



**12.1** **REVIEW OF DOGS OFF LEASH AREAS ALONG PORT PHILLIP BEACHES AND ST KILDA BOTANICAL GARDENS**

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**1. PURPOSE**

- 1.1 To provide Council with the findings of research undertaken of the Port Phillip community and visitors relating to a review of dog off-leash zones on our beaches and St Kilda Botanical Gardens and seek endorsement to commence a morning trial of a new off-leash zone at South Melbourne Beach from 1 November 2019 to 31 March 2020.

**2. EXECUTIVE SUMMARY**

- 2.1 An action contained in the Domestic Animal Management Plan 2017-2021 ("the DAMP") is to review and manage the provision of dog off-leash along the foreshore and in Fisherman's Bend to protect and balance the needs of the whole community (Action 18). The action included various areas of the municipality and this report specifically addresses:
- Action 18.1 – Explore option to provide consistent zones from 1 November to 31 March at the South Melbourne and Middle Park Beach
  - Action 18.2 - Explore option to extend dog off-leash area from the rock groyne south of Point Ormond to the rock groyne at Elwood Sailing Club to avoid confusion for dog owners
  - Action 18.4 - Explore the opportunity to provide dog off-leash area in the South West section of St Kilda Botanical Gardens
  - Action 18.5 - Explore options to provide dog off-leash areas along the beaches from 5.30-9.30 am where is it currently prohibited including Sandridge Beach, Middle Park Beach, New Beach, West Beach, Port Melbourne Beach, St Kilda Beach, South Melbourne Beach, Elwood Beach
- 2.2 During November and December 2018, Council commissioned Metropolis Research to undertake a study in the form of two methods; a resident (door to door) visit where 600 residents were surveyed; and a face to face survey conducted along Port Phillip's beaches and the St Kilda Botanical Gardens where 871 randomly selected visitors/residents participated. Participants included a mix of dog and non-dog owners to ensure a fair and balanced approach.
- 2.3 The survey demonstrates that generally over 80% of respondents consider the current dog off-leash beach provisions provides a good balance for all users. This report explores options relevant to specific, identified locations based on the survey findings.



### 3. RECOMMENDATION

That Council:

- 3.1 Notes the extensive consultation undertaken between 24 November and 4 December 2018 and involving 1471 respondents for the purposes of reviewing dog off-leash areas along Port Phillip beaches and St Kilda Botanical Gardens.
- 3.2 Commences a morning trial of a new off-leash zone at South Melbourne Beach from 1 November 2019 to 31 March 2020 with permitted hours being 5.30am – 10am, consistent with the morning off-leash period at Middle Park Beach.
- 3.3 Receives a further report in May 2020 providing an assessment of the morning trial at South Melbourne Beach.
- 3.4 Retains the current restrictions during the summer months at Point Ormond to the rock groyne at Elwood Sailing Club given the high volume of residents and visitors using the beach until sunset.
- 3.5 Retains the current dog on-leash zones located in the lawn area in the South West corner of the St Kilda Botanical Gardens.
- 3.6 Retains current restrictions at Sandridge Beach, Middle Park Beach, New Beach, West Beach, Port Melbourne Beach, St Kilda Beach, Elwood Beach.

### 4. KEY POINTS/ISSUES

- 4.1 The findings of the Metropolis Research survey (refer Attachment 1) are consistent with the findings of the consultation undertaken for the purposes of developing the DAMP in July-August 2017. That is, over 80% of respondents believe that current dog off-leash beach provisions provide a good balance for all users. Specifically, those surveyed were either 'very' or 'somewhat' satisfied with dog off-leash aspects of the beach they were in attendance, including "how easy it is to understand the dogs off-leash rules at this location", "how well the dog off-leash rules are displayed at this location", and "overall satisfaction with dog off-leash controls at this location"
- 4.2 Importantly, while the DAMP survey respondents were predominately dog owners, the Metropolis survey reached a greater balance of the community, with only half of respondents at the seven beaches owning a dog, and just over a third at the Botanical Gardens.
- 4.3 Approximately three-quarters of respondents who own at least one dog, reported that they take their dog/s to open space locations or a beach at least every few days. This highlights the vast majority of dog owners in the municipality are taking their dogs to parks, gardens, and open spaces (including beaches) within the municipality for exercise on a frequent basis.
- 4.4 Nearly half of both resident and face to face surveyed respondents were very satisfied with "limitations put on dogs off-leash at this location", "the amount of congestion in dog off-leash areas at this location", and "the level of animal management control and enforcement at this location".
- 4.5 For those who did not agree, sought more off-leash beaches and a reduction in time and date restrictions and more focus on enforcement and congestion. Specifically, one fifth of respondents reported experiencing an issue in an off-leash zone. Those



