supporter urges Council to approve dog on leash use of the trial area during the proposed trial hours.

If the trial fails, another beach needs to be put forward for unleashed dogs, or residents of this area will not give up until there is one.

### 2.2.4 Unsure about the proposed trial

People who indicated they are "unsure" about the proposed trial said that:

- timed off leash access to beaches can work if dog owners and others are prepared to compromise. Dog owners need to ensure they act responsibly and control their dogs, Council provides adequate bins and empties them, and local residents should be open-minded
- a "real trial" would be on a large number of beaches over a large geographic area
- it would be useful to publish the criteria for measuring the success or failure of the trial
- the current fine system does little to deter the very few irresponsible dog owners. How does the council plan to address this issue?

### 2.2.5 Reasons for not supporting the trial

A summary discussion of reasons for not supporting/opposing the Station Beach dog off leash area given by people and organisations who made written submissions is in Section 2.2.5 below.

The points made are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

Detailed public written submissions are outlined in Appendix C.

## Introduction

Some people don't support dogs on any beaches or foreshores at all, at beaches patronised by swimmers, or do not support the proposed trial at Station Beach in particular.

One person recommended applying the precautionary principle by keeping dogs off Station Beach.

The Protect Palm Beach community group commissioned Newgate Research (2019) to conduct an independent telephone survey of a sample of 400 Pittwater Ward residents in February 2019. The survey findings regarding concerns about the Station Beach trial are included in the discussion below.

## Negative experiences with off leash dogs

There is a strong view among opponents to the trial that there are too many dogs in the Northern Beaches.

Opposition to allowing dogs on beaches in general, and at Station Beach in particular, stems largely from the negative experience(s) that opponents have had with dogs and/or irresponsible dog owners. Too many dog owners are seen not to be doing the right thing.

Owners are viewed as the “problem”, rather than their dogs, because dog owners don’t like to be told what they can and cannot do.

Such negative experiences include dog owners:

- not picking up faeces after their dogs and disposing of it responsibly. Owners think they won’t be caught, and there is little policing of this. People who have dogs must be responsible for the waste they create. If dog owners are responsible why is there so much dog faeces in public places? If dog owners cannot pick up the dog’s faeces why should they continue spoiling it for others?
- not watching their dogs, instead chatting with friends, looking at their phone, and walking in front of their dog so they don’t see the dog defecating and so don’t pick it up, or see their dog annoying or attacking people or dogs
- not controlling their dogs, so people and wildlife are annoyed or attacked by dogs. Dogs should not be allowed off leash unless they have been through formal dog training
- letting their dogs on to ocean beaches and in rock pools when the lifeguards are not in attendance. A woman allows her dog to dig holes in front of Newport Surf Club. A person has seen a woman put her dog into the Bilgola rock pool
- apologising for their dog’s poor behaviour with “sorry he/she never does that” every time. Dog owners think their dog is “the best in the world” and would never hurt anyone or anything. Dog owners should take more responsibility for their dog’s behaviour
- not complying with regulatory signage and off-leash area rules. For example, the offleash area at Long Reef seems to extend to the whole of Long Reef because the majority of people continue to walk their dog out of the off leash area right around the whole of Long Reef without a lead
- not complying with time restrictions in off-leash dog parks
- taking their animals into restricted natural areas such as beaches and bushland reserves
- taking their dogs into increasingly more public spaces and private areas such as shops and businesses.

These negative experiences in general have resulted in animosity and a poor view of dog owners and dogs among opponents to the trial.

As dog owners ignore and break the rules already, Council should not give in to them and reward them for their poor behaviour by allowing them another dog park.

Opponents fear that off leash dogs on Great Mackerel Beach will be repeated at Station Beach. The introduction of dogs using Great Mackerel Beach has divided the community and is an ongoing source of aggression and argument. When visiting dog owners are approached, while most are apologetic for breaking the rules, there are always those who react in a very hostile, and often abusive manner and continue to let their animal ruin everyone else's day.

Opponents of the trial also fear that such behaviour from dog owners will continue to be on display at Station Beach. Poor behaviour from dog owners and dogs at Station Beach to date include:

- ignoring the "No Dogs on Station Beach" signs for years
- allowing unleashed dogs on Station Beach despite the trial not yet starting. This illegal behaviour is taking place beyond the proposed trial boundaries and outside the proposed trial times. Representatives from dog activist group 'Pittwater Unleashed' were at the Beach Road car park access each day over summer, routinely allowing their dogs off leash in all areas of the beach, at all times, and encouraging others to do the same. This regularly leads to tension between roaming dogs, dog owners, residents and visitors who want private, quiet and safe time on the beach. Council is not responding to this behaviour. If this behaviour happening before the trial commences then the trial is a sign of failure
- dogs being unleashed from the Beach Road car park, reaching the beach and going in all directions, including in front of the southern Station Beach homes, and the area directly in front of the car park (being the main recreational area and the area meant to be excluded from the proposed unleashed area). Only a smaller percentage of dogs go further up the beach northwards towards The Boathouse restaurant, which is supposedly the main unleashed area for dogs under the proposal
- residents being constantly woken or disturbed by dogs barking first thing in the morning, as their owners park in front of houses and let their dogs run wild
- dogs defecating on the beach.
- dogs are now taken under the tree on Station Beach where mothers and children usually play.
- people leaving dog faeces in bags tied in the branches of the trees overhanging the beach
- dogs annoying diners at The Boathouse.

The safety, health and environmental implications of these negative experiences raised by opponents to the trial are explored further below.

Some opponents to the Station Beach trial have a view that pets have become too important in dog owners' lives, and that human amenity should have priority over dogs. The relationship between people and their dogs is too often carried out without regard for the interests of others in the community. Dog owners could reconsider the breed of dog they have, and accept the dog is not one of their "children".

Opponents are alarmed that dog owners are increasingly taking their dogs into more public places, and that dogs are "everywhere". Dog owners seem to think they can take their dogs anywhere, and indeed do take them everywhere. There is a prevalence of dogs in cafes, apartment blocks, beaches and public areas which is impacting on quality of life. People should leave their dogs at home. The only dogs in public places and shops should be guide dogs.

Some opponents think that if people own dogs they should provide space on their own property to exercise them and for them to defecate and urinate, walk them on a leash, or live in another area. People only should enjoy Station Beach.

People are afraid to say something to dog owners if they are breaking the rules because they would be abused.

Some opponents are concerned that the Station Beach off leash trial will lead to conflict within the local community. People who don't agree with the trial are already being trolled and bullied online.

One person asked why there was a trial when dog owners already go to beaches unlawfully.

### **Decline in amenity of beach users**

The reasons why people value and like Station Beach are further described in Section 2.3 regarding community views about the trial location.

Station Beach is viewed as an iconic location and destination for Sydney locals and tourists. Palm Beach's worldwide reputation is not only generated from its publicity on 'Home and Away', but by its prestigious and pristine location.

Station Beach is described as a beautiful piece of waterfront recreational space, and a marvellous stretch of sand as you walk to Barrenjoey Headland. People value the beach because it is beautiful, quiet, serene, tranquil and an "escape" and "away from the crowd".

People enjoy the lovely view from Station Beach to West Head, Lion Island and Ettalong, and to the Barrenjoey Lighthouse on the headland.

People use Station Beach for numerous activities such as walking, playing on the sand, sunbaking, picnics under the overhanging tree near the Beach Road entrance, paddling in the water, swimming, snorkelling, fishing, watching sunsets from the west-facing beach, and for wedding ceremonies and photography sessions at sunset.

Station Beach is considered a good swimming area particularly for families with young children, because of the gentle slope and lack of/small waves that allows children to play safely on the water's edge. It is a busy area for swimmers and children.

There is a strong call to leave Station Beach for the people to enjoy, and to generally keep our beaches and recreation areas clean for the use of humans, not animals. Beaches are viewed as "sacred" places away from barking, urinating and defecating dogs. Dogs should be exercised away from people.

Dogs on Station Beach will interrupt the enjoyment of activities currently undertaken on the beach.

Opponents feel that allowing dogs on Station Beach will spoil the quiet, beautiful, peaceful, family feel of the area; and will disturb the solitude and pristine beauty of this amazing area. People have rights to peace and personal safety.

The beach will be "ruined" for residents and visitors in numerous ways, including that it will be a free-for-all "public toilet" for dogs. Other unpleasant implications for beach users of off-leash dogs on the beach include:

- ❑ walking barefoot on the beach and treading in fresh dog faeces, which is an unforgettably unpleasant experience. Beaches and foreshores are one of the last areas where people can walk around in bare feet. Dog waste is not appropriate where people are barefoot or in swimwear.

Rowland Reserve at Bayview, also known as “Poo Park”, and Mona Vale Headland, also known as “Cooks Turd Terrace”, are littered with dog faeces which have not been picked up. They are no-go zones for people in bare feet and for people who don’t look down when they walk. People don’t want to have to look out for dog droppings.

- ❑ discouraging families with children using the beach
- ❑ dogs interrupt and accost people picnicking and ruin their food
- ❑ seeing dogs “doing their business” while walking on the beach on a nice day
- ❑ dogs bounding into the water and annoying/surrounding swimmers
- ❑ playing and swimming among dog faeces
- ❑ swimming in water contaminated with dog faeces. Local residents have encountered dog owners who believe the tide will wash the droppings away. People swim in this area after the tide comes in. The wide and flat tidal zone will make tidal flushing difficult at best, so dog faeces will remain on the beach and in the shallows through several tidal events.

An adjoining resident has noticed yellowish water from dogs which swim and use Station Beach, which discourages them from swimming in the same water

- ❑ a smell of urine and faeces. Bayview and Mona Vale dog parks are so smelly that even dog owners won’t go there
- ❑ noise from barking dogs and owners criticising and yelling at other dog owners and dogs.

Opponents feel that Station Beach is for everyone, and no one group should displace or discourage others from using the beach.

A resident of Waratah Road reports that in the past few months, since Council placed the confusing sign at Station Beach signalling a de facto trial off-leash area, a dog has run up to and barked at an elderly lady, fishermen are being harassed by dogs, and dogs are running up to families on towels.

Control of dogs and their droppings will be more difficult in an unfenced area.

Opponents of the trial don’t support use by unleashed dogs of public areas where faeces and urine is left behind, especially on sand. The sand at Bayview dog park is disgusting. George Street at Careel Bay is a dog toilet so it is awful walking there. The unleashed area at Long Reef has a lot of dog faeces which is disgusting.

People don’t want to swim at a beach that has dog faeces everywhere. Dogs urinating in the water will affect the sea life and humans. Over time the water will smell and turn yellow.

Some opponents consider that dogs and their owners have destroyed the amenity of Manly Lagoon at Queenscliff, with dogs barking, owners shouting at the dogs, and noise reverberating across the water and around the area. They don’t want this situation repeated at Station Beach.

Many people like to visit the beach as a form of escaping the stress in their lives and achieving some form of peace and tranquility. Listening to nothing but the silence and the ocean itself restores an important balance for many people in their lives. People in their own form of

mediation on the beach enjoy the silence. It is considered not fair that this peace is shattered by barking dogs, or having dogs intrude in their space.

Dog owners think the trial on Station Beach has already started, and so their dogs are free to use the beach.

Off leash dogs will cause conflict at Station Beach, and people without dogs will not want to visit Station Beach any more.

Station Beach would be used more if it were free of dogs.

Opponents think Council has underestimated the number of people/dogs that will take over this small beach, especially if can only be used at the higher tide times. As has happened at Bayview, the area will be destroyed by the sheer number of users.

The public safety and public health impacts of off-leash dogs on Station Beach are further explained below.

### **Public safety**

Dog trainers advised that dogs off leash on any beach is not safe for either the dogs or the community that shares the space. Trainers say many dogs are not adequately trained. People use off leash areas as a lazy way to exercise their dogs.

### **Human safety**

The key concern of opponents of off-leash dogs on Station Beach is for the safety of beach users, particularly children who are fearful of dogs and are most at risk of being attacked by a dog, and unaware tourists wanting to use the beach at the same time as unleashed dogs.

Dog owners were frequently criticised for not controlling their dogs in public spaces, with their level of training questioned and their control over their pets often being "half-hearted".

Opponents say many dog owners don't understand that not everyone is comfortable with dogs being close to them. Dog owners don't realise that not everyone wants a dog running around them, barking, urinating and defecating.

Many dog owners think their dog is well behaved, and say their dog won't hurt anyone. However, not all dogs are harmless. Some people breed dangerous dogs. No-one can be ever sure how safe any dog is.

Dogs are pack animals, and when joining a pack of dogs they become impossible to control. For example, neighbours of an opponent to the trial have had their chickens eaten by dogs.

Dogs are a physical and psychological threat to people. There is an ever present risk of people and smaller dogs being attacked or bitten when dogs are not properly supervised. Dogs have a natural instinct to run after or chase people and objects.

Station Beach is known as a safe area for families if no uncontrolled dogs are present. There is a widespread view that areas which are less popular with families would be better for off-leash dogs.

Many people of all ages are scared of dogs having had bad experiences with dogs. Dogs are unpredictable, so they shouldn't interact with unsuspecting people. People in a safe

environment should not be put at risk by animals that are not able to be controlled by their owners.

Dogs on beaches are described as a menace to families and swimmers. Dogs harass people by taking things from their hand. People are worried about dogs running at them on the beach.

Out of control dogs are a danger to passive users of the area. Dogs come up to children playing on the beach and sniff at their towels. Residents have found a dog on their towel when they have returned to it after a swim. Dogs invade picnics. People don't want to sit on the beach among unleashed dogs. Beach users want to lie on the beach to read a book or sunbake with friends without being harassed by dogs running up to and over them and leaving poo behind. People don't want to be dodging dogs or having their peaceful enjoyment of a place disturbed.

Sitting or lying on a beach places you in a more vulnerable position if a dog attacks, whether it is malicious or exuberant.

The narrow width of the beach which varies with the tide is a safety concern, due to reduced space and possible conflicts between dogs and other beach users.

Dogs also annoy people who are running. A person who runs on Station Beach in the late afternoon wants to continue running on the beach, but is bothered by bounding dogs.

There is a particular concern about the presence of dogs on the safety of families with young children and older people who use the beach when dogs are not allowed on the main beaches. Allowing dogs to roam freely puts young children and older people at risk. The health and safety of children and older people is considered paramount to the needs of yet another dog park. Station Beach should be left as it is for the public to enjoy without fear of dogs.

Children and grandchildren of opponents, as well as adults, are reported to have been left traumatised by previous encounters with unleashed dogs including the dogs licking them, jumping up on them, and biting them. Consequently, many small children are terrified of large dogs. Children can be frightened/terrified by what dog owners think is playful behaviour by their dog.

Some opponents have children who use this beach. They don't want to worry about dogs running up to the children, bowling them up, jumping up on them, or other unprovoked dog attacks on the children. Parents fear for their childrens' safety when they are approached or chased by unleashed dogs. A local child related how dogs jumped up on them on Station Beach and scared them. In December 2018-January 2019 a Station Beach user reports seeing big dogs off their leash jumping all over young children causing them significant distress.

Dogs running free results in dog fights which is not acceptable when children are present.

Adults reported that they have been attacked by a dog on a beach.

A person attacked by a dog on the northern beaches in the past 6 months now has permanent scars.

A resident of Great Mackerel Beach reported that there have been dog attacks towards people and other dogs on the beach there.

There is a strong concern that a person, particularly a child or elderly person will be badly injured from an off leash dog on Station Beach. It is considered only a matter of time before someone is bitten or attacked.

The lack of fencing to the golf course and to nearby residences is a safety concern.

There are no planned controls on the breeds that would be allowed because it would be impossible to enforce.

Opponents query how will the beach be supervised? What is Council going to do when someone is attacked? What happens if a dog attacks a child?

People afraid of dogs will be prevented from using the beach if unleashed dogs are using the beach. The public, not just dog owners, have a right to use the beach without fear for their own safety.

If Station Beach becomes an off leash area one person says they will not visit it because of safety concerns having previously been attacked by an unleashed dog.

### **Safety of golfers**

The golf course will be used as a short cut route endangering dog owners and golfers, with dogs off leash entering the golf course and leaving droppings.

Dogs could cause havoc with golfers by running on the golf course unless the area is fenced. Last week a person saw two dogs running across the golf course within three minutes, with the dog owners chatting at the edge of the golf course.

### **Safety of dogs**

An off leash area is also dangerous for dogs.

Dog owners worry that unleashed dogs will bound over to their dog wanting to play and bark.

Dog trainers say that dogs can be injured in off-leash areas.

Dog attacks are frequent in off leash dog areas and are mostly unreported.

One person reported their dog has been attacked three times by illegal off-leash dogs.

At Station Beach dogs are also at risk of being hit by golf balls.

### **Public health**

Opponents to the Station Beach trial are concerned about the impacts of unleashed dogs on public health.

While many responsible dog owners pick up their dog's faeces, some do not.

Dogs already use local beaches and leave faeces on the beach, including at Station Beach.

It is not acceptable to have dog faeces lying around our beautiful beaches for health reasons.

Beach users can come into direct contact with dog faeces by playing on the sand, digging holes, and building sand castles. People walking on the beach can step on faeces left on or in the sand. It's too easy for irresponsible dog owners to cover or kick beach sand over any dog faeces rather than pick it up, which occurs at Mona Vale Beach. It is very unpleasant finding dog nuggets covered in sand where grandchildren play on the beach.

The reported health implications of dog faeces at Station Beach are infection from walking barefoot on sand, swimming, and otherwise coming into contact with dog faeces.

Contamination of water will occur from faeces and urine of dogs swimming in water shared with people.

One opponent reported having seen dogs with diarrhoea in the water and on the beach at Bayview dog park, and people sitting in the water at the same location the next day.

There is no mention about how dog faeces will be managed throughout the trial.

Dog faeces presents a health risk of contracting diseases such as *E.coli* (2) and salmonella, and parasites such as roundworms, hookworms, and tapeworms.

An opponent cited an article by Professor Leigh Ackland <https://theconversation.com/dont-waste-your-dogs-poo-compost-it-107603> which made the points that:

- (i) one medium sized dog produces about 180 kg of faeces a year
- (ii) Once pathogenic microbes from the faeces get into waterways, they can find their way into other living things – including humans.

One person reported that in the most recent State of the Beaches 2018 Report Station Beach/Barrenjoey Beach showed the highest range of all of faeces present.

One opponent described their mother's experience of being infected with parasitic hydatid worms transmitted by a dog at the age of 4. She suffered all her life, having to undergo surgery on three occasions to save her life. The parasitic worms can infect all organs and travel to the brain where almost certain death will occur.

Some people are allergic to dogs and pet hair, and so don't want to be near dogs.

Dogs also carry undesirable fleas, cysts, lice, mange etc.

## Environmental concerns

### Introduction

In repeated council surveys/community consultations and engagement processes, the natural environment is repeatedly mentioned as a factor of high value to residents. Preserving the natural environment for future generations is also valued. Council generally acts to ensure that the principle of promoting the most good for the most people is upheld. This should be the overarching framework for this proposal also.

Station Beach offers access to an incredible biodiverse habitat area, unmatched by most, if not all, other foreshore areas on the Northern Beaches.

Station Beach is one of the last pristine, untouched, environmentally attractive areas of Pittwater and the Northern Beaches.

Allowing dogs on Station Beach would destroy the pristine nature of the area.

Palm Beach walks are too valuable to degrade.

Some opponents asked why so many dog areas are in prime positions such as headlands and parks next to water which are prime spots for families and tourists. Since dogs do not appreciate beautiful scenery, off-leash areas should not be given to them in prime waterfront scenic locations. If Council feels obliged to provide such areas, they need to use or acquire land in non-scenic locations which would otherwise be built upon. That way the general public are not losing open space and recreational amenity that should be preserved for the benefit of all, as well as for the environmental values of landscape and native flora and fauna.

Opponents to the trial are concerned about impacts of off-leash dogs on the natural environment.

Pittwater Council banned dogs on beaches many years ago for environmental reasons. Pittwater Council's investigations showed that Pittwater and ocean beaches in the area are heavily constrained regarding access by dogs.

Dogs are already let off leash through the aquatic reserves and animal protection areas.

Not all dog owners are considerate of the environment and spoil it for others. Local residents worry that that more people will come with dogs to Station Beach, not look after it, and spoil it.

The trial is described as "environmentally reckless", with the potential for an environmental catastrophe. The environment is too important to allow anything that may risk it.

Beaches should be reserved for aquatic animals, birds and sea creatures, not for use by dogs.

### **Beach pollution**

Station Beach is environmentally sensitive.

Pollution from faeces and urine from dogs will make the sand and water dirty. Station Beach will end up as dirty like Bayview.

### **Beach erosion**

The sandy edge to Manly Lagoon has been eroded by dogs running in and out of the water.

Station Beach would need fencing to prevent erosion, and at high tide the fence would be in the water. A fence and the presence of dogs would cause erosion of the beach.

### **Litter**

Single use plastic bags have been banned in NSW, so why will they provided free of charge to dog owners?

Dog owners may pick up dog faeces in public, but often black bags full of dog faeces will be left behind and are never collected. An opponent lives next to door to a reserve and is always picking up black plastic faeces bags. People put black bags with dog faeces in the mangroves

at Hitchcock Park, and on top of brick fences or hanging from tree trunks between Bungan Beach and Mona Vale Headland.

### **Pests**

Uncollected dog waste promotes fly infestation, a fact acknowledged by a previous Warringah Council initiative to introduce dung beetles at Frenchs Forest Showground where there is very good council provision of dog waste bags and bins.

### **Wildlife**

Risk to wildlife is a key concern of off leash dog exercise at Station Beach.

The area should be preserved to protect the little wildlife we have left.

The presence of dogs and the scent they leave scares off many native fauna species including penguins and birds.

Dogs are predators which wander into natural areas and threaten and kill native species, contributing to reducing numbers of protected native animals.

Dogs will hinder the ability of most native fauna to move freely about. They will also prevent any attempts by native fauna to utilise this area.

Allowing dogs to freely roam in this area increases the risk of dog attacks on native and non-native wildlife such as birds, reptiles and small mammals.

Dogs are a threat to native vegetation and fauna which is still recovering from the impact of the fire at Barrenjoey Headland in 2013. The presence of dogs will very likely obliterate the chance for new fauna to be attracted to recovered vegetation.

Depletion of wildlife has been experienced at Great Mackerel Beach since the introduction of dogs there. People take their dogs off leash into the National Park. Constant barking occurs, and wildlife including lyre birds and wallabies has been chased and killed on many occasions. Two plovers are left on Great Mackerel Beach, compared to a large number that used to nest in the far northern end. Dogs chase all the birds from the beach and environs on a daily basis, including pelicans, plovers, gulls, brush turkeys and lyrebirds. Large numbers of migratory birds are chased away whenever they land here. At a time when the serious depletion of the world's wildlife makes headline news, domestic animals should be banned from any environmentally sensitive area, purely because the majority of owners, from what we are seeing first hand, think that their dog isn't a problem.

### ***Birds***

Impacts of off leash dogs on birds is also a concern.

Allowing dogs to roam freely poses a danger to birdlife, because dogs will go after and harass birds at any opportunity. Larger breeds love running after seagulls. Seabirds, gulls and pelicans will be affected.

Dog owners allow their dogs to chase birds or worse. People think it is funny to see their dog chasing birds. Dogs have killed seabirds on the sand flats at Bayview, and the same will happen at Station Beach.

The area is close to Clareville, where all the wading birds come in. Station Beach is a shorebird feeding ground. Migratory shorebirds' breeding and nesting sites, and chicks are very precious. Allowing access for dogs in the late afternoons/evening to mid-morning will affect vulnerable migratory shorebirds which are active in the evenings and mornings. The presence of dogs overnight will disrupt shorebirds which need to forage and settle down at night.

Most ground birds have been driven away resulting in an increase in ticks.

#### *Sand fauna*

Dogs will harass small creatures in the sand.

Sand crabs will be affected. Dogs have scabbled on crab holes in the sand.

#### **Marine ecology**

Allowing dogs to roam freely poses a danger to the marine environment and marine life.

#### *Water quality*

Nutrients from dog faeces and urine are threats to water quality, leaching into the water and causing eutrophication with impacts on the aquatic ecosystem.

#### *Seagrass beds*

The Pittwater waterway west of Station Beach is zoned E2 Environment Conservation. This part of the Pittwater contains a significant area of endangered sea grass and marine habitat. The sea grass is in good condition in part due to the low levels of human and dog activity at this location. Station Beach is a relatively quiet and hidden part of the waterway. The sea bed slopes away gradually and much of the sea grass is close to the surface at mid to low tide. Lower levels of activity by swimmers and watercraft compared to other parts of the Pittwater has helped to maintain the fragile sea grass community. This prime area of sea grass, and the fish feeding and breeding habitat it provides, is central to the health of the ecosystem of the whole Pittwater. Anyone who has had a look beneath the surface at different locations around the Pittwater will know that the area off Station Beach is one of the most undisturbed and environmentally significant parts of the whole waterway.

Seagrasses would be exposed to unleashed dogs at low tide. Dog owners won't keep their dog off the seagrass at low tide.

The seagrass beds will be damaged by dogs and will be severely impacted by dog faeces.

Suggested water markers would be ineffective because dogs can't understand water markers.

Council is having experts conduct a survey of the seagrass bed issues and we look forward to reading the resulting report.

The Palm Beach Protection Group commissioned an independent environmental report by Aquation Pty Ltd (2019) into the potential impact of off leash dog activity on Station Beach and the nearby seagrass meadow. The key points of the report are:

- seagrass meadows must be protected because they are ecologically and commercially important. Seagrass helps improve water clarity and provides an essential habitat for juvenile fish.

- the potential impacts of off leash dog activity on seagrass meadows near Station Beach, particularly at low tide, include:
  - physical damage caused by tearing of seagrass structures by dog activity
  - excess nutrients from dog faeces in the surrounding water can lead to excessive growth of algae
  - increased sedimentation within the seagrass meadow, resulting in reduced light levels and reduced growth long-term
  - cumulative impact of unleashed dogs with human pollution of the Pittwater embayment and the invasive alga *Caulerpa taxifolia*.

The Aquation (2019) report concludes that “the assertion that seagrasses at the northern end of Station Beach are less valuable and vulnerable than seagrasses at the southern end of the beach is not supported by any evidence. The relatively recent invasion of the northern part of the beach environment by *C. taxifolia* indicates these seagrasses are now experiencing an additional threat. To deliberately concentrate potentially damaging activity on the northern part of the Station Beach seagrass meadow would be ill advised for this reason.”

Pittwater Unleashed countered the concern about the exposure of seagrass at low tide in their submission. The “supermoon” cycle has been experienced in recent months. “Super” king high tides correspond with “super” king low tides. The 2019 Tide Chart (Fort Denison) confirms a low incidence of these events in 2019, with the super lows affecting only 6 of 365 (1.6%) afternoons and zero mornings. This low incidence means the likelihood of impact from dogs at these times is exceedingly low.

### ***Seahorses***

Low tide will put marine life such as sea horses that are endemic to NSW at risk.

### **Impact on the Ku-ring-gai Chase National Park**

Station Beach is located adjacent to Barrenjoey Headland which is part of Ku-ring-gai Chase National Park.

The north end of Station Beach is zoned E1 National Parks and Nature Reserves.

Palm Beach is a sanctuary so no dogs should be allowed.

Dogs are not allowed in National Parks, so why are they allowed on beaches?

Council must commit to providing rangers to police the surrounding fragile nature reserves, particularly towards Barrenjoey Headland.

### **Impact on local residents**

Not all dog owners are considerate of neighbours and spoil it for others.

There are no fences between the properties of residents of Waratah Road and Station Beach.

Local residents believe they will have their properties and lifestyle impacted by:

- noise from barking dogs
- dog faeces and other mess created by the dogs

- people parking across their driveways due to limited parking
- dogs entering private properties facing Station Beach which are unfenced, causing alarm at times.

## Traffic and parking

Parking in the Station Beach and Governor Phillip Park area is already at capacity, especially on weekends. There is limited parking for family beach-goers, picnickers, restaurant and café patrons, windsurfers and paddlers, walkers to the lighthouse, and “Summer Bay” tourists.

Parking at both north and south ends of the beach is always at a premium, with golfers, people using the Boathouse Restaurant, and beach visitors. The limited parking available cannot cope with a further inundation of people/dogs at morning and night.

Opponents of the trial believe that people driving to access Station Beach will increase traffic to this already busy area, causing traffic congestion so close to the busy corner of Barrenjoey Road and Beach Road.

There is limited parking in Beach Road and the southern end of Station Beach. Waratah Road is always full of cars. Lack of parking is also an issue near The Boathouse. One opponent reported it was impossible to find a parking spot close by on their last visit.

The area is really difficult to access. Use of Station Beach by possibly hundreds of unleashed dogs and their owners from locally and elsewhere will make traffic congestion and parking worse, and locals could no longer park here.

A resident of Etival Street in Palm Beach stated they should be actively promoting Station Beach as it would reduce the traffic and dogs in their once quiet street, but from their experience they fear for the locals of the Station Beach area.

Dog swimming areas at Sandy Bay at Clontarf and Sir Burt Oldfield Park in Killara attract high numbers of out-of-area people.

Professional dog walkers with 3-4 dogs each have recently started to visit Station Beach. Additional commercial businesses such as mobile pet care, and dog washing and grooming may be attracted to Station Beach placing further pressure on parking.

Dog walkers would take up designated car parking for golfers at the southern end of Station Beach, and people using the golf club for weddings and the like. The competition for parking spaces between the dog owners and the golfers after 7.30am will create a lot of angst.

The trial would decrease public transport use to Palm Beach because pet dogs are unable to travel on buses unless in a confined box as stated by the NSW Passenger Transport Act and Regulations.

## Cultural heritage

Several opponents to the trial highlighted the cultural heritage importance of Station Beach, Barrenjoey Headland and Lighthouse, and Ku-ring-gai Chase National Park.

Barrenjoey Lighthouse was built in 1881 and the associated houses beside the lighthouse, as well as the cottages below, have historic significance. These natural and historic heritage values are the reason Barrenjoey Headland is part of Ku-ring-gai Chase National Park.

The Barrenjoey Lighthouse Precinct Conservation Management Plan (Office of Environment and Heritage, 2011) states “the specific objectives of maintaining ecological integrity,...between the park and reserves and adjoining areas”. The report stipulates that various heritage impact assessments need to be done to adhere to the planned objectives, including to recognise the importance to our national history of Station Beach. The heritage value of Station Beach is part of our network of national parks and leads to ecological sustainable use of the park.

The Barrenjoey Peninsula and the Palm Beach isthmus are significant and should not be broken up into small management segments, as small parks will lead to diverse and poor management.

The Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS) lists Station Beach as significant.

### **Visual / aesthetic**

Palm Beach is world-renowned as a stunningly beautiful location, attracting visitors from both Australia and overseas, film crews and locals.

There is a desire to keep Palm Beach beautiful and dog free.

One of the attractions of the golf course is there is no fence between the Palm Beach Golf Course and Pittwater, and it would be a great shame to ruin that ambience by constructing a fence. Fencing would ruin the Palm Beach aesthetics.

It would be a “tragedy” to deface Station Beach with unsightly signage and tidal markers.

### **Precedent for other off-leash areas on beaches**

Opponents to the trial frequently said that dog owners ignore “dog prohibited” signs throughout the northern beaches.

Dogs are already illegally taken on to unpatrolled beaches such as Bilgola, Bungan, Clareville, Paradise, Snapperman and Turimetta Beaches; patrolled beaches at Avalon, Newport and Mona Vale beaches; and into rock pools at Avalon, Bilgola and Newport at times when they think they will not be caught by rangers.

However there are no apparent consequences for dog owners who take their dog on to a beach. Dog owners exercise their dogs when and where they like because the rangers are never present and signs are inadequate.

This trial will set a precedent and be a “slippery slope” and the “thin end of the wedge” by dog advocates to push for further legal access to beaches, particularly ocean beaches, for their dogs.

Dog owners will abuse the privilege and expect more areas, particularly beaches, to be set aside for off-leash dogs.

The other ocean beaches that dog owners desire for legal off-leash dog exercise are listed in Section 2.7.1. The most frequently mentioned additional beaches desired are south Mona Vale and north Newport beaches.

The trial at Station Beach is seen as “opening the door” to a permanent off leash dog exercise arrangement at Station Beach.

Posts from the Pittwater Unleashed page make clear their intention to gain authorised access to Barrenjoey Lighthouse.

## Negative experiences at other off leash beaches

Other beachside Councils in Sydney – Waverley (Bondi and Bronte) and Randwick (Coogee, Clovelly and Maroubra) – don't allow dogs on their beaches.

Negative experiences at other off leash beaches include:

- ❑ dog owners at Bayview dog park and other similar areas do not pick up after their dogs.
- ❑ A trial at Wanda Beach in 2004 was abandoned after 3 weeks due to issues such as two serious dog attacks, dog faeces being left on the beach, and Council's limited resources to oversee enforcement of up to 2,000 dogs that visited the beach every day on weekends.
- ❑ Umina-Ettalong Beach is full of dogs, with none on a leash. Dog faeces and dogs terrorising children are disturbing.

## Inequitable access to public space

Opponents to the trial recognise that if people want to own dogs that is their right, and wish them well. However, the Station Beach off-leash trial is seen by opponents as inequitable for several reasons:

- ❑ **a minority group of dog owners is compelling the majority of the community to accept their views.** Council will no doubt have been inundated by supportive feedback from the powerful dog lobby on the Northern Beaches. This group of dog owners is over-represented in Council decision-making. Their highly organised campaigns will unfairly inflate the submissions received in support of the off-leash area, eclipsing the views and desires of the broader community who will probably not be aware of the proposed trial or the potential impacts. If the broader community were aware of the proposed trial and its impacts, there would be many objections. Consultation should never be dominated by the views and opinions of one particular minority group.

Opponents don't understand how dog owners, a small section of the community, can demand special use of such a beautiful community area. Dog owners do not have the right to inflict their choice on other people. Demanding access to beaches for dogs is an act of entitlement that will impact on the peaceful enjoyment of the beach and public land by others. The situation is seen as a monopoly of public recreation space for a minority of people in an iconic location.

- ❑ **off-leash dogs will limit the right of other people to enjoy public space.** All public places should be safe places to enjoy without having to work around dogs, and worry about dogs running round them. Having dogs off the leash in an area restricts the enjoyment of the area to people who own or like dogs, which is unfair. Once a beach becomes a place for unleashed dogs they immediately dominate the environment and exclude other people, particularly families with young children, elderly people, people with a disability, and people who can access the flat terrain around Station Beach from that stretch of beach. Off leash dog exercise also renders beaches and other public open spaces almost useless for other uses such as picnics.
- ❑ **if the trial proceeds, as little as 5.5 hours a day will be available for the public to use the beach.**

Pittwater Unleashed is considered to be "twisting the truth" regarding the proportion of the length of the northern beaches coastline which is intended to be or available for use by dogs.

The article 'Council hounded into action' falsely says we have 20 kilometres of coastline, and assumes all of it is usable by people. A narrow strip only about 3.5% of the 20 kilometre coastline is available for people, not including cliffs, rocks and sand dunes, car parks, surf clubs, private land and coffee shops when there is only a certain amount that is suitable or accessible anyway as pristine beach and recreation areas for humans.

### **Alternatives to Station Beach for off-leash dog exercise**

Some opponents to the trial consider that dogs living in places without access to sand and water for swimming are happy and receive exercise without needing to run along a beach or swim in the water.

Opponents of the trial think that Pittwater/Northern Beaches is already well served with places for dogs to roam off the leash, with 28 off leash dog parks on the Northern Beaches. Such areas include dog swimming areas at Rowland Reserve at Bayview, which is an acceptable place for dogs to run in the water; and Manly Lagoon. Other dog exercise areas at Avalon Beach Reserve and Careel Bay, are already provided and they are more than adequate for Pittwater's dog exercise needs. Careel Bay was mentioned as a preferred area for unleashed dogs.

It was suggested that water pools should be added to existing dog parks for dog swimming, rather than allow dogs to access beaches and foreshores.

### **Enforcement of responsibilities of dog owners**

Opponents to the trial want Council to enforce laws and policies to ensure dog owners are responsible.

#### **On-site enforcement**

There is a widely held lack of faith that Council will or can enforce the Station Beach trial and unleashed dogs on beaches in general. Many instances of the poor behaviour of dog owners were described in the comments to Your Say Northern Beaches. However Council rangers are not, or rarely, seen to enforce regulations.

Opponents to the trial requested that Council rangers attend beaches and public spaces more often, and not just during business hours, when they are illegally used by dog owners, and apprehend and prosecute offenders.

Opponents often see unleashed dogs on beaches where they are not permitted. Owners take their dogs early in the morning or later in the day when they know the rangers are not there.

Station Beach is located at almost the northern most point of the Northern Beaches LGA. The travel time to deal with any report of a non compliance issue to an after-hours ranger would be lengthy, and any offender would be long gone before a ranger arrived. After hours ranger numbers seem to be low in any case.

Council appears to not have the staff or resources, or is unwilling, to enforce the rules and control degradation of other environments. Consequently, opponents of the trial don't believe Council will successfully monitor this trial. Harsher penalties such as fines or sanctions for breaking the rules are needed.

Dog beaches require 24/7 policing, but residents of Pittwater beaches haven't seen a ranger in some years.

With no policing of Station Beach after hours it is believed that dog owners will take their dogs further up the beach and soon to Barrenjoey Headland.

There will be difficulty with prohibiting dogs at low tide. Many people would be unaware of low tide in this location. Even at mid-tide the dogs will be in contact with sea grass and so will owners who waded out with them. The dogs will bound about and swim considerable distances out into the waterway through the sea grass beds, chasing balls and sticks.

People will ignore the proposed signs, especially if they've not looked at the tide chart and driven significant distance to get to beach at open times and find that the sign says it's closed. They will ignore that and go on the beach anyway.

Since the environmental report expressly forbids dogs to enter the water at low tide, and they would not choose to enter at high tide, then this being prime waterfront location is not just irrelevant to the dogs - it is going to be a constant regulatory problem for their owners and Council officers. Who is actually going to be there stopping dogs entering the water at low tide?

### **Dog registration**

An opponent feels that Council should issue dog owners a list of responsibilities with their rate notices.

Another feels that all dogs should have a DNA profile on record as part of the registration process. This would make it easy to associate dog excrement to the dog owner and to prosecute the owner. City of London is understood to be initiating this process.

### **User pays**

A suggestion was made that if the off leash area goes ahead it should be on a user pays basis.

## **The process of the trial is flawed**

### **Availability of the REF**

Some opponents to the trial think that the process of this trial is flawed. Council should make the recent Review of Environmental Factors prepared by Cardno, ornithological reports, and a seagrass survey available immediately to the community, and grant an extension of time after 28 February 2019 to make an informed submission about the Station Beach trial. A decision about the Station Beach trial should be deferred until the reports are available. Studying the area for its biodiversity while also having dogs on the beach will not provide an accurate reflection of the impacts of the off leash area. The absence of this information favours the position of Pittwater Unleashed.

If the REF conclusions are negative, what is the impact if the trial has already started?

### **Trial parameters have been set by Pittwater Unleashed**

Some opponents say that is unacceptable that dog owners have been working with Council to get dogs on the beaches. People without dogs didn't get this opportunity.

The parameters for the trial have been set by Pittwater Unleashed instead of undertaking wider community consultation.

## 2.3 Trial location

### 2.3.1 Introduction

Council invited the community on the Have Your Say webpage to comment on:

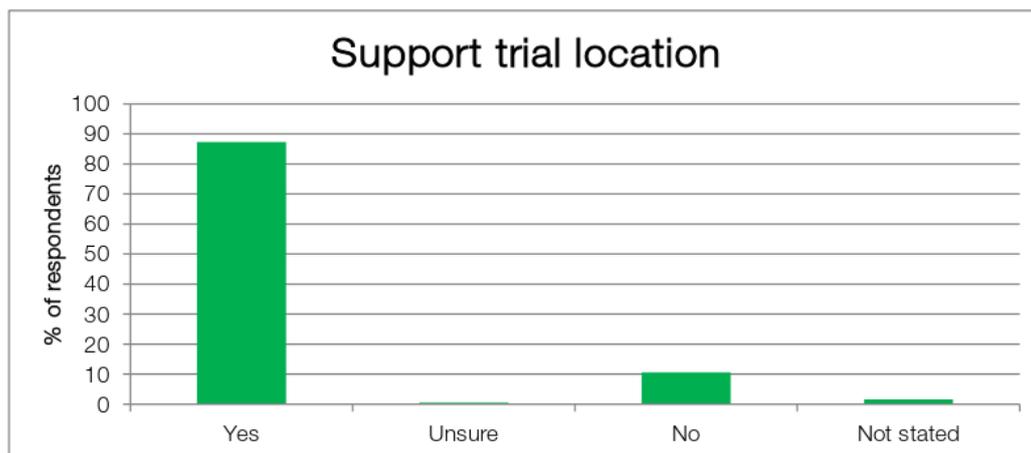
**What are your thoughts on the proposed operational trial parameters:**

**Off-leash area between Beach Road and Boathouse café (see attachment 1).**

Respondents were directed to see the map of the proposed trial area as shown earlier in Figure 1.

Figure 7 shows that 87% of the people who answered the question on Your Say Northern Beaches support the proposed trial location.

**Figure 7 Support for the proposed trial location**



**Table 5 Support for the proposed trial location**

Question	Response	No.	%
"What are your thoughts on the proposed operational trial parameters: Off-leash area between Beach Road and Boathouse café (see attachment 1)."	Yes	3,088	87.3
	Unsure	16	0.5
	No	376	10.6
	Not stated	56	1.6
	<b>TOTAL</b>	<b>3,536</b>	<b>100.0</b>

**Table 6 Support for the Station Beach trial location by postcode**

Post-code	Suburbs	No. responses	Support trial location	
			No.	%
<i>Peninsula</i>				
2108	Palm Beach, Whale Beach, Great Mackerel Beach	316	267	84.5%
2107	Avalon, Avalon Beach, Bilgola, Clareville	1,011	919	90.9%
2106	Newport, Newport Beach	367	286	77.9%
		<b>1,694</b>	<b>1,472</b>	<b>86.9%</b>
<i>Other Northern Beaches suburbs</i>				
2103	Mona Vale	209	180	86.1%
2101	Warriewood, Elanora Heights, Narrabeen, North Narrabeen, Ingleside	170	157	92.4%
2099	Dee Why, Cromer, Narrabeena, North Curl Curl	137	129	94.2%
2102	Warriewood	105	97	92.4%
2100	Allambie Heights, Beacon Hill, Brookvale, North Manly	89	86	96.6%
2097	Collaroy Beach, Collaroy Plateau, Wheeler Heights	78	74	94.9%
2096	Curl Curl, Freshwater, Queenscliff	60	57	95.0%
2104	Bayview	60	51	85.0%
2093	Balgowlah, Balgowlah Heights, North Balgowlah, Clontarf, Manly Vale	49	45	91.8%
2095	Manly, Manly East	47	44	93.6%
2084	Terrey Hills, Duffys Forest, Cottage Point	38	36	94.7%
2085	Belrose, Belrose West, Davidson	33	30	90.9%
2086	Frenchs Forest	31	29	93.5%
2105	Church Point, Scotland Island, Elvina Bay, Lovett Bay, Morning Bay	28	24	85.7%
2094	Fairlight	22	19	86.4%
2087	Forestville, Killamey Heights	22	20	90.9%
2092	Seaforth	8	7	87.5%
<i>Outside Northern Beaches</i>				
2075	St Ives, St Ives Chase	22	22	100.0%
2088	Mosman	13	8	61.5%
2067	Chatswood, Chatswood West	8	7	87.5%
2074	Turrumurra (north, south)	8	7	87.5%

Post-code	Suburbs	No. responses	Support trial location
2153	Baulkham Hills	7	7 100.0%
2066	Lane Cove North	7	4 57.1%
	Other outside Northern Beaches	183	156 85.2%
<b>Not stated</b>		<b>408</b>	<b>320 78.4%</b>
<b>TOTAL</b>		<b>3,536</b>	<b>3,088 87.3%</b>

### 2.3.2 Support trial location

Station Beach was supported mainly as a favourable location for the off leash trial by dog owners, with a small number of non-dog owners also supporting the location.

#### Support for Station Beach

In general, Station Beach is considered as a good/excellent/wonderful location or the perfect choice for dogs and owners to enjoy.

Specifically Station Beach is considered a suitable off leash exercise area because it is:

- not a highly used public beach** being used less than other nearby beaches by local beachgoers and tourists
- located next to the golf course.** Families with children and picnickers are less likely to use Station Beach because of the risk of mis-hit golf balls
- not a good swimming area for people.** The water is shallow and weedy and not good for swimming. Choppy, shallow water in windy conditions results in poor water quality, making it less attractive to swim there. There are other better swimming areas to use nearby, with most people preferring the ocean beach for swimming and surfing. People who don't like dogs can swim north of The Boathouse which is a nicer area
- the quiet end/stretch of Station Beach,** being relatively isolated/a little out of the way, deserted/empty, and not used for anything else. The southern end of the beach is rarely used by people, only to walk the length of the beach up to the café or on their way to the lighthouse and back. The proposed off leash dog area is a sensible approach to optimising the use of the beach area in the off peak period
- not affected by ticks** compared to other local off leash dog parks
- not used by many people for sunbaking**
- accessible for boat owners** to let dogs off their boat for a run . Whilst not as popular as Sand Point and Clareville for setting dogs ashore (due to lack of depth), Station Beach is the northern-most option when returning by boat from Broken Bay, and is therefore an important place for those in shallow-draft vessels who are scouting somewhere to let their dog have a run
- not next to houses,** so there are no residents to interfere with or upset. However one person would like the on leash boundary at the start of the southern end of the trial area so dogs don't disturb residents

- a **safe space** for dogs, their owners and children, not near a busy road
- a place that **allows the dogs to swim and run**
- is a **lovely place for dogs to swim**, being relatively calm water
- next to The Boathouse**, which will attract people to support a local business. The Boathouse café accommodates dogs with a bowl of water
- small and local**
- easy to get to**
- a **short distance** to and from leashed areas and access and egress points. Access to that area is easy to control
- a **long stretch of sand** which allows dogs to run and owners to exercise
- an **excellent open area with a short width** to watch the social activity of the dogs
- a **consistently wide beach** that doesn't decrease too much at high tide like at Rowland Reserve
- the **tree lined strip offers shade**
- allows dog owners to **enjoy peaceful water and sunsets**
- adjacent to the walking path**
- close to home**
- away from natural reserves**
- a **well contained area.**

One supporter likes the red lines marked on the map because the owners can be fined if dogs cross the lines.

## Support a larger off leash area at Station Beach

Some supporters of Station Beach as an off leash dog area think the defined area is a “good start”, but would like to see the area increased because Station Beach is expected to be inundated with dogs and dog owners when the trial starts. A larger area will “dilute” people and dogs in the defined area which is better for the environment and for the enjoyment of dogs and owners.

Suggestions for extending the proposed off leash area are to:

- extend the northern limit of the off leash area to The Boathouse / wharf** to keep the rules simple, and so people can sit on the bench seats and watch the dogs and children playing in front of them. The seating area to be created at the northern end of the off-leash zone is likely to be favoured by the elderly, who might choose to sit there while the young ones are playing in the shallows with their dogs. A complication may arise from the proposed northern limit of the off-leash zone, where children are unlikely to be very good judges of an invisible line there. It would be more easily understood if the northern limit of the off-leash zone continued all the way to the wharf.

However one supporter thinks it is good to have dogs some distance away from the café.

- start the off leash area from Beach Road** where people will park to bring their dogs to the beach
- include the whole/both ends of Station Beach**

- start the off leash area from the car park and extend beyond The Boathouse to the rocks so dogs can have a good run
- open the southern end of the beach also
- extend the off leash area south to Palm Beach Wharf south of Sandy Point.

### Support a smaller off leash area at Station Beach

Some supporters think the trial area is too large. It should be limited to one off leash area away from The Boathouse, with access for dogs further down the beach. The on leash area adjacent to The Boathouse should be extended so dogs do not disturb diners.

#### 2.3.3 Unsure about trial location

The only comment from a person who was unsure about Station Beach as an off leash dog area was that the location map of the off leash area is not clear.

#### 2.3.4 Don't support trial location

Residents in Waratah Road in Palm Beach who don't support the trial report that:

- car parking is at capacity resulting in illegal parking. People park over driveways and on lawns, and nose cars through trees on private property, in the Waratah Road cul-de-sac
- people picnic on their front lawns.

Since the trial was publicised Waratah Road residents report:

- off leash dogs are on Station Beach in front of dwellings south of the trial area
- barking, dog droppings, and urine burns on their lawn
- an unrestrained dog came inside a house on Waratah Road over summer. Other unrestrained dogs came up on to the back lawn, and one went down the side of the house on to the front lawn.

Reasons put forward by other people for not supporting the proposed off-leash trial area at Station Beach are that:

- it is a favourite beach for parents with young children** to swim and play on the beach in a shady area. Families use the beach to escape the summer tides, southerly winds, and surf at Palm Beach for shallow, calm water and a lack of waves and rips. Station Beach is great for swimming at high tides in summer and/or when southerly winds prohibit swimming at the front beach.
- dogs would not be off leash just in the designated area.** A red line on a map is unknown to dogs and ignored by many owners. Owners will remove the leash as soon as they get on to the beach. Dogs let out of a car at the end of Beach Road and not on a leash are just as likely to turn left outside the trial area as turn right. Dog owners will let dogs off the lead on the entire beach such as occurs at Curl Curl with no rangers to stop them.
- it is dangerous for unleashed dogs and people from wayward golf balls next to a golf course.** Many balls are hit by accident towards the beach. Who will be responsible for injuries?

- beach users will be annoyed by dogs.** People sitting on the beach will be approached by wet sandy dogs
- it is too small** with limited space for dogs to run
- it is a narrow beach.** At high tide it will be impossible to walk and share the beach with dogs, bringing other beach users in direct conflict with off leash dogs
- dogs in water attract sharks,** which are attracted to splashing, movement, noise and smell over long distances. Dogs will create a great deal of noise and movement in the water or surf and have a particularly strong pungent odour. Dogs therefore present a danger to people in the ocean and should be banned from our beaches on these grounds alone. Sharks enter Pittwater, and measures should be taken to avoid attracting them including prohibiting dogs entering the water.
- there are no natural boundaries or fences**
- there is inadequate parking** to support dog owners from across the Northern Beaches. It was suggested to move the proposed area further north along the beach
- environmental reasons
- dogs will enter the golf course
- dogs will stray into seagrass beds
- an increased number of dogs and owners will increase the potential for accidents
- adjoining residents will be affected
- the proposed area is too far away
- there is no separate access to the off leash area
- it can hardly be considered as a beach.

One person queried why is there a leashed section at either end of the trial area?

Some people think that the quieter, under-used area of north Station Beach beyond The Boathouse and towards the lighthouse would be more suitable for off-leash dog exercise.

## 2.4 Trial period of 12 months

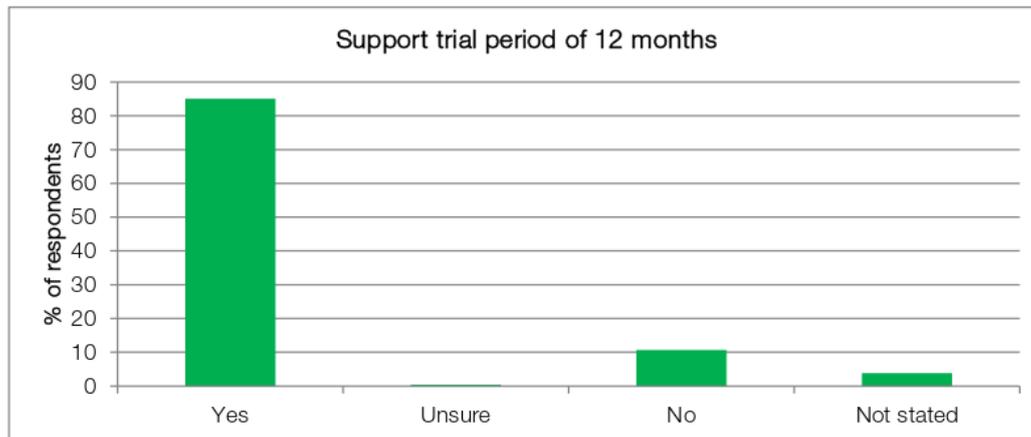
### 2.4.1 Introduction

Council invited the community on the Have Your Say webpage to comment on:

**What are your thoughts on the proposed operational trial parameters:**  
- 12 months with restricted times

There was support for the trial period of 12 months from 85% of Your Say respondents.

**Figure 8 Support for the proposed trial period of 12 months**



**Table 7 Support for the proposed trial period of 12 months**

Question	Response	No.	%
"What are your thoughts on the proposed operational trial parameters: - 12 months with restricted times (as suggested by Pittwater Unleashed)"	Yes	3,008	85.1
	Unsure	13	0.4
	No	379	10.7
	Not stated	136	3.8
<b>TOTAL</b>		<b>3,536</b>	<b>100.0</b>

There is variable support for a 12 month trial period among residents of the Northern Beaches, ranging from 77% among residents of Newport/Newport Beach and Fairlight, and 95% among respondents from Warriewood/Elanora Heights/Narrabeen/North Narrabeen/Ingleside.

**Table 8 Summary of support for the Station Beach trial period by postcode**

Post-code	Suburbs	No. responses	Support 12 month trial period	
			No.	%
<i>Peninsula</i>				
2108	Palm Beach, Whale Beach, Great Mackerel Beach	316	259	82.0%
2107	Avalon, Avalon Beach, Bilgola, Clareville	1,011	891	88.1%
2106	Newport, Newport Beach	367	283	77.1%
		1,694	1,433	84.6%

Post-code	Suburbs	No. responses	Support 12 month trial period	
<i>Other Northern Beaches suburbs</i>				
2103	Mona Vale	209	178	85.2%
2101	Warriewood, Elanora Heights, Narrabeen, North Narrabeen, Ingleside	170	161	94.7%
2099	Dee Why, Cromer, Narrabeena, North Curl Curl	137	127	92.7%
2102	Warriewood	105	93	88.6%
2100	Alambie Heights, Beacon Hill, Brookvale, North Manly	89	86	96.6%
2097	Collaroy Beach, Collaroy Plateau, Wheeler Heights	78	73	93.6%
2096	Curl Curl, Freshwater, Queenscliff	60	53	88.3%
2104	Bayview	60	50	83.3%
2093	Balgowlah, Balgowlah Heights, North Balgowlah, Clontarf, Manly Vale	49	44	89.8%
2095	Manly, Manly East	47	43	91.5%
2084	Terrey Hills, Duffys Forest, Cottage Point	38	33	86.8%
2085	Belrose, Belrose West, Davidson	33	28	84.8%
2086	Frenchs Forest	31	29	93.5%
2105	Church Point, Scotland Island, Elvina Bay, Lovett Bay, Morning Bay	28	18	64.3%
2094	Fairlight	22	17	77.3%
2087	Forestville, Killarney Heights	22	19	86.4%
2092	Seaforth	8	7	87.5%
<i>Outside Northern Beaches</i>				
2075	St Ives, St Ives Chase	22	20	90.9%
2088	Mosman	13	7	53.8%
2067	Chatswood, Chatswood West	8	7	87.5%
2074	Turrumurra (north, south)	8	8	100.0%
2153	Baulkham Hills	7	7	100.0%
2066	Lane Cove North	7	5	71.4%
	Other outside Northern Beaches	183	152	83.1%
<b>Not stated</b>		<b>408</b>	<b>310</b>	<b>76.0%</b>
<b>TOTAL</b>		<b>3,536</b>	<b>3,008</b>	<b>85.1%</b>

A summary discussion of reasons for supporting or not supporting the Station Beach dog off leash trial period given by people and organisations who made written submissions is in Sections 2.4.2 and 2.4.4 below.

The points made are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

Detailed public written submissions are outlined in Appendix C.

## 2.4.2 Support trial period

The trial period is seen as an opportunity to see how the trial works and the impacts of the trial.

Some people who support the proposed trial period of 12 months hope it then becomes permanent.

The 12 month trial will enable:

- everyone – for and against – a chance to ascertain any environmental or social impacts
- all agencies to monitor Station Beach in relation to survival of seagrass and safekeeping of the National Park.

## 2.4.3 Unsure about trial period

No comments

## 2.4.4 Don't support trial period

11% of Your Say respondents do not support the trial period. Some people wanted a shorter trial period of 6 months or less than 12 months, or no trial period by making Station Beach available for off leash dogs immediately.

One person queried under what circumstances is the trial revoked? Once a dog or owner does something wrong or is it repeated offences?

## 2.5 Trial days and times of operation

### 2.5.1 Introduction

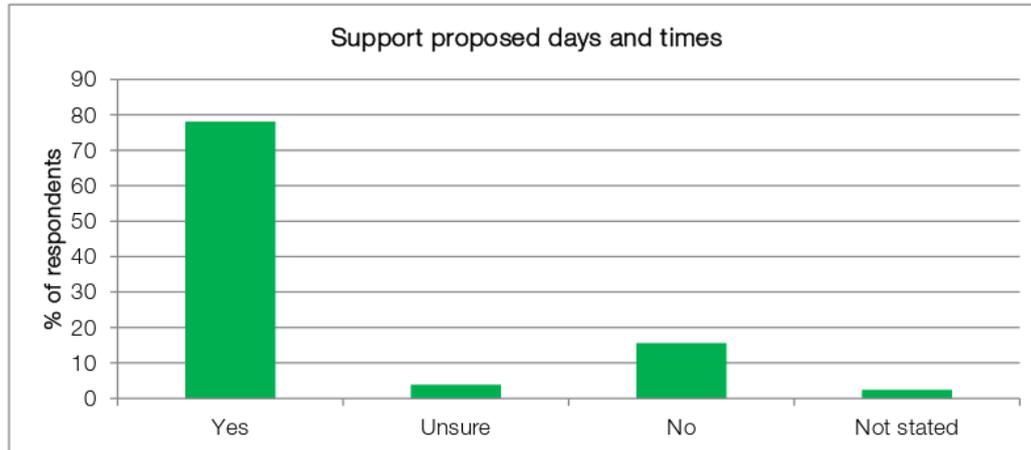
Council sought the community's views on the proposed days and times of operation for off-leash access:

Proposed days and times of operation for off leash access:

- 4:00pm - 10:30am, 7 days a week during Australian Eastern Standard Time
- 5:30pm - 10:30am, Monday to Friday during Australian Eastern Daylight Time (in the summer).

Support for the proposed days and times of operation came from 78% of respondents on Your Say.

**Figure 9 Support for the proposed days and times of operation of the trial**



**Table 9 Support for proposed days and times of operation of the trial**

Question	Response	No.	%
"Proposed days and times of operation for off leash access: - 4:00pm - 10:30am, 7 days a week during Australian Eastern Standard Time - 5:30pm - 10:30am, Monday to Friday during Australian Eastern Daylight Time (in the summer).	Yes	2,762	78.1
	Unsure	138	3.9
	No	551	15.6
	Not stated	85	2.4
<b>TOTAL</b>		<b>3,536</b>	<b>100.0</b>

It was noted there was a frequent misunderstanding by respondents of the proposed times between daylight saving (Australian Eastern Daylight Time = AEDT) and non daylight saving time (Australian Eastern Standard Time – AEST).

Respondents to Your Say Northern Beaches were less satisfied with the proposed days and times of operation than the other parameters of the trial.

Support for the proposed days and times also varied among residents of the Northern Beaches.

**Table 10 Summary of support for the Station Beach trial days and times by postcode**

Post-code	Suburbs	No. responses	Support proposed days and times	
			No.	%
<i>Peninsula</i>				
2108	Palm Beach, Whale Beach, Great Mackerel Beach	316	241	76.3%
2107	Avalon, Avalon Beach, Bilgola, Clareville	1,011	836	82.7%
2106	Newport, Newport Beach	367	258	70.3%
		<b>1,694</b>	<b>1,335</b>	<b>78.8%</b>
<i>Other Northern Beaches suburbs</i>				
2103	Mona Vale	209	152	72.7%
2101	Warriewood, Elanora Heights, Narrabeen, North Narrabeen, Ingleside	170	146	85.9%
2099	Dee Why, Cromer, Narrabeena, North Curl Curl	137	114	83.2%
2102	Warriewood	105	88	83.8%
2100	Allambie Heights, Beacon Hill, Brookvale, North Manly	89	70	78.7%
2097	Collaroy Beach, Collaroy Plateau, Wheeler Heights	78	65	83.3%
2096	Curl Curl, Freshwater, Queenscliff	60	47	78.3%
2104	Bayview	60	43	71.7%
2093	Balgowlah, Balgowlah Heights, North Balgowlah, Clontarf, Manly Vale	49	42	85.7%
2095	Manly, Manly East	47	36	76.6%
2084	Terrey Hills, Duffys Forest, Cottage Point	38	28	73.7%
2085	Belrose, Belrose West, Davidson	33	29	87.9%
2086	Frenchs Forest	31	19	61.3%
2105	Church Point, Scotland Island, Elvina Bay, Lovett Bay, Morning Bay	28	21	75.0%
2094	Fairlight	22	17	77.3%
2087	Forestville, Killamey Heights	22	16	72.7%
2092	Seaforth	8	6	75.0%
<i>Outside Northern Beaches</i>				
2075	St Ives, St Ives Chase	22	20	90.9%
2088	Mosman	13	8	61.5%
2067	Chatswood, Chatswood West	8	7	87.5%

Post-code	Suburbs	No. responses	Support proposed days and times	
2074	Turrumurra (north, south)	8	7	87.5%
2153	Baulkham Hills	7	7	100.0%
2066	Lane Cove North	7	3	42.9%
	Other outside Northern Beaches	183	143	78.1%
<b>Not stated</b>		<b>408</b>	293	71.8%
<b>TOTAL</b>		<b>3,536</b>	<b>2,762</b>	<b>78.1%</b>

## 2.5.2 Support trial days and times

A summary discussion of reasons for supporting the Station Beach dog off leash trial days and times given by people and organisations who made written submissions is in Section 2.5.2 below.

The points made are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

Detailed public written submissions are outlined in Appendix C.

Supporters of the trial somewhat support the proposed days and times in general. The key reason for supporting the proposed days and times is that they are better than no time at all for off-leash dogs to access Station Beach.

Reasons for supporting the proposed days and times include:

- successful time sharing of beaches is common elsewhere** - in other NSW towns, other states, overseas – Perth, San Diego, Auckland. The proposed hours – 7 hours a day for people with dogs (four hours in the morning and three hours in the evening) – and 7 hours a day for people without dogs - are equitable and apply at other dog friendly beaches on the NSW coast
- it is a fair solution for sharing** this beautiful location to keep everyone happy so everyone can enjoy the beach. Leaving the popular time of the day for families is a great idea. People who want to enjoy the beach without dogs can still do so during the “off-peak” times for dog use. Dogs can be off lead at quieter times of the day when other people are not using the beach. Station Beach is used little outside 10:30am to 4:00pm so access for dog walkers is in the community interest. Mornings and afternoons are the busy times in dog parks. Morning and night when the beach is not so busy is good. Dog access times will not impact on general visitor use as dog owners will need to leave early in the day or arriving in the afternoon when families are packing up to leave
- local residents want the limited timed access** to enable locals to take their dogs to Station Beach, but discourage out of area visitors especially on weekends to reduce the numbers of people using the area. Day trippers may not take care and respect the area as a local would. However people from “out of area” North Shore are excited and looking forward to be able to use Station Beach.

- the proposed times are well thought out and pragmatic.** The proposed times are a sensible approach to optimising the use of the beach area in the off peak period.
- needs of dog owners and other beach users can be balanced**
- time sharing is an excellent compromise**
- agreed times are a good idea so people who are uncomfortable around dogs will be aware of when they will expect to encounter dogs on the beach.
- being grateful for the trial. They support any times during which people can take their dog to the beach legally. Any time for dogs to enjoy the beach is better than no time at all
- the proposed times are reasonable and should keep numbers of people and dogs on the beach down and therefore less impact on the beach
- dog friendly hours will encourage locals to get up and exercise before work and support physical and mental health.

A condition of support for the proposed days and times is that dogs are on the beach only within the time limits. The off leash times should be policed at the outset of the trial so people stick to the times. Otherwise people who come to Palm Beach for holidays or weekends think the rules don't apply to them which will ruin it for locals.

### 2.5.3 Unsure about trial days and times

No comments made

### 2.5.4 Don't support trial days and times

Nearly 20% of Your Say respondents oppose or are unsure about the proposed days and times of operation of the trial at Station Beach. The proposed days and times are considered a good start, but many people would like to see the days and times increased. Many people want 24 hours 7 days a week access. Others want the days and times extended in various ways (earlier or later in the morning and evening, weekends as well as weekdays in daylight saving, longer hours in winter). There was concern that allowing dogs on the beach overnight will impact on bird foraging and roosting.

Many people who said they supported the proposed days and times proposed a wide range of alternative days and/or times, so these suggestions are included in the discussion below.

### Days and times should be increased

The proposed days and times are a good start, but would like to see the times increased.

Reasons for wanting increased times in general are:

- it is not clear why there needs to be time restrictions which seem unfair on dog owners
- to make things easier for shift workers by making it on leash or not
- the times are too restrictive
- proposed days and times don't fit in with everyday living
- so dogs are not concentrated in one area
- to prevent overcrowding in the mornings and late afternoon / early evening
- people walk dogs when it suits them

- the proposed times would only be suitable for locals
- to spread users out over the day and avoid parking problems.

The proposed off leash times are fine but dogs should be allowed on the leash outside those times.

### **All day / 24 hours and day 7 days a week**

#### **All day/ 24 hours a day / no time restrictions**

Reasons for supporting 24 hours /7 days a week access are:

- people who don't like dogs can go to other more suitable beaches. The public have plenty of other beaches to use
- access would be the same as Rowland Reserve
- the beach is unused and not a popular swimming or sunbaking beach
- ease of compliance. Times are difficult and expensive to police
- there should be no restrictions as long as the behaviour of owners and dogs is supervised, owners have good recall of the their dogs, and owners pick up dog faeces
- will avoid confusion and make things simple
- Council rangers could be doing something more constructive
- no time restrictions if this is a trial
- boat-bound dogs have to be able to land somewhere or else they would be forced into the National Park
- shift workers and elderly people take their smaller dogs walking during the day when not so many larger dogs are around
- the beach is isolated from the general public
- tide times vary across 24 hours
- determine when the beach is used during the trial and change the hours later if necessary.
- owners can't regularly visit during the proposed restricted hours
- there will be less dog owners during the day, but not all dog owners are able to use the beach at specific times
- dogs need to be walked every day
- public space is to be shared - no NIMBYs
- people work all hours and should be able to walk their dog whenever they can.
- too much control in this country
- the beach will be congested within a short period of time.

#### **Proposed times but 7 days a week**

- 7 days a week but at the specified times
- 7 days a week year round
- Should be 5pm-10.30am 7 days a week
- Should be 7 days all year 11 for working dog owners and for dogs to cool off

- Monday to Sunday all year 4pm to 10.30am

#### **24 hours a day on weekdays only**

- All day Monday to Friday
- Dogs allowed off leash on weekdays year round, with dogs on leash on weekends and public holidays
- These hours work at McCarrs Creek, and would reduce the fear of dogs of people visiting on weekends
- 24 hours a day on Mondays and Tuesdays which are quiet.

#### **All day / daylight hours**

- During the day
- On hot days it's nice to take dogs for a swim at the hottest part of the day
- Allow dogs from 12 noon to 6:00pm so I can swim with my dogs
- More hours during the day. Many pet owners are shift workers. Female dog owners don't like being out at night
- Times during the day. proposed times are not convenient
- The Boat Owners Association raised concern with the proposed hours and days regulating the presence of dogs, as these would conflict with their established practices which frequently see members setting their dogs ashore at Station Beach in the middle of the day, and especially on the weekends in summer. Dogs included in on-board outings for a day, or several days, need to be set ashore to answer the call of nature. This routine often fits in with grabbing a morning coffee, or fish and chips for lunch, but can be any time of day, especially if the kids are keen to linger at the shore for a swim with the dog. Boat owners urge caution with respect to the introduction of time/day constraints - or at least the policing of these. They trust there'd be a common sense approach in place where rangers remain conscious of the importance of the shoreline to families with dogs arriving by boat at any time of any day.

#### **Later finish time than 10:30am**

- One hour later finish time in the morning, especially on weekends
- 5pm-11am to allow use after school dropoff in the morning
- 3pm to 11am daily
- 4pm to 11am all week
- 4pm to 12pm
- Longer time period in the morning

#### **Earlier start time than 4:00/5:30pm in the afternoon**

- From 3pm in summer and winter
- 3pm to 11am daily
- Start at 3.30pm all year so families with children can go there
- After 4pm all year
- One hour earlier in the afternoons

## Restrict proposed times

### Earlier finish time than 10:30am

- The times are generous and should be shortened. The proposed 10.30am finish time should be earlier because it hinders use by young families and other users during the day.

Suggestions for earlier finish times in the mornings are:

- Finish at 10am
- Finish at 9.30am
- Finish at 9am
- Finish at 8:30am
- Finish at/before 8am
- 2 hour time from sunrise.

### Later start time than 4:00/5:30pm in the afternoon

- 5-8pm every day would be a sensible solution for everyone
- Before 5pm AEST and after 7.30am AEST and AEDT are not appropriate for the convenience of the public and the users of Palm Beach Golf Course.
- Local residents like to swim in the late afternoons which would conflict with the proposed afternoon time
- after 6pm works in South Australia and Queensland.

## Daylight saving / summer hours November-March

Dog owners want longer off leash hours in daylight saving / summer because:

- proposed times in summer make it impossible to go to Station Beach with school age children and full time work
- people shouldn't be on the beach in the sun between 11am and 3pm in summer.
- 7 days a week in daylight saving
- times should not be limited during daylight saving.

Suggested times for off leash during daylight saving are:

- All day / daylight hours
- Earlier finish time in the morning – 7.30am
- Earlier finish time in the morning – 9am
- Earlier start time in afternoon – 3.30pm, 4pm or 4.30pm
- Include weekends in summer.

## Winter hours April-October

### Longer hours

In winter dog owners generally want longer hours during the day because the beach is quiet and hardly used so there should not be any restrictions for off leash use.

An earlier start time in the afternoon (3pm, 3.30pm, 4pm) is requested because of the shorter daylight hours in winter, giving people time to walk their dogs in lighter and warmer conditions; and because no-one sits on the beach in the colder months.

### **Earlier finish time in the morning**

One person stated that before 5pm AEST and after 7.30am AEST and AEDT are not appropriate for the convenience of the public and the users of Palm Beach Golf Course.

### **Weekdays**

Longer hours on weekdays

### **Weekends**

Dogs should be permitted in Station Beach on summer weekends because:

- that's when dogs want and need to swim the most
- people who work during the week can use the area then.

### **Issues with dawn and dusk / overnight**

There is no need for overnight off-leash access. Some people questioned why dogs would be allowed on the beach at dawn, dusk and overnight, which are the times when shorebirds and native fauna are active.

Dusk and dawn are prime time for shark attacks.

### **Proposed off leash times conflict with informal beach use**

Most people visit the beach in the mornings and late afternoon. Children and families use this beach early in the morning and later in the day to avoid the heat of the day. This pattern of use will directly conflict with the proposed times of use by off leash dogs.

Dog owners with children want to walk their dogs in the middle of the day.

People want to be able to use the beach without dogs when the tide is high and at sunset.

The proposed times line up with the times people without dogs want to use the beach to avoid the midday sun / outside the high UV times of the day to avoid skin cancers.

### **Days and times of use should be consistent throughout the year**

Times of use should be consistent all year to encourage people to abide by the rules. People are busy and don't have time to think about different times on weekdays vs weekends, daylight saving versus the rest of the year.

## 2.6 Requirements for success of the Station Beach off leash trial

Council did not specifically ask the community about what factors are required to make the Station Beach dog off leash trial a success. Respondents to Your Say Northern Beaches made many suggestions of their own, as outlined below.

There was a plea from dog owners to make the trial a success and not set it up to fail. Key messages to communicate during the trial are “Abuse it or lose it” and the consequences of non-compliance.

### 2.6.1 Suggestions for a successful off leash trial at Station Beach

Practical suggestions to make the trial at Station Beach a success are:

- sufficient dog waste bins and biodegradable bags** to make disposal of dog waste easy, and so there are no excuses for dog poo left on the beach. The dog waste bins should be well designed. Dog waste bins and bags should be located at the northern and southern ends, and in the middle, of the off leash area. The bins must be emptied regularly and kept clean and tidy or some people will resent the off leash area which has happened in other places. Bins should be located out of the way where locals know where to find them rather than ugly bins being in plain view and dominating the landscape.
- adequate public parking.** Concern that parking at Palm Beach is already difficult/impossible at weekends, so additional people visiting Station Beach to exercise their dogs will exacerbate the lack of parking. Residents with a parking sticker should not have to pay to use Station Beach like at Bayview.
- large and clearly legible signs**
  - showing the boundaries of the off leash area. A sign “Dogs Prohibited Past This Point” should be placed before the houses on Waratah Road at the southern end of the beach.
  - Information including fines
  - encouraging people to pick up extra faeces
  - with information about the body language of dogs e.g. Lili Chin doggie language poster.
- fencing**
  - between the golf course and the beach to stop dogs from running on to the golf course, and to protect beach users from being hit by stray golf balls. However one person says a fence doesn't need to be considered along the golf course because people already walk their dogs there with no problem.
  - near The Boathouse to stop dogs running under the wharf into the National Park.
- permanent ranger/warden on site** to enforce regulations, educate the community and build a better relationship with dog owners
- fines** for:
  - not picking up dog faeces and putting dog waste bags in public garbage bins
  - allowing dogs outside the off leash area

- a payment/licensing system
  - dog owners pay Council for a tag to access the beach which their dog would wear on the beach.
  - dog owners could be required to complete a form before their dog could access the beach
  
- water:
  - fresh drinking water 1 and bowls for the dogs
  - a tap for drinking water and rinsing off
  - push button taps (so they can't be left running) with water bowls.
  - a hose at each end for rinsing dogs before leaving the area
  
- clear definition of the off leash area
- improved access on to the beach
- closed circuit television (CCTV) to monitor picking up poo and people attempting to take dogs on to the beach outside off leash hours
- a way to report people who do not pick up after their dog.
- consider using a "traffic light" system so people are clear when dog access is on or off.
- a limit of one dog walking van per hour to limit overcrowding.

The areas between the parking spaces and the designated off leash zone are a concern with the possibility of rangers catching people and fining them.

The owners of The Boathouse stated they are very happy to help in any way that might be appropriate, such as with bins and signage near their venue.

## 2.6.2 Criteria for measuring success of the trial

One person questioned how the success of the trial will be measured?

## 2.7 Other comments

### 2.7.1 Introduction

Many people who made a comment in Your Say or via email or mail made unsolicited comments outside the questions that Council asked about the trial. Such comments mainly related to the need for more unleashed dog exercise areas on the Northern Beaches.

The common theme in those comments is that dog owners see Station Beach as a compromise or a "stepping stone" towards gaining access to one, several or all ocean beaches in Pittwater/the Northern Beaches for off-leash dog exercise.

Comments regarding additional unleashed dog exercise in general (Section 2.7.2), and such areas at ocean beaches (Section 2.7.3), are outlined below.

Comments about existing off leash dog areas on the northern beaches are in Section 2.7.4.

A summary discussion of comments made by people and organisations who made written submissions about additional off leash dog exercise areas on the Northern Beaches, and existing off leash areas are in Sections 2.7.2, 2.7.3 and 2.7.4 below.

The points made are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

Detailed public written submissions are outlined in Appendix C.

## 2.7.2 Additional off leash dog exercise areas

### General

Many dog owners see the trial at Station Beach as not going far enough for off leash dog exercise. There is a need for more and better quality dog friendly dog parks/unleashed dog exercise areas so families and dog walkers can spend time with their dogs and socialise, and the dogs can exercise and socialise. More off leash dog parks will also encourage tourists to the area.

Every suburb should have at least one off leash area. There are no off leash areas currently within 5 kilometres of Palm Beach and Whale Beach.

More off leash options should be available specifically in Bilgola, north of Mona Vale, and Manly.

### Beaches

Access to water for unleashed dogs is available at four locations on the northern beaches at Great Mackerel Beach, Bayview, Curl Curl, and Manly.

### Ocean beaches

#### *Introduction*

There is a strong desire to take dogs to ocean beaches to swim and cool off in the heat, exercise, and spend time with their dogs and families.

Pittwater Unleashed and many supporters of the trial see the Station Beach trial as a “good start”, and a first step in Council granting access to unleashed dogs on one or more ocean beaches in the Northern Beaches.

Reasons for seeking off-leash access to ocean beaches are:

- the majority of dog owners are responsible
- a fear that Station Beach will become too crowded
- Bayview is currently too overcrowded and there are no waves. Another dog beach would take the pressure off Bayview.
- ocean beaches have no ticks
- timed off-leash access to beaches works in other areas, such as North Cronulla, Central Coast, Forster, Port Macquarie, Shoalhaven, Bayside in Melbourne, Portsea, Mornington

Peninsula, Gold Coast, Hervey Bay, and Western Australia. In Queensland dogs are allowed on all beaches 200 metres from flags. At the Spit Beach on the Gold Coast dogs are allowed to swim between the flags.