respondents indicated that this was due to congestion and lack of enforcement, rather than the hours or type of restriction.

- 4.6 The survey reveals 20.8% of resident respondents were 'dissatisfied with the level of management control in the beach or open space they visit most often', which is of concern. An increase in enforcement patrols from our Summer Amenity and Animal Management Unit should address this dissatisfaction.
- 4.7 It is noted the survey was carried out towards the end of November 2018 and in the interim, our Summer Amenity Unit has increased its patrols of the entire beach with at least two random patrols being carried out daily. Officers are using the new all-terrain buggy to access the entire foreshore and digital scanners to gather animal information. This summer Council's Animal Management Unit's moved away from the more 'educational' approach of informing persons walking their dog of their breach of restrictions to the present approach of strictly enforcing restrictions, due to the number of complaints.
- 4.8 This, coupled with Council data shows that Council's increased signage and increased patrols by Council's Summer Amenity and Animal Management Units along the foreshore as being successful in providing a good balance for all users in managing off-leash provisions along the foreshores.
- 4.9 It is important to note that Council's existing off-leash restrictions (refer Attachment 2) are relatively like those of its neighbouring beachfront Councils, Bayside and Kingston (refer Attachments 3-4). All three Councils provide 'green' all year off-leash zones and red 'prohibited' all year zones. The remaining zones are a mixture of differing restrictions in the morning and afternoon of summer.
- 4.10 **Explore consistent zones from 1 November to 31 March at the South Melbourne and Middle Park Beach**
  - 4.10.1 Council's seven beaches include fifteen differing 'zones' with changes in dog off-leash conditions. The results show that the majority of both resident and beach respondents were very satisfied with "how easy it is to understand the dogs off-leash rules at this location", "how well the dog off-leash rules are displayed at this location", and "overall satisfaction with dog off-leash controls at this location".
  - 4.10.2 22.2% of beach respondents were dissatisfied with the amount of congestion in dog off-leash zones at the beach.
  - 4.10.3 A visual representation of complaints relating to dog off-leash received by Council's Animal Management Unit is provided in Attachment 5. This demonstrates that majority of complaints occur within Council commercial and residential areas as opposed to Council beaches.
  - 4.10.4 One approach to easing congestion is to consider amending current restrictions and commencing a morning trial of a new off-leash zone at South Melbourne Beach from 1 November 2019 to 31 March 2020 with permitted hours being 5.30am – 10am.
  - 4.10.5 This option expands the capacity to walk further, thus thinning the congestion and will see the alignment of restrictions consistent with the adjoining Middle Park Beach (in the morning period) and allowing visitors continuous exercise from Port Melbourne Beach to the St Kilda Pier.



- 4.10.6 Conversely, a trial will mean residents to the north of South Melbourne Beach who wish to attend a beach without dogs in the summer months will need to access Port Melbourne or St Kilda Beaches as their closest off leash beaches.
- 4.11 Explore options to extend dog off-leash area from the rock groyne south of Point Ormond to the rock groyne at Elwood Sailing Club**
- 4.11.1 Elwood Beach does not allow for dogs to be walked off-leash at night in the summer months.
- 4.11.2 Council's Summer Amenity officers who patrol in the evening note that Elwood beach is often busy in the evening in Summer particularly in January and on warm nights.
- 4.11.3 Given Elwood Beach is geographically separated from beaches to the north, we note that residents and visitors to Elwood and Ripponlea would find it difficult to get to a beach (within walking distance) with lesser restrictions to walk their dog at night when compared to all other zones that adjoin beaches with lesser restrictions.
- 4.11.4 While there are no dog off-leash areas at Elwood Beach after 9.30am during summer months, it is noted the adjoining M.O Moran Reserve allows dogs off-leash all year round.
- 4.11.5 It is recommended that current restrictions are maintained due to the high volume of residents using the beach until sunset.
- 4.12 Explore the opportunity to provide dog off-leash area in the South West section of St Kilda Botanical Gardens**
- 4.12.1 Approximately 64% of face to face survey respondents in the Botanical Gardens would like to see the area at the corner of Dickens and Herbert streets become a dog off-leash section in the park (South-West Section). One-quarter (26.5%) of respondents disagreed with this proposal, whilst almost 10% could not say.
- 4.12.2 Given the above average response, Council could consider conducting a 6-month trial, restricted to the south west section of the gardens.
- 4.12.3 In considering this option, it is imperative to note that dogs off-leash could pose significant risk to wildlife and this option would need to be carefully monitored and managed, including the effects of off-leash activity on biodiversity and identifying usage of the zone, increases in complaints relating to dog waste, rushes and attacks and the development of a turf management plan.
- 4.12.4 When considering the feasibility of a dog off-leash zone at this location, dog off-leash activity is generally not supported in Botanical Gardens around the world. Whilst it is acknowledged that when asked a higher percent of people supported an off-leash zone at the Botanical Gardens, Council's recent experience with introducing and maintaining off-leash zones at the Peanut Farm Oval, St Kilda and Eastern Reserve, Port Melbourne have been quite problematic.



- 4.12.5 For example, concentrated use of dogs off-leash in Eastern Reserve has resulted in poor grass cover across the whole site. In response to soil contamination and to allow time for grass to recover, this 1500m<sup>2</sup> lawn area is split into three separate sections. It is common for a section of the park to be closed off with fencing panels to restrict usage.
- 4.12.6 Following many attempts to reinstate the lawn at Eastern Reserve with instant turf, a synthetic product (refer Attachment 6) has been introduced to help prevent ongoing damage and access to the soil. Cost spent on this site since it opened has been approximately \$40k per annum. Costs include additional watering, fertilising, re-turfing, decompacting of soil and temporary fencing panels.
- 4.12.7 Advice has been sought from Council's Open Space and Recreation Unit in relation to a possible trial of a dogs off-leash zone in the Botanical Gardens. In summary, the Unit raised concerns primarily around Council's inability to protect the biodiversity of the Botanical Gardens including ducks and possums and the potential impact on plant conservation and the potential damage to the grassed areas.
- 4.12.8 Based on their experience of other dog off-leash areas in the municipality, depending on its popularity, any proposed off-leash area of the Botanical Gardens would require significant maintenance including a turf management plan with soil aeration, an increase in fertilising, soil top dressing and increased watering to keep the grass healthy. The estimated cost of additional maintenance and watering of the lawns \$40k for a 6-month period.
- 4.12.9 Given the risk to wildlife and vegetation and the cost increase it is recommended to maintain the existing restrictions in the St Kilda Botanical Gardens.
- 4.13 Dog off-leash areas between 5.30 – 9.30 am at Sandridge Beach, Middle Park Beach, New Beach, West Beach, Port Melbourne Beach, St Kilda Beach, South Melbourne Beach, Elwood Beach**
- 4.13.1 It is considered that Middle Park, Port Melbourne, South Melbourne and St Kilda beaches are the municipalities busiest and congested.
- 4.13.2 The intent of the Metropolis survey was to ensure there is a balance within the community regarding the provision of dog off-leash activity.
- 4.13.3 Elwood Beach already provides an off-leash zone between 5.30 and 9.30am.
- 4.13.4 Whilst the survey shows that current restrictions provide for this balance, it is further noted that only a small number of respondents (102) were dissatisfied with current limitations. For this reason, outlined in paragraph 4.10, Council officers have identified an approach which could be considered for South Melbourne Beach.
- 4.13.5 Maintaining current restrictions at these locations compliment the high volume of visitors and thus restrict access to dogs off-leash in the summer months. It is noted that each of these beaches also adjoin zones that permit dogs off-leash at all times and are relatively accessible by foot.