Beaches close to wildlife are recognised as being unsuitable for off leash dogs.

Many people want the trial to extend across the northern beaches.

Some dog owners are willing to pay a fee to access ocean beaches.

*Desired access to ocean beaches on the northern beaches*

Varying views about the degree of access to ocean beaches, ranging from access to all ocean beaches at all times to limited beaches and limited times, are set out below.

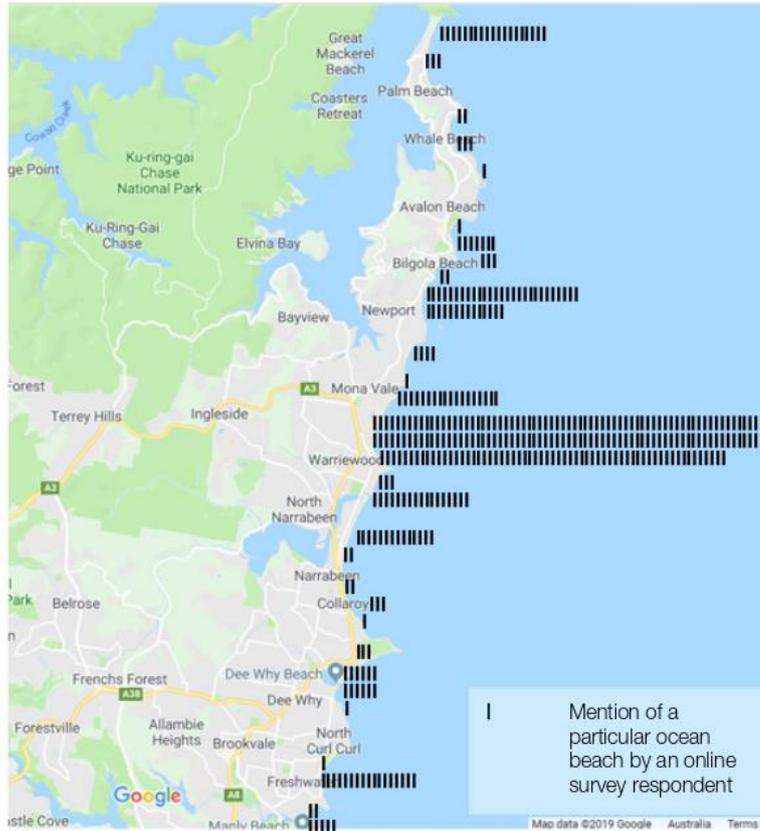
- All ocean beaches at all times
  - so locals can access their local beach leading to a sense of community, and within walking distance so less need to use cars
  - spread use throughout the area to reduce congestion at off leash dog areas
  - dog owners have a right to use public land
- all beaches – timed access / late evening to early morning
  - 5pm to 7am 111, 4.30-6pm to 7.30-8.30am, 4pm to 9am winter and 6pm to 7.30am in summer, 5pm to 9am
- all beaches – in winter
- all beaches– one end is dog friendly
- most beaches unless they are totally unsuitable for dogs
- most beaches – timed access on leashes in the early morning 7am-9am and in the evening 5pm-7pm
- at least one off-leash dog beach per suburb
- certain sections of every beach at all times and a certain distance from any swimming flags
- some dog beaches with no time restrictions
- certain sections of every beach with time restrictions
- a section of some beaches for a reasonable time
- a section of at least one ocean beach – untimed and the same days as at Station Beach
- popular/busy beaches at off peak times early morning and later evening
- quieter ocean beaches that are empty through winter
- a small number of beach areas – Manly, Dee Why, Narrabeen, some on the peninsula - available 10am to 4pm.

*Desire for off leash access to specific beaches*

Many supporters of off-leash areas on ocean beaches suggested specific beaches.

South Mona Vale (most common) and north Newport Beaches were the most frequently mentioned beaches for off leash as shown in Figure 10.

Figure 10 Ocean beaches desired for off-leash dog access



The suggestions relating to the advantages of some locations, as well as suggested times, are in Table 11.

Table 11 Ocean beaches desired for off-leash dog access

Beach	No. responses	Comments about location	Desired hours
North Palm Beach	16	<ul style="list-style-type: none"> <li>- Plenty of car parking</li> <li>- Larger area for dogs</li> <li>- Fenced off from dune stabilisation areas</li> <li>- Away from other activities such as golf</li> </ul>	6pm-8am (2)
Palm Beach	3	-	all day every day, 6pm-8am
North Whale Beach	2	-	
Whale Beach	3	-	6pm-8am, 7pm to 8am in summer
South Whale Beach	1	<ul style="list-style-type: none"> <li>- adequate and safe parking, and an outdoor area dogs lovers can enjoy</li> </ul>	-

Beach	No. responses	Comments about location	Desired hours
North Avalon Beach	1	-	-
Avalon Beach	7	-	Untimed 6pm-8am
North Bilgola Beach	3	-	-
Bilgola Beach	2	-	-
Newport Beach - north end	27	<ul style="list-style-type: none"> <li>- Long beach with plenty of room for people to share</li> <li>- People walk their dogs on the beach already</li> </ul>	6pm-8am 6pm to 9am on weekends 4pm on weekdays 4-5pm to 9am all day access in winter
Newport Beach	14	-	-
Crystal Bay	1	-	-
Bungan Beach	4	<ul style="list-style-type: none"> <li>- Unpatrolled</li> <li>- Quiet</li> <li>- Steep hill to access</li> </ul>	-
Mona Vale Basin	1	-	-
Mona Vale Beach	18	-	-
South end of Mona Vale beach	200	<ul style="list-style-type: none"> <li>- low use swimming beach</li> <li>- beach is unsuitable for surfing</li> <li>- away from houses and traffic</li> <li>- unpatrolled beach and away from the flags</li> <li>- typically quiet – people don't like the steep access via the stairs</li> <li>- the area is already used as an off leash exercise area. Dogs are poorly supervised by owners – dogs harass people, owners don't pick up after dogs</li> <li>- extension of the off-leash area adjacent to the beach</li> <li>- parking is available</li> <li>- Locals won't have to drive to Bayview or Station Beach</li> <li>- Accessible to people from Terrey Hills</li> <li>- dogs and owners are already on the beach in the late afternoons</li> <li>- will work only if rangers ensure that times are adhered to</li> </ul>	same hours as Station Beach 4.30pm – 8am 6pm – 9am mornings and afternoons 6pm-8am Monday-Friday
Warriewood	3	-	-
Turimetta / Little Narrabeen	17	- not patrolled	-

Beach	No. responses	Comments about location	Desired hours
North Narrabeen	-	-	-
Narrabeen	14	-	-
South Narrabeen (Clark Street- Frazer Street)	2	- Plenty of space	-
Narrabeen to Collaroy	2	-	-
Collaroy Beach	3	-	-
Collaroy Basin	1	-	-
Long Reef	3	-	-
Dee Why to Long Reef	6	- More accessible to people in the central part of the northern beaches - Long stretch of beach - This part of the beach is never used	-
Dee Why	6	-	-
South Dee Why Beach	1	-	-
North Curl Curl	1	-	-
Curl Curl Beach (lagoon entry to the first south- ward entry/exit)	16	- Currently a UDEA adjacent to the lagoon - Quieter beach	after 6pm, 6pm-9am
Freshwater	2	-	6pm-9am
Queenscliff	1	-	
North / South Steyne	1	-	
Manly	2	-	6pm-9am

### Pittwater beaches

Suggestions for off leash access to beaches on Pittwater are:

- Clareville Beach early Mondays Monday to Friday when the beach is quiet
- Northern end of Station Beach, north of The Boathouse – not so many people
- Currawong Avenue Reserve at Palm Beach
- Eastern side of Careel Bay
- Scotland Island.

## Other

Council should consider an area for off leash exercise where families don't go with young children and which isn't a calm water swimming area.

### 2.7.3 Comments about existing off leash exercise areas on Northern Beaches

Dog owners commented that current off leash dog areas in general:

- are overcrowded
- are run down
- will become a health hazard
- have minimal shade
- have no water for dogs to cool down.

Refer to Appendix C for comments about off leash areas at Careel Bay/Hitchcock Park, Avalon Beach Reserve, Rowland Reserve at Bayview, Mona Vale, Curl Curl Lagoon, and Narraweena.

### 2.7.4 Consultation and approval process

Comments about the consultation and approval process for the Station Beach trial are:

- the consultation process is too long
- how do people find out when the trial is approved?
- looking forward to the trial and further community engagement.

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## 3 CONCLUSION

There is strong community interest in a proposal for an off leash dog area at Station Beach at Palm Beach. Over 3,500 submissions were received by Northern Beaches Council during the extensive community engagement process undertaken from November 2018 to February 2019 to determine the degree of support for the proposal.

The submissions to Your Say Northern Beaches show strong support for an off leash area on Station Beach (89% of respondents), with 11% of respondents opposed. However a wide range of deeply-felt, nuanced and valid views and reasons for either supporting or opposing the proposed trial should be recognised and considered. These views and reasons were set out in Section 2.2.

Support for the trial location south of The Boathouse and north of Beach Road (87%), and the trial period of 12 months (85%), was also relatively high. However, the level of support for the proposed days and times of operation for off leash dog access - 4:00pm-10:30am 7 days a week during Australian Eastern Standard Time and 5:30pm-10:30am Monday to Friday during Australian Eastern Daylight Time (in the summer) - was lower (78%) because many people want the proposed days and/or times to be either extended or restricted.

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# APPENDIX A

# ONLINE NOTICES

## Your Say Northern Beaches project page

https://yoursay.northernbeaches.nsw.gov.au/stationbeachtrial?tool=survey\_tool&tool\_id=comment\_station\_beach&tool\_tab

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Home » Station Beach Dog Off Leash Area - Proposed Trial

### Station Beach Dog Off Leash Area - Proposed Trial



Who's listening

**Damian Ham**  
Manager Open Space and Recreation Planning  
Email: council@northernbeaches.nsw.gov.au  
[more](#)

Document Library

- [Station Beach \(South\) dog off-leash area proposed Concept Plan - Nov 2018 \(2.15 MB\) \(pdf\)](#)
- [Department of Industry - Proposed dog off-leash trial at Station Beach, Pittwater Letter to Council 20181118 \(422 KB\) \(pdf\)](#)
- [Department of Industry - Response to request for comment on proposed dog off leash trail - Station Beach - Rescinded \(2.22 MB\) \(pdf\)](#)

FAQ

[Why is Council seeking community feedback on a trial dog off leash area at Station Beach?](#)

We are seeking community feedback about a proposed dog off leash area trial at Station Beach, Palm Beach.

https://yoursay.northernbeaches.nsw.gov.au/stationbeachtrial/faqs#37758

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### FAQs

- [Why is Council seeking community feedback on a trial dog off leash area at Station Beach?](#)
- [What have the NSW Government Agencies told Council about the proposed trial at Station Beach?](#)
- [Where is the proposed trial dog off-leash area to be located at Station Beach?](#)
- [What days and times would dogs be permitted off leash at Station Beach during the trial?](#)
- [For how long would a trial at Station Beach be conducted?](#)
- [What are the next steps after the community engagement period ends 28 February 2019?](#)

**Why is Council seeking community feedback on a trial dog off leash area at Station Beach?**

Local residents and community groups such as Pittwater Unleashed have over many years advocated for our community to be able to access and enjoy foreshore areas with their dogs.

Over the years, several preferred areas have been identified, including Station Beach. With a growing population, and an increasing number of families with dogs, the need to make provision for off-leash recreation has increased over the years since Cereel Bay was closed.

In response Council resolved at its meeting held 26 June 2018 to undertake consultation regarding a trial dog off leash area at Station Beach, Palm Beach.

Council Agenda 26 June 2018, Item 12.4, page 194

Council Minutes 26 June, Item 12.4, page 20

Council recognises the benefits of off-leash areas to community well-being including the community building aspect of owning a dog through meeting and forming friendships at these areas.

Notwithstanding these and other benefits there are a range of key stakeholders to consult with prior to a decision being made about conducting a trial. This includes local residents and State government agencies who have responsibilities for the management of Station Beach and the Pittwater waterway.

[top of page](#)

**What have the NSW Government Agencies told Council about the proposed trial at Station Beach?**

The NSW Department of Industry - Lands & Water have provided Council with a range of comments in regard to the proposed trial at Station Beach. If you would like to read their comments please view these letters.

[Department of Industry - November 2018](#)  
[Department of Industry - 10 September 2018](#)

In response Council has engaged consultants to carry out ornithological research and to develop an updated Review of Environmental Factors (REF). An REF was prepared in 2008 in response to a previous investigation for a trial dog swimming area at Station Beach will inform this work. The updated REF and an ornithological report will be completed in February 2019 and will be publicly available following Council review.

Findings from the REF and other research will inform how the trial would be managed, including seagrass monitoring, should it proceed.

The NSW Department of Primary Industries - Fisheries has no objections to the dog beach trial on Station Beach, provided that:

- *Signage is installed on the beach, stating that dogs must not be allowed to run through seagrass beds at low tide. Provide environmental information, advising that seagrass beds are present in the nearshore zone, including the endangered population of Posidonia australis seagrass. Seagrass is important habitat for fish, providing shelter, food and a nursery for young.*
- *Surveys of the seagrass are undertaken, showing species, distribution and density along Station Beach. The survey should be undertaken immediately prior to and immediately following the trial period.*

In response, should a trial proceed Council will install the signage and undertake the surveys of seagrass as requested by the of NSW Department of Primary Industries - Fisheries.

The NSW National Parks and Wildlife Service (NPWS) has indicated to Council that it does not have any concerns with this proposal as long as it is clearly signposted that the northern boundary of the off-leash area is the Boatouse Wharf. Council will need to ensure compliance with the northern boundary to prevent off-leash dogs entering the national park to the north.

In response, should a trial proceed Council would install the signage and undertake compliance (as required) requested by the National Parks and Wildlife Service.

[top of page](#)

**Where is the proposed trial dog off-leash area to be located at Station Beach?**

The proposed trial dog off-leash area is located at the south end of Station Beach, Palm Beach.

[View the map of the proposed trial area](#)

[top of page](#)

**What days and times would dogs be permitted off-leash at Station Beach during the trial?**

Council proposes a trial arrangement that would allow families with dogs to share a section of Station Beach at specified times of day. The usage remains unchanged through the popular part of the day, but mornings and late afternoons would see the space also opened-up to families with dogs.

It is proposed that the trial area would be available for dog off-leash exercising and swimming at these days and times:

- 4:00pm – 10:50am, 7 days a week during Australian Eastern Standard Time
- 5:30pm – 10:30am, Monday to Friday during Australian Eastern Daylight Time (in the summer)

At all other times dogs are not permitted at station beach.

As required by the Department of Primary Industries - Fisheries, dogs would only be permitted to swim at high tide, so as not to impact the seagrass.

[top of page](#)

**For how long would a trial at Station Beach be conducted?**

The proposed trial would be conducted over 12 months. The exact dates of the trial will be determined following consideration of the feedback received during this community engagement.

During this period environmental monitoring would be undertaken and community feedback sought.

[top of page](#)

**What are the next steps after the community engagement period ends 28 February 2019?**

At the conclusion of the community engagement period, staff will:

- Analyse the submissions and feedback received.
- Consider the outcomes of the Review of Environmental Factors and other research.
- Prepare a report for the consideration of Council.

During this time there will be updates posted on these Your Say project pages.

[top of page](#)

https://yoursay.northernbeaches.nsw.gov.au/stationbeachtrial

We are seeking community feedback about a proposed dog off leash area trial at Station Beach, Palm Beach

**NEWS** **COMMENT FORM**

**Have your say** 3 days ago

There are several ways that you can have your say on whether or not Council should conduct a trial:

- Online
- In writing - marked "Station Beach Trial Dog Off Leash Area" to Northern Beaches Council PO Box 82 Manly NSW 1655
- In person - come along and talk to the Parks & Recreation team at one of the following sessions.

**Session 1**

- Palm Beach Golf Club, 2 Beach Road, Palm Beach  
Thursday 29 November 2018, 6 - 8 pm

**Session 2**

- Palm Beach Golf Club, 2 Beach Road, Palm Beach  
Saturday 1 December 2018, 2.30 - 4.30 pm

Comments close Thursday 28 February 2019.

If you would like more information please contact the Parks & Recreation Team on 1300 434 434.

**Background** 3 days ago

We are seeking your feedback about whether or not to trial a dog off leash area at Station Beach.

Local residents and community groups such as Pittwater Unleashed have over many years advocated for our community to be able to access and enjoy foreshore areas with their dogs.

Over the years, several preferred areas have been identified, including Station Beach. With a growing population, and an increasing number of families with dogs, the need to make provision for off-leash recreation has

**trial dog off leash area at station beach?**

What have the NSW Government Agencies told Council about the proposed trial at Station Beach?

Where is the proposed trial dog off-leash area to be located at Station Beach?

What days and times would dogs be permitted off-leash at Station Beach during the trial?

more...



**Life Cycle**

- Nov '18 - Feb '19 - Community engagement on the proposed trial.
- Feb '19 - Updated Review of Environmental Factors and ornithological reports due
- Mar '19 Report by staff on submissions

**Online Comments Form - proposed Station Beach dog off-leash trial**

Please take a moment to provide your feedback on the proposed Station Beach dog off-leash trial.

If your comment includes attachments please send them to council@northernbeaches.nsw.gov.au.

Comments close Thursday 28 February 2019

Do you support a dog off leash area trial at Station Beach? \*

Choose an option

What are your thoughts on the proposed operational trial parameters:  
[View the map of the proposed trial area](#)

**Times of operation**

	Support	Don't support	Unsure
Trial location (see map of the proposed trial area)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Proposed trial period of 12 months	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Proposed days and times of operation for off-leash access	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Station about the proposed trial at station beach?**

Where is the proposed trial dog off-leash area to be located at Station Beach?

What days and times would dogs be permitted off-leash at Station Beach during the trial?

more...



**Life Cycle**

- Nov '18 - Feb '19 - Community engagement on the proposed trial.
- Feb '19 - Updated Review of Environmental Factors and ornithological reports due

**Comments**

**First name \***

Please limit answer to 255 characters
255

**Surname \***

Please limit answer to 255 characters
255

**Email \***

**Address**

Please limit answer to 255 characters
255

**Suburb**

Enter your suburb name
▼

**Postcode**

**Group represented/if relevant.**

Please limit answer to 255 characters
255

Community engagement response user

Mar '19 Report by staff on submissions and feedback and the trial due

---

**Postcode**

**Group represented/if relevant.**

Please limit answer to 255 characters
255

**Would you like to receive email updates on this project? \***

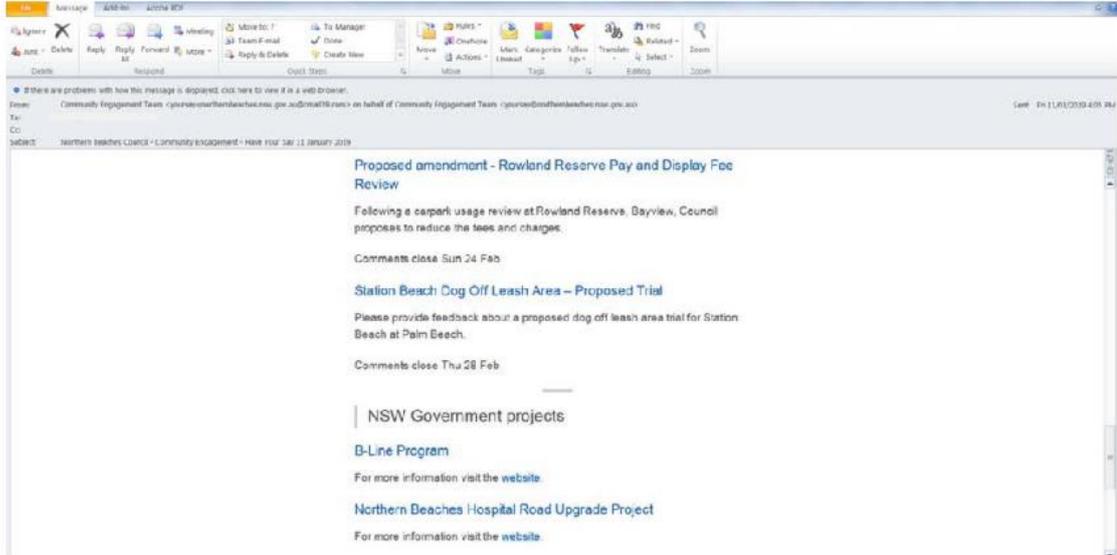
Yes  
 No

**Would you like to join Council's community engagement email list? \***

Yes  
 No  
 Already on it

Cancel
Submit

## Council Community Engagement email list notification



## APPENDIX B

# MEDIA ARTICLES



Pittwater Life, February 2019

https://www.yumpu.com/en/document/read/62369812/pittwater-life-february-2019-issue

## Offleash at Station Beach: your say...

**W**e received an overwhelming response to last month's article on Council's call for community feedback on the proposal for an off-leash dog trial at Station Beach on the Pittwater side of Palm Beach. What do you think? Community consultation runs today February 7 & how soon say at northernbeaches.nsw.gov.au. Meanwhile here's a snapshot of community sentiment as received...

**FOR...**  
As a fourth generation member of a family who has lived and worked in the coastal district for 150 years I add my voice to the thousands of others who make up the Station Beach community for the use of families with dogs.  
I am keen to add to what seems an obvious issue of equity and there is the concern for families with dogs, even babies through the dog off-leash without dogs as a situation which a species in numerous places in the world of New South Wales to avoid death with respect to humans and goodwill. By far the most widely down to the median line even

ing, can be hard line to the outer edge of the dog beds and be reasonably sure of having a slightly wetting or drenching due to waves. These conditions are only being gone I would like these areas to be the same as the other areas of the beach to ensure the following have been with long on Station Beach since 1950s of the sea and beach. Have undisturbed, scenic and healthy over these years. However, the main concern for this decision is the increasing number of people that are coming from a distance on the New South

River region looking to look around for times of heavy rain these will deposit a plastic to be cleaned up on the seagrass at Station Beach.  
Another important factor must be the impact on the beach of the marine life of the Palm Beach golf course. And

can be taken off and landing of sea planes have an effect on birds, a person goes around the beach up to the beach and then over the edge of the beach area to the beach. I would be sorry to see this model "let go" proposal for an off-leash area on the beach. I would be sorry to see this model "let go" proposal for an off-leash area on the beach.

**AGAINST...**  
We do need to have some knowledge of the rights of dogs to be able to be in the beach area. I am not sure if the beach area is completely closed to us, our dogs are in the beach area. I am not sure if the beach area is completely closed to us, our dogs are in the beach area.

The above the 7000+ off-leash trial for the past few years has generally been in Pittwater Life reports by "letting a few sections that are a dog off-leash, and also the area available in the early morning and late afternoon".  
"Unfortunately of course means that areas where our families and families are, as far as allowed to access and enjoy the beach from our presence and activities, according to the spokesman by families that

is 35% of our total water and our beach area. If that is the main goal of Pittwater, we do need to have some knowledge of the rights of dogs to be able to be in the beach area. I am not sure if the beach area is completely closed to us, our dogs are in the beach area.

and if some that these proposals are the very ones that are off-leash areas, eventually.  
To allow dog access, washed or not, eventually, only there is a risk would impact on the very best of our water health, animals and the off-leash area. I am not sure if the beach area is completely closed to us, our dogs are in the beach area.

While I understand Pittwater is a council that has a duty of care to be as open as possible to the public, I am not sure if the beach area is completely closed to us, our dogs are in the beach area.

**Station Beach**

Wednesday, February 27, 2019 [manlydaily.com.au](http://manlydaily.com.au) | 11 NEWS

# Battle lines drawn on dog beach plan

**Penelope Bradley**

A PROPOSAL to let dogs roam free on the Pittwater side of Palm Beach has divided the community.  
Northern Beaches Council plans to temporarily lift the ban of dogs on beaches and trial an off-leash area at Station Beach.  
It has been welcomed by many dog walkers who say foreshore areas north of Newport are needed for dog walking since Careel Bay foreshore was closed off in 2013.



Locals say the trial could lead to more dog attacks

But the move has been met by fierce opposition from the Palm Beach Protection Group who claim the trial will lead to ocean pollution, threats to bird and marine life and could increase the risk of dog attacks.  
Richard Kovacs, from the group, said the off-leash access times (5.30pm to 10.30am each day) would interrupt community usage and enjoyment of Station Beach.  
"Dog owners already ignore existing signage and no amount of signage will be able to enforce where dogs are allowed to be off-leash."  
He said there were also concerns about the increase in visitors to the area.  
"The completion of the

Barrenjoey Walkway in 2018 has increased visitor numbers and the beach has remained vulnerable since the June 2016 storms."  
He also said there were concerns about the impact on the area's marine life, seagrass and possible pollution from dog faeces.  
But Mitch Geddes, from Pittwater Unleashed community group, said dog walkers are not asking for much.  
"Between Warriewood and Barrenjoey there is 20km of coastline and not one inch is available to families with dogs."  
"Allowing off-leash areas at Mona Vale and Palm Beach would give us just three per cent of the coastline for dog walking — and to us, that's the world."  
He said residents who live north of Newport and wish to walk their dogs on the water's edge currently need to commute to Rowland Reserve in Bayview.  
He also dismissed the suggestion the trial would lead to an influx of people.  
"You wouldn't see thousands of people descending on Palm Beach to make use of the off-leash area as it's not attractive to people from out of area," he said. "They would need to travel to Palm Beach arriving before 9.30am."  
**Have your say on the trial before February 28 at [northernbeaches.nsw.gov.au](http://northernbeaches.nsw.gov.au)**

## Barking up the right tree

*Penelope Bradley*



Ava and Indigo Gill play with their dog Ivy on Station Beach. Picture: Tim Pascoe

NINETY per cent of survey submissions support a trial to allow dogs to run free on Palm Beach foreshore.

Initial survey results obtained by the *Manly Daily* reveal overwhelming support for the plan at Station Beach, located on the Pittwater side of the peninsula's iconic beach.

More than 3500 people responded on the Northern Beaches Council Yoursay website when asked if they supported a 12-month trial.

Councillors will soon vote to approve or reject the trial.

If approved, families with dogs would share a section of the beach for a year, during scheduled morning and afternoon periods.

Dogs would be prohibited from the beach outside allocated times and from seagrass beds at low tide.

Pittwater Unleashed member Mitch Geddes said a trial would support "the interests of 53,000 families with dogs who live in the area."

"A quick glance at Facebook metrics show huge support from (locals) who require more open-space and foreshore access to walk their dogs," Mr Geddes said.

The group's online community counts 3151 Facebook followers.

But residents who oppose dogs on the foreshore say the recent results do not yield a true reflection of community sentiment.

Palm Beach resident and prominent fund manager Richard Kovacks said survey results represented views of people living outside of Pittwater.

Council cannot yet decipher the locations of survey respondents, the *Manly Daily* understands.

"My understanding is that some (responses) come from outside Pittwater, and that this has been assisted by social media," Mr Kovacks said.

"The remaining 10 per cent represents a large number of local people who do not support a trial and their voices should be heard."

The new Palm Beach Protection Group opposes a "mass influx of dogs" to the blue-ribbon suburb, an area world-renowned for its natural beauty.

The group also cites damage to seagrass beds, parking and traffic concerns and a pre-existing problem with dog fouling from those who visit the beach despite its current dog ban.

» For proposed trial times visit: [manlydaily.com.au](http://manlydaily.com.au)

## APPENDIX C

# DETAILED WRITTEN SUBMISSIONS

This section includes direct quotes from the written submissions received by Council. The quotes were extracted verbatim from the written submissions, with some quotes containing spelling and grammatical errors.

These quotes and other key points made in the written submissions are organised according to the headings in the main report, and should be read in conjunction with the summary of submissions under those headings in the main report.

*Direct quotes are in italics.*

## Reasons for supporting the trial

### Introduction

*I commend the instigation of this trial and wish every success for a positive outcome providing Northern beaches residents, their critters, friends, families and any random observers a special spot to share and enjoy our Pittwater this perfect area.*

*In our opinion this trial is very appropriate, sensible, well thought out and is a positive use of a beautiful natural amenity. The good planning and management which has and will occur is a great solution for this special location. Thank you to the Northern Beaches Council for making this happen.*

*A forward thinking and well balanced proposal that considers the many views around this issue, but recognises the many families with dogs that live in our area.*

*This is a good news story for Council - if a lot of people make use of this, the new Northern Beaches Council should win an award for listening to the community and showing how better usage of an area can be achieved. The Palm Beach Association is to be congratulated too for their helpful website and letting people know about this. Well done all.*

*allowing the trial allows both sides of the argument to test their beliefs against fact and actual experience and they will be able to come to an informed decision at the conclusion of the trial.*

*Across the Northern Beaches the off leash areas have proved a great success. Overwhelmingly, this promotes a more social, active and healthy community environment. The parks are well used, dog are socialised and owners also become more responsible. The detractors lose nothing from the use, the spaces are only a small portion of available space and in any case, off leash areas are also free for non owners to use. The success and popularity of the program has led to increasing use and now many off leash parks are very busy at peak times. The Palm Beach off leash trial is a sensible way to test the Palm Beach area and consider the merits of extending the program to the Palm Beach precinct.*

*If only our beloved dog were still around for this day. An ocean beach play would have thrilled her.*

A child who owns an elderly dog wrote:

*I'm 12 years old I want to be able to take my 16 year old dog to the beach with me before she dies.*

## **“It’s about time”**

*In the 1970s and 1980s we used to windsurf off this beach and always brought our dogs who absolutely loved it. It will be great to be able to have this generation of dogs on the beach*

*The residents and ratepayers of Palm Beach and Whale Beach, and those north of the bends, have been waiting too long to get approval for this trial. Pittwater Council ignored its residents requests for many years, while rescinding access to a variety of areas that we once enjoyed with our dogs. We were able to access swimming at Careel Bay, walk in MacKay reserve and on Bangalley Headland, at North Palm Beach or even up to the lighthouse. There was no justifiable reason for denying access. How unfair and unjust to take all that away and leave us with nothing to enjoy.*

*Council incentivised rangers to police compliance often leading to hostile and inappropriate behaviour by rangers towards dog owners and many complaints to Council. Council often allowed matters to be escalated to the courts, wasting public monies, time and consequently had the matters thrown out by enervated magistrates.*

*Council actions have forced a significant number of its residents to form a committee (Pittwater Unleashed) to fight for a simple remedy, and residents like myself to spend hours of our time appealing to council at meetings and writing endless submissions such as this one. Imagine how fruitfully we could have spent that time otherwise! How many times is council going to ask for more comments? How many more submissions and appeals must we write? It makes me think that these are delaying tactics on the part of council staff in the hope that the problem will go away.*

*The debate on additional dog recreation areas has been going for more than 20 years - a ridiculous length of time to find a solution to something that is not even a problem!*

*This whole debate/discussion has taken so long to resolve that it is time a sensible decision is made. Please let us use these areas and be done wasting time, money and resources on this topic once and for all.*

*I don't know how this area got to be so dog unfriendly, but it is great to finally see a start being made to rectify this. Thanks for getting the ball rolling.*

*Well council it is time to extend this option to the dog owners on the northern beaches. Too long they've been denied access to these places without proper justification. We're not asking for much, are we?*

*When I first moved to Pittwater I couldn't believe firstly that there was no enclosed/fenced area to train a puppy in the whole peninsular. Then to discover that ALL beaches were off limit was very disappointing. So really good to see some improvement being trialed.*

*This is long overdue and will give local people and their dogs a special place to exercise be friendly and enjoy the environment.*

*All councils have dog beaches now.....lets get with the times.....*

*This trial will help bring Northern Beaches into the 21st century at last!*

## **Need for off leash area with access to water north of Bayview/ Newport**

*We need more pet friendly spaces on the beaches.*

*we can't expect to be banning dogs from bush reserves and beaches unless we give them other decent options.*

*The more places humans can take their dogs for exercise, socialisation, fun and stimulation the better!*

*We are very limited with dog area particularly from Avalon to Palm Beach. This would be a very welcome addition to the area*

*This would be a lovely option to have available for walking our dogs. Thank you!*

*A huge advance for our wonderful dogs on the beaches where there are only very limited and often over crowded dog parks.*

*I think this would be a very positive step for dog owners as another off leash area is desperately needed.*

*So many dogs and people are craving a place to splash in the water.*

*It would be wonderful to have an alternate option, where we can both swim!*

*We definitely need a beach/ water environment for our dogs north of the Bends*

*There are no beaches which provide access for dog owners at any time in the Palm Beach area in contrast to every other Council in the Sydney area providing at least some access some of the time.*

*It beggars belief that there is currently nowhere for dogs on the peninsular to play in the water - except the plastic kiddie pools at the Careel Bay dog park!*

*I grew up at Palm Beach and there were never any issues with dogs on the beach in the 70s and 80s. It was a beautiful way of life and to be able to enjoy it again with all the political correctness and plain BS out there would be wonderful. Come on NBC, please give it a go, be brave, it's not asking too much for our four legged family members to be able to enjoy some beach time.*

*You can't just keep cramming everybody into Rowland Reserve and expect everything to be fine.*

*Anyone in doubt of the need for more leash free areas need only visit Rowland Reserve where car parking is almost impossible from 6am until 6pm. At this time of the year especially when people come from all over Sydney to walk their dogs.*

*Other than Bayview dog park which is overcrowded I have nowhere at all to run my dogs off leash in or near water (of any decent size) unless I drive to Clontarf (40 minutes) or Curl Curl. This access is urgently needed for dog owners north of Mona Vale*

*...it would be great not having to drive for hours to get to one that allows dogs on it.*

*The ticks and mosquitoes at Careel Bay dog park are not everyone's preference.*

*We travel to the Northern Beaches regularly [from Maraylya] to take our dogs to Bayview - they just love it.*

*Although we live in Turrumurra we regularly bring our dog to Rowland Reserve and would love to have another option for exercise.*

*Station Beach will help families with options down the northern end*

*Almost all the Northern Beaches dog parks are woefully inadequate for our needs, so it would be a step in the right direction to remedy the problem if we could access Station Beach.*

*The dog beach at Rowland Reserve is very well used and adding another facility like this in Palm Beach should prove attractive for residents and visitors with dogs.*

*I am 9 years old and am really looking forward to being able to go the beach with my dog. He just loves the beach but we have to take him to the Central Coast so he can have a proper swim as Bayview is too busy and has lots of big dogs.*

*There are only two dog parks in our area and when you need to go there twice a day, every day, it gets extremely boring. Not to mention the dogs always come home muddy from the dirt, so a beach is so needed for us dog owners, please!*

*Dogs and their owners get bored of walking around and around the dog park.*

*interesting for people as well rather than walking in circles around a dog park*

*Want to exercise dogs in a place that's nice for people too*

*Beautiful environment for people to enjoy, rather than being trapped standing in a dog park*

*the enjoyment factor of the humans, who are forced to spend their limited quality doggy-time in barren, dusty, uninteresting parks that are overcrowded (therefore often stressful and yes, sometimes downright dangerous), littered and polluted. The very 'issue' the council is trying to address is in fact exacerbated by its own containment. Give us more space, not less!*

*Boat Owners Association have historically played a part with NPWS and RMS to help discourage the landing of dogs on the western foreshore of Pittwater, which attaches to the 150 square kilometres of Ku-ring-gai Chase National Park. Our ability to do this has relied on continued access to the peninsula side, where the landing of dogs has been part of the boating experience at all of the popular locations between Barrenjoey and Church Point for over 100 years.*

*Whilst visiting Pittwater on a sailing holiday earlier this month, our host needed to take his dog ashore. We were told that we were unable to go ashore anywhere in Pittwater other than on station beach.*

*My fear is that allowing only one beach will lead to overcrowding as happens at Bayview.*

*Station Beach is good, but it is not enough on its own.*

## **Want equitable access to public spaces particularly beaches**

*The proposal is not too much for dog owners to ask*

*dogs are part of the family and should be allowed greater access to beaches than currently.*

*dogs and their owners are treated very badly regarding the amount of off-leash walking areas that are provided. A very significant proportion of households have a pet dog and yet the proportion of parks and beaches that are made available for dog walking is miniscule.*

*As a responsible dog owner it is most annoying that there are only a couple of beaches where you can enjoy exercising your dog.*

*We are very slow to recognise the needs of a large percentage of the population who own dogs and wish to take them to the beach!*

*If society has made the collective decision to have dogs as part of the community then its only right that they enjoy some of the benefits of being part of that community...like access to water, if not equal access, then at least more than just Bayview.*

*council is obliged to support families with dogs with decent recreational space*

*Public spaces must be shared with all parts of the community and a noisy anti dog minority should not monopolise these spaces. We pay rates as well!*

*In fact with the attitude of some people, why don't we just fence off our beaches so that nobody can use them!*

*With many kilometres of pristine beaches on the peninsula where dogs are banned, I'm staggered that making a small section of Station Beach available for use by dogs is such an issue. This is taking our ridiculous obsession with greenery and general level of pettiness way too far.*

*As this country's demographic changes and animals are become integral to family (and individuals) life, there is a need to find dedicated space for walking a dog. As governments and councils are becoming more prescriptive and dictatorial in running everyday lives of the country they've forgotten the basics about humans and the love of dogs. Dogs need a place to play. There used to be a place before the government got controlling and PC. Let's bring back a park before the nanny state and the minority do gooders ruin it the majority. Dogs saves lives!*

*It is not reasonable to have the entire coast banned for the enjoyment of dogs & their owners.*

*It is so sad that we are surrounded by sand and water (which dogs love so much) yet we are not permitted to share any of these areas with our best friends*

*We have lots of beach area and it shouldn't be difficult to find places where families with dogs can enjoy quality outings together*

*It is absolutely ridiculous that we are not allowed to use all of the under-utilised shoreline on Pittwater. As a rate paying resident, we should not feel restricted in what areas we can go, with the entire family, including our fur children. 3.5% of the under-utilised area is abysmal. I guess at least it's something though.*

*A small section of coastline where they too can enjoy what our fabulous area has to offer only seems fair.*

*My view is that given the amount of coastline we have in the northern beaches of NSW, and the number of families with dogs, I struggle to understand why there isn't another dog beach area (other than Bayview) in this area that dogs can go to anytime of day!*

*We have so many beautiful beaches on the peninsula, more than enough for people to enjoy so surely we could share this one with our furry friends there are so few off-leash areas for them as it is.*

*there's enough beach for both dog lovers and haters*

*Give the ratepaying owners of dogs the same rights that motorists, walkers, children, boaters, and other groups in the area have.*

*Considering that approx 50% of all levy payers on the peninsular own dogs with a need to exercise their dogs daily within reasonable distances, it would appear that Council to date has severely and undemocratically neglected the needs of about half their levy paying population.*

*Restricting UDEAs to small parts of public land concentrates use and results in issues*

*More spaces -> less dogs in each space -> less issues and complaints*

*The more is taken the more crowded the ones left become. More chance of incidents, more growling, less pleasant for all*

*There are so many empty areas on the beaches for the dogs, & plenty of other spots for people who don't like dogs, or are scared of them.*

*whilst it is perfectly reasonable for people who do not like dogs to have access to beaches without dogs running around. It is also perfectly reasonable, even the duty of Council to provide recreational space close to the homes of such a large number of their constituents.*

*This is not about asking for rights for dogs. Rather it is about asking what is right for members of the community, who are ratepayers, who are time-poor, and who want to be able to enjoy a walk on the beach and a swim with their dog. And not on every beach. And not all day. Just along sections on some of the less popular beaches and at certain times of the day.*

*the notion of this creating a precedent for all beaches on the peninsula is absurd. There are many councils in NSW where the balance of human-only beaches and dog-available beaches (or parts of beaches) operate harmoniously and successfully with no pressing need or desire to expand these areas for dogs to go off leash.*

## **Want authorised access to beaches for off leash dogs**

*There have been a number of failed public policies concerning the provision of sufficient exercise areas in the past resulting in substantial numbers of dog owners breaking current local legislation every day. All in all an appalling result of low standard and highly disrespectful to the population's needs.*

*Would be wonderful to be able to walk swim your dog without the hassles of keeping an eye out cause u are supposedly breaking the law*

*There's nowhere nearby that we can take our dog on the beach without the fear of a fine or upsetting another member of the public for having our dog off the leash.*

*Wonderful idea – the rangers have been so awful to dog owners of late by making it even impossible to get out of your car at careel bay and over to the dog park so the more open spaces where we can run our dogs the better. Thanks!*

*Anything to get current dogs OFF main beach areas like Newport!!!! Every afternoon there are unleashed dogs on the northern end of Newport, some irresponsible owners don't clean up after them ...would be great that they could take their dogs for a legal play at Palm Beach.*

*This would encourage responsible dog ownership as we would have Station Beach to go to off leash and therefore would not be tempted to use other beaches. It is proven elsewhere so why are the Northern Beaches so behind?*

*By having such an area proper policing can be applied thus ensuring responsible ownership and handling of dogs and their "business". This could replace the current inflammatory practice of Rangers "booking" owners and charging \$600 to some one causing no harm to anyone ... much less than people playing soccer in a picnic area or jet skis beaching on the adjacent beach.*

*Please trial off leash dog areas like this one so that selfish and irresponsible dog owners will have no excuse for taking their dogs on beautiful beaches like bungan and Mona Vale basin. I am fed up with being harassed by dogs sitting where they pooped or weed. Being barked at. stepping in poo. If they have designated areas like rowland reserve or station beach then they can't complain. Dogs (and their selfish owners) on pristine sensitive beaches don't mix.*

## **Success of off-leash areas elsewhere**

*In London I could take a dog in the bus or train.... so this is a very mild compromise.*

*We just came back from California/Colorado everyone has a dog on a plane and on the streets everywhere they are these days a part of the family*

*We should be like Europe where dogs are accepted and seen everywhere with their families. Come on Australia. We need to be far more dog friendly. People on the Northern beaches love their dogs. Please give us more dog friendly areas.*

*Dogs on beaches around the country and the rest of the world is a normal phenomenon.*

*It would be so lovely for our dogs to have a run on a beach like they are allowed to do at so many locations throughout Australia - but not here...*

*When travelling up North there's nothing better than being able to walk miles along a beach with my dogs running free.*

*Beach sharing works in so many places - why are the humans in the Northern Beaches Council so different?*

*A carefully considered shared use of the space that does not conflict with other users should be achievable as is the case in numerous communities up and down the NSW coast.*

*Brings proposal in line with many east coast townships policy on restricted opportunities to walk dogs off leash on the beach*

*Australia has a very high level of dog ownership per capita. Other countries manage to include dogs on trains, in shops and accommodation, on walking trails, on beaches... and civilisation doesn't end. Why is it such a drama here?*

*I haven't heard of any disasters caused because of it.*

*I am a regular visitor to Port Macquarie and the dedicated off leash ocean beaches there are fantastic. My dogs have the time of their lives.*

*The central coast does an excellent job of including dogs into their beach policies. It would be great if we could follow suit.*

*The Dog Beach Trial in Chowder Bay, Mosman showed that dog owners can be responsible and has become an asset to the area for residents and their loved companions.*

## **Dogs are a part of the community**

*We are all members of a community and we should balance the views and needs of our community.*

*Dogs play a very important role in our community and for their owners.*

*owners shouldn't have to leave their dogs at home*

*Dog owners are a large part of the NB community and it would be great to support and encourage them to enjoy the lifestyle offered in the area.*

*This will be a great community building exercise.*

*There is an obvious need; dog-ownership is just one of the many recreational/sporty/social pastimes that should all have their place and facilities within a community.*

*this would be a hugely positive move for our family and friends in the area*

*Palm Beach is known for being a beautiful suburb, inclusive for all. Why not include dogs in this.*

*Happy to support this and hope that it leads to a wider acceptance of dogs in the community.*

*I understand that this is a polarising subject for the community however it is time to trial and once and for see if it works or doesn't.*

*How sadly divisive is the debate on whether to allow dogs onto some of our less popular beaches at limited times of the day.*

*The anti dog stance of the Northern Beaches brings down the relaxed vibe of the area.*

*It's about time the anti dog brigade were put back in their (dog) box*

*One or two individuals should not be able to block something that is in the broader interests of the community.*

*This trial is long overdue as the overwhelming evidence is that dog owners are in the majority of residences on the northern beaches and are tired of being stopped of using beaches for recreation and fun with dogs by the minority!*

*I have heard pathetic statements around why this should not proceed from a very small minority and only very strong support from the majority.*

*Noisy minority will oppose the trial when more residents will gain from it*

*Stop allowing a couple of whingers to dictate to the rest of the community. Seriously allowing dogs and their families to enjoy the beach will not make the world fall in*

*It's about time that decisions were made that took the majority into account instead of a vocal minority.*

*I am concerned that a small group of wealthy, well connected residents nearby could ruin the opportunity for a valuable community asset that can be enjoyed by many, with very minimal impact.*

*Voices of a few dog haters are taking precedence and are not the views of the majority.*

*I do hope that this time the voices of the majority will be heard, and not the minority whose anti-dog opinions have been given undue weight and preference by the council staff.*

*I get the impression there are a few locals with money and influence that like to make things difficult for the rest of us.*

### **The trial legitimises an existing activity**

*We love taking the dog for a walk here. It will be so much nicer not having to worry about the heavy hand of the law and costly fines.*

*As it stands a few local people already use the beach, especially for small dogs who can't safely go to Avalon or Mona Vale off-leash areas.*

*I have taken our dog there and all dogs & owners were well behaved. It was a lovely experience.*

*We went down there this morning and the trial seems to be going very well.*

*The trial at Station Beach would legitimise something that is already happening to help defuse some of the nastiness that is happening.*

*Locals ignore the "Dogs Prohibited" signs so beaches should be leash free*

### **Health and safety**

*There is research available to the Council to the effect that dogs off-leash are less likely to fight than dogs on leashes – they have the ability to remove themselves from threat and they are too busy enjoying themselves.*

*There is no evidence of health-risks from dog off-leash areas – if there were a suspicion, the Council would be shutting them all down.*

*In the 30+ years I have been a dog owner, I have never witnessed a dog attacking a child (or adult) on a beach, or for that matter in any off-leash park. Dog owners are aware of their dog's behaviour and act responsibly - they do not want to place children/adults or their dogs at risk. Further, as the days and times of operation for off leash access avoid peak human beach activity, this risk/concern is minimised.*

*Over the 20 years we have used off-leash dog spaces in other areas of Sydney, we have seldom seen aggressive behaviour by dogs towards each other and personally have never seen aggressive actions towards humans. Occasionally dogs display possessive behaviour*

*over a stick or ball and can growl or bark if another dog seeks to take it or they are surprised, but seldom continue with aggression or barking. In fact, dogs are generally less aggressive when off-leash when the interplay of dogs with some anxious owners can create anxiety in their dogs. Off-leash dogs tend to exhibit to friendliness towards each other or submission of one of the dogs. The risk is higher with very small children and most off-leash areas are kept separate from designated children's play areas. This does not apply at Station Beach and the only consequence may be that in the early morning or late afternoon adults with young children who are concerned might use any of the other of beaches not affected or use Station Beach in hours when off-leash activity is prohibited. It is unlikely that all dogs and their owners will behave perfectly at all times, but this applies equally to non-dog owners and visitors to the beaches and parks at Palm Beach. Some level of tolerance for other peoples' interests and views would benefit the middle majority of the community but will upset those on either extreme (who will be the most vocal). The various mitigating measures proposed in the 2008 document seem sensible, as does the intention to monitor poor behaviour and take actions to remedy these.*

*The only concern is if there is an aggressive animal off leash and it attacks the other dogs.*

*Even if we are dodging flying golf balls it is better than nothing*

### **Increased use of Station Beach**

*I walk along Station Beach often and usually I'm the only one on the beach. It seems unfair as this is such a perfect place for my dog to join me (armed with a leash and a 'doggy bag' of course!).*

*so sad no where lovely to walk them as station beach is not used much by anyone*

*I have often felt surprised at how few people walk along this beach. Great to see a beautiful part of the beaches being used .....and the dogs and visitors all look happy.*

*The beach itself is not heavily used for beach dwellers and what way better to utilize the area than for animals enjoying nature.*

### **Traffic and parking**

*The only legal swimming area is at Bayview which forces us into cars and onto the roads unnecessarily.*

*Since losing water access at Careel Bay, driving over to Bayview in summer to let the dogs cool off can take up a lot from time if the traffic is slow around the bends.*

*I'm over driving all the way to Bayview so my dog can have a swim.*

*Will get all the dogs and their owner off the narrow roads.*

*It's really lovely to have a beach where you as a human can run, swim and play with your dog in the water without having to take the ferry to Ettalong.*

*It has been my view that most dog owners are generally fit people who don't mind walking and there is ample parking at Palm Beach so I don't think any residences should really be affected by all the 'extra traffic' as I heard someone state.*

*However, we were there today and saw that the end of Beach Road has a lot of private shrubs planted in a way that prevents additional parking of at least 2 cars. A better outcome for the public would be to reclaim this parking space and insist that any plantings be limited to fence line as is the norm elsewhere.*

## **Dog owners are responsible**

*We are good citizens who look after our furry sons and pick up their things!*

*Dog owners are responsible and caring people. All we need are opportunities to enjoy the water ways in a safe and easy manner. Happy pets = happy owners = happy people.*

*as a community based individual have seen nothing but care from dog walkers picking up rubbish left by tourists and helping our elderly community with their dogs.*

*picking up of poo is the only issue and as I can see from the current dog parks the poo get picked up.*

*I came from the east and collection of pooh by owners outstripped the slack attitude up here. they could do with a shake up*

*And yes, for those selfish and disgusting dog-owners who are too posh to pick up their poo, please increase the fines to an astronomical amount, and motivate the rangers to police this offensive behaviour more vigorously!*

*If people have young dogs that do not yet come when called, they would be better suited to using the fenced playing fields at Careel Bay until the dog has learned to return when called.*

*The absence of fencing here is a good thing - it means those who choose to use this area will mostly be those who have a mature dog that returns when called. Or if bringing a skittish dog not yet well-trained, there is the option to keep him on leash but still enjoy the beach environment together.*

*I do fully respect the on leash areas and 100% support the importance of having such strict on leash areas but again feel that we lack in off leash areas and feel this may be why so many break the rules.*

*It makes no sense for us to have to drive all the way to Bayview. This is why if it is a hot day, we just ignore the signs that no one ever asked for.*

*When the rules changed about where the dogs can have a swim we were not given a say. This is unfair and is the reason people just ignore the signs at Clareville.*

*Dog owners are becoming increasingly responsible and I am sure that the area will be maintained beautifully as to ensure dogs are continually allowed within the area.*

*Dogs are part of family life and we hope that the trial goes through for us to demonstrate our gratitude by being responsible dog owners*

*It will be valued by locals and therefore to a certain extent managed by us eg ensuring beaches clean and reminding dog owners of their responsibility to all in the community including Mother Nature.*

*If dog owners are responsible and their dogs are well trained it would be possible to really enjoy a lovely dog beach for us after all these years we have been waiting for it!!*

*Dog owners encouraging other owners to pick up after their dogs so the trial will work and the off leash area will be permanent*

*Dog owners clean up after their dogs and keep them in check because they want to keep using the beach.*

*Many dog owners do the right thing. Don't persecute the good owners and dogs for a few bad ones*

*there's a lot of people who will make sure it's kept clean, even if there's the odd one or two who don't follow the rules, that always happens in any situation like this.*

*Just because a few dog owners can be irresponsible with their dogs, it doesn't mean every other dog owner who does the right thing should be penalised.*

*The minority will spoil it for others*

*We need equal beach access for leashed dogs, where people can walk their dogs on the sand, run with them, play with them in the water etc. In fact, there is a sound argument that dog owners who behave responsibly and control their dogs, deserve priority.*

*If the local dog owners can't make this work, then they only have themselves to blame. I am a local dog owner who is disgusted with local and visiting dog owners who simply don't pick up their dogs' poos. This area is one of the worst for offenders that I've come across in the state. So here's hoping*

*Owners must be diligent in picking up dog poo. If the trial fails dog owners won't get this opportunity again. No excuses*

*Why don't you make dog owners pay a yearly beach license? Say 250 dollars. If they are caught in the beach without proof they get the fine. I'd also be happy to have to spend one half day a year doing a beach clean up. This way you make you money and get clean beaches.*

*We have no objection to fines for people who fail to pick up dog poo.*

*We would suggest that at times rangers control that people pick up after their dogs and fine them hefty on the spot, because it is the irresponsible dog owner who spoils it all for the rest of us!*

## **Benefits to people**

*Dogs are lovely and bring joy to many many people.*

*I am a twice a week golfer at Palm Beach and all I can say is it is a sheer joy to watch these beautiful animals frolic on the beach with their human families & many of my golfing colleagues share my pleasure at seeing the dogs on Station Beach.*

*It must be understood by the greater community, that dogs which have been properly exercised are most unlikely to be the cause of nuisance barking, so the importance of introducing more unleashed areas cannot be disregarded.*

*Our dogs are our family and go hand in hand and we need to include all our family in our lives both indoor and outdoors.*

*So many families in Sydney have a dog as part of their family and these relationships should be embraced and encouraged by enabling families to include their pet in visits to the beach.*

*Let's face it, having a dog or two in your family makes us happier, healthier, far more active and better people all round.*

*Families these days consist of dogs that are like children. I want to spend time with my fur baby at Station Beach.*

*Our dogs are part of our families and we all live here together, it's not fair to not have them run free and have fun*

*Having no access for dogs to beaches is a disadvantage not only for the animals, but for owners. Lots of people enjoy a swim after a dog walk, or a swim WITH their dogs, but not having dogs on the beach means that owners miss out.*

*The benefits of dogs to individuals, families and the community have been shown over and over again, and in supporting responsible dog ownership, the council would be adding to the health and social network of the community.*

*Most people recognise the benefits of outside activities and dogs for both mental and physical needs of humans. Dog ownership should be encouraged with guidance*

*In a generation where people work longer hours and are more time poor, where dogs are left alone for longer periods of time during the day, and where neighbours know less and less about each other, we should be providing every opportunity for people to get out into nature and spend time with their pets and each other. This will benefit the mental health of dogs and dog owners alike and help to build the sense of community that we often feel we are missing.*

*I think it is a wonderful opportunity for people to be able to enjoy a swim with their family and dog.*

*Watching the sunset with the dogs playing on the beach would be a dream.*

*A great idea... we can walk the dogs around the park, have a coffee, let the dogs play in the water, and leave.*

*If I could stroll with my children and dogs along the beach in the evenings it would change our lives. From dog park or fire trails with snakes to freedom and fun as a family*

### ***Physical benefits***

*A great way to encourage active families.*

*Now that the excellent walkway is finished it makes it safe to walk to the beach from other parts of Palm Beach*

*I am looking forward to being able to maintain a healthy lifestyle with my 2 dogs and family. This keeps them healthy and reduces the Vet bills.*

*a Governor Phillip park offering, like Long Reef, of mixed leashed and off-leash dog exercise will provide a truly significant exercise opportunity for the dog owners as well.*

*Dogs provide and promote exercise and therefore less screen time.*

*Better to have kids outdoors having fun with their dog, than staying inside on Xbox.*

### ***Social benefits***

*Dog walking is also a great way for locals to communicate and interact with each other.*

*People walking dogs will engage in conversation more than those who don't*

*Chat with other dog owners while watching dogs play and swim.*

*Exercising dogs encourages social ties, community feeling and better health.*

*It is very important for elderly folk, who otherwise live alone, to have opportunities like this to enjoy nice meeting places with their dog. Their time in the community tends to be when they take the dog for its regular walks. The dogs need to be permitted to sit with them on the beach somewhere, otherwise you have a large grouping in the community that can no longer visit the beach.*

*It is much better to meet up with neighbours as we walk to the foreshore to let the dog have a run, than to get the car out and drive to someone else's local area where I do not know anyone.*

*We need to embrace the fact that more and more people are choosing not to have children but instead have animals. Also elderly who have companion animals. Dogs are very social animals and we should only embrace being a forward thinking community. Let's face it, animals bring happiness and reduce stress.*

*I often visit the off leash dog park at Bayview and it has been a great environment not only for the dogs but their owners as well. It is also a great way for lonely people to be around other people and make friends and their pet dogs can make that easy for them. I myself have made many friends and find it very enjoyable watching the happiness of both owners and their pets.*

*Having a dog beach would increase the interaction between residents in the local community, building new relationships and friendships as well as maintaining current ones.*

*We should delight in the joy we witness when families, old people, lonely people and children interact, connect and even form friendships when they gather to exercise their dogs.*

### ***Psychological benefits***

*Dogs are a valuable part of our lives. They bring us joy and get us out and about. Dog parks are some of the happiest places. Great for dogs and humans mental health 🐾🐾❤️☐*

*It is so good for people who are suffering from depression and mental disorders to be able to walk with their best mate on a beach.*

*Getting outdoors with your dog near the water is proven to be beneficial for well being and positive for mental health which can only strengthen the community of this area.*

### **Benefits for non dog owners**

*It is also beneficial for non dog owners as it means dog owners who want to let their dogs in the water have no excuses for using other parts of the beach which I am sure some do already.*

*lots of older people like myself who don't have a dog, love to see the dogs enjoying themselves on the beach.*

*Don't forget, just because someone is not a dog owner, doesn't mean they don't enjoy interacting with dogs in an open, off-leash environment.*

*By the way, I don't own a dog, but I think people who do should have the right to have fun with their pets.*

*I am dog "neutral" but recognize the importance for the provision of this off leash beach area for the social, mental and physical well being of our community especially for the older and more isolated members and their companion dogs to be able to enjoy this relatively small piece of underutilised beach with like minded others.*

*Even as a non dog owner I see the importance of allowing dog exercise areas and non leash parks. We have become such a sedentary society and are constantly told to get out and move around but somehow people are always expected to leave their dogs behind.*

*Even those who don't have dogs like to think dogs are properly looked after with somewhere nice to run and splash.*

*Even though I do not own a dog I believe that companion animals have an important role in our society and that they deserve to have access to have healthy exercise and socialisation and their owners too.*

## **Benefits for dogs**

*Dogs need off leash areas to run and stretch their legs. In many cases bigger dogs don't have the luxury of a large home garden. The opposite is true for small breeds.*

*Dogs need physical exercise and stimulation as much as humans for their well being.*

*All companion animals should have reasonably easy access to the natural environment where they can run without restriction for their overall health and well being. Depriving animals, and limiting them of that is nothing short of cruel and increases behavioural problems which causes more issues long term.*

*Walking a dog on the lead isn't really walking a dog - dogs are genetically predisposed to run, and run a lot. A dog on a lead is cruel and frankly unusual in a park.*

*Further, I would like to see a level of humanity shown towards dogs noting that dogs on a leash isn't a normal way to "walk/exercise" a dog.*

*They need spaces to run, socialise, and have fun....*

*they also love to play and swim not just be walked on the lead.*

*I feel it is only fair that pet owners be allowed to let their dogs have a run and swim in the afternoon.*

*Our furry friends overheat very easily and having a splash in the water is the best way to cool down!*

*I feel it is only fair that pet owners be allowed to let their dogs have a run and swim in the afternoon.*

*Dogs & their owners can go for a swim in the ocean, particularly with Sydney's increasing hot & humid summer days of high 30 degrees!*

*Having a safe place to swim is vital for all the water loving dogs of Pittwater. Well exercised and socialised dogs make happy dogs!!*

*Being able to swim is not just fun and part of the natural habitat for many types of dogs, but also can be therapeutic to dogs with arthritis or hip dysplasia.*

*Dogs need to have some off-leash time to socialise and it such an enjoyable time for the owners as well. There is also the added bonus for the owners to meet other like minded people. Station beach is the perfect spot for this.*

### **Economic benefit**

*At a wider scale, the pet/dog industry is a huge industry offering thousands of jobs and stimulating the economy in a positive way.*

*People visiting the area to bring their dogs to Station Beach will support the local economy, the community and small businesses such as shops and cafes in the area, and on the parking meters, thus keeping Palm Beach alive. The benefit would be felt most in the off-peak winter season.*

*As a rate payer on The Northern Beaches I 100% support the Station Beach trials and in fact, I do not believe this provides enough water access for families and their dogs. We often drive away from the northern beaches to local government areas that allow dogs on beaches. Yup lunch, ice creams etc thus supporting businesses outside our own local area. I would love to be given the opportunity to enjoy the coast line with my entire family (dog included) and spend my money in local businesses.*

*we would come up from Manly to visit and spend our money in the local community, either for breakfast or dinner based on the trial hours.*

*The owners of The Boathouse at the northern end of the trial area support the trial.*

*One supporter questioned the money Council is spending on the trial:*

*am still fuming over the waste of tax payers money on this...it's insanity. \$6 million, and now you are starting from scratch....how many more millions will be wasted?*

### **Council restrictions are being relaxed**

*Support "live and let live" not over-regulation*

*why is it we can travel north or south to beaches where dogs are welcomed and loved?*

*The current settings do not work, and locals were not consulted when Council placed "Dogs Prohibited" signs along Pittwater side of Palm Beach. These signs are ugly and unnecessary.*

*Whose idea was it to ban dogs here in the first place? Same thing happened along the water's edge in avalon and Clareville, signs saying "No Dogs" sprung up out of nowhere.*

*i am tired of the ever increasing restrictions imposed on residents. We came to live here because it was free from red tape and council intervention. If residents want to take a walk with their dog they should be allowed to!*

*Reducing, restricting and not maintaining off leash areas to exercise dogs is causing untold behavioural issues, dog aggression, neighbourhood barking and noise complaints and ultimately adding to the re-homing epidemic when under-stimulated and bored dogs display these behaviours*

*The rest of the developed world has a far more humane and "live and let live" attitude when it comes to dogs - all except Australia and especially Pittwater Council. The anti-dog bias in the Council is a disgrace and it simply solved when the next elections are held.*

*... signage is the cause of many problems arising from the disruption to what families have been happily doing here for so long - in our case, nearly 90 years. Those who simply ignore the signs (and there are many who do) can become the target of vigilantes who see as their job to snap photos with zoom lenses for the purpose of reporting an off-leash dog, even though the dog is doing nothing more than playing with the kids on an otherwise vacant patch of sand. The ... signs should all come down. If there is an argument for banning dogs along parts of the foreshore, then let that debate be had.*

*After living all over Australia and the world I'm now seeing how backward the policies toward dogs with the NBC has become it's ridiculous. Please take note of the voices and make the change.*

*Why so much red tape? good to see finally we are steering away from the nanny state*

*Is it possible for Council to review how the dog ban was introduced here in the first place? It seemed like that decision came out of nowhere and it is good to see it is about to be reversed. I always remember bustling activity here in summer with dogs happily included in the fun - why did it ever change? How did banning dogs improve things?*

*The Station Beach trial is a good start to normalizing the situation and bringing Pittwater into line with other SYDNEY councils. For what it is worth, in comparison with the regulations in the UK and France the rules in Pittwater are draconian!*

## **Minimal impact on the environment**

*Dogs are an essential element of Pittwater's environment*

*All dog owners love our environment and waterways.*

*Animal lovers are nature lovers. We look after the environment, too.*

*Many of us have moved here because of the beautiful natural beaches and we will all do our utmost to protect them, however a well managed area for dogs to play and swim is important if people can use it properly.*

*Those who are against this proposal do not have a monopoly on cherishing and caring for this place. Whilst there are some careless dog owners, the majority who I meet care very much about their dog's behaviour and wish to do no harm.*

*Council needs to listen to all the community, not just the environmental groups, who seem to want our suburbs to be treated as if they are national parks.*

*We are sick of policy that seems to be written by green groups who do not like dogs and want them banned from anywhere there might be a plover or a skink.*

*The damage caused by humans and domestic cats allowed to roam on our wild flora and fauna is far greater than dogs in a small off leash area*

*Council's proposal for a trial to allow dogs off-leash along a section on Station Beach (on the Pittwater side of Palm Beach, mornings and late afternoons only) is backed by a comprehensive Environmental Assessment. It follows extensive consultation with NSW DPI - Fisheries and NSW National Parks, who support the trial as it would be "unlikely to cause a significant impact on the environment or the community". Of course that is not the same as saying there will be NO impact on the environment or the community.*

*With careful implementation and management as detailed in the report, the environmental importance of the area should be able to be preserved and at the same time the use of the beach broadened to local dog owners too.*

*I believe the environmental risks for beach use are very low and should be managed by signs/education, as I believe dog-owners are very responsible and concerned for the environment.*

### **Seagrass**

*There is no endangered sea-grass in the area proposed for the trial – the endangered species occurs further north on the beach, beyond the Boathouse.*

*If you bothered to look over this holiday it has been shredded by Jet ski's with damage to the sea grass*

*The seagrass issue is hogwash - more damage is caused by the chap who spearfishes every day than the few dogs that might occasionally walk on it at very low tide.*

*I would like those concerned with the issue of environmental damage to the seagrass beds to consider the following:-I have been walking on station beach since 1934 and the seagrass beds have undoubtedly deteriorated steadily over those years. However the main causes for this decline must include the increasing industrialisation, rural and urban growth upstream on the Hawkesbury River region leading to toxic run off. In times of heavy rain these silt deposits are plain to be seen and settle on the seagrass areas of Station Beach. Another important factor must be the nutrient runoff from the maintenance of the Palm Beach Golf course which has been in place as long as I can remember. Can the take off and landing of sea planes have no effect on turbidity in the sea grass areas? Can - at times in the past month - up to six Skidoos racing up and down over the edges of these areas have no damaging effect and not be very discouraging for sea birds? I would be sorry to see this modest "fair go" proposal founder on environmental grounds. If only the repair of the seagrass beds was as simple to achieve as banning limited access to families with dogs.*

### **Waste**

*I spend time on beaches in other parts of NSW where dogs are off leash in designated areas. These are without a doubt the cleanest beaches I visit.*

*Dog owners not only pick up after their dogs, but collect other waste on beaches (plastics, cigarette butts etc). Dog owners are responsible, care for the environment and appreciate the opportunity to spend time with their dogs on the beach.*

*Besides humans create more litter and waste on beaches than any animal. Cigarette butts, icecream wrappers, coffee cups do not break down. The odd accidental left behind dog poop will wash away, be buried or picked up by another dog lover.*

*Dogs don't litter the areas with disposable nappies, needles, rubbish and other human waste*

*Yes some owners leave poo behind but they are a minority. How many humans leave rubbish behind???? But are still allowed access anywhere they want?*

*Humans leave waste that kill animals. Not dogs!!*

*Rangers should pick up litter from people instead*

*But even public areas (non dog related) lack bins and encourage human food and rubbish littering. I would argue dog owners would clean up after their dogs more than parents with their children. As long as the council ensures there is a bin nearby, dog waste will not be a problem.*

## **Wildlife**

### **Birds**

*Sure, there will be a couple of greenie types who think the beach is no place for dogs because they might scare a few seagulls, but we can't keep giving in to this way of thinking.*

*We play here regularly in the mornings and we never see any wildlife, other than a few seagulls, maybe the occasional pelican (which just casually swims into deeper water if it sees a person or dog coming along the shore). We regularly see people walking their dogs and see no problem with that.*

*Someone is bound to say "we saw a pelican there once" but let's not forget the Pittwater pelicans only arrived in 2005 when the Menindee system dried up and they flew east for food. And pelicans are not troubled by dogs anyway, many having adopted Sydney Harbour as their home. The dogs need somewhere to run and swim, and Station Beach is a good start.*

### **Crabs**

*There are few if any blue soldier crabs on Station Beach (it is too exposed and sandy).*

## **Low impact on local residents**

*I appreciate residents south of station beach may have concerns however this is not directly in front of their properties!*

*local residents will find it annoying and inconvenient that outsiders from Avalon, Newport and further afield dare take up their valuable parking spaces and populate a 600m section of their beach.*

*My family has lived on Station Beach (Waratah Rd) for over 70 years. We have no problem with people and their dogs. I've never seen aggressive dogs or animal excrement. 99% of dog owners are sensible and responsible. Please don't punish the majority for a significant minority view. If people do the wrong thing, punish them, not everyone.*

## Historical precedent for off-leash dogs on Sydney foreshores

*When Governor Arthur Phillip landed in Sydney Cove in 1788 he came ashore with his own dog, and several others that had accompanied the First Fleet. The dogs, no doubt, enjoyed frolicking on the Sydney foreshore at that time, and have been able to enjoy the Sydney foreshore ever since. It may be argued that the First Fleet dogs set foot upon Sydney beaches prior to the first white man. In any case, it should be acknowledged that dogs have been able to use the foreshore (and beaches) longer than any living human being, and NIMBY's would be well reminded of this historical fact.*

## Requests if the trial is not approved or it fails

*If the proposal is not approved by Council, I would urge Council to approve dog on leash use of the trial area during the proposed hours*

*If this plan fails, another beach needs to be put forward and I don't think residents of this area will give up until there is one. There is simply nowhere to take our dogs without fear of a whopping fine in exchange of providing a healthy lifestyle for our animals.*

## Reasons for not supporting the trial

### Introduction

*I just don't understand why dog owners don't accept the referee's decision and have to go parent shopping to get a different result. Time after time, councils have turned down requests by dog owners for beach access and no sooner than this happens, dog owners have another go, at another beach. The facts remain the same.*

*There is no reason for it except for a minority of people from Pittwater Unleashed pushing it.*

*The growing power of the lobby group "Pittwater Unleashed" has facilitated and even defends these individuals. If dog owners can't obey the law and respect fellow residents how can you trust them with Station Beach. There is an increasing resentment amongst residents over the growing influence Pittwater Unleashed seems to have over Northern Beaches Council.*

### Community

*It may be that a dog is man's best friend and that is a very personal matter. But what is a closed relationship between man and dog is too often carried out without due regard for the interests of others in the community.*

*It is not normal behaviour for dogs to socialise outside their family unit; to effectively socialise dogs to this environment requires knowledge and a lot of work on the part of the owner.*

*It's very frustrating that they can't follow the rules already in place, yet they are very vocal that their dogs should have the right to be off leash*

*An off leash area on this beach will make a small group happy, another group will be indifferent but will make another, I would say considerably larger group unhappy.*

*In the Mackerel 'trial' we rarely had a council rep out and the no report on the trial was submitted prior to council making a decision consequently we are left with a divided*

community. DO NOT allow yet another beautiful Pittwater beach to be taken from the community by a vocal minority.

A dog defecated in front of our jetty in Waratah Road. The dog owner was not nearby and did not carry a litterbag. After a heated discussion, the dog owner reluctantly went away to find a litter bag. This is typical dog owner behaviour who are not close to their dogs when they "poo" and pollute our beautiful beach

"I had to move twice from the Boathouse last week because of dogs breathing on me while I was eating my breakfast."

Will diners at the Boathouse want to share meals with dogs? The Boathouse hosts events including weddings. Visualise the photos of the couple on the sand by the water's edge, perhaps barefoot and ... oops ... stains on the white dress. Not a good look, but easily avoided - no dogs please.

People need to choose their dogs responsibly, considering the dog's exercise needs and whether they can be readily provided.

Their expectations of peeing everywhere are just not on....The doggies can pee at home in the owners back yard.

Those who speak up against dogs off leash are ostracized and bullied by even the most agreeable of residents.

We are also concerned over the aggressive antics of some dog owners associated with 'Pittwater Unleashed'. My family has been verbally abused by members of 'Pittwater Unleashed' outside our residence and on Station Beach and I have received threatening messages via Facebook. Is this what we can expect when offering an alternative opinion to 'Pittwater Unleashed' or pointing out signage, under a trial?

## **Amenity of beach users**

Palm Beach and Barrenjoey Headland, together with the adjacent Lambert Peninsula and Broken Bay, are absolutely world-class scenic and landform treasures.

Palm Beach is internationally recognized. Do you want this to be a major tourist issue - "i went swimming and found it disgusting".

My wife and I regularly walk Station Beach in the morning and the last thing we want is someone's uncontrolled dog anywhere near us.

Whilst on my daily run along Station Beach I looked up a little late from under my peaked cap to be confronted by a large young dog - in mid air - that I could only prevent from colliding with me, by raising my foot into its face. The lady owner was 30 feet away - saying "I'm sorry - I can't control it". I attempted several times to continue my run, and each time it tried to bound under my feet. I asked the lady to put it on a lead but she couldn't. I know this is only one dog (and I don't mind the good ones), but if you are going to open up the beach for conceivably hundreds of them, then I doubt I will be safe doing my daily run any more.

Station Beach Palm Beach is no place to mix unleashed dogs and children and golfers and visitors and swimmers.

This is one of our favorite spots to watch sunsets year round, and we now will have to face the disruption of noise, animal waste, and potential physical interference by uncontrolled animals.

*We are concerned that this beautiful beach will be 'trashed' and end up in a similar state to the poor experiences at Bayview, Careel Bay and Sandy Bay.*

*Palm Beach has been a favourite spot for my family for many years now. Upon a recent visit where we sat underneath the lovely big tree a small dog came over and urinated on our towel, pooped close to where we sitting, then urinated for the second time all over our freshly prepared picnic, which had been lovingly prepared to feed 7 of us including 3 small hungry children. Not only were my children hungry, afraid of where to dig their castles in fear of digging up more than just sand, there were also dogs running freely and scaring mine and other people's children. Please don't let this happen.*

*One of my daughters stepped in dog poo and then they were making a sand castle and a dog lifted its leg and pissed on it with no apology from the owner. Dogs were running on our towels.*

*Manly lagoon is a nightmare with dogs on leash*

*If Station Beach becomes an off leash area I will not visit it because of dog poo being left on the beach by owners who don't remove it*

## **Public safety**

### **Human safety**

*Having recently spent 6 hours at Mona Vale hospital with a friend who was badly bitten by a dog while we were walking requiring numerous stitches it's a NO from me.*

*"My kids get chased by a dog every time we are there and we end up leaving."*

*"We went down there a couple of days ago and two dogs were running mad down the beach, leaving my kids so scared they couldn't get up the stairs to the car."*

*"Palm Beach is our "happy place" – please don't change that. We leave our dog at home."*

*Will Council provide total unreserved legal liability for this? (2) Who will pay for public liability insurance? Not to mention the trauma experienced by the person who is the innocent victim of such an incident?*

*Will there be a discount in rates for non-dog owners?*

### **Safety of dogs**

*"I have seen a normally friendly large dog attacking a small dog and shaking it to death."*

*How will dogs be kept off the golf course?*

## **Public health**

*In the most recent State of the Beaches 2018 report Station Beach/Barrenjoey Beach, showed the highest range of all of faeces present – dog faeces, meaning that enough people are granting themselves the right to take their dogs to defecate on the beach already to make the poo charts.*

*My mother was infected with hydatid worms transmitted by a dog at the age of 4. She suffered horribly ALL HER LIFE having to undergo surgery on THREE occasions to try to save her life. She was connected on one occasion to a tube for 6 weeks into a bottle the size of a flagon to drain a hydatid cyst which had burst and caused her to haemorrhage. She was left with the appearance of a second navel and malformed stomach. Complete removal of the cyst was impossible as they travel through the blood stream and so at age 80 to our great horror, evidence of another infestation site was apparent on a CT. These horrible parasitic worms can infect all organs and travel to the brain where almost certain death will occur. Hydatid disease is still present today although one never hears of it, the truth is never palatable where dogs are involved, but information can be found by googling. The disease is also known as Echinococcus granulosus.*

*If a wet dog touches me I end up in welts for days*

## **Environmental concerns**

### **Introduction**

*We recognise that it is totally unacceptable to have cats in our local environment and dogs are no different.*

*To open up and encourage increased use of the foreshore and waters off Station Beach is to neglect a duty of care for the natural environment of the Pittwater.*

*The Northern Beaches is lucky enough to have wildlife in abundance compared to areas like the Central Coast BECAUSE we protect our wildlife by hugely limiting offleash beaches.*

*Why would Council even consider giving such an environmentally sensitive and scenically extraordinary area for dogs to run in?*

*Why do we need to offer up prime real estate to dogs not to mention that it's a tourist and wedding spot? Surely there are better locations off the beaten track.*

*Once the damage is done there will be no going back.*

### **Beach pollution**

*It is absolutely disgusting to see the shlt floating around near the other dog beach in the Pittwater (Bayview Dog Beach).*

### **Marine ecology**

#### ***Seagrass beds***

*We refer to this as our 'coral reef' given the amount sea life, including sea horses and other juvenile fish species that it supports.*

*The designation of Station Beach as an off leash area will result in considerable increases to the visitors to the area. People drive for miles to let their dogs swim in Rowland Reserve in Bayview. A Station Beach off-leash will draw dog owners from far afield and the foreshore will be inundated with people who decide to spend the day swimming and playing with their dogs. They will bring along with them paddleboards, snorkels, blow-up toys and the likes to play in the water all the while crushing, uprooting and damaging the sea grass with every step and stroke they take through it... The trial period alone may cause damage that the sea grass and*

*associated ecosystem cannot recover from.... No amount of monitoring and assessment will bring the sea grass back once gone*

*We note the NSW Department of Primary Industries – Fisheries have said in their comments with regard to this trial ‘that dogs must not be allowed to run through seagrass beds at low tide’. This would be impossible to police in practice without the constant attendance of Council’s compliance officers. Where is the strategy to ensure compliance?*

*Council is having experts conduct a survey of the seagrass beds issues and we look forward to reading the resulting report.*

## **Cultural heritage**

*The area falls within the general objectives which apply to all National Parks in NSW. NSW Govt. Office of Environment and Heritage, Barrenjoey Lighthouse Precinct Conservation Management Plan. 2011, p.84, states “the specific objectives of maintaining ecological integrity, ... between the park and reserves and adjoining areas”. The beach must therefore be protected from introduced species such as dogs. The lighthouse at Palm Beach is recognised as heritage, and so is the ‘Customs Station’. 1. A study of the archaeology and heritage value of the foreshore (at Station Beach) and Governor Philip Park should be undertaken before dogs are likely to impact the area. The Barrenjoey Lighthouse precinct will be impacted by dogs if Station Beach is not protected from dogs. The NSW report stipulates, (ibid p.96 Policy no. 18) that various heritage impact assessments need to be done to adhere to the planned objectives:-*

- management needs to consult with Metropolitan Aboriginal Land Council if any ‘change’ or ‘trial’ of current management plan is being considered and that a professional archaeological project must precede it (op cit),*
- and also (ibid p.89) any change or ‘trial’ of current management plan must be suitable and ecologically appropriate to Ku-ring-gai National Park and to all national parks in NSW.*
- to recognise the importance to our national history of Station Beach. The heritage value of Station Beach is part of our network of national parks and leads to ecological sustainable use of the park.*

## **Visual / aesthetic**

### **Precedent for other off-leash areas on beaches**

*Dog owners want Station Beach and Palm Beach, and it won't stop there because they want other beaches. What's next ...Dee Why? Avalon? Collaroy?*

*On their Facebook site Pittwater Unleashed openly state that Station Beach is only the beginning, they want access to all beaches at all times, indeed, they are already doing so, openly mocking your rangers. In a recent post, the administrator of their Facebook page stated they must defend the gains made at station beach “literally with our lives”. Make of that what you will. The growing influence this lobby group appears to have over the council is a source of concern to many residents. Station Beach will be a disaster for local residents, golfers and walkers as the flagrant disregard of the law and respect for others that Pittwater Unleashed promotes proves that some dog owners cannot be trusted to do the right thing. As a resident of Etival St I should be actively promoting Station Beach as it would reduce the traffic and dogs in our once quiet street but I really fear for the locals of the Station Beach area*

*If this goes ahead, I predict it will also mean that people will ignore signs and let their dogs run on the ocean side of Palm Beach, as well as in the National Park, and will try to take their dogs*

*up to the Lighthouse (because give an inch and they'll take a yard) and this will spoil it for the people who are coming to enjoy the National Park and pristine bushland and beach,*

*Only today I saw two piles of dog crap on the smugglers path up to the lighthouse, and the sight of arrogant dog owners blatantly ignoring the "no dogs" signs is an almost a daily event.*

## **Negative experiences at other off leash beaches**

### **Inequitable access to public space**

*People seem to want to treat their dogs as if they were children but conveniently forget the responsibilities that come with both. One of those responsibilities surely is to ensure a pet has ample room to live and play. If that is not possible then the pet can be walked - on a leash - as per the Animal Companion Act. Just because a minority feel entitled to a space does not mean they must be appeased.*

*If dog owners expect substantial areas of public land to be set aside for off-leash areas, perhaps dog registration fees need to reflect the price of acquiring such land. It certainly should not be done in waterfront locations.*

### **Alternatives to Station Beach for off-leash dog exercise**

*I own a dog and if I want to take him in the water, I can go to Bayview.*

### **Enforcement of responsibilities of dog owners**

*We find that dog owners are not responsible and don't comply with the existing laws and these laws are not enforced by Council.*

*How can a dogs unleashed trial possibly be seriously considered when the proponents of such a trial cannot be trusted with the existing No Dogs policy, proposed hours and days of operation when they clearly will flout this, and remain in the proposed northern section of Station Beach, when they cannot do it presently?? The answer is they cannot and will be impossible to enforce.*

*I strongly urge Council forget extending concessions to a dog-owner lobby and instead Council demonstrate its willingness and capacity to hold dog owners accountable for breaches of community trust and expectations (2).*

*The trial will waste Council's money and staff time*

### **On-site enforcement**

*Council can't enforce the existing dog bans at places like Avalon Beach. At 6.30 am it's a free for all for dogs and not a ranger in sight.*

## Support the trial period

*Having a 12 month trial period is a positive approach. It is important that rate payers and visitors to the Palm Beach region have the option and that it be for a 12 month trial period.*

*A trial is just that. If there are issues that cannot be addressed the trial is deemed unsuccessful.*

*I can understand the reasoning for a proposed trial, although would prefer to see the area allocated as dog friendly immediately.*

## Don't support the trial period

### Support proposal but oppose trial

*This issue has been around for more than two decades, it is ridiculous to propose yet another stupid trial.*

*Why is a trial even needed - this is hardly a ground breaking idea? Presume you want to check how many whingers come out of the woodwork?*

*Hurry up and get on with we don't need a trial. Stop procrastinating we all want it. Make it happen*

*No time restrictions or trial period required. Dog owners NEED this*

*Stuff the trial, make it permanent, all day every day. Move on with it now.*

*Would rather have no more trials. Why are they necessary.*

*It would be good to see no more delays as the longer it drags on, the worse it looks for Council.*

### Trial period is too long / should be shorter

#### Trial period is too long in general:

*Is 12 months too long?*

*Too long a trial period.*

*I wonder why it will take 12 months to assess - this is too long. In the meantime will any additional beach areas be assessed for dog access - leashed or unleashed?.*

*My only wish is that the time periods set aside for this trial could be compressed so that we can enjoy walking our dogs off leash in this beautiful location sooner.*

*I think the trial period needs to be shorter.*

#### Prefer a trial period of 6 months:

*A 12 months trial period is too long. Six months would be sufficient to assess impacts. Birds may be driven away by then.*

*Suggest the trial period be reduced to 6 months*

*Let's give it a try and make any amendments following feedback 6 months into the trial.*

*The only issue is that 12 months is a long time for a trial --- 6 months should be enough?*

#### **Shorter trial periods:**

*Thinking 12 months trial is too long--maybe winter only??*

*trial period just a few months so we can move on*

*The time period is too long such that if the trial is ended, owners will still be conditioned to access the area in the future.*

*We need it now forever - not just 12 months!!*

#### **Revocation of the trial**

*Under what circumstances is this revoked ... once a dog or owner does something wrong or is it repeated offences?*

#### **Support trial days and times**

*I think its a good idea to be able to walk the dogs on the beach at set periods of time.*

#### **Don't support trial days and times**

*Timed access doesn't work and we can't afford to police it.*

#### **Days and times should be increased**

**All day / 24 hours and day 7 days a week**

**Proposed times but 7 days a week**

**24 hours a day on weekdays only**

**All day / daylight hours**

**Later finish time than 10:30am**

*One hour later finish time in the morning, especially on weekends*

*5pm-11am to allow use after school dropoff in the morning*

*3pm to 11am daily*

*4pm to 11am all week*

4pm to 12pm

Longer time period in the morning

**Earlier start time than 4:00/5:30pm in the afternoon**

From 3pm in summer and winter

3pm to 11am daily

Start at 3.30pm (2) all year so families with children can go there

After 4pm all year

One hour earlier in the afternoons

**Restrict proposed times**

**Earlier finish time than 10:30am**

Earlier times in the morning (2)

The times are generous and should be shortened. The proposed 10.30am finish time should be earlier because it hinders use by young families and other users during the day.

2 hour time from sunrise

***Finish at 10am***

7:30am to 10am

8-10am would allow Ku-ring-gai people to get there

Proposed times could end at 10am to deter commercial dog walkers and allow local residents to use the area with their dogs

***Finish at 9.30am***

10.30am is too late for parents with young children who want to use the beach earlier in the morning. The off leash time should finish at 9.30am on weekdays and weekends. Families will be gone before the afternoon off leash dog session.

*The suggested times are too generous - would prefer not at all, but if it has to be, then shorten the hours to between 5.00pm and 9.30am (10.30am is too late in the morning)*

***Finish at 9am***

7 days a week 7.00am-9.00am and 5.00pm onwards

Before 9am, after 5pm

6-9am

Restrict the morning time to 9am to limit the number of people from outside the area

*Finish at 8:30am*

Before 8.30am works in SA and Queensland

Off leash should be 5:30pm – 8:30am

Before 8.30am and after 6pm works in SA and Queensland

*Finish at/before 8am*

5-8am would be a sensible solution for everyone (2). 5am to 8am would allow owners to exercise their dogs before work

Before 8am

**Later start time than 4:00/5:30pm in the afternoon**

5-8pm every day would be a sensible solution for everyone (2)

Before 5pm AEST and after 7.30am AEST and AEDT are not appropriate for the convenience of the public and the users of Palm Beach Golf Course.

Local residents like to swim in the late afternoons which would conflict with the proposed afternoon time

after 6pm (2) works in SA and Queensland

**Daylight saving / summer hours November-March**

Proposed times in summer make it impossible to go to Station Beach with school age children and full time work

In summer people shouldn't be on the beach in the sun between 11am and 3pm.

7 days a week in daylight saving

Times should not be limited during daylight saving

*All day / daylight hours*

5am to 7:30pm

*Earlier finish time in the morning – 7.30am*

Before 5pm AEST and after 7.30am AEST and AEDT are not appropriate for the convenience of the public and the users of Palm Beach Golf Course.

*Earlier finish time in the morning – 9am*

5.30pm – 9am Mon-Fri AEDT

Early cut off time of 9.00am on weekends, public holidays and school holidays in summer because the beach can get busier then.

*Earlier start time in afternoon – 3.30pm, 4pm or 4.30pm*

5.30pm is too late to start off leash walking on weekdays. Many dogs are walked by children after school. By 5:30 they need to get home for dinner. Consider off leash from 3:30pm

5:30pm is too late in daylight saving times because children are in bed at 7pm. Daylight savings time should be 4.00pm to 9.30am 7 days

time should be earlier than 5:30pm so we can enjoy the beach with our dogs

start at 4pm so school children can walk their pets with their families after school

Starting at 5.30pm impacts on family meal and study times. 4pm – 10.30am would be better

7 days a week 4pm – 10:30am

Daylight saving hours should be 4:00pm – 10:30am. There is no valid reason for delaying the start until 5:30pm

Commence at 4pm same as in winter

4pm to 10.30am. 5.30pm is too late

Daylight saving time should be from 4.00pm when families walk their dogs, let them swim, and go home to prepare dinner. 5.30pm is too late for people trying to do an afternoon swim and walk.

4.30pm to 11am except in the school holidays

Why is the time in summer brought back by 1.5 hours? People would still like to walk their dogs at 4:30pm in summer. Work/business hours don't change in daylight saving time.

*Include weekends in summer*

Should be 7 days in summer

Trial Saturday or Sunday during daylight saving to identify potential benefits and issues on a weekend day include weekends until 8am

Access in the evening and earlier mornings on weekends in daylight saving when the weather is warmer and dogs want to swim

Weekend hours in summer school holidays 6.30-9am

6pm to 10am on weekends in summer

Offleash allowed on weekends from 6:30pm when most beachgoers have left

## Winter hours April-October

### *Longer hours*

Consider longer hours in winter (10) because the beach is quiet and hardly used (2) so there should not be any restrictions for off leash use.

Longer hours on weekdays in winter

24 hours in winter, except school holidays

Allow dogs on the beach all day/daylight hours in winter (3)

5am to 6pm EST

4pm-10.30am means only 4 hours

### *Earlier finish time in the mornings – 7.30am*

Before 5pm AEST and after 7.30am AEST and AEDT are not appropriate for the convenience of the public and the users of Palm Beach Golf Course.

### *Earlier start time in the afternoon*

Start at 3:00pm because of the shorter daylight hours in winter, giving people time to walk their dogs in lighter and warmer conditions

Earlier start time 3:00pm – 3:30pm because no-one sits on the beach in the colder months.

Earlier access to the beach in the afternoon because light fades earlier

4.00pm to 9.30am 7 days AEST

Daylight times in winter

## Weekdays

Longer hours on weekdays

## Weekends

Why are dogs not permitted on weekends in summer? (4) That's when dogs want and need to swim the most.

Include weekends in summer (14) so people who work during the week can use the area.

Slightly longer hours on weekends to all family time (2)

Want mornings on weekends (2) to finish by 8am-8.30am

*We are left walking the tarmac or driving in the traffic to Bayview, particularly on the weekends (which is another reason we need timed access in the summer months on the weekend too, because of the traffic crawl in and out of Palm Beach!).*

*Boat Owners Association raise concern however, with the proposed hours and days regulating the presence of dogs, as these would conflict with our established practices which frequently see members setting their dogs ashore here in the middle of the day, and especially on the weekends in summer.*

### **Other suggested times**

Times should be morning only (2)

7am to 10pm 7 days a week

Most of the beach should be available in the early morning such as at Boomerang and Blueys Beaches

I would like to see the hours extended by at least one hour.

Extending times by an hour morning and night would give working people more chance to use the beach

Early morning and evening

The majority of people use the beach early mornings and after work. Limit dogs to work hours and after dusk to minimise impact on other users

For a couple of hours very early in the morning and very late in the day

Want longer hours but not in the middle of the night. All day Sunday

4pm-10pm Jervis Bay

### **Issues with dawn and dusk / overnight**

#### **Proposed off leash times conflict with informal beach use**

*I am one of the many tens of thousands of people who walk there each year. Some are regular locals, others are visitors walking up to the lighthouse for the first, and perhaps only, time. Throughout summer, early morning and late afternoon to early evening are the best times for a walk, avoiding the burning heat of the middle of the day. Yet Council proposes that at exactly these times, the peace and enjoyment of our walk would be severely compromised by dogs running around!*

*these places that are being requested are not often frequented during early hours of the day or late hours of the evening. This is the perfect time for residents to be able to walk their dogs between 5pm-9pm and 5am-9am. That way there will not be a conflict with beach goers or other dog-unfriendly residents.*

*Dogs should not be able to access the beach on weekends at all when the beach is likely to become crowded as it will be a recipe for disaster.*

*May I suggest the other way around - announce a trial where humans may go to station beach for 12 months between the said hours without a dog in sight.*

## Days and times of use should be consistent

### Criteria for measuring success of the trial

*When the trial is concluded, what will be the criteria for saying this can become a full-time facility for use by dogs and their owners? Who is going to determine if the trial is a success or a failure? Are you going to hold a referendum? Is the popular vote going to prevail or will we once again have to pander to the nonsense of the Greens and other minorities with special interests who presumably got dogs banned from all beaches in the first instance?*

### Additional off leash dog exercise areas

#### Ocean beaches

##### *Introduction*

*on Sydney's Northern beaches there is not one surf beach that allows dogs*

*It's a beginning.... small 🐾🐾 first*

*Especially if it is the start of a more comprehensive approach to sharing the beaches with families with dogs.*

##### *Desired access to ocean beaches on the northern beaches*

*My concern is that the one beach is not enough. The trial may fail because it is overcrowded. More beaches should be trialled simultaneously.*

*Desire for off leash access to specific beaches*

### Comments about existing off leash exercise areas on Northern Beaches

#### Careel Bay / Hitchcock Park

##### Positive comments

A joyous place for dogs and owners

##### Negative comments

- unpleasant / horrible (3)
- overused and run down (2)
- limited, and boring after repeated use (2)
- depressing dust bowl (1) that is dry and dusty (1)
- muddy after rain (1) and most of the year
- ticks

- the small/shy dog area is hardly used. That space is not available for dogs who want to get away from annoying, ball stealing dogs
- no access to water
- the carpark is full of boats and trailers that don't move

### **Avalon Beach Reserve**

A sad and highly unused option

the new dog park in Avalon is not much bigger than a lot of peoples yards on the Northern Beaches.

The dog park is not fenced properly. A dog has escaped on the main road side. Some dogs make their way through bushes to the drain on the other side

### **Rowland Reserve, Bayview**

#### **Positive comments**

*a much loved place on Pittwater, loved by dogs, of course, and by PEOPLE.*

#### **Negative comments**

Overcrowded 1 with people and dogs from all over Sydney

Extremely busy 1

Worn out 1

Free parking is limited (2)

unsafe for my dog - there are too many people who do not keep their dogs under control; who bring aggressive dogs; and who do not pick up after their dogs.

Fights between untrained dogs occur 1

People and their dogs come from as far afield as Ryde and Turramurra 1

*Bayview in particular is known for the quick spread of infection if something going around.*

*Who wants to swim in a marina? (pretty much adjoining just metres away. . . )*

The water is quite toxic to sensitive dogs, poisoned by protective paint on boats 1

### **Mona Vale**

Highly exposed without shade trees and wind protection. Tree planting is needed

### **Curl Curl Lagoon**

Broken glass all around 3

Polluted, dirty lagoon 3

The lagoon and lagoon sand is not suitable for anyone, human or dog, to be around 1  
Dog always gets sick after swimming in Curl Curl Lagoon

## **Narraweena**

Provide a tap

## **Other comments**

### **Planning considerations**

*Urban planning needs to embrace dogs*

*Add to that the outright ban on allowing any more doggy daycare centres to open, which would alleviate the pressure in the parks at 'rush hour' and allow the dogs variety and enrichment, thus abating some the classic after-work, over-excited, out-of-control doggy crowds you see at the parks.*

### **Dog policy**

Prepare a consistent Dog Policy for the Northern Beaches, modelled on the Manly policy rather than the Pittwater policy

### **Other**

*As long as an off leash dog beach is not within 10 kms of penguins (manly) then I support this decision*

# STATION BEACH OFF LEASH DOG AREA REVIEW OF ENVIRONMENTAL FACTORS - COMMUNITY ENGAGEMENT REPORT

FINAL REPORT

9 AUGUST 2019



NORTHERN BEACHES COUNCIL

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# STATION BEACH OFF LEASH DOG AREA REVIEW OF ENVIRONMENTAL FACTORS

## COMMUNITY ENGAGEMENT REPORT

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FINAL REPORT

9 AUGUST 2019

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# CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>1 INTRODUCTION .....</b>	<b>1</b>
1.1 Background to this report .....	1
1.2 Purpose of this report .....	1
1.3 Process of preparing this report .....	2
1.4 Contents of this report .....	8
<b>2 OUTCOMES OF WRITTEN SUBMISSIONS .....</b>	<b>9</b>
2.1 Introduction .....	9
2.2 Views about the proposed trial .....	11
2.3 General comments about the trial .....	11
2.4 Submissions about environmental impacts .....	14
2.5 Statutory and planning framework .....	31
2.6 Administration of the trial .....	35
2.7 Consideration of alternative locations .....	37
2.8 Determination of the trial .....	39
2.9 Failure of process .....	40
2.10 Other comments .....	41
<b>3 CONCLUSION .....</b>	<b>43</b>
<b>REFERENCES .....</b>	<b>45</b>

## Figures

Figure 1 Related documents .....	1
Figure 2 Process of preparing this report .....	2
Figure 3 Your Say Northern Beaches pages .....	3
Figure 4 Council media release .....	5
Figure 5 Pittwater Life article .....	6
Figure 6 Direct email .....	7
Figure 7 Council notice in the Manly Daily .....	8
Figure 8 Postcode of respondents to Your Say Northern Beaches .....	11
Figure 9 Location of the revised southern trial boundary .....	17
Figure 10 Suggested location of markers .....	18
Figure 11 Recreational use of Station Beach .....	21

Figure 12	Fishing at Station Beach .....	22
Figure 13	Photomontage of proposed markers at Station Beach looking north .....	28
Figure 14	Photomontage of proposed markers at Station Beach looking south .....	28

### Tables

Table 1	Community engagement undertaken by Northern Beaches Council.....	2
Table 2	Sources of written feedback about the Station Beach REF.....	9

# EXECUTIVE SUMMARY

## 1 INTRODUCTION

### 1.1 Background to this report

Northern Beaches Council commissioned Cardno (NSW/ACT) to prepare a Review of Environmental Factors (REF) for the proposed dog off-leash area trial at Station Beach at Palm Beach. The REF assessed the potential environmental impacts associated with the proposed trial.

During the preparation of the REF Council undertook extensive community engagement about the proposed trial between November 2018 and February 2019. The outcomes of that community engagement are presented in the Station Beach Dog Off Leash Area – Proposed Trial: Community Engagement Report (Parkland Planners, 2019).

The Review of Environmental Factors and the Community Engagement Report contain background information about Station Beach and the proposed off leash dog trial. This report should be read in conjunction with the Review of Environmental Factors (Cardno, 2019) and the Community Engagement Report (Parkland Planners, 2019).

### 1.2 Purpose of this report

The purpose of this report is to collate and summarise the feedback received from the community about the review of environmental factors of the proposed off leash dog area trial at Station Beach undertaken by Cardno.

### 1.3 Process of preparing this report

Community engagement about the REF was undertaken between 14 June and 12 July 2019.

Council provided information and opportunities to comment by:

- Your Say Northern Beaches project page on Council website
- Online survey on Your Say Northern Beaches page
- Notices in Council column 'Northern Beaches Weekly News' in the *Manly Daily*
- Media release
- Direct emails to people interested in Station Beach trial
- Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates.

Community feedback received via online submissions, emails and letters was analysed and compiled into this report, which will accompany a staff report and the Community Engagement Report to Council to determine whether to proceed with the proposed trial.

## 2 OUTCOMES OF WRITTEN SUBMISSIONS

### 2.1 Introduction

#### Methods of submissions

During the public exhibition period 118 written responses were received by Council through:

- Your Say Northern Beaches online survey (102 submissions, 86.5% of submissions)
- Emails and letters (16 submissions, 13.5% of submissions).

Submissions were received from individual community members, and formal submissions from these groups: Boat Owners Association of NSW Inc., Newport Residents Association, Palm Beach Protection Group, Palm Beach and Whale Beach Association, Pittwater Natural Heritage Association, and Pittwater Unleashed.

#### Respondents to Your Say Northern Beaches

Many people were motivated to engage with and inform themselves about the project pages and documents about the Station Beach Review of Environmental Factors on the Your Say Northern Beaches website.

1,730 visits were made to the Your Say Northern Beaches website during the public exhibition of the REF, and 1,187 people visited at least one page on the website.

586 visitors viewed and/or downloaded the Review of Environmental Factors 816 times, averaging 1.4 times each. 16 visitors viewed and/or downloaded the 2008 Review of Environmental Factors.

Groups that people commenting via Your Say Northern Beaches identified themselves with are Palm Beach Protection Group (3 people), Bayview Church Point Residents Association (1), Manly Dogs (1), Newport Residents Association (1), Northern Beaches Greens (1), Pittwater Pathways (1), Pittwater Unleashed (1), and Surfrider Foundation Northern Beaches Branch (1).

Written responses to Your Say Northern Beaches were received from residents of a wide range of suburbs throughout the Northern Beaches LGA, the northern suburbs of Sydney, and from further afield. Peninsula residents (Palm Beach, Whale Beach, Avalon / Avalon Beach and Newport residents) comprise 61% of respondents to Your Say Northern Beaches. Other Northern Beaches residents comprise a further 28% of Your Say Northern Beaches respondents. 6% of respondents to Your Say are from outside the Northern Beaches, as far afield as Bronte-Waverley. 5% of respondents, who may or may not be local and/or Northern Beaches residents, didn't record their suburb in Your Say Northern Beaches.

### 2.2 Views about the proposed trial

The level of support for the proposed trial among the 118 respondents is:

- 62 or 52.5% support the trial
- 53 or 45.0% oppose the trial
- 3 or 2.5% did not provide a comment, or their view was unclear.

Two people stated they had supported the trial before reading the REF, but had changed their mind to oppose the trial after reading about the environmental impacts in the REF.

Many respondents re-stated a wide range of reasons for either supporting or not supporting the trial which were covered in detail in the Community Engagement Report, rather than addressing the contents of the REF. Reasons given by people for supporting or not supporting the trial in general are in Section 2.3.

A summary discussion of all responses by comments made is in Sections 2.3 to 2.9 of the main report. The points made below are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

## 2.3 Environmental impacts of the trial

The environmental impacts of the trial which attracted most comments were:

- impacts of dogs and people on protected seagrass beds at Station Beach
- visual impact of tidal markers along the shoreline
- safety concerns of unleashed dogs on other beach users, particularly children, on a narrow beach particularly at high tide
- the change of use of Station Beach to a 'dog beach' which would affect other recreational uses of the sand and water at Station Beach.

The key points made about environmental impacts of the trial are listed below in the order addressed in the REF. Each point is addressed in more detail, along with perceived shortcomings of the information presented and addressed in the REF, in Section 2.4.

Environmental impacts include:

- traffic and access:** increased numbers of dog owners driving to exercise their dogs on Station Beach will worsen the already congested traffic and demand for parking spaces in Palm Beach in general and specifically the Waratah Road/Beach Road area on weekends, public holidays and in summer holidays.
- marine biodiversity:** A dog swimming area at Station Beach is contrary to Commonwealth, State and Northern Beaches Council legislation and policies. Protected seagrass beds of *Posidonia australis* will be damaged by wading, running and swimming dogs and their owners. Habitat for other marine species, particularly the endangered White's Seahorse, would be affected. Damage caused to the seagrass by dogs and their owners would compound damage caused by boats and water activities.

The proposed mitigative measures - 3 metre buffer zone in front of the seagrass bed, 7 tidal markers, and moving the southern trial area boundary 30 metres north - were not generally supported for visual and compliance reasons. Other suggestions to delineate the 3 metre buffer zone included one or two tidal markers, and a fence. There was a common view that if dogs can't swim at low tide, what is the point of the trial which is to provide a continuous dog swimming area?

- hydrology, water quality and sediments:** there was concern about fouling of the water from dog urine and faeces, resulting in poor water quality and an unpleasant swimming environment for people.
- terrestrial biodiversity:** off leash dogs can disturb wildlife, such as migratory birds, by chasing them and disrupting them nesting and feeding on beaches. Although the REF states that Station Beach is not considered suitable habitat for threatened or migratory shorebirds, other bird species feed over and within the seagrass meadows when the abundance of marine fauna is high and so would be disturbed by dogs in the water.

Dogs swimming at Station Beach will affect the feeding habits of a colony of fairy penguins on Lion Island. Trial supporters stated the fairy penguins would be affected by boats and

jetskis which would have a higher impact than dogs, and off leash dog beaches on the Central Coast are closer to Lion Island than Station Beach.

- ❑ **socio-economic:** the amenity of the Palm Beach area and Station Beach is valued, particularly the pristine beach and the unique view of the sunset over water and land to the west.

A key concern is the change of use from a low-key, pristine informal recreation beach to a 'dog beach' that will alter the character and use of the beach. People who don't like dogs or don't want to share the beach with a large number of dogs will be excluded from the beach in the mornings and late afternoons when many people like to use the beach to avoid the midday sun. Families with children, tourists, fishers, and people using the walkway from Palm Beach Wharf will be most affected by off leash dogs. The proposed tidal markers will impede swimming and watercraft activities.

Local residents will be adversely affected by owners parking across driveways, and unleashed dogs barking and running into private property.

Conflicts with dogs will be experienced by tourists walking along Station Beach to the Boathouse café and Barrenjoey Lighthouse. The Boathouse café would be impacted by the proposed 10 metre exclusion zone.

Some people who don't own dogs are fearful of confrontations with dog owners who don't follow the rules.

- ❑ **waste management:** dog faeces would be left on the beach, or dog waste bags not properly disposed of in bins. The stormwater drain at south Station Beach was also identified as a contributor to rubbish on the beach.
- ❑ **noise:** local residents would be affected by dogs barking when they are let off leash from the Beach Road carpark and into the trial area.

Other environmental concerns not addressed in the REF which were identified by respondents include:

- ❑ **safety of visitors to the beach from dogs.** Other beach users, particularly families with children, the elderly, local residents, walkers and joggers, are at risk from harassment and unprovoked attacks by off leash dogs particularly in the mornings and late afternoons when they like to use the beach. Other beach users fear that dog owners will not be able to control their unleashed dogs. The narrow width of the beach at high tide means there would not be a safe space for people to avoid off leash dogs.
- ❑ **safety of golfers from dogs** running from the beach on to the unfenced golf course.
- ❑ **safety of beach users from golf balls** due to lack of fencing between the beach and the golf course.
- ❑ **visual impact of the recommended series of offshore boundary markers/piers to visually define the Buffer Zone Line.** Both supporters and opponents of the trial questioned the need for and desirability of multiple markers, saying the 'unsightly' markers would have unacceptable visual impact on Station Beach, and on iconic Palm Beach in general.
- ❑ **visual impact of regulatory signs.**
- ❑ **visual impact of fencing** on the golf course perimeter.
- ❑ **public health concerns** from dog urine and faecal contamination, particularly from playing in sand, and walking on sand, and in the water.
- ❑ **impact of dogs and visitors on the structural integrity and stability** of Station Beach.

## 2.4 Shortcomings of the REF

Shortcomings of the REF regarding information that should have been included in the REF to assess environmental impacts of off leash dogs at Station Beach and/or recommend mitigative measures are:

- an independent traffic study
- acknowledgement that some of the critically endangered species listed in the REF have been photographed at Station Beach so they 'do occur', not are 'likely to occur'.
- an up to date seagrass bed map of Station Beach (due at the end of 2019 or in 2020)
- the possible favoured habitat sites of the endangered White's Seahorse in the Station Beach seagrasses
- analysis of the numbers and frequencies of dogs swimming in the dog swim area, and the impact on the seabed
- impacts of free running dogs on the seagrass meadow and marine ecosystem
- impacts of people entering the water to wade and swim with their dogs
- the cumulative impact of multiple human activities on the intertidal habitats off Station Beach
- neap tide conditions in addition to the spring tide data provided
- investigation of the Autumn/Winter tidal phases
- the time of day data availability of sufficiently wide beach width as measured from the leading edge of sea weed growth should be added to the graphological data
- the criteria used to validate the 3 metre minimum distance from the leading edge of the seagrass beds, and how the 3 metre distance was determined
- impact on the seagrass during installation of the markers
- a map of the distribution of soft sediments
- impact of dogs on the soft sediment east of the seagrass
- the migratory bird study should be conducted over a 12 month period, not just 3 months
- community feedback about use of the beach
- the expected number and concentration of dogs which would frequent the beach at the proposed trial times, and the impact on the beach
- a qualitative assessment of current dog activity and behaviour, and the behaviour of dog owners at Station Beach
- a quantitative assessment of the impact of dog numbers on the beach versus visitor numbers, especially over the peak summer period, to determine whether a dog trial has had a negative impact on visitor numbers and experience
- the loss of amenity to people who currently use the beach
- the concerns and feedback from local residents
- the impact of the trial from the southern Beach Road car park and Waratah Road, and the impact to local residents
- the damaging and ongoing effects of the stormwater drain by the steps at the south of Station Beach on pollution
- the potential impact of noise of barking dogs to local residents from the Beach Road carpark
- the safety risk of visitors to the beach from unleashed dogs
- assessment of the safety risk of the lack of fencing to the golf course to beach users and golfers

- recommendations for restrictions on off-leash dogs accessing the golf course
- recommendations for protecting visitors to the beach from stray golf balls
- the number, position and height of the proposed tidal markers
- the visual impact of the proposed markers
- impact of the markers on the beach
- determination whether the use of Station Beach for off-leash dog exercise is a separate or distinct use for which consent is required
- whether off leash dog exercise is consistent with the objectives of the RE1 Public Recreation and E2 Environmental Conservation zones, and whether it is a permissible use in those zones
- identification of the sea grass beds and much of Governor Philip Park as being a “Biodiversity” area on the ‘Biodiversity Map’ in Pittwater LEP 2014
- listing of costs of the trial
- a cost benefit analysis
- assessment of alternative locations for off leash dog exercise.

## 2.5 Mitigative measures

There is concern that more than 30 mitigative measures recommended in the REF to protect the environment (installation of signage and waste bins, offshore boundary markers, noise and traffic monitoring, water and seagrass testing, ranger patrols etc.) would be too onerous and costly for Council to monitor and enforce.

## 2.6 Statutory and planning framework

The environmental issues raised in the REF about the off leash dog trial appear to contravene Commonwealth and State environmental protection legislation regarding protection of the coastal environment in general, use and management of Crown land, impacts on fish habitat, and protection of the endangered seagrass meadow at Station Beach.

The environmental issues raised in the REF also appear to contravene the Pittwater Local Environmental Plan 2014 in terms of whether off leash dog exercise is permitted in the RE1 Public Recreation and E2 Environmental Conservation zones, and whether off leash dog exercise complies with the objectives of the RE1 Public Recreation and E2 Environmental Conservation zones.

The proposed trial is also considered to be inconsistent with the directives and objectives of the Pittwater Waterway Strategy 2038 for the natural environment.

## 2.7 Positions of government agencies

The Department of Industry had raised concerns about the trial, particularly impacts on the endangered seagrass beds, to Northern Beaches Council on 15 November 2018. The Department had suggested that Council investigate alternative locations for the trial.

## 2.8 Administration of the trial

The costs to Council of establishing and administering the trial were not itemised and quantified in the REF. It is considered that the costs of signage, tidal markers, fencing, waste bins, ranger compliance patrols, seagrass and water quality monitoring, reporting, and the control site will be excessive, and that the funds could be put to better use in the Northern Beaches local government area.

Similarly, the costs of ensuring that the mitigative measures and the trial parameters are complied with are considered to be onerous.

## 2.9 Consideration of alternative locations

Compared to other Council areas of similar size in Sydney, Northern Beaches is well serviced with dog exercise areas.

The Council resolution of June 2018 restricted the investigation of alternative locations for off leash dog beaches to Station Beach only.

In 2018 the Department of Industry expressed its concern about the environmental sensitivity of Station Beach, and advised Council of its preference for a range of alternative sites to be evaluated in addition to Station Beach, such as Hitchcock Park-Careel Bay and North Palm Beach.

As the environmental impacts highlighted in the REF show, and because dogs will not be able to swim at low tides at Station Beach, Station Beach is an unsuitable location for off leash dogs. Locations which are more suitable for off leash dogs should be investigated by Council.

## 2.10 Determination of the trial

Several opponents of the trial are concerned that a group of dog owners appears to have influence over Council's decision about proceeding with the trial.

Another opponent to the trial was concerned that approving the trial will set a precedent for the use of other beaches for off leash dogs.

An opponent of the trial questioned what would happen if the trial finds that Station Beach is not suitable for dogs?

## 2.11 Failure of process

The process involved in the proposed trial of off leash dog exercise at Station Beach has been poorly handled by Council, because the community did not have access to key documents which should have been made public prior to the end of the community engagement period in February 2019. These documents are:

- ❑ letters from Department of Industry-Land and Water to Council on 10 September and 15 November 2018, expressing major concerns with the trial at Station Beach and suggesting alternative locations should be investigated.
- ❑ the Review of Environmental Factors (Cardno, 2019).

The lack of access to these documents meant the community did not have sufficient information to make an informed decision about the trial during the community engagement period. The large number of submissions received during the community engagement period in favour of the trial were made before the REF was published.

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# 1 INTRODUCTION

## 1.1 Background to this report

Northern Beaches Council commissioned Cardno (NSW/ACT) to prepare a Review of Environmental Factors (REF) for the proposed dog off-leash area trial at Station Beach at Palm Beach. The REF assessed the potential environmental impacts associated with the proposed trial.

During the preparation of the REF Council undertook extensive community engagement about the proposed trial between November 2018 and February 2019. The outcomes of that community engagement are presented in the Station Beach Dog Off Leash Area – Proposed Trial: Community Engagement Report (Parkland Planners, 2019).

The Review of Environmental Factors and the Community Engagement Report contain background information about Station Beach and the proposed off leash dog trial. This report should be read in conjunction with the Review of Environmental Factors (Cardno, 2019) and the Community Engagement Report (Parkland Planners, 2019).

**Figure 1 Related documents**



## 1.2 Purpose of this report

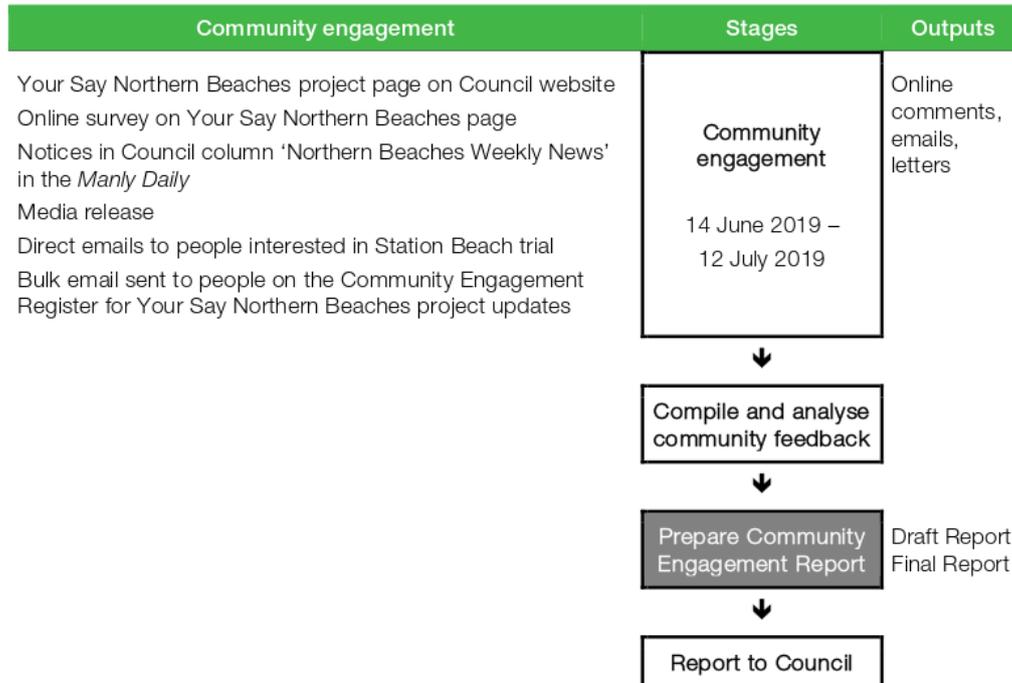
The purpose of this report is to collate and summarise the feedback received from the community about the review of environmental factors of the proposed off leash dog area trial at Station Beach undertaken by Cardno.

## 1.3 Process of preparing this report

### 1.3.1 Introduction

The process of preparing this report is as follows.

**Figure 2 Process of preparing this report**



### 1.3.2 Community engagement tasks

#### Introduction

Throughout the community engagement period between Friday 14 June and Friday 12 July 2019 Council promoted and facilitated numerous opportunities for the community to comment on the Review of Environmental Factors through the media and online.

**Table 1 Community engagement undertaken by Northern Beaches Council**

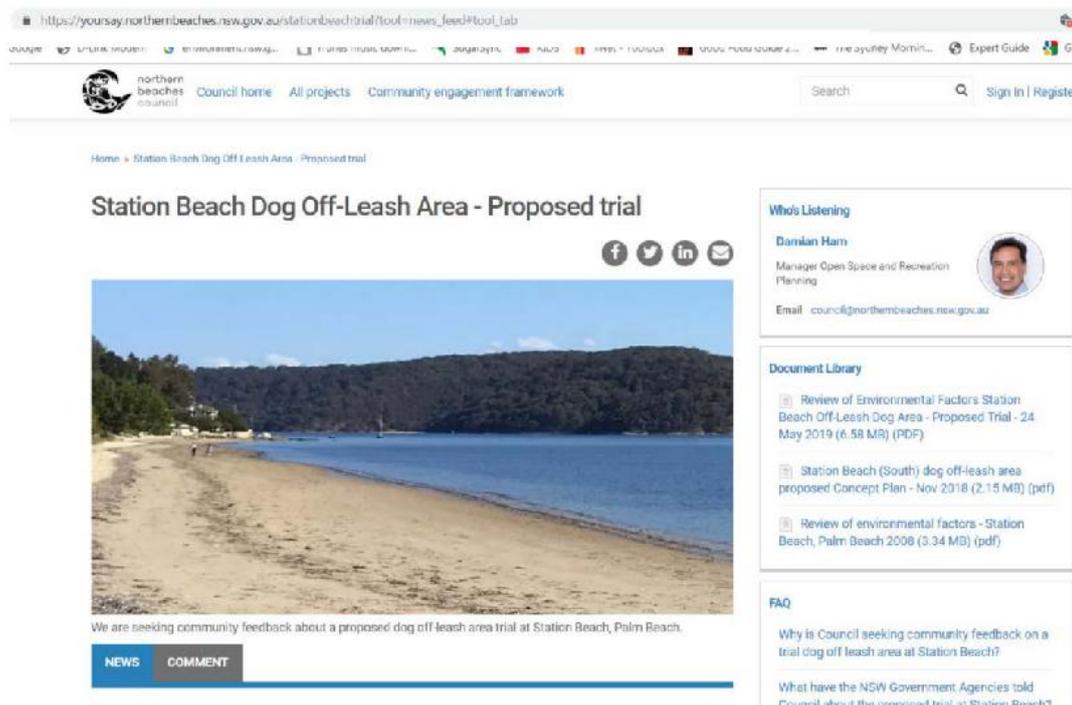
Date	Community engagement
Fri 14 June	<b>PUBLIC COMMENT BEGINS</b> <b>YOUR SAY NORTHERN BEACHES PAGE AND ONLINE SURVEY GO LIVE</b> Background information, answers to frequently asked questions (FAQs), and an online feedback form at 'Your Say Northern Beaches' <a href="http://yoursay.northernbeaches.nsw.gov.au/stationbeachtrial">http://yoursay.northernbeaches.nsw.gov.au/stationbeachtrial</a> Media release published on Council's website Direct email sent to people who registered interest in the Station Beach off leash dog trial Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates

Date	Community engagement
Sat 15 June	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Sat 22 June	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Fri 28 June	Bulk email sent to people on the Community Engagement Register for Your Say Northern Beaches project updates
Sat 29 June	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Sat 6 July	Notice in Council column 'Northern Beaches Weekly News' in the <i>Manly Daily</i>
Fri 12 July	<b>SUBMISSION PERIOD CLOSED</b>

## Online Platform

The project pages on Your Say Northern Beaches are shown below.

**Figure 3 Your Say Northern Beaches pages**



The screenshot shows a web browser window with the URL [https://yoursay.northernbeaches.nsw.gov.au/stationbeach/trial/tool/news\\_lead/#tool\\_tab](https://yoursay.northernbeaches.nsw.gov.au/stationbeach/trial/tool/news_lead/#tool_tab). The page header includes the Northern Beaches Council logo and navigation links: 'Council home', 'All projects', and 'Community engagement framework'. A search bar and 'Sign In | Register' options are also present.

The main content area features the title 'Station Beach Dog Off-Leash Area - Proposed trial' with social media sharing icons for Facebook, Twitter, LinkedIn, and Email. Below the title is a large photograph of a sandy beach and blue ocean. Underneath the photo, the text reads: 'We are seeking community feedback about a proposed dog off-leash area trial at Station Beach, Palm Beach.' At the bottom of this section are two buttons: 'NEWS' and 'COMMENT'.

On the right side of the page, there is a 'Who's Listening' section featuring a profile for 'Dannian Ham', Manager Open Space and Recreation Planning, with an email address 'council@northernbeaches.nsw.gov.au'. Below this is a 'Document Library' section listing three documents: 'Review of Environmental Factors Station Beach Off-Leash Dog Area - Proposed Trial - 24 May 2019 (6.58 MB) (PDF)', 'Station Beach (South) dog off-leash area proposed Concept Plan - Nov 2018 (2.15 MB) (pdf)', and 'Review of environmental factors - Station Beach, Palm Beach 2008 (3.34 MB) (pdf)'. At the bottom right is an 'FAQ' section with two questions: 'Why is Council seeking community feedback on a trial dog off-leash area at Station Beach?' and 'What have the NSW Government Agencies told Council about the proposed trial at Station Beach?'.

### Review of Environmental Factors 2019

29 days ago

Council commissioned Cardno (NSW/ACT) to prepare a Review of Environmental Factors (REF) for the proposed dog off-leash area trial at Station Beach. The REF has been completed and assesses the potential environmental impacts associated with the proposed trial.

[View the Review of Environmental Factors 2019](#)

**Comment**

- Online
- In writing - marked 'Station Beach Dog Off Leash Area - Proposed Trial to Northern Beaches Council PO Box 82 Manly, NSW 1613'

Submissions close 3pm on Friday 12 July 2019

If you would like more information please contact the Parks & Recreation Team on 1300 434 434.

Where is the proposed trial dog off-leash area to be located at Station Beach?

What days and times would dogs be permitted off-leash at Station Beach during the trial?

[more...](#)



### Project update - May 2019

about 2 months ago

The Review of Environmental Factors will be available shortly for viewing and community comment.

**Life Cycle**

- Nov '18 - Feb '19 - Community engagement on the proposed trial.
- May '19 - Updated Review of Environmental Factors and ornithological reports due

### Thank you for your feedback

4 months ago

**Document Library**

- Review of Environmental Factors Station Beach Off-Leash Dog Area - Proposed Trial - 24 May 2019 (6.58 MB) (PDF)
- Station Beach (South) dog off-leash area proposed Concept Plan - Nov 2018 (2.15 MB) (pdf)
- Review of environmental factors - Station Beach, Palm Beach 2008 (3.34 MB) (pdf)

**FAQ**

Why is Council seeking community feedback on a trial dog off-leash area at Station Beach?

What have the NSW Government Agencies told Council about the proposed trial at Station Beach?

Where is the proposed trial dog off-leash area to be located at Station Beach?

What days and times would dogs be permitted off-leash at Station Beach during the trial?

[more...](#)



## Media release

A media release was published on Council's website on 14 June, and was also distributed to local media.

**Figure 4 Council media release**

Home / Council / News / Media Releases / **Station Beach off-leash dog trial on public exhibition**

# Station Beach off-leash dog trial on public exhibition

Friday, 14 June 2019

An independent Review of Environmental Factors (REF), detailing the potential impacts of a proposed 12-month trial on an off-leash dog area at Station Beach in Palm Beach is now on public exhibition.

Northern Beaches Council has proposed a trial arrangement that would allow people to take their dogs for a walk and a swim off-leash along a section of Station Beach at specified times and days.

Before proceeding with the trial, Council has commissioned a thorough review by independent environmental experts to consider any potential environmental impacts arising from the proposed initiative.

Station Beach is bound to the east by Palm Beach Golf Club and to the west by Pittwater Estuary.

"The purpose of this REF is to inform Council's decision on the proposed trial," Northern Beaches CEO Ray Brownlee said.

"The review document gives a detailed description, takes into account relevant planning controls, examines the existing environment in the vicinity of the proposed trial area, as well as potential impacts and any mitigation measures that must be taken.

"It follows a period of extensive community consultation on the nature and scope of the proposed trial."

The REF is also required as part of Council's licence application to conduct the trial with the Department of Industry Lands & Water. The REF is publicly available on Council's 'Your Say' website page ([LINK](#)).

Public submissions in response to the Review of Environmental Factors (2019) close at 3pm on Friday 12 July.

Council will consider a report about the proposed trial at its July meeting.

Media Enquiries: [media@northernbeaches.nsw.gov.au](mailto:media@northernbeaches.nsw.gov.au) 9942 2678

Share    

A feature article 'Fears new dog buffer zone is 'unworkable' was published in the July edition of *Pittwater Life*.

Figure 5 Pittwater Life article

News

# Fears new dog buffer zone is 'unworkable'

**D**og walkers group Pittwater Unleashed says it is wary of 'uncalled for' recommendations included in the environmental review of the proposed and long-awaited off-leash dog trial at Station Beach.

The independent Review of Environmental Factors (REF), detailing the potential impacts of the proposed 12-month trial, is now on public exhibition. Public submissions in response to the REF close at 3pm on Friday 12 July; thereafter Council will consider a report about the proposed trial at its July meeting.

Pittwater Unleashed spokesman Mitch Geddes said the 121-page document included several areas of concern to those supporting the trial - including an 'unworkable' three-metre buffer zone inside the offshore seagrass bed.

"Notwithstanding the green light given to the trial by the updated REF, there are a few matters which serve to unnecessarily complicate things and add to costs," he said.

Northern Beaches Council has proposed a trial arrangement that would allow people to take their dogs for a walk and a swim off-leash along a section of Station Beach - bound to the east by Palm Beach Golf Club and to the west by Pittwater Estuary - at specified times and days.

Northern Beaches CEO Ray Brownlee said the REF would inform Council and help with its decision on the proposed trial.

"The review document gives a detailed description, takes into account relevant planning controls, examines the existing environment in the vicinity of the proposed trial area, as well as potential impacts and any mitigation measures that must be taken," he said.

"It follows a period of extensive community consultation on the nature and scope of the proposed trial."

However, Pittwater Unleashed is concerned about the reduced scope of the trial area, as recommended in the REF. The revised trial area would cut 30 metres' use at the southern end of Station Beach, and include an on-leash buffer zone some 50 metres short of the originally planned northern boundary at The Boathouse Wharf.

Reasons given for the southern boundary amendment included proximity to houses and associated noise mitigation (the nearest house is 155 metres away), as well as closest point to seagrass beds.

8

"The southern end should not be shortened by 30 metres - there is already a 50-metre on-leash buffer zone in place at the southern tip of the proposed trial area and shortening the area would take out access to the only large tree around which needs to be included as this is where the dogs can get some shade (see image)," said Mr Geddes.

"And the northern end should run right up to The Boathouse so the elderly can sit on the bench from the proposed landscaped area and watch kids playing with

was too restrictive and would not work.

"As long as there is half a metre of depth over the seagrass, this is enough water for the dogs to swim without any problems," he said.

"We know that for over 10 years the State Government agencies have had no objection to the trial proceeding, and we also know via the original REF and the updated REF that the experts have no problem with the trial proceeding - and we know that the broader community is overwhelmingly on-board for the trial, given the 90% approval during Council's consultation."

He said the group was disappointed with some of the input from the Department Primary Industries-Fisheries, which said had turned the focus on the issue of impact on seagrass "on its head".

"DPI-Fisheries only ever asked for a survey of the Posidonia species at the start of the trial, and again at the end," Mr Geddes said.

"The focus was Posidonia, and two surveys were requested.

"Last-minute involvement within DPI-Fisheries has turned this on its head, going against the views previously expressed. It now includes convoluted suggestions to include broadening the focus from Posidonia, to include the more rampant Zostera and proposes using a large control area, and conducting detailed surveys each month, including a search for seahorses... that's just 'mission creep'."

He said this would likely see a basic \$10,000 monitoring exercise "blow out to well over \$100,000".

"This is money Pittwater Unleashed would rather see used by our Council to install the 'random rock' revetment along the edge of the golf course - which would protect the interests of the golfers, who do not want to see the 3rd, 4th and 5th fairways washed away in the next big storm - as well as protect the interests of DPI-Fisheries, who do not want to see continued release of the dumped sediment over the seagrass meadow during storm events."

He added it would also improve the amenity of the area, with golfers on one side of the revetment, and families with dogs on the other.

To view the REF and lodge a submission (by July 12) visit Council's website.

- Nigel Wall

\* What do you think? Email us at readers@pittwaterlife.com.au

pittwaterlife The Local Voice Since 1991

RECOMMENDED: Diagram included in the REF on Council's website.

their dogs - it loses its connection and purpose if the dogs are running around off-leash 50 metres away."

A section of the REF reads: "Council should take the minimum width buffer zone from the edge of the seagrass bed landward of three metres in making any decisions regarding allowing human and dog activities in the area off Station Beach.

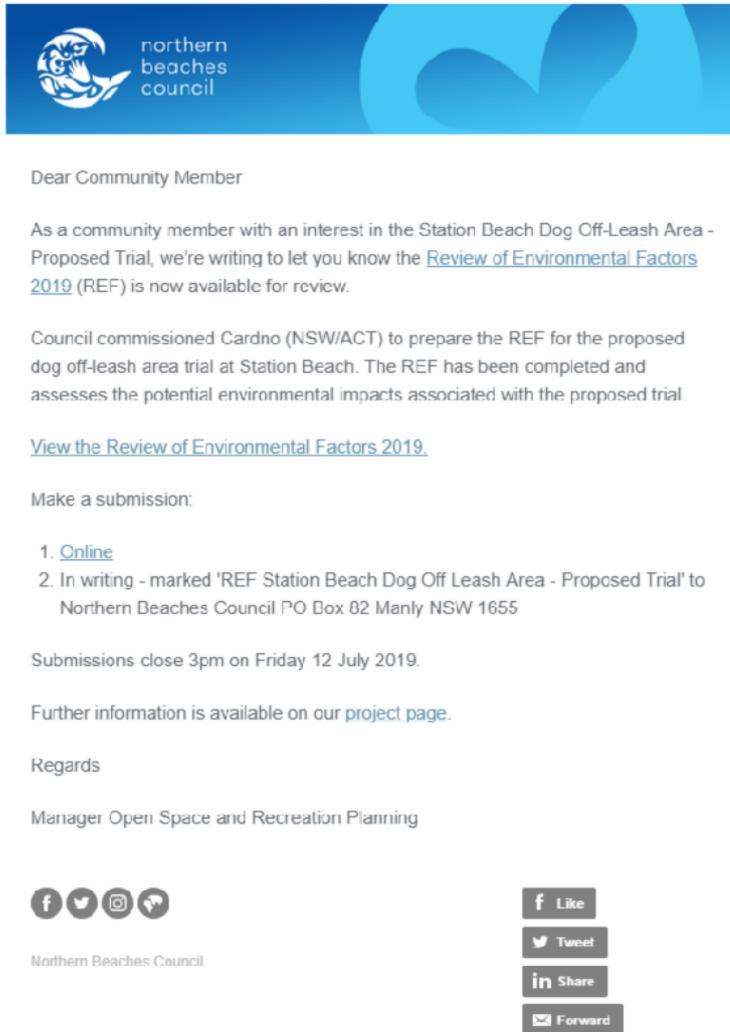
"If dog swimming/activity is permitted then... a straight boundary line (should) be placed three metres from the edge of the seagrass bed closest to the beach and running parallel to the beach the length of the proposed dog swimming area... dog activity (should) be allowed east of this line only, i.e. between the line and the beach, at any time of the tide."

But Mr Geddes said the suggested buffer

## Emails

During the consultation period one direct email was sent on 14 June 2019 to 2,462 people who had registered their interest to receive updates about the Station Beach Dog Off Leash Trial.

**Figure 6 Direct email**



The Station Beach REF project was included in the Council Community Engagement Newsletter on 14 and 28 June 2019.

### Station Beach Dog Off-Leash Area - Proposed Trial - Review of Environmental Factors 2019

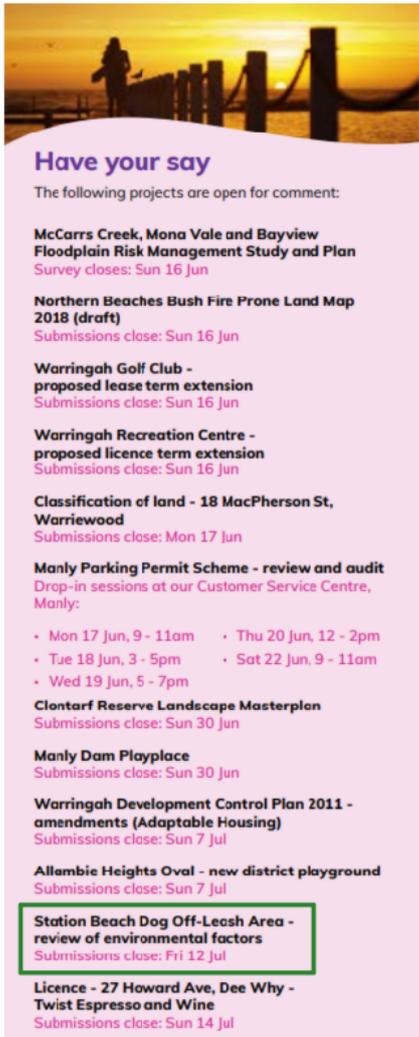
Council commissioned Cardno (NSW/ACT) to prepare a Review of Environmental Factors (REF) for the proposed dog off-leash area trial at Station Beach. The REF has been completed and assesses the potential environmental impacts associated with the proposed trial. View the [Review of Environmental Factors 2019](#).

Submissions close Fri 12 Jul (3pm)

## Notices in Council column in Manly Daily

Four notices were published weekly during the engagement period in the *Manly Daily*.

Figure 7 Council notice in the Manly Daily



Interested people could provide their comments on the REF by 12 July 2019 by:

- completing the online feedback form at Your Say Northern Beaches
- email to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)
- post to Northern Beaches Council at PO Box 82, Manly, NSW 1655.

## 1.4 Contents of this report

The remainder of this report sets out the outcomes of written submissions received by Northern Beaches Council in June-July 2019 in response to an invitation to comment on the Review of Environmental Factors of the proposed trial of a dog off leash area at Station Beach.

# 2 OUTCOMES OF WRITTEN SUBMISSIONS

## 2.1 Introduction

### 2.1.1 Methods of submissions

The Review of Environmental Factors: Station Beach Off-Leash Dog Area – Proposed Trial was on public exhibition for comment for 29 days between Friday 14 June and Friday 12 July 2019.

The community was invited to comment on the REF.

During the public exhibition period 118 written responses were received by Council as follows:

**Table 2 Sources of written feedback about the Station Beach REF**

Source	No. submissions	Comments
Your Say Northern Beaches online survey	102	110 total responses were received by Your Say Northern Beaches at the closing date of submissions. Analysis of the submissions showed that some people made more than one submission, with one person making 3 submissions. The additional submissions were not counted in the total submissions, but the content of the submission was included in the analysis. 8, or 7%, of the original submissions were multiple submissions.
Emails and letters	16	20 separate written submissions were made outside Your Say Northern Beaches. Three people sent the same submission to complete the online survey at Your Say Northern Beaches as well as sent an email to Council. The number of emails counted does not include submissions that were also made to Your Say Northern Beaches. One person sent two separate emails to Council. Emails/letters were received from 7 individuals, and from 4 groups: <ul style="list-style-type: none"> <li>- Palm Beach Protection Group</li> <li>- Palm Beach and Whale Beach Association</li> <li>- Pittwater Natural Heritage Association</li> <li>- Pittwater Unleashed</li> </ul>
<b>TOTAL</b>	<b>118</b>	

### 2.1.2 Respondents to Your Say Northern Beaches

#### Page visits and document views

Many people were motivated to engage with and inform themselves about the project pages and documents about the Station Beach Review of Environmental Factors on the Your Say Northern Beaches website.

1,730 visits were made to the Your Say Northern Beaches website during the public exhibition of the REF, and 1,187 people visited at least one page on the website.

609 visitors downloaded 858 documents, averaging 1.4 documents each. Of the documents available in the Document Library for viewing and download:

- 586 visitors viewed and/or downloaded the Review of Environmental Factors 816 times, averaging 1.4 times each
- 50 visitors viewed and/or downloaded the Station Beach Concept Plan
- 16 visitors viewed and/or downloaded the 2008 Review of Environmental Factors: Proposed trial of an unleashed dog swimming area at Station Beach, Palm Beach (NGH Environmental, 2008).

## Number of responses

110 responses were received at Your Say Northern Beaches on the closing date for responses of 12 July 2019. When compiling and analysing the responses it was noticed that some people had made 2 or 3 responses, thus skewing the number of online survey submissions by 7%.

Northern Beaches Council treats public submissions by counting:

- one submission from one individual (regardless of how many times they comment/submit)
- one submission from each family member (not household) as everyone has the right to comment.
- one submission from each association, but note clearly that the submission is from a group and represents the views of the members.

When the multiple (more than one) responses from one person were not counted in the total number of submissions, the total number of respondents to the online survey at Your Say Northern Beaches became 102.

The responses received at Your Say Northern Beaches were from people who 'self-selected' themselves to respond to the online survey, and represent the views of those people only. Therefore, it cannot be implied that the online survey data, and any conclusions drawn from aggregating responses to the online survey, is representative of the views of the general community.

## Groups which respondents identified with

Groups that people commenting via Your Say Northern Beaches identified themselves with are:

- Palm Beach Protection Group (3 people)
- Bayview Church Point Residents Association (1)
- Boat Owners Association of NSW Inc (1)
- Manly Dogs (1)
- Newport Residents Association (1)
- Northern Beaches Greens (1)
- Pittwater Pathways (1)
- Pittwater Unleashed (1)
- Surfrider Foundation Northern Beaches Branch (1).

## Place of residence

Written responses to Your Say Northern Beaches were received from residents of a wide range of suburbs throughout the Northern Beaches LGA, the northern suburbs of Sydney, and from further afield. Refer to Figure 4 below which shows the postcodes in which respondents live.

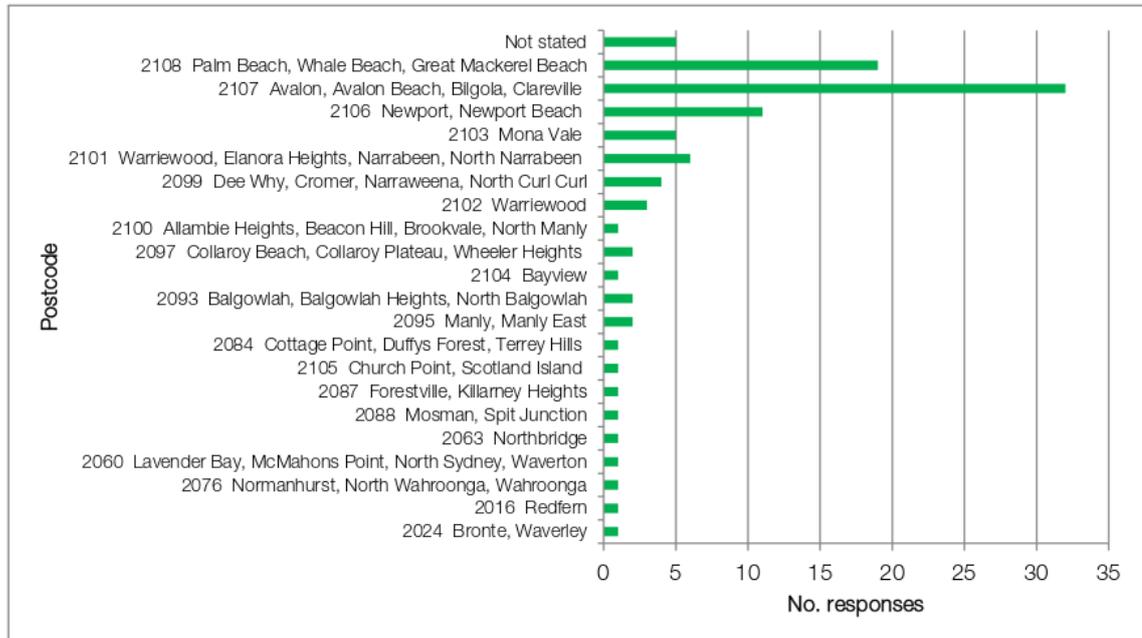
Peninsula residents (Palm Beach, Whale Beach, Avalon / Avalon Beach and Newport residents) comprise 61% of respondents to Your Say Northern Beaches.

Other Northern Beaches residents comprise a further 28% of Your Say Northern Beaches respondents.

6% of respondents to Your Say are from outside the Northern Beaches, as far afield as Bronte-Waverley.

5% of respondents, who may or may not be local and/or Northern Beaches residents, didn't record their suburb in Your Say Northern Beaches.

**Figure 8 Postcode of respondents to Your Say Northern Beaches**



## 2.2 Views about the proposed trial

The level of support for the proposed trial among the 118 respondents is:

- 62 or 52.5% support the trial
- 53 or 45.0% oppose the trial
- 3 or 2.5% did not provide a comment, or their view was unclear.

Two people stated they had supported the trial before reading the REF, but had changed their mind to oppose the trial after reading about the environmental impacts in the REF.

## 2.3 General comments about the trial

Some submissions reiterated general comments made during the community engagement about the proposed off leash dog trial at Station Beach between November 2018 and February 2019, and did not address the REF. Such comments made by supporters of the trial and opponents of the trial, are outlined below.

Comments which address environmental issues are in Section 2.4 onwards.

A summary discussion of all responses by comments made is outlined below. The points made are drawn from the public submissions only, and are not the views of Northern Beaches Council or the author.

### 2.3.1 Support for the trial

Supporters of the trial most want Council to implement the trial because the process and decision have taken too long already.

Reasons given for wanting Station Beach as an off leash swimming area for dogs include:

- Station Beach has been used for off leash dog walking for many years without incident.
- dog regulations on the Northern Beaches are too restrictive.
- the need for more off leash areas in Pittwater, particularly on beaches, and at the northern end of the peninsula.
- the dog off leash beach at Rowland Reserve is highly used. Station Beach will provide an alternative to take the usage pressure off Rowland Reserve, and make both Rowland Reserve and Station Beach safer for smaller dogs.
- dog owners want equitable access to beaches to enjoy time with their dog, and where the dogs can swim, run and play.
- people who want to use the beach and who don't like dogs can go to other nicer beaches.
- off leash dog access to beaches has mental health and social benefits.
- most dog owners are responsible in terms of dogs barking, and picking up and disposing of faeces, and would adhere to the restrictions of the trial.
- off leash dog access to beaches works in many other places.

Station Beach is supported as a good location for off leash dogs because it is underused for swimming and picnics, accessible, free of ticks, and no houses adjoin the beach.

One supporter stated the trial should be 24 hours a day, and another said the hours should be earlier on winter afternoons when the beach isn't used. Another supporter thinks the proposed trial hours would not disturb residents.

Other desired places for off leash dog beaches are North Palm Beach, North Newport Beach, south Mona Vale Beach, between Dee Why and Long Reef beaches, and in the middle of other beaches.

Comments from supporters about the findings of the REF are that they are positive, common-sense, and consistent with the findings of the 2008 REF.

Supporters conclude that the trial should proceed because there will be no or minimal environmental impacts, and government agencies don't object to the trial on environmental grounds, and so environmental impacts cannot be used as a reason to refuse the trial.

Some people who support the trial place conditions on their support, such as satisfying environmental concerns during the trial, carrying out mitigative measures properly, and monitoring the key areas outlined in the REF.

### 2.3.2 Opposition to the trial

Some opponents to the trial stated the trial is ill-conceived and should not proceed. They raised concerns about the trial reflecting poor environmental management and leaving a poor legacy for the next generation. Council's decision about the trial should not be based on the numbers of people making submissions for and against the trial, but instead on making a responsible decision doing the right thing for the residents.

Reasons for opposing the trial included:

- there are sufficient off leash dog exercise areas in Pittwater, including Rowland Reserve and Careel Bay.
- dogs belong in parks, not on beaches
- people walk and swim their dogs off leash elsewhere in public places (shops, beaches, cafes) despite official off leash areas being provided
- Station Beach is an ecologically sensitive area and sanctuary
- dog owners will ignore the signs and take their dogs outside the trial area to north Station Beach and the National Park
- dogs and their owners have taken over the beach at Rowland Reserve
- dogs make life unpleasant or dangerous for others, such as leaving urine and faeces for people to step in, and dogs frighten people.
- dog owners are not responsible by ignoring their dog defecating and not picking it up
- dog owners knew dogs were not allowed on beaches before acquiring their dog
- dog owners want more off leash areas, and Council should resist this continual push

The key concerns of respondents who commented about the contents of the REF are:

- impacts of dogs and people on protected sea grass beds
- visual impacts of the proposed tidal markers
- the change of use of the beach to a dog beach, which will restrict and exclude other beach users
- safety of people on the beach from unleashed dogs and from golf balls, and the safety of golfers on the golf course
- public health concerns from dog urine and faeces on the beach and in the water.

Comments about the trial parameters from opponents of the trial were:

- questioned Council relying on Pittwater Unleashed to set the parameters of the trial rather than undertaking wider community consultation.
- no review was undertaken of the proposed 700 metres length of beach from the Beach Road carpark to The Boathouse Café. This substantial distance could result in dog owners being some distance from their dog, causing safety, pollution and control issues on the beach, in the water particularly at low tide, and on the golf course. The Department of Lands advised Pittwater Council in 2007 that potential impact could be more readily monitored in a smaller area of 100-200 metres.
- no review of the proposed times was undertaken in the REF. The proposed trial hours in the mornings and afternoons correspond to the times that families with children, joggers and walkers, and others use the beach to avoid the midday sun. Opponents think that dog owners will ignore the proposed trial times because they walk their dogs on the beach at all times now.
- the 12 month trial duration could result in long term and potentially irreversible environmental impacts.

If the trial proceeds then it should be properly monitored and enforced, with offending dog owners fined. If that is done properly then the environmental damage may be limited. The costs of the trial could be raised from parking fees during the trial times.

Concerns were expressed about the costs of preparing the REF, which could have been better used to pay rangers to enforce existing regulations on Station Beach.

## 2.4 Submissions about environmental impacts

### 2.4.1 General comments

*The area is also environmentally sensitive and to have a dog park at one end and a marine reserve and national park at the other is a nonsense.*

*There will always be rule breakers as there are now but if they are given permission to use this area the place will be over run and filthy in no time. This area is too environmentally sensitive to allow dogs on it at all. Once this is allowed it will ruin the beach and the fragile eco systems. In an age when we have a massive wildlife extinction rate this is a huge mistake.*

The headings below correspond to the headings used by Cardno in Section 5 'Environmental Assessment' in the REF.

### 2.4.2 Traffic and access

Station Beach is considered as being accessible for all groups of people.

The REF recognises that there will be a significant increase in traffic to Station Beach resulting in parking deficiencies. An increase in the number of dog owners bringing their dogs to Station Beach will increase traffic and competition for parking spaces in Palm Beach generally and in the Waratah Road/Beach Road vicinity. This will make existing traffic and parking congestion worse (especially on weekends, public holidays and peak summer holidays), lead to double parking and parking in front of driveways, causing tension with local residents and visitors.

The REF is incorrect in saying that the trial times are likely to coincide with off peak or lower demand times for other beach users, thus having less impact on available car parking. Many beach users visit the beach in the morning before 10am and late in the afternoon to avoid the strong midday sun in summer.

A traffic or congestion study was not carried out during preparation of the REF to properly assess the impact of additional traffic associated with the trial.

The REF does not recommend that an independent traffic impact study be commissioned by Council before considering a trial.

One person who supports the trial doesn't see traffic and parking as an issue given the proposed off-peak off leash times.

### 2.4.3 Marine biodiversity

The REF noted that:

- three species of seagrass are present in Pittwater, including in the shallows along Station Beach.
- seagrass beds are important as a nursery for juvenile fish, and habitat and a food source for invertebrates, plankton, and fish species higher up the food chain.

- ❑ *Posidonia australis* is listed as endangered under the *Fisheries Management Act 1994*.
- ❑ the seagrass beds off Station Beach are the largest continuous beds of seagrass in the Pittwater Estuary and are listed as a threatened ecological community.
- ❑ seagrass beds at Station Beach are protected under State and Commonwealth legislation, and the Pittwater Waterway Strategy includes a direction to investigate a “no-go” zone to protect the seagrass habitats with the Department of Primary Industries-Fisheries.
- ❑ *P. australis* at Station Beach is a larger seagrass plant and is considered to have a lower recovery rate to disturbance. The REF assesses that disturbance to seagrass from dogs swimming during low tide in the dog swim area is likely to be very high, and that *P. australis* has a low capacity to respond to such disturbance.
- ❑ The group Syngnathiforms containing seahorses, pipefish, pipehorses and seadragons is known to exist in seagrass habitat in NSW waters, including the White's seahorse which is listed on the IUCN Red List of Threatened Species. Habitat destruction is one of the main threats to the White's Seahorse globally. All species of *Syngnathiformes* are listed as "protected" under the NSW Fisheries Management Act.
- ❑ Seven species of endangered seahorses were found in a study in Pittwater.
- ❑ Presence of invasive marine algae *Caulerpa taxiflora* which is a threat to *P. australis*.
- ❑ Destruction of habitat is a key threat to endangered fish species.
- ❑ damage to the seagrass bed is already widespread, and that further damage from dog swimming should be avoided, consistent with conservation advice for the *P. australis* ecological community in Pittwater from the Commonwealth Department of the Environment.
- ❑ The REF recognises the negative impact of the trial on the seagrass, and recommends the length of the off-leash area is reduced by 30 metres.
- ❑ The REF states that “*The trial is unlikely to have any significant or long-term negative environmental impacts providing the appropriate mitigation measures outlined in this REF are implemented during this trial.*”
- ❑ The REF acknowledges compliance issues with the trial and the need for additional patrols.

Opponents to the trial express concern that:

- ❑ dogs currently run through the seagrass at low tide and defecate directly on the seagrass. Dogs and people in the water on Station Beach could damage the seagrass and supporting marine ecosystem in the long term from trampling of the seagrass and pollution of the water.
- ❑ the proposed trial is not consistent with Commonwealth and State legislation, and the Pittwater Waterway Strategy.
- ❑ unleashed dogs are a threat to marine species such as fish, seahorses, stingrays, penguins, turtles and seals.
- ❑ dog faeces on seagrass leaves will reduce its productivity.
- ❑ Station Beach is a poor choice of location for off leash dogs in close proximity to the seagrass beds.
- ❑ dog owners will not control their dogs in the water which will result in damage to the seagrass.
- ❑ damage to the sea grass caused by dogs and people will be in addition to damage caused by storms and by other environmental pressures off Station Beach including jet skis, propellers, anchoring, moorings, shading, and water pollution.

The seagrass bed at Station Beach is very close to the water line at low tide. The analysis in Appendix C of the REF shows that, even at high tide, only three locations in the southern part of the off-leash area will have adequate depth to accommodate dog swimming over the seagrass

without disturbing the seagrass. At low tide, no locations have adequate water depth for dog swimming. Where there is inadequate depth, dogs can only walk across the sediments and seagrass beds. (see p.16, s.6.1.2 Appendix C REF). Clearly there is high potential for damage and destruction to sea grass. This same conclusion is reached in the REF with the following findings:

"Given widespread damage to sea grass beds from other human disturbance off Station Beach, any further damage from dog swimming should be avoided."; and

"Serious consideration should be given to whether the introduction of a dog swimming area at Station Beach adjacent to the largest seagrass bed in the Pittwater estuary is consistent with the intent of the legislative and policy commitments provided in Section 2.1.1 of this report and Northern Beaches Council own Draft Pittwater Waterway Strategy. This would be consistent with the conservation advice for *P. australis* ecological community in Pittwater from the Commonwealth of Australia Department of the Environment." (p.27 Appendix C REF).

Any decision by Council to allow the introduction of new damaging activities in what is the most pristine seagrass community in the whole of the Pittwater is unacceptable.

*I urge Council to take its responsibility for the protection of the environment seriously. So many of Council's other efforts for the environment, such as recycling, solar panels, and promotion of sustainable practices to the community, are wasted if it allows for the introduction of damaging activities which threaten rare and vulnerable ecological communities. The sea grass currently enjoys protection from relatively low levels of human activity in this location at Station Beach, and it should remain so.*

A supporter of the trial stated that informal off leash use of Station Beach over many years has had minimal ill effect on the seagrass and its inhabitants.

Opponents to the trial want Council to make sure that the recommendations of the Department of Industry-Fisheries and Department of Industry-Land and Water are complied with during the trial.

The two proposed mitigative measures to protect the seagrass are:

- a 3 metre buffer zone line in front of the seagrass meadow parallel to the beach defining the dog swim area east of this line
- installing a series of off-shore boundary markers/piers to visually define the buffer zone line.

The Boat Owners Association questioned the recommendations made by Karen Astles of the Department of Industry – Fisheries, because jurisdiction for activities on the surface of the waterway is vested with Roads and Maritime Services, and there are no general bans on dogs swimming in the waterway.

Pittwater Unleashed pointed out that the introduction of three buffers – a minimum 1 metre of clear water depth above the seagrass bed, the 3 metre buffer to the shore side of the shoreward edge of the meadow, and the 30 metre buffer shifting the southern boundary of the dog swim area 30 metres further north – would be an “administrative nightmare”. It makes no sense to prevent dogs coming into contact with the shoreward edge which is shredded in windy conditions coinciding with a very low tide. Dogs should not be prevented from swimming above this shoreward edge, or within 3 metres of it, even when swimming is at a height of some 2 metres above the seagrass. The proposed additional 30 metre buffer is not necessary, because the narrowing 10-20 metre belt of *Zostera* that sees *Posidonia* come closer to the shore in the south had already been taken into account when setting the 80 metre offset north of Beach Road. The southern limit of the advertised trial parameter coincides with the absence of *Posidonia* at the shoreline and also includes the desirable shade tree for dogs, but the revised area excludes the shade tree. The northern limit of the off-leash area should be the wharf.

Figure 9 Location of the revised southern trial boundary



Excerpt taken from page 23 of the Astles report  
Source: Pittwater Unleashed

A supporter of the trial noted that dogs can swim in half a metre of water, so the 3 metre buffer is unnecessary, and the trial area should not be shortened by 30 metres so the shade tree is included in the trial area and people would have easier access from the Boathouse.

Regarding the recommended mitigative measures, opponents to the trial observed that the 3 metre buffer means that there will be no adequate swimming area for dogs in the dog swim area at low tide, and that at high tide only the southern end of the proposed dog swim area will have adequate depth and width to allow dog swimming, and only if high tide corresponds with the proposed morning and afternoon dog swimming times. This restriction defeats the prime purpose of the trial to provide continuous off leash dog swimming at Station Beach. On this basis several opponents questioned the point of the trial.

Other supporters noted the restrictions relating to sea grasses and monitoring of sea grasses were excessive.

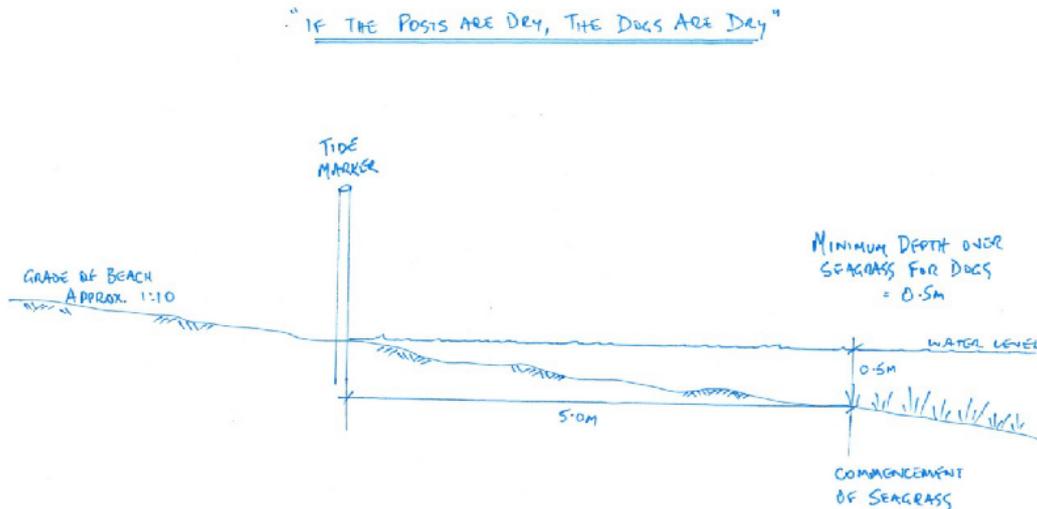
The recommended seven off shore boundary markers were not popular with either supporters or opponents of the trial. Most comments about the markers related to visual impacts which are outlined below. Others observed that dogs and dog owners would ignore the markers and so enforcement of this recommendation would be impractical.

Alternative solutions were suggested, such as:

- one, two or three posts only showing the depth sufficient for dog swimming. Pittwater Unleashed suggested a system of one post at each end, and possibly one in the middle, located 5 metres to the shore side of the shoreward edge of the seagrass meadow (see Figure 10 below). The northern post could be a wharf pylon. The management rule to be adopted would be "If the posts are dry, the dogs are dry". As such the dogs would not enter the water unless there is a minimum depth of 0.5 metres over the seagrass.
- a sign at each end advising of fines for allowing dogs to run of the seagrass at low tide
- fences, including an electric fence, barbed wire
- buoys on chains.

Many people were concerned about compliance with the buffer zone line and the dog swim area, which would require compliance by dog owners and continuous/full-time enforcement by Council rangers. Dog owners ignore signs at the moment, and opponents to the trail doubted they would observe signs and offshore boundary markers during the trial. Dog owners visiting the beach at low tide and finding that their dog would not be able to swim would be disappointed, and would lead to compliance breaches.

Figure 10 Suggested location of markers



Source: Pittwater Unleashed

Shortcomings of the REF regarding marine biodiversity are:

- ❑ Some of the critically endangered species listed in the REF have been photographed at Station Beach – so they are not 'likely to occur' – they actually do live here – or 'do occur'.
- ❑ an up to date seagrass bed map of Station Beach due at the end of 2019 or in 2020 was not available, so the position of the buffer zone line could not be precise.
- ❑ the various impacts of free running dogs on the seagrass meadow and marine ecosystem was not undertaken. An analysis of dog swimming in the dog swim area was not carried out. How many dogs are expected to be bounding through the seagrass beds and into seahorse habitats, with what frequency, what estimated seabed disturbance?
- ❑ only the impacts of dogs on sea grass were assessed. Impacts from people entering the water to wade and swim with their dogs should also have been assessed.
- ❑ the cumulative impact of multiple human activities on the intertidal habitats off Station Beach should be considered when assessing the effects of allowing dogs to swim at the beach.
- ❑ Why was the study restricted to only spring tide considerations? The adoption of spring tide characteristics should be re-investigated to include neap tide conditions and whether the sea grass beds during neap tides can, and do, actually become partially exposed to air (and the duration of such exposure) and the particular effects, the degree and the vulnerability to trampling, faeces and the identified risk factors involved during neap Low tide Autumn/ Winter conditions be demonstrated. Reliance on spring tide data only could create an overly optimistic impression of the availability, and range, of beach width clear of the leading edge of sea weed beds.
- ❑ The time of day data availability of sufficiently wide beach width as measured from the leading edge of sea weed growth should be added to the graphological data.
- ❑ Noting that the change-over in tidal range varies after the Autumn Equinox on 22 March each year, lasting until the following equinox on 22 September each year. In this phase, the highest of the 24 hour High tides (and hence the hours of least impact of the trial) occurs during hours of darkness. Conversely in this autumn and winter period, the corresponding lowest of the two daily low tides occurs during the hours of daylight at which time the off leash dog exercise trial could have a significantly worsened impact and much lower

available usage (if the suggested 3 metre minimum rule withstands critical analysis). No accurate, overall estimation of this proposal can be made unless the Autumn/Winter tidal phases are also investigated.

- What criteria was employed to validate the 3 metre minimum distance from the leading edge of the seagrass beds? How was it arrived at? How can it reasonably be assumed that free range dog behaviour can effectively be constrained by an owner who may be quite distant from a fast moving dog?
- no assessment of the impact on the seagrass during installation of the markers was undertaken.

The comments from Department of Primary Industries-Fisheries in an email to Council in August 2018 should have been made available prior to exhibition of the REF.

The staff report to Council must include:

- clear statements of the Fisheries position (as opposed to the Astles suggestions, which should have been confined to the matter of seagrass surveys)
- most low tides still provide sufficient depth of water for dogs to swim without incurring the risk of dogs running on seagrass - that it is only during periods of very low tides (supermoon tides) that the risk of dogs running on seagrass presents, and this is generally only 3 or 4 times a year.

#### 2.4.4 Hydrology, water quality and sediments

Concerns about the impact of off leash dogs on water at Station Beach are:

- fouling of the water by the dogs, especially when dogs are off-leash and out of sight. Dogs defecate in the water at Rowland Reserve, and it would be impossible to prevent this happening at Station Beach. Although most dog owners are conscientious about removing their pets' faeces, the local dog parks and off leash beach always have faeces that have been missed. At Bayview dogs enjoying the water are often reluctant to come out even when called by their owners.
- faecal bacteria washing into waterways, when the body of water in Pittwater is not constantly flushed out as are the surf beaches.
- people do not want to swim in water in which dogs have defecated or urinated. Local residents who swim at Station Beach daily or regularly will be affected.
- impact on water quality for people swimming north of the site due to sediment and dog faeces.

One person raised that no mention is made of the extremely damaging and ongoing effects of the stormwater drain by the steps at the south of Station Beach on water quality. Since the study's projected damage likely to be caused by dogs is minuscule compared to that of other human activities happening every day, the emphasis should be on prohibiting those activities, not the occasional dog swim. Times of testing will be known and 'detritrus' can be conveniently dropped to interfere.

A supporter of the trial suggested that all Council signage with regard to picking up dog faeces should include faeces deposited in the water.

A shortcomings of the REF in relation to hydrology, water quality and sediments is that an assessment of the soft sediment east of the seagrass was not carried out.

#### 2.4.5 Terrestrial biodiversity

Dogs are not wildlife and their mere presence in an area, even briefly, interferes with biodiversity.

## Birds

The Station Beach area is a potential habitat for resident and migratory birds. Waders and sea birds have been observed on Station Beach, which feel happy to rest and feed there because of the lack of noisy activity.

The REF acknowledges off-leash dogs can disturb wildlife such as migratory birds. It is well understood that off-leash dogs can impact on bird nesting and feeding on beaches. Seagrass and seaweed, which are regularly washed up on Station Beach, provide food and nesting material to birdlife. Dogs are natural predators of birds, and will chase and otherwise disrupt bird behaviour on Station Beach should a trial proceed.

The Avifauna Research and Services Pty Ltd report found that Station Beach “is not considered suitable habitat for threatened or migratory shorebirds” because of its narrow and steeply sloping nature”. However, the report found that other species like cormorants, gulls, terns, pelicans, ducks and swans feed “over and within the seagrass meadows during high tide or when exposed during extreme low tides where the abundance of fish and other marine fauna appears to be high”. “Most of these birds would not be disturbed to any significant degree unless dogs were allowed to run into the seagrass beds ...,” the author Phil Straw found. As a frequent user of other dog parks on the Northern Beaches (especially at Bayview) it would be nearly impossible to ensure dogs remained clear of the seagrass beds no matter what sort of markers were erected. The remark by the report’s author that moving dogs from Careel Bay (with its migratory bird breeding grounds) would take pressure off that population does not justify creating an environmental hazard elsewhere.

A shortcoming of the REF in relation to birds is that the bird study was only conducted over three months and lacks sufficient data to be useful. A migratory bird study is typically conducted over a 12 month period.

## Fairy penguins and seals on Lion Island

The REF ignores the fairy penguins on Lion Island, and the nearby seal colony. A local resident recently saw seven seals reclining off nearby Barrenjoey Headland.

Dogs swimming near the sea grass beds at Station Beach will affect the feeding habits of fairy penguins which have a colony on nearby Lion Island. The NSW National Parks and Wildlife Service have recently taken measures to protect and increase this one of two colonies of fairy penguins in Sydney.

The proximity of a seal colony and the penguin colony at Lion Island should make a dog trial unacceptable.

One supporter of the trial stated that concern for the penguins on Lion Island was not genuine, because the penguins are eaten by the fur seals on Barrenjoey. In addition, people who are concerned about the impact of the trial on the Lion Island fauna don’t campaign against dog swimming beaches closer to Lion Island, such as Pearl Beach, Umina and Ettalong.

Penguins and other wildlife are already affected by the increase in size of ferries and increase in ferry services and jetskis. Dogs would not have any further impact on penguins which would be the same as children playing on the beach or in the shallows.

### 2.4.6 Socio-economic

## Amenity of Station Beach

Many respondents value the amenity of Station Beach and the Palm Beach area.

*Palm Beach is special. Let’s keep it that way.*

Station Beach is the last eastern Pittwater Estuary beach which is free from houses and other structures.

Station Beach is one of the few beaches along the east coast of Australia that allows for the view of the setting sun behind land with water in the foreground.

*Frequently I have enjoyed walking along this beach and marvelled at the glorious view.*

### Change in use of Station Beach to a dog beach

The REF ignores local community feedback about beach usage, and that the beach is heavily used in the early mornings and late afternoons in direct conflict with the proposed off-leash time parameters.

*What about all the families that take their young babies and toddlers to the beach to swim and play, as it a safe, non-threatening bay with no big beach swell? What about all the families that picnic along the beach on the weekend? And you are considering putting the dog's needs in front of theirs?*

Cardno acknowledged during their site visits the presence of medium to large off-leash dogs on Station Beach despite clear "No Dogs" signage. "This indicates that compliance to the rules of a dog swim area may be a significant issue." This corroborates what local residents have been reporting for some time; that dog owners routinely ignore signage, allowing their dogs off-leash from the southern Beach Road car park, running on to the beach in all directions, at all times and days, and disturbing visitors on the beach and local residents.

### Figure 11 Recreational use of Station Beach



Off-leash dogs on Station Beach will affect tourists and families visiting the beach. The proposed offshore markers will affect recreational boats.  
Source: Palm Beach Protection Group

The REF fails to address the quantum and concentration of dogs which would frequent the beach at the proposed trial times. The REF states that there are 50,000 dogs in the Pittwater area, "so the potential for more dogs to be using this area is substantial." What will the impact be on a small sensitive site like Station Beach? A large concentration of dogs is completely unreasonable on one pristine, peaceful, safe, family-friendly beach. This omission renders many recommendations and mitigation measures irrelevant due to lack of proper numerical study.

Under the trial, Station Beach will effectively become a private, exclusive “dog’s beach.” Permanent offshore markers and onshore signage will alter the character and use of the beach, irrespective of the off-leash times proposed. The change of use of the beach to a dog beach will restrict and exclude other beach users, particularly families with young children, fishers, tourists and others who may wish to visit and enjoy the calm water beach in safety without being bothered by dogs on the beach. It is unacceptable that one group in the community can effectively privatise Station Beach for their own purposes at the expense of driving other members of the community away. The trial implies a “Change of Use” of the beach to a dog’s beach that can be challenged, and which sets a dangerous precedent.

**Figure 12 Fishing at Station Beach**



Dogs disturbing quiet fishing time at Station Beach. Off-leash dogs will drive away fishermen.  
Source: Palm Beach Protection Group

Dogs on Station Beach will also affect walkers who are increasingly using the new walkway from Palm Beach Wharf to Governor Phillip Park, and other activities such as evening weddings.

Shortcomings of the REF in relation to a change in recreational use of the beach are:

- ❑ The REF does not include a qualitative assessment of what are dogs doing at the moment on Station Beach. What is the behaviour of dog owners?
- ❑ There is also no quantitative assessment of the impact of dog numbers on the beach versus visitors. Council must assess visitor numbers prior to a trial commencing especially over the peak summer period. It must determine whether a dog trial has had a negative impact on visitor numbers and experience.
- ❑ The REF has not given weight to the loss to those of us who currently use the beach.
- ❑ The REF offered 'mitigations' without acknowledging the dependence upon dog owners to do the right thing, especially regarding faeces. Rangers can't be there all the time.

One supporter of the trial stated the proposed days and times of use are limited, so the beach will not be over-run with dogs.

### **Impact of markers on water recreation**

Installation of the poles marking the dog swimming area will ruin the beach for other users of the beach and waterway. The poles will disrupt and be dangerous for children playing in the shallows, swimming, kayaking, recreational boating, windsurfing, paddle boarding, fishing, and other activities of beach goers who love this calm and peaceful part of Pittwater.

The posts will become buoys for boats to tie up on, not to mention the danger they will pose to the windsurfers, water-skiers and wake boarders who use the waterway.

Ultimately the implementation piers would exclude people activities for the sole purpose of controlling dogs which can't read signs or markers.

## Impact on local residents

Local residents have lodged numerous complaints to Council regarding off-leash dogs in the Beach Road car park and running directly into private residences as well as onto the beach in all directions, often confronting families and visitors on the beach. There is no recognition of the safety issues on or around the beach, and signage has failed to be a deterrent.

There are no designated parking spaces in the Beach Road car park, which makes parking difficult and congested during busier days. It is not uncommon for residences in Beach Road and Waratah Road to have their driveways blocked during these periods, creating understandable frustration by the residents. A trial will amplify all of these issues.

The REF does not reflect the concerns and feedback from local residents over parking, noise from dogs, pollution from dogs, and the current use of Station Beach as an off-leash dog's beach where it is well known that signage is ineffective.

No fencing is proposed in front of nearby beachside residences, allowing dogs to run free and intrude on private property. How does Council propose to ensure that off-leash dogs will not invade private residences adjacent to the southern Beach Road car park and Waratah Road where there is no fencing?

Why doesn't the REF measure the impact of the trial from the southern Beach Road car park and Waratah Road, and the impact to local residents? After all, the on-leash part of the trial commences from this area.

We trust our Council will ensure nearby residents are protected from dogs on their properties by reducing the proposed length of beach use. We are also concerned for neighbours likely to be impacted by dogs at the southern end of Station Beach and trust there will be restricted dogs movement at that site.

## Impact on tourism

The REF does not recognise that Station Beach is a major tourist destination where people visit from all over Sydney, not just from the Northern Beaches. Many visitors walk the beach to the Boathouse Café and the iconic Barrenjoey Lighthouse.

The use of Station Beach for unleashed dogs is inappropriate with a real potential to environmentally damage one of Sydney's most iconic beaches.

*To open an off leash area at Station Beach will encourage people from all over Sydney to bring their dogs, and they will not come just for the morning and evening period. At Mackerel Beach we are constantly telling visitors during the middle of the day that the off leash times are morning and evening to no avail - they've made the trip, and "who are you to tell us otherwise?". They will come for the day and ruin the experience for the non dog owners and children who use this beach for its relative non surf safety.*

## Impact on Boathouse café

The proposal will impact on the Boathouse business. There should not be a 10 metre exclusion zone around the business.

## Social impact

Palm Beach is enjoyed by a very broad group of the greater Sydney community.

*The amenity of the broader community will be compromised through loss of public open space. Not everyone is a dog lover.*

Some users of Station Beach are apprehensive about conflicts with owners of dogs using Station Beach. Some owners are aggressively sensitive to any suggestion that they/their dog are behaving unsociably or illegally. Unfortunately these are the owners most likely to be dismissive of the rules.

### 2.4.7 Waste management

People are concerned about dog faeces not being picked up and left on the beach, as well as dog waste bags being left on the beach.

Opponents to the trial appreciate that there are some responsible dog owners who clean up after their dogs. Some have noticed dog droppings in the street, and that when a group of dog owners congregate very little notice is taken of their dog's activity. Far too many owners pick up their dogs droppings and then throw the bags into the bush, in the mangroves behind the Careel Bay dog park, or leave them beside their car or in the gutter. Dog owners may have publicly cleaned up after their dogs but they then privately threw the bags away.

One supporter of the trial observed that no mention is made in the REF of the extremely damaging and ongoing effects of the stormwater drain right by the steps at the south of Station Beach on pollution. Since the study's projected damage likely to be caused by dogs is minuscule compared to that of other human activities happening every day, the emphasis should be on prohibiting those activities, not the occasional dog swim. Times of testing will be known and 'detritus' can be conveniently dropped to interfere. The claim that Station Beach has little rubbish is blatantly untrue, it is riven with plastic and other debris which walkers pick up. Make no mistake, we want our beach to be environmentally sound. Our dogs will not be the culprits if there are now material changes.

### 2.4.8 Noise

Water is an excellent noise carrier and the noise generated will carry for kilometres. There are a silent majority who want to enjoy the beach for its serenity and peaceful lapping over the waves.

The REF completely misinterprets the potential impact of noise to local residents. The southern end of the trial area commences from the Beach Road car park. This is the on-leash area prior to the off-leash area commencing approximately 100 metres north of the car park. The REF mistakenly measures the impact of noise / barking of dogs from the commencement of the off-leash area to the local residences (page 28). In reality, the dogs are barking from the Beach Road car park, immediately adjacent to No.2 Waratah Road at Palm Beach, and close to other neighbouring residences. There is no reasonable distance buffer to these immediate houses, and noise was at unacceptable levels during the summer trial period. Noise will be much worse under a full trial. Irrespective of the on-leash and off-leash areas, dogs will naturally bark but immediate residents should not bear the brunt of this.

The noise issue highlights the unsuitability of Station Beach and Beach Road as an access point. It unfairly places a significant burden on the immediate residents – be it directly from the car park area and nearby streets, or from the beach for the Pittwater-facing houses.

No mitigation measures can address this noise issue, short of closing the southern entrance to Station Beach to dogs.

### 2.4.9 Climate and air quality

No comments made

### 2.4.10 Heritage

No comments made

## 2.4.11 Other environmental impacts

### Safety

#### Safety of visitors to the beach from dogs

The REF does not assess the safety risk of visitors to the beach from unleashed dogs.

The REF does not acknowledge the conflict and safety issues associated with a large number of off-leash dogs on the beach and other users of the beach, including families with children, the elderly, local residents, joggers and tourists. Children and adults paddle and walk along this beach. This is a basic conflict of use on this narrow beach.

The REF ignores current practice where dogs are let off-leash from the Beach Road car park and run directly onto the beach, often approaching families, visitors, tourists, without regard for safety.

This trial has not commenced but there are often dogs of irresponsible dog owners unleashed on this beach well outside the proposed boundaries and proposed allowable time frames.

The proposed morning and afternoon off-leash times coincide with when many other people, including families, use the beach, which will lead to inevitable conflict.

Visitors to the beach (other than dog owners and their off-leash dogs) will be put at risk from harassment and unprovoked dog attacks, which should not be tolerated by the community and Council. There were 38 dog attacks on the Northern Beaches in the first half of 2018 alone, and 800 dog attacks in NSW last year.

The community has a right to access and use Station Beach at any time and not be harmed by off-leash dogs.

This is a popular and safe beach for young children whose health and safety should not be put at risk because dog owners, who will have driven past several designated off-leash areas to get to Palm Beach, want to have their animals everywhere.

Opponents to the trial pointed out that off-leash dogs running ahead of their owners often can't be controlled. An off-leash dog bent on attack will likely be running well ahead of its owner, thus minimising control.

There is particular concern about the safety risk of unleashed dogs with children. Even friendly dogs can be scary when they run up to a child. Children are defenceless against an excited dog, and two excited dogs together can exacerbate the problem of interaction. It only takes one incident where a child is menaced or threatened by an uncontrolled dog to make this whole idea unforgivable and negligent.

I hope you have considered that this notion will include all varieties of dogs – not just the friendly playful dogs, but the stronger, more ferocious ones i.e. Staffordshire Bull terriers and Bulldogs. One wrong move, and a dog like that could run up to a child playing on the beach. Dogs are animals and react instinctively. Imagine a tragic and horrific child mauling case on the beach by an off-leash animal? The advantages to keeping your dog on a leash far outweigh the potential consequences of not.

I'm sure those who would like to use this area for their dogs are writing to you in considerable numbers - most non-dog owners don't even know this is going on. Please don't let a dreadful attack on a child be the way they find out.

One opponent to the trial related this experience:

*I have enjoyed taking my family to Station Beach for 50 years but my 2 year old granddaughter was menaced by 3 unleashed dogs recently while swimming with me at Station Beach as various owners called out "don't worry, they won't bite". She is now very fearful of dogs and we don't go there any more but others do, including tourists with children.*

Another reported:

*Just the other day, I walked the beach to the Lighthouse, and an off lead dog came running up to me and starting snapping at my heels and running circles around me. I wasn't wary but put off, yes.*

Another reported seeing a recent news report of dogs attacking a man and his horse on a Wollongong beach. It says the owner of the first dog to attack did not come to the rescue and was not at all able to control her dog.

Dog owners must at all times maintain control of their animals in public places. Dogs are animals and react instinctively. Dog owners may claim to know the nature of their animals, but with animals that so-called knowledge can never be certain.

Please keep the beach how it is. Dog owners who wish to walk their dogs, can totally do so, but isn't on lead enough? This way everyone can enjoy the beach.

The REF notes that at high tides the beach width narrows. The beach width at high tide can be less than 3 metres in parts, making it very difficult for other users of the beach to avoid off-leash dogs. There is no shoulder to the beach (being flanked by the adjacent golf course), and no safe space for people trying to avoid unwanted approaches or attacks by off-leash dogs. Other dog parks are in designated park spaces and typically fenced, to protect the public. There would be no such safe space on Station Beach.

The REF's totally unsatisfactory response on safety risk to beach users is reduced to; "health and safety would be dependent upon dog owners maintaining control of their pets." Numerous well respected dog trainers acknowledge that off leash dogs in packs can become unmanageable. It is of particular concern that Station Beach is considered in the first instance as it is an unfenced area adjacent to the golf course.

The council have a responsibility to the locals to maintain this area as a safe place to be. Will the Council monitor and control this dangerous situation now and in the future?

### **Safety of golfers and beach users**

The REF acknowledges there is no fencing to the adjacent golf course from Station Beach, and so there is the capacity for people and dogs to easily access the golf course, and risks to beach users from golf balls.

The REF does not propose any restrictions on off-leash dogs accessing the golf course. The modest natural division between the beach and the golf course is regarded as being sufficient. This is contrary to current activity, where dogs routinely run on to the golf course and could create a dangerous situation.

Protecting visitors to the beach from stray golf balls is also not addressed in the REF.

*You are also likely to be hit on the head and killed by a stray flying golf ball as very nearly happened to me on one occasion. I know of people who will not venture on to the beach with children because of that risk.*

The REF does not assess the safety risk of the lack of fencing to the neighbouring golf course. The REF does not propose any action here apart from recommending to Council to consider undertaking a risk assessment on golf balls. Clearly this is insufficient. Why has there been no

risk analysis of the golf course in respect of the trial? Surely this analysis needs to be completed before any trial can commence?

A risk assessment, as referred to in the REF, on the impact of the golf course should be made available to the community prior to any formal consideration of the proposal.

What is the security plan to stop off-leash dogs running on to the neighbouring unfenced golf course, and the safety plan for beach users from stray golf balls going on to the beach?

## Visual impact

### Tide markers

#### REF Recommendation 2: Install a series of offshore boundary markers/piers to visually define the Buffer Zone Line

A series of unsightly offshore boundary markers/piers will have to be placed at intervals to define the dog swim area. The markers will be highly visible at low tide and even fully exposed during very low tides. The markers will visually deface Station Beach.

The REF does not disclose the number, position and height of the tidal markers. In consultation with Council, we understand there could be up to 7 markers (250mm diameter hardwood piles) placed at equal intervals along the Buffer Zone Line. The markers would be up to approximately 2.5 metres in height to allow at least 1 metre above the high tide mark. The colour of the markers and whether they would be lit at night is not disclosed in the REF.

The following steps should be addressed to accurately determine the efficacy of a Buffer Zone Line:

- Obtain an up to date seagrass bed map of Station Beach. This will then accurately define the Buffer Zone Line and DSA.
- We will then be able to determine the extent of the dog swimming activity permitted east of the Buffer Zone Line, recognising that swimming at low tide is already not possible. It will simply be a matter of understanding the restricted swimming capacity at higher tides.
- Once the Buffer Zone Line is defined, we can then understand where the recommended tidal position markers should be placed.
- We will then be able to assess the visual impact of the tidal markers and comment accordingly. It is clear, that the closer the tidal markers are to the beach, the more exposed they will be at low tide and hence have a greater visual impact.

We fail to understand how Council could consider the installation of unsightly offshore markers/piers directly in front of a highly endangered marine seagrass species, when this contravenes its own environmental and sustainability principles regarding safeguarding coastal ecosystems. The REF is disingenuous in that it does not reveal the full visual impact of the proposed markers and the enormous impact they will have on this pristine beach. The images below follow our discussions with Council over the offshore marker positioning, quantity and height.

There is strong concern among both supporters and opponents of the trial about the visual impact of the markers on Station Beach and the Palm Beach area.

*Any markers off the beach will be highly visible, extraordinarily unsightly and without precedent in Australia.*

*The installation of permanent markers would negatively impact the scenic amenity of Station Beach, Pittwater and the nearby National Heritage listed Ku-ring-gai Chase National Park.*

**Figure 13 Photomontage of proposed markers at Station Beach looking north**



VISUAL IMPACT: Offshore boundary markers/piers defining the 3m Buffer Zone in front of the seagrass at Station Beach. Up to 7 markers, 2.5m high are expected over the 600m off-leash area.  
 Source: Palm Beach Protection Group

**Figure 14 Photomontage of proposed markers at Station Beach looking south**



Looking south from the Boathouse Café along Station Beach and the unsightly offshore boundary markers in front of the seagrass meadow. These markers will be fully exposed at very low tides.  
 Source: Palm Beach Protection Group

*The installation of markers off Station Beach in an attempt to stop dogs running across the seagrass would create an eyesore off the beach in an area that is one of Sydney's foremost tourist attractions.*

*Why should we allow offshore markers to destroy the visual beauty of Station Beach?*

*This will deface our beautiful beach!!!! and deface PALM BEACH*

*This would result in a visual violation of iconic Palm Beach !!*

*The recommended mitigation measure including the implementation of piers (about seven in accordance to council advice) to delineate the non usable / trafficable area over sensitive sea grass is nothing short of environmental vandalism ! In our view, these piers would result in a complete aesthetic and physical violation of the pristine beach environment. Ultimately the implementation piers would deface a beautiful beach for the sole purpose of controlling dogs which can't read signs or markers!*

*The proposal to install off shore permanent offshore markers/piers is not appropriate will be unsightly and ineffective.*

*To delineate a three metre buffer east of the seagrass meadow using poles will certainly spoil the scenic amenity of Station Beach.*

*The need to physically define boundaries (fence/pylons?) for dog access on tidal flats is an imposition on the environment and visual amenity*

*The proposal to install off shore permanent offshore markers/piers is quite ridiculous. They will be unsightly and to assume they will be observed as a dog boundary is ludicrous. It will be impossible for NBC to enforce as is demonstrated by other supposedly no dog areas where one often sees dogs.*

The introduction of offshore markers is a very significant issue concerning the trial with major ramifications around the presentation of Station Beach and protecting the seagrass meadow. It is for this reason that the REF should have been released during the community consultation exercise. We consider this a major failure of process by Council surrounding this trial.

How much will this idea cost the ratepayers to visually pollute the beach? Who and how will it be policed? Council rangers are ineffective in keeping dogs of beaches at the moment.

### **Signage**

Installation of numerous signs and other monitoring measures will be unsightly and unless patrolled by Council will not be adhered to by most dog owners.

Visual pollution with the signage required during trial period. Over ten in an area only 3 metres wide (high tide) and 600 metres long.

### **Fencing of the golf course**

The sight and cost of erecting fencing along the perimeter of the course is certainly undesirable as that area of North Palm Beach is very natural and needs to remain so.

### **Public health**

Dog faeces is apparent in the car park and on Station Beach, presenting a raft of health issues not addressed in the REF.

Dogs urinating and defecating where children and adults enjoy a beach environment create a real and material public health risk. Beach areas are different and distinct from public roads and

other 'non-sand' environments, as beaches are enjoyed by sitting on, playing on and walking with bare feet. As such there is a real risk of transmission of germs and disease if dogs are allowed on beaches.

The REF says '(5.6.2) 'incorrectly disposed of dog faeces poses a potential risk to human health and water quality'. Right there is enough reason not to allow this. Whilst many dog owners are responsible - some are not and if even one or two leave faeces there, that isn't acceptable on such a small child-friendly stretch of beach and water.

Station Beach is hugely popular with young families whose children should not have to swim with dogs and play and sit in amongst their urine and faeces.

People expressed concern about children and grandchildren making sandcastles in sand that could be infected with parasites from a dog with diarrhea. One opponent of the trial was told by an eminent London pathologist that children and dogs must not be on the beach, because there is a very real risk of parasites infiltrating the lungs and even the brain causing death. This is a real liability for the council.

The REF assumes all dog owners will collect their dog's faeces. Isn't that contrary to the evidence from other dog parks, creating genuine health and pollution concerns?

The REF concedes that there will be a substantial loss of amenity and health risk due to increased dog excrement on the beach and in the water. It concludes that the beach will lose overall amenity, and alarmingly the beach may be rendered not suitable for swimming due to faecal contamination of the water. Examples of beaches rendered unusable include Sirius Cove at Mosman, and Sandy Bay Reserve at Clontarf.

## Structural integrity of the beach

The REF does not investigate the structural integrity of Station Beach, taking into consideration the significant impact following the June 2016 storm. The beach and adjacent golf course suffered extensive damage to sand dunes and golf fairways, which are only now partially recovered. How will the trial and a significant increase in visitors and dogs affect the stability of the beach? This is a major shortcoming of the REF.

### 2.4.12 Mitigative measures

The essence of the REF is to rely upon over 30 mitigation measures to protect what is regarded as a highly sensitive environmental area. Such monitoring/mitigation requirements include:

- regular environmental management (water quality and seagrass testing and monitoring)
- visual inspections of dune health
- observations of potential presence of migratory and threatened birds
- offshore boundary markers (quantity and height not covered)
- signage (the REF acknowledges a high likelihood that this will be ignored, observing first hand off-leashed dogs trampling and defecating on the seagrass)
- noise and traffic monitoring
- installation of waste bins
- extra ranger patrols (how many and at what cost are not itemised).

The numerous mitigation measures outlined in the REF highlight how environmentally sensitive Station Beach is, requiring protection rather than the introduction of new threats, such as off-leash dogs. Clearly, Station Beach is completely unsuitable as a trial site for large numbers of dogs off leash.

The REF clearly acknowledges that the trial is almost unworkable as it will require some 31 mitigation measures. The numerous mitigation measures in the REF to offset the environmental risks are onerous and cumbersome in terms of monitoring, compliance (particularly as owners would likely ignore the signage, and dogs would be unable to use the area at low tide), enforcement, and resources. The complexity and associated risks of implementing the mitigative measures make this trial unviable.

The mitigative measures cannot possibly be monitored without an increase in council staffing, at additional cost to rate payers.

The REF recommendations will cause significant confusion, frustration and community backlash.

## 2.5 Statutory and planning framework

*Trial challenges Council's & NSW Government's environmental and sustainability principles regarding the safeguarding of coastal ecosystems.*

### 2.5.1 National and NSW Legislation

The environmental issues posed by the trial appear to contravene a number of State and Commonwealth Governments' Environmental Protections Regulations and Acts regarding the endangered seagrass meadow at Station Beach.

Conclusions contained in the REF – leading to motivations to proceed with a trial – impinge on important areas of State and Federal legislation.

#### **Environmental Protection and Biodiversity Conservation Act (Cth)**

*Posidonia australis* is listed as a nationally significant ecological community in the Manning-Hawkesbury ecoregions under the EPBC Act. The ecological community includes plants, animals and micro-organisms associated with seagrass dominated by *P. australis*. The Pittwater estuary is specifically included in this listing.

Considering the number of matters of National Environmental Significance, prior to any further Council contemplation of any trial, an approval should be sought under the Environmental Protection and Biodiversity Conservation Act from the Commonwealth Minister for the Environment and Energy. No trial should be considered until updated mapping of the seagrass beds in Pittwater is available so the edge of the soft sediment in the area can be accurately determined as the proposed trial may impact the stability of the seagrass bed. There is the risk of the introduction and spread of invasive species such as *Caulerpa taxifolia* and of degradation of the listed Type 1 highly sensitive fish habitat.

A licence from Department of Industry (Lands & Water) is required for the proposed trial. The licence application requires inclusion of a Review of Environmental Factors.

#### **Fisheries Management Act 1994**

All seagrass in NSW is protected as a key fish habitat under the *Fisheries Management Act 1994*. Station Beach seagrass is listed as Type 1 highly sensitive fish habitat. The Fisheries Management Act defines sensitivity as "the importance of the habitat to the survival of fish (noting that 'fish' under the Act includes all aquatic invertebrates) and its robustness (ability to withstand disturbance).

The seagrass *Posidonia australis* is listed as an endangered population in Pittwater under the *Fisheries Management Act 1994*.

## Coastal Management Act 2016

The NSW *Coastal Management Act 2016* and the *State Environmental Planning Policy (Coastal Management) 2018* identify coastal management areas in the coastal zone to promote an integrated and co-ordinated approach to land use planning in the zone. In Pittwater, Station Beach has two types of proposed coastal management areas – Coastal Use Area of the beach itself and Coastal Environment Area of the waters off the beach.

The proposed trial does not comply with the first objective of the *Coastal Management Act 2016* which covers the Coastal Environment Area: “(a) to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity”.

## Crown Land Management Act 2016

The trial is contrary to the principles of Crown Land Management, which includes environmental protection and conserving natural resources wherever possible. The REF does not reconcile these principles to the off-leash trial and its clear adverse environmental impacts.

### 2.5.2 Northern Beaches planning context

## Pittwater Local Environmental Plan 2014

### Introduction

The REF makes mention at point 3.1.4.2 that the trial is not a development and implies that adherence to the Pittwater LEP is not required. This position is unconscionable. The purpose of the E2 zone is to protect the sensitive environments from destruction and not to “technically” skirt around proper dressing of the objectives of the E2 zone.

The environmental issues posed by the trial appear to contravene the Council's own LEP.

### Zone boundaries

No zoning map is included in the REF. There is no discussion of the location or significance of the interface of the two zones.

The REF wrongly assumes that the land to which the trial relates is the land zoned RE1 Public Recreation, to which the Governor Phillip Park Plan of Management (2002) applies. However, much of the trial area would lie wholly within the sensitive E2 Environmental Conservation zone, particularly at low tides.

The REF states that the proposed trial area is zoned RE1 Public Recreation, and in point 3.1.4.1 maintains that “The proposed trial area ...is adjacent to an area zoned E2 Environmental Conservation”. However, the western boundary of the RE1 Public Recreation zone is the Mean High Water Mark on Station Beach. In this regard, the western boundary of the lots which comprise Governor Phillip Park extend to (approximately) the eastern third of the width of Station Beach. It is the land comprising Governor Phillip Park which is zoned RE1 Public Recreation. The western part of Station Beach is zoned E2 Environmental Conservation, as are the sea grass beds.

### Zone objectives

The proposed trial does not comply with the Pittwater LEP in regard to the objectives of the E2 Environmental Conservation Zone or with the RE1 Public Recreation Zone.

No consideration is given in the REF as to whether the use of Station Beach for off-leash dog exercise is a separate or distinct use which is consistent with the objectives of those zones.

The objectives of the E2 Environmental Conservation zone are as follows:

- “To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values;
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values;
- To ensure the continued viability of ecological communities and threatened species;
- To protect, manage, restore and enhance the ecology, hydrology and scenic values of riparian corridors and waterways, groundwater resources, biodiversity corridors, areas of remnant native vegetation and dependent ecosystems.”

The E2 Environmental Conservation zone is the zone in Pittwater LEP 2014 which applies to those areas of the greatest environmental sensitivity. Although the REF (on page 10) lists the objectives of the E2 Environmental Conservation zone it does not state or discuss what development is permissible and what development is prohibited in this zone.

The REF does not seek to explain or demonstrate how and if the proposed trial is consistent with each of the above zone objectives. Councillors should insist on proper due diligence from the professional staff on this critical point prior to being made to vote on the trial.

### **Permissible uses in RE1 and E2 zones**

No consideration has been given in the REF to the land use requirements of the RE1 and E2 zones.

No consideration is given in the REF as to whether the use of Station Beach for off-leash dog exercise is a separate or distinct use for which consent is required and/ or whether such a use is permissible in the RE1 and E2 zones and/ or consistent with the objectives of those zones.

The only permissible uses in the E2 zone are: “environmental facilities, recreation areas and roads.” There is also no Plan of Management applying to that part of Station Beach which is zoned E2 or to the sea grass beds which are also zoned E2.

The trial will result in a profound change in the use of Station Beach:

- the unleashing of dogs will impact on public safety and on the perception of public safety;
- visually prominent markers are to be installed landward of the sea grass beds to define the “no-go zone” for dogs;
- there will be a significant increase in parking demand as a result of the trial period;
- unleashed dogs will potentially disturb and harm sea grass beds, the inter-tidal zone, the beach, the western fringe of the Palm Beach Golf Course and the habitat of marine life and other birds; and
- the installation of associated signage will impact on the beach’s serene character and visual appeal.

The REF does not address the appropriate planning pathway for approval of this new and different use of Station Beach.

### **Biodiversity**

The REF also does not refer to the identification of the sea grass beds and much of Governor Philip Park as being a “Biodiversity” area on the ‘Biodiversity Map’ in Pittwater LEP 2014.

## Pittwater Waterway Strategy 2019

The proposed Station Beach off-leash dog trial is inconsistent with the recently adopted (28 May 2019) Pittwater Waterway Strategy 2038 of the Northern Beaches Council which states in Theme 2, Natural Environment Objective: “Protect, promote and celebrate the unique and valuable natural environment of Pittwater including its extensive ecological diversity and renowned scenic amenity”.

Specifically Direction 4 of Theme 2 states: “Investigate with the Department of Primary Industries (DPI Fisheries) establishing a ‘no-go’ zone protecting endangered seagrass habitats within the study area”.

Another objective in the Waterways Strategy is to “Improve environment protection to protect our delicate waterway habitat.”

Why are we putting at risk such environmentally sensitive seagrass, marine habitat, and birdlife, which is at odds with Council’s own environmental sustainability principles?

## Wildlife protection zones

Wildlife protection zones as prepared by Pittwater Council but not endorsed prior to Council amalgamation must be given weight in assessing this report.

### 2.5.3 Positions of government agencies

The letters from the Department of Industry below are contrary to the positive impression provided on the Council’s website concerning the trial.

NSW Government Department of Industry state in its letter of 10 September 2018 to Northern Beaches Council, the seagrass off Station Beach as being endangered under the *Environmental Protection and Biodiversity Conservation Act 1979*: “These listings flag the significance of such seagrass areas and the need for State and Local governments to protect them.”

The letter also cites the *Crown Land Management Act 2016*, which sets out the Principles of Crown land Management and use of Crown land, which includes localities such as Station Beach “where land below mean high water mark supports conservation and protection of seagrass beds.”

The Department of Industry also raised the following concerns ...”regarding the environmental sensitivities of the proposed site due to the presence of endangered seagrass species and the important breeding habitats they provide”. (Department of Industry letter to Northern Beaches Council 15 November 2018). The Department of Industry outlined the significance of the seagrass meadow at Station Beach: “In March 2010, areas of *Posidonia australis*, including the beds established off Station Beach, were listed as endangered populations under the threatened species schedules of the *NSW Fisheries Management Act 1994* and listed as endangered under the *Environmental Protection and Biodiversity Conservation (EPBC) Act 1979*, by the Commonwealth in May 2015. These listings flag the significance of such seagrass areas and the need for State and Local governments to protect them. Seagrass bed provide ideal breeding habitat for Stingrays and species of the *Syngnathidae* family (e.g. seahorse, seadragon, pipefish), many of which are also listed as “protected “ under the *NSW Fisheries Management Act 1994* and *EPBC Act*”. (Department of Industry letter to Northern Beaches Council 10 September 2018).

The Department is concerned enough about the potential impact to the seagrass from an off-leash dog trial, to suggest the Council review alternative sites. The Department does not endorse such an off-leash trial and would be subject to a satisfactory REF. It is unknown at this stage whether the REF is satisfactory to the Department. Any breach of the proposed REF mitigants, including the buffer zone in front of the seagrass, could lead to an immediate

termination of the license. We consider this buffer zone, which includes no dog swimming at low tides, will likely be breached, warranting action by the Department. This area is simply too environmentally sensitive to accommodate breaches.

The Department attaches a letter to Pittwater Council dated 6 November 2009 from the earlier Land and Property Management Authority by way of continuity over the earlier proposed trial at Station Beach. The letter cites the 2008 REF and the review of alternative sites. This letter also states that the Department of Climate Change and Water was not supportive of off-leash dog swimming at Station Beach due to the damage and stress caused to wildlife. This letter also states that the proposed dog swimming trial is “not readily complimentary with the Principles of Crown Land Management if applied to Station Beach.”

As well as risk to the environment there is the risk of Council being unable to comply with the terms of the necessary Department of Industry licence, if the licence were to be granted, and to the community regarding the proximity of the golf course.

## 2.6 Administration of the trial

### 2.6.1 Costs of the trial

To facilitate the trial at Station Beach, mitigating measures to ensure compliance with the REF and protection of the endangered seagrass meadow will impose an unnecessary cost on the Council and therefore on all ratepayers of the Northern Beaches LGA.

Significant expenditure and resources will be required to establish and run the trial. Such expense and effort cannot be reasonably justified.

The REF does not provide any transparency on costs which is a major deficiency of the report. The public has a right to be informed of this expected cost.

What is the itemised cost of the proposed trial? A breakdown of costs is required to cover the proposed:

- signage installation
- tidal markers installation
- additional fencing for safety reasons
- waste bins installation
- parking
- ranger compliance patrols to ensure the multitude of environmental mitigation measures are being complied with. Rangers will not necessarily be patrolling at all hours. Two persons each day for how many months? Cost of additional patrols over the peak summer periods?
- extra beach management costs
- monitoring:
  - water quality checks to ensure the endangered seagrass and marine life will not be affected by dog activity
  - seagrass and white seahorse monthly
  - control site costs
- REF Report
- follow up reports.

These are unnecessary items the Council will need to fund that could be put to better use within the Northern Beaches community.

The beach is currently almost unmonitored. As the REF recommends some 31 mitigation measures, including the engagement of consultants to continuously monitor the sea grass bed and water quality, as well as a substantial increase in the patrols by council officers to police compliance, it becomes apparent that the implementation cost would be enormous and consequently disproportionate which would ultimately serve only a small number of the dogs off leash community.

The REF makes it clear that Council will be required to act to protect the marine environment. Has Council considered the costs of monitoring the trial and of enforcing the conditions of the trial?

The costs to establish and run the trial under the restricted dog swimming circumstances makes this exercise prohibitive.

Is this cost something the council has really considered to be in the best interests of the residents?

Such cost and effort must be weighed up against the restricted use of the beach for swimming during low tide only. How can these costs be justified and considered reasonable for an activity that is sporadic and dependent on the tide?

Why has there not been a cost benefit analysis provided as part of the REF?

## 2.6.2 Compliance

In order to satisfy the assessed environmental impact, Council is required to implement and manage at least 31 mitigation measures, covering Traffic and access, Marine biodiversity, Hydrology, water quality and sediment, Terrestrial biodiversity, Socio-economic, Waste management, Noise, Heritage.

The logistics, monitoring and compliance with the necessary recommendations of the REF impose an extremely onerous requirement on the Council staff to fully comply with the REF.

Cardno acknowledge the risk of compliance breaches, even observing first hand, breaches of the current "No Dogs" policy for the beach.

As we live across the road from the south end of Station Beach we witness daily the volumes of people early in the mornings and later in the afternoons which currently drive their dogs down to the beach in absolute disregard for the "Dogs Prohibited" signs and in fact the law.

The REF raises concerns about compliance, mainly around dog owners not observing signage, times, dog swim area – isn't this trial therefore doomed to fail having wasted significant resources.

It is highly impractical to expect that owners and dogs will either understand or and adhere to specific buffer distances and tide times in a natural location with an informal, unpredictable, uncontrollable activity such as dogs running and swimming off leash. An imaginary line in the water denoting a boundary beyond which dogs should not be allowed to swim is simply unworkable.

Once this off leash area is introduced the general public will not adhere to the time limits as they feel that if dogs can be there at all in any capacity, then what does it matter if they're there a few hours either side. It happens on Mackerel Beach practically every day, and on Station Beach, which has road access, trying to police the rule breakers will be impossible.

It seems the environmental sensitivities are being excused by +30 mitigation measures. Any compliance breaches here and the whole trial breaks down. The REF clearly is concerned over this.

If the council is truly looking to respect the REF and preserve the seagrass then surely a full time warden would be required to educate and police the influx of dog owners as signage is highly likely to be ignored (as it currently is at Station Beach.)

Compliance would be impossible to achieve without the presence of a council ranger at the proposed trial times and essential at low tide.

We understand rangers finish work at 5pm, the very time in summer when many people are taking dogs out for a run, or a swim. At present dog owners then have nothing to fear. How can Council enforce the requirement that dogs swim only east of the seagrass beds?

The REF states "Restricting off-leash dogs to the approved trial boundaries would be dependent upon dog owners maintaining control of their pet." The current illegal use of Station Beach by dog owners allowing their dogs off-leash without restriction at all hours of the day, and the unofficial summer trial (due to willing misinterpretation of the trial signage), shows that dog owners will continue to routinely ignore signage and breach such safeguards and controls.

The proposed limitations of timing - when dogs may be unleashed, and locations - exactly where they may swim at the various tides - will be impossible for Council to enforce. A trial of a dog swimming area in Careel Bay several years ago lasted for about 10 years. Poles in the water indicated the limit to which dogs could swim but were ignored. Despite Careel Bay being part of a wildlife protection area, Council currently seems unable to prevent people letting dogs off leash there, in an area frequented formerly by migratory waders including the endangered Eastern Curlew and other waders.

The REF states that the trial should be reassessed if there is a breach of at least one of the mitigation measures. Clearly the risks of non-compliance are too great to contemplate a trial in such an ecologically sensitive area. The resourcing and budget requirements will be significant, particularly when it does not satisfy the prime objective of the trial – continuous swimming for dogs.

The benchmarks of mitigating factors and the future 'policing' of them are quite capable of being manipulated to achieve a result that may be at odds with reality.

## 2.7 Consideration of alternative locations

The 2008 REF investigated many alternative sites for of leash dogs.

The REF notes that there are already 29 areas where dogs are allowed off-leash in the Northern Beaches area. The Northern Beaches are well serviced with off-leash dog areas, compared to 6 in Sutherland Shire (3 of which are water based) and a similar council size to NBC area; and 20 in Ku-ring-gai Council area. Most Sydney Councils do not have water access dog parks. Dogs do not seem too perturbed about this.

The June 2018 Council resolution requested the investigation of Station Beach only, as an off-leash dog beach. This restriction unnecessarily confined Council to what should have been a broader analysis of potential off-leash dog areas within Council's jurisdiction. Confining the REF to Station Beach, has diminished the report while highlighting all the risks and unsuitability associated with this beach.

The REF recommendations to protect the sensitive sea grass beds results in dogs not being allowed to swim at low tides. This is completely contradictory with the selection of Station Beach as a potential swimming area for off-leash dogs. If dogs are only able to swim at high tides then surely Station Beach cannot be considered as an adequate off-leash area, particularly when factoring in all the risks and issues raised. More suitable alternative swimming areas or parks should be considered by Council. A permanent site, without tidal influences,

minimal environmental risks, and ring-fenced for safety, must be pursued in alternative locations. There is no reasonable basis to pursue Station Beach as an off-leash dog beach.

Surely alternative sites that would not impact so heavily on the environment, that are not so costly to control and do not deface the beach for other users must be considered.

The REF clearly recognises the deficiencies of Station Beach and points to North Palm Beach as an alternative but no alternatives were examined.

The Cardno REF's brief to only investigate one beach site with all its constraints and unsuitability is fundamentally flawed. Even the Department of Industry signalled in two letters to Council in 2018 (withheld and not released to the public during the consultation period), its concern over environmental sensitivities around Station Beach and its preference for an alternative site. The NSW Government Department of Industry state in its letter on 10 September 2018 to the Northern Beaches Council that they would prefer a range of sites to be evaluated in addition to Station Beach, "which has inherent environmental sensitivities due to the presences of an endangered species of offshore seagrass." The Department even mentions an alternative site of Hitchcock Park – Careel Bay. The REF acknowledges compliance risks with Station Beach, but does not investigate Hitchcock Park or other sites, apart from mentioning North Palm Beach as an alternative site for consideration.

One person stated that if a trial is to go ahead it should occur on the Palm Beach surf beach side at the north end where there is less bird life and no sea grass.

*I wonder why relatively isolated North Palm Beach was not considered for this trial? It is primarily used by adult surfers, there's plenty of parking and there is a natural sand dunes buffer.*

*To protect the rights of those of us who do not own dogs, Council needs to identify a relatively unpopulated area, perhaps the northern end of Palm Beach, Whale Beach or Newport Beach. The dogs and their owners can run wild, hopefully clean up after themselves and allow the rest of us to enjoy our local area.*

Questions posed regarding the suitability of Station Beach for off leash dogs are:

- What is the point of having an off-leash dog trial at Station Beach to provide continuous swimming for dogs, when the REF indicates that swimming is not permitted during low tides?
- Do you agree that at the trial times proposed of mornings up to 10.30am and late afternoons, the tide could be low, implying no dog swimming at all?
- Wasn't the purpose of the trial to allow continuous swimming access for off-leash dogs? If yes, why are we still considering this trial?
- How many offshore boundary markers/piers is Council proposing over the approximate 600 metre length of Buffer Zone Line?
- What will be the visual impact to Station Beach?
- Won't the markers be totally visible at very low tides?
- Won't the markers introduce a fresh set of maritime safety and recreational use issues?
- The tidal nature of the beach means that at high tide there is very little beach space for multiple users – won't this just lead to inevitable conflict and exclude other beach users? Doesn't this highlight the unsuitability of Station Beach?
- Why are we considering making such a large proportion of Station Beach a dog's beach (+50% or 600m)? This seems unreasonably large and will make it almost impossible to monitor.

- With permanent offshore markers, onshore signage, covering the majority of Station Beach, are we effectively converting this beach into an all hour's dog's beach as a significant number of dog owners will access the beach irrespective of the prescribed access times?
- So we are defacing Station Beach with a series of offshore boundary markers and over 30 mitigation measures to protect the seagrass while dogs can only swim at high tide? And only if that coincides with the proposed times? Doesn't this imply that Station Beach is wholly unsuitable?
- If Station Beach cannot support continuous off-leash swimming then alternate sites must be considered? The REF points to exploring North Palm Beach - what is the status here?
- Should Council not follow the suggestion by the Department of Industry and evaluate alternative sites?
- Should we not await the outcome of the Council approved investigation into water parks for dogs and possibly re-purposing some of the existing 29 dog parks on the northern beaches?

While there is a need and some community support for an off-leash dog swimming beach on the northern beaches, this must be balanced against environmental and safety issues, parking and traffic congestion, local community concerns, and whether the beach and applied mitigations measures are appropriate – Station Beach is unsuitable on every level and should not be pursued.

Why are we assuming disproportionately higher environmental and other risks in favour of what will only be a part time dog swim activity?

Although you are under pressure to provide another unleashed dog area, this is not suitable. I urge you to reject this location as unsuitable from both an environmental and community point of view.

No compelling reason has been put forward as to why Station Beach should be put at risk apart from the inability to locate an alternative, less intrusive beach elsewhere for dog owners.

## 2.8 Determination of the trial

Several opponents of the trial are concerned that a group of dog owners appears to have influence over Council's decision about proceeding with the trial.

*Council should not be under pressure in assessing this proposed trial, due to a noisy dog group behaving in a militant fashion.*

*Regarding this second 'support' group – are you aware that they stalk, harass, malign and threaten any who speak of another opinion or wish in regard to dogs off-leash? Are you aware that they encourage people to ignore the laws? Should you be supporting such a group, or its leaders, to 'bully' the rest of the community?*

*It is a pity the REF seems worded so council staff may recommend this trial proceeds, despite the many problems it highlights and the obvious cost that will be involved so a handful of people can run over the top of the rest of the community.*

*Choosing to own a non-native animal as a pet does not confer rights over other people or the environment. The pro-dog lobby is very loud but they are not the majority. Most people who live in our beautiful Northern Beaches do NOT want dogs leashed or unleashed on our beaches. An increasing number of dog owners are already ignoring the rights of others and taking their dogs onto beaches throughout the peninsular.*

Another opponent to the trial was concerned that approving the trial will set a precedent for the use of other beaches for off leash dogs:

*Approving Station Beach as an unleashed dog beach will set a dangerous precedent. Dog owners may deliberately misinterpret this as allowing open slather on other beaches. The CCC slogan (Certain beaches Certain days Certain times) is clever but will be disregarded and violated just as are the current rules. The stated aim of certain pro-dog lobby groups is to target other beaches if they win this one. I trust the council has done due diligence in checking the statistics of increased pollution and attacks on other such beaches eg Central Coast. I trust the council will continue to value the safety and amenity of the majority of beach goers and also the wildlife when voting on this matter.*

An opponent of the trial questioned what would happen if the trial finds that Station Beach is not suitable for dogs?

*What will happen if the trial indicates that this is not a suitable area for unleashed dogs? Council must be prepared to refuse to continue the trial or to declare the trial, once completed, indicates this area is unsuitable, facing up to the dog owners and their failed campaign to use this beach. Dogs enjoy swimming, but are not entitled to this at the expense of the natural environment.*

Some supporters stated that if the trial proceeds and it works then continue with the trial. Monitoring environmental issues during the trial will determine whether Station Beach is appropriate for unleashed dogs. Evidence from the trial should form the basis of the final decision in 12 months' time. If there are serious environmental issues with the trial it should be stopped.

## 2.9 Failure of process

The proposed trial of Station Beach as an unleashed dog exercise area is seen to have been poorly handled by Council for several reasons as follows.

It is clear that a number of NSW Government agencies have major concerns with the trial. Such concerns were not made available during the public consultation period. The decision to undertake the trial was based on Council's resolution at the Council meeting on 26 June 2018, that "subject to receiving support for the proposal from the Government Agencies, it be placed on public exhibition..." No such support was provided by the NSW Government Department of Industry – Lands and Water, who expressed major environmental concerns to Northern Beaches Council in their letters of 10 September 2018 and 15 November 2018 and preference for Council to evaluate alternative sites. The REF does not evaluate any alternative sites and such letters were not made publicly available as part of the community consultation process, despite approval to do so by the Department. Accordingly, there is a failure of process here. Had Council made public the above letters, it would have influenced the community perception of the trial and submissions. Why weren't the letters from the NSW Department of Industry dated 10 September and 15 November 2018, revealing their environmental concerns over the use of Station Beach, not made available to the public during the public consultation period when the Department provided permission to do so?

Failure of process by Council by failing to provide the updated Environmental Impact Statement and Review of Environmental Factors prior to public submissions closing on Thursday 28 February 2019. [11] was inappropriate to call for submissions to the proposal before the new Review of Environmental Factors was completed and made public. The findings of the REF and Council's realistic assessment of its capacity to manage the trial according to the REF's recommendations should determine whether this trial proceeds, not the large number of submissions from the general public in favour of the trial, which we believe were made before the REF was published. The REF should have been made available prior to the closure of

public submissions, which would have influenced the community perception of the trial and submissions.

It should be noted that as the REF was not available at the time of the initial consultation period, people making submissions at that time did not have sufficient information to make informed comments on the proposed trial. In conclusion, given the environmental sensitivity of the area and the impact the buffer markers would have on the visual amenity of Pittwater there can be no justification in pursuing the proposed trial.

Is Council not unnecessarily exposing itself to environmental, safety, planning, and legal issues?

## 2.10 Other comments

Can we create stairs around the existing bench chair that work better with the beach environment - possibly for another department.

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## 3 CONCLUSION

The submissions to the public exhibition of the Review of Environmental Factors for the proposed off leash dog swimming area at Station Beach outlined above should be considered before making a decision about whether to proceed with the trial.

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## REFERENCES

Cardno (2019) *Review of Environmental Factors: Station Beach Off-Leash Dog Area – Proposed Trial*. Prepared for Northern Beaches Council, 24 May 2019.

NGH Environmental (2008) *Review of Environmental Factors: Proposed trial of an unleashed dog swimming area at Station Beach, Palm Beach*.

Parkland Planners (2019) *Station Beach Dog Off Leash Area – Proposed Trial: Community Engagement Report*. Prepared for Northern Beaches Council, 13 June 2019.

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**Attachment 7: Station Beach Dog Off-Leash Area Proposed Trial, Overview of feedback from community groups (received during engagement 16 November 2018 to 28 February 2019 and 14 June to 12 July 2019) and responses.**

Community Feedback (summarised by theme)	Response
<p><b>Safety</b></p> <p>1) This will turn the whole of Station Beach into a “Dog Beach” to the exclusion of other users.</p> <p>2) REF 2019 is inadequate with regard to addressing safety concerns where young children and the elderly. Saying it is dependent on dog owners is unmanageable.</p>	<p>1). The proposed off-leash area is using approximately 520 metres of the southern section of Station Beach only and at these restricted days and times:</p> <ul style="list-style-type: none"> <li>• 4:00pm to 10:30am, Monday to Sunday (Australian Eastern Standard Time, non-daylight saving period).</li> <li>• 5:30pm to 10:30am, Monday to Friday (Australian Eastern Daylight Time, daylight-saving period, summer).</li> <li>• Dogs prohibited on Station Beach outside these days and times.</li> </ul> <p>2). People taking their dogs to this trial area, and Council’s other off-leash areas, are required to abide by the conditions of use of the off-leash area as prescribed by Council and the <i>Companion Animals Act 1998</i>.</p>
<p>3) Doesn’t the proposed morning and afternoon off leash times coincide with many other people, including families, use the beach? Won’t this lead to inevitable conflict.</p>	<p>3) The proposed trial days and times have been set to provide suitable times for walking a dog and to minimise impacts on other use. For example the off-leash area will not be available on weekends in the summer - the busiest time of the year at Palm Beach. To ensure that there is broad community awareness of these days and times they will be widely advertised on-line and on signage at Station Beach.</p>
<p>4) Why does the REF 2019 ignore current practice where dogs are let off-leash from the Beach Road car park and run directly onto the beach, often approaching families, visitors, tourists, without regard for safety</p>	<p>4) Dog owners will be required to have their dogs restrained with a leash until they reach the off-leash area.</p>
<p>5) Why has there been no risk analysis of the golf course in respect of the trial.</p> <p>6) Why has fencing, public safety concerns and conflict been ignored.</p>	<p>5), 6) A risk assessment has been carried out in regard to the trial and the adjacent Palm Beach Golf course. Following consideration of the assessment and the current management of risks of open spaces adjoining other golf courses, at Mona Vale and Long Reef, it is proposed to install specific signage along the beach edge of the Palm Beach Golf course for beach users.</p> <p>Prior to and during the trial visitation audits will be conducted. This data will inform a review of the risk assessment that will be conducted during the trial. If required other measures may be considered such as fencing.</p>

	The Palm Beach Golf Club do not oppose the trial.
<b>Community Feedback (summarised by theme)</b>	<b>Response</b>
<p><b>Compliance</b></p> <p>7) The REF 2019 raises concerns over compliance, mainly around dog owners not observing signage, times, dog swim area – isn't this trial therefore doomed to fail having wasted significant resources?</p>	<p>7) Council effectively manages our community's compliance with the <i>Companion Animal Act 1998</i> including at 29 existing dog off-leash areas, some of which have water access. This process of management will be implemented at Station Beach.</p>
<p><b>Dog Faeces and Health Risk</b></p> <p>8) REF 2019 concedes there will be a substantial loss of amenity and health risk. Beach may ultimately be rendered not suitable for swimming.</p> <p>9) The REF 2019 assumes all dog owners will collect their dog faeces. Is that contrary to evidence from other dog parks, creating genuine health and pollution concerns.</p>	<p>8) Environmental monitoring and reporting, including of seagrasses and water quality, will be conducted as required in the REF 2019.</p> <p>9) Staff have observed that dog owners generally pick up after their dogs. During the trial Council rangers will conduct regular patrols to encourage compliance and information sessions will be held on-site about trial conditions including about the importance of picking up after dogs.</p>
<p><b>Environment</b></p> <p>10) REF 2019 states adherence to the Pittwater LEP is not required however, adherence to the E2 zoning is essential to save this sensitive environment from destruction. REF 2019 acknowledges <i>Posidonia australis</i> is a threatened sea grass species.</p> <p>11) This will leave a poor environmental legacy for the next generation.</p> <p>12) Why does the REF 2019 ignore the fairy penguins on Lion island and the nearby seal colony.</p>	<p>10) Off-leash dogs will be prohibited from the seagrass beds and the area with <i>Posidonia australis</i>.</p> <p>11) Environmental monitoring and reporting, including of seagrasses and water quality, will be conducted as required in the REF 2019.</p> <p>12) Council does not have evidence that the trial will impact marine life at Lion Island.</p>
<p><b>Mitigation Measures</b></p> <p>13). There are upwards of 30 mitigation measures listed within the REF 2019. This is completely unmanageable.</p>	<p>13). Council has the experience and resources to implement the REF's mitigation measures. For example some measures, such as compliance management of off-leash areas, are standard practise for the Council's operation of the Northern Beaches</p>

	existing 29 off-leash dog areas. Some of these areas also have water access which Council manages.
<b>Community Feedback (summarised by theme)</b>	<b>Response</b>
<p><b>Low Tide</b></p> <p>14). To protect the seagrass beds, REF 2019 recommends no swimming at low tide. How will this be policed?</p>	<p>14). Council is not proposing dogs swim over the seagrass bed. Council will install 3 marker buoys 3 metres landward of the seagrass bed and a sign on the Station Beach Wharf to delineate the dog off-leash area.</p>
<p><b>High Tide</b></p> <p>15). At high tide there will be very little beach space for multiple users – won't this just lead to inevitable conflict and exclude other beach goers – highlights unsuitability of the site.</p> <p>16). Wasn't the purpose of the trial to allow continuous swimming access for off-leash dogs? If yes, why are we still considering this trial.</p>	<p>15). Station Beach does narrow significantly on king tides, however this will provide more area for dogs to swim.</p> <p>16). The proposed trial off-leash area will allow dogs to run in water on nearly all tides and prevent access to the seagrass beds. It is acknowledged that from time to time on certain tides there will be not enough water for dogs to swim.</p>

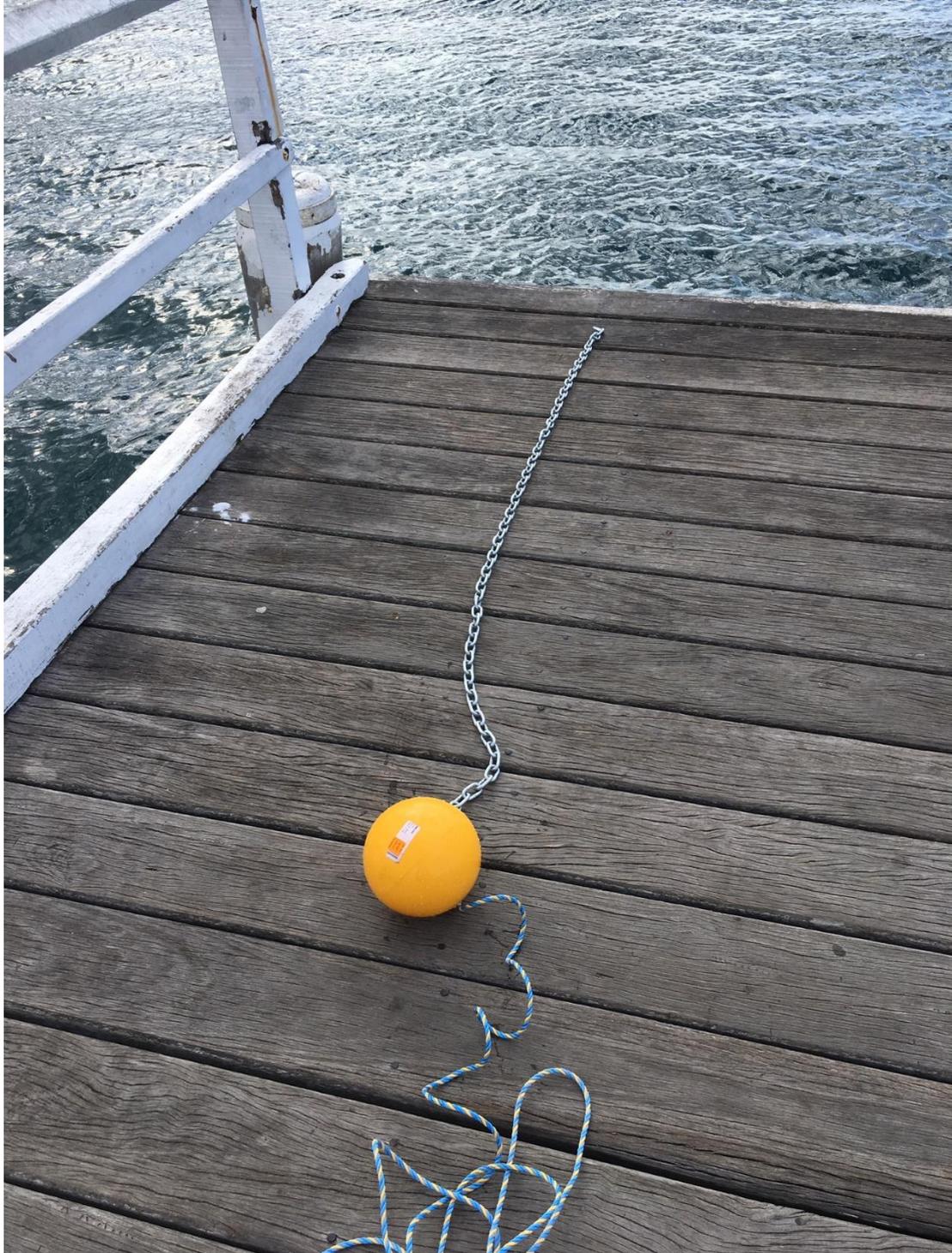
Community Feedback (summarised by theme)	Response
<p><b>Visual Impact</b></p> <p>17). Installation of unsightly offshore boundary markers/piers to ensure no encroachment onto the sensitive seagrass area will not only be visually damaging but will also impede swimmers and watercraft. This is totally unreasonable and very costly</p>	<p>17). Council is proposing to delineate the eastern boundary of the trial off-leash area with three small marker buoys and a sign on the Station Beach wharf. The estimated cost of three buoys is \$1,500.</p>
<p><b>Marker Buoys</b></p> <p>18). Will they introduce a fresh set of maritime and recreational hazards.</p> <p>19) How many offshore boundary markers is Council proposing over the approximate 600 metre length of Buffer Zone Line?</p>	<p>18). NSW Roads and Maritime Services and Fisheries are supportive of the installation of marker buoys.</p> <p>19). See 17).</p>
<p><b>Size of proposed off-leash dog area</b></p> <p>20). Why are we considering taking up such a large proportion (50% or over 600 metres).</p> <p>21) Retain existing 80m Beach Road offset.</p>	<p>20). In accordance with Council's resolution, the size of the trial area was developed in consultation with Pittwater Unleashed.</p> <p>21). Agreed. The proposed on-leash area extends from Beach Road to the southern boundary of the off-leash area and is approximately 110 meters.</p>
<p><b>Impact on Local Residents</b></p> <p>22). Residents are concerned over parking, noise, pollution and the fact that currently the "No dogs" signage is ineffective.</p> <p>23). How will residents be assured that dogs will not invade private residents where there is no fencing.</p> <p>24). Why does the REF not measure the impact from the southern Beach Road carpark and Waratah Road and its impact on local residents.</p>	<p>22). It is acknowledged that some dog owners are currently accessing Station Beach.</p> <p>23). It cannot be guaranteed that off-leash dogs will not enter private properties. Any instances are to be reported to Council for investigation.</p> <p>24). The impact of traffic and parking on the local area and residents will be monitored throughout the proposed 12 month trial period.</p>

Community Feedback (summarised by theme)	Response
<p>25). If Station Beach cannot support continuous off leash swimming then alternate sites must be considered. The REF 2019 points to North Palm Beach – what is the status here?</p>	<p>25). Council's resolution was to only investigate Station Beach. However, in response to the requirements of Fisheries, a comparison of alternate ocean beach locations is to be investigated to determine the lowest environmental impact, concurrently with the trial, before a permanent location is approved. Fisheries has also recommended that Council consider Palm Beach (on the ocean side) amongst the ocean beach options.</p>
<p>26). Should we not await the outcome of the Council approved investigation into water parks for dogs and possibly re-purposing some of the existing 29 dog parks on the northern beaches?</p>	<p>26). Council resolved to investigate the suitability of Station Beach.</p>
<p>27). Why weren't the letters from the NSW Department of Industry dated 10 September and 15 November 2018, revealing their environmental concerns over the use of Station Beach, not made available to the public during the public consultation period when the Department provided permission to do so?</p>	<p>27). These letters will be made publically available with the report to Council.</p>
<p><b>Size of off-leash area</b></p> <p>28) Introduction of 3 metre “buffers” is totally flawed and introduces a set of rules which will be administratively difficult – a “nightmare”</p> <p>29) Recommend changing the “buffer” approach to use one post at each end and possibly one in the middle located 5m to the shore side of the edge of the seagrass meadow. Management rule would then be <i>“If the posts are dry, the dogs are dry”</i>.</p> <p>30) Use the wharf as the northern limit, allowing a wharf pylon to be adopted as a tide marker.</p>	<p>28) See 16, and the 3 metre buffer marker buoys will clearly show the boundary of the off-leash area in the water for compliance and for the community.</p> <p>29) The most practical trial option arising from the REF 2019 is to establish an off-leash boundary three metres from the edge of the seagrass bed and that dog activity is permitted east of this line on restricted days and times. This option provides the most effective arrangement for Council to implement the mitigation measures required as it:</p> <ul style="list-style-type: none"> <li>• Allows swimming at any tide whilst separating dogs from seagrass.</li> <li>• Provides a buffer between dogs and seagrass, limiting disturbance, and allows for seasonal variation in the edge of the seagrass.</li> <li>• Provides a clear boundary for the community and for rangers.</li> </ul> <p>30) Agreed.</p>





**Proposed Marker Buoy for Station Beach Dog Off Leash Area trial**





Our Ref: C19/475

14 August 2019

Steven Lawler  
Northern Beaches Council  
c/o: steven.lawler@northernbeaches.nsw.gov.au

Dear Steve,

**Re: DPI Fisheries comments on the Review of Environmental Factors (Cardno, May 2019) for a dog off-leash trial at Station Beach.**

Thank you for your referral of 22/7/2019 seeking comment on REF for the proposed dog off-leash trial at Station Beach, prepared by Cardno in May 2019.

DPI Fisheries has reviewed the REF and has no objections to the trial proceeding, subject to the following conditions:

1. Markers (pole or buoy) must be installed 3m east (shoreward) of the seagrass beds. If buoys are used, floating rope is preferred to chains in order to prevent seabed scouring and harm to benthic invertebrates. If a chain is used, it should be as short as functionally possible and be fitted with an inline float to raise the chain off the sea floor.
2. A different coloured marker should be installed at the northern and southern extent of the off-leash area as a visible reminder that dogs need to go back on leads at that point.
3. Off-leash dogs are to remain within the trial boundaries i.e. east (shoreward) of the markers and between the northern and southern extents.
4. DPI Fisheries does not object to the northern boundary extending 100m to the north, in line with the wharf.
5. The time restrictions (e.g. sunrise to sunset) and dates of the trial must clearly communicated to dog walkers and the broader community.
6. A Seagrass Monitoring Plan is to be prepared and submitted to DPI Fisheries for approval at least 2 weeks prior to the commencement of the trial. Council must implement the approved plans on site.
7. Council must install multiple signs, at the entry points to Station Beach and within the trial area (on the dune), advising the community of:
  - a. The physical extent of the trial area.
  - b. A clear diagram showing the trial area.
  - c. The times and dates that dogs are permitted off-leash.
  - d. The ecological importance of seagrass beds and the endangered status of *Posidonia australis*. Statements such as "1m<sup>2</sup> of seagrass produces 1 tonne of recreational fish per year" and "seagrass beds provide homes for threatened species of seahorse" are helpful in connecting with the community. DPI Fisheries can assist in providing wording and pictures for the sign.
  - e. Regular compliance patrols and on-the-spot fines for non-compliance with the trial conditions.
  - f. Dog faeces must be collected immediately by the owner and disposed of in bins at either end of the beach. (Doggy bags and bins should be provided by Council and maintained regularly.)
8. At the conclusion of the trial, DPI Fisheries would like to review the report that details the outcomes of the trial, including the findings of the seagrass monitoring program.
9. The REF states in Table 5.2 – Mitigation Measures:  
"Increased compliance patrols by Council officers to ensure compliance with permitted high tide swimming periods" and



“Increased compliance patrols by Council officers to ensure compliance with permitted dog access areas and times”.

Fisheries recommends that the findings/outcomes of any specific compliance program be reported as part of the trial monitoring program.

10. Prior to appointing a permanent dog off-leash area, DPI Fisheries recommends that Council reviews alternative locations. An environmental assessment should allow for the comparison of multiple locations in order to determine which site would incur the lowest environmental impact as a result of dog off-leash activity. This review of alternative locations may occur concurrently or subsequent to the Station Beach dog off-leash trial. DPI Fisheries has a strong preference for the use of ocean beaches for the dog off-leash area, rather than estuary beaches. DPI Fisheries recommends that Council consider Palm Beach (on the ocean side) amongst other ocean beach options. Ocean beaches do not support living marine vegetation or Syngnathids (such as the endangered Whites Seahorse that lives in seagrass beds in Pittwater), so the potential impact of dogs on marine life is considered to be far less on ocean beaches. Obviously, there will be other consideration on ocean beaches, such as shore birds, that will need to be assessed.

If you require any further information, please contact me on (02) 8437 4981.

Yours sincerely,



**Sarah Conacher**  
Fisheries Manager, Coastal Systems

# Station Beach Dog Off-leash Area

## 12 month trial (dates here)

During the trial, dogs are permitted (leashed and off-leash) on Station Beach within the prescribed areas. This includes the water, provided they remain landward of the marker buoys. Outside of the trial hours, dogs are prohibited on this beach.

### Dogs are permitted at the following times

Monday to Sunday 4pm - 10.30am

Monday to Friday 5.30pm - 10.30am (Daylight Saving Time)

### Please follow these conditions of use

- Dogs are permitted off-leash in the identified off-leash zone
- Dogs on-leash in the identified on-leash zone
- Please ensure your dog is always landward of the marker buoys
- Dogs prohibited from using the foreshore south of Beach Road
- Use the bins provided (see map)

Penalties apply under the Companion Animals Act, 1998.

Please consider parking in Governor Philip Park and entering the off-leash zone from the north.

### Why are seagrasses important?

- Provides habitat and food for fish and other aquatic fauna
- Help reduce erosion and improve water quality

The seagrass meadow at Station Beach is the largest in the Pittwater Estuary. The deeper water further from shore includes an endangered population *Posidonia australis* (strapweed). Other species here include *Zostera muelleri* subspecies *capricornia* (belgrass) and *Halophila ovalis* (paddleweed). A very low tide may expose the edge of the seagrass bed and it is crucial that it remain protected from foot traffic.

### Protecting the environment

- Council will monitor seagrass, water quality and estuarine species during the trial.
- Dog owners must control pets and follow the conditions of use to safeguard the seagrass and shoreline sediment.

Visit our website to learn more about the trial and seagrasses.

Customer Service Enquiries: 1300 434 434  
northernbeaches.nsw.gov.au