- 4.13.6 It is envisaged that by amending too many current restrictions, Council will risk reducing satisfaction with current arrangements and thus reducing the balance within the community.
- 4.13.7 Given the high patronage of various type of users of Council's beaches during the summer months, relaxing the current restriction period off dog off-leash activity, may increase the potential risk of dog attacks/rush as the shared area becomes more utilised.

#### 4.14 Petition

- 4.14.1 A petition seeking less restrictions on beaches relating to dogs was received by Council on 21 December 2018.
- 4.14.2 The petition was supported by an adjoining online petition with almost 700 signatories. The author maintains beaches are rarely used prior to 9.30am and after 7pm and proposes a time share where greater access for dogs is provided within those hours similar to "many other Councils". The times outlined in the petition align with the times identified for review in Action 18.5.
- 4.14.3 Regrettably, Council officers are unable to determine the locality of the 700 signatories, thus is unaware if this petition largely relates to Port Phillip residents or otherwise. However, it is important that Council consider the merits of the petition in line with this action.
- 4.14.4 The petitioner stated that beaches are rarely being used prior to 9.30am and after 7pm. Statistics for beach visitors/users are not readily available for this time period, however our Summer Amenity Officers are often patrolling the busier beaches at these times. They report the beaches are well utilised in the warmer months after 7pm, particularly around the Christmas holiday period. In recognition of the larger crowds during this period, Council officers regularly carry out evening patrols until sunset. Council officers observe beaches are used less prior to 9am when compared to the day and evening periods.
- 4.14.5 Outside of the summer months, foreshores are already unrestricted, thus this action only applies to the summer months between 1 November and 31 March.
- 4.14.6 Resulting from the petition being lodged, Council has received feedback from the community highlighting several key points including:
  - a) Permitting all beaches to allow dogs from 7pm-9.30am disadvantages those who wish to utilise the amenity without interactions with dogs (off-leash), have small children or wish to lay down, relax and eat food without unwelcomed interactions with dogs.
  - b) 7pm – 9.30am during the summer months is often when Port Phillip beaches are the busiest as users avoid the extreme heat during the day and utilise this amenity after outside of work hours.

## 5. CONSULTATION AND STAKEHOLDERS

- 5.1 The Metropolis Research Survey comprised of two separate but related surveys; a door to door interview style survey of 600 residents and an intercept style survey of 871 visitors to the seven Port Phillip beaches and the St Kilda Botanical Gardens (refer Attachment 1).



- 5.2 Advice has been sought from Council's Open Space and Recreation Unit in relation to a possible trial of a dogs off-leash zone in the Botanical Gardens. In summary, the Unit raised concerns primarily around Council's inability to protect the biodiversity of the Botanical Gardens including ducks and possums and the potential impact on plant conservation and the potential damage to the grassed areas.

## 6. LEGAL AND RISK IMPLICATIONS

- 6.1 Council has an obligation to manage public spaces effectively and to balance the various uses and opportunities with public safety considerations. Given the high patronage of users of Council's beaches during the summer months, extending the restriction period may increase the risk of dog attacks, however data indicates that the majority of dog complaints occur within Council's commercial and residential areas.
- 6.2 Reputationally, Council may, by amending too many current restrictions, risk reducing current satisfaction with current arrangements and thus reducing the balance within the community.

## 7. FINANCIAL IMPACT

- 7.1 Any amendments to current restrictions will need to be advertised. This can be met within current budgetary allocation. If Council did choose to have a 6 month trial off lead in the St Kilda Botanical Gardens there would be a \$40K cost that is currently not funded.

## 8. ENVIRONMENTAL IMPACT

- 8.1 Council's *Foreshore Management Plan 2012* lists several Strategic focuses for the management of the foreshore including *Theme 4 – vegetation and Biodiversity*. In continuing the restricted timeframes on all beach zones, it is considered there will be no increase in risk to the condition and coverage of foreshore vegetation and habitat.
- 8.2 There are potential risks associated with the implementation of an off-leash zone within the south west corner of St Kilda Botanical Gardens. The lawn is surrounded by native and indigenous flora and fauna, an assessment of the habitat values and the wildlife this area supports would be recommended if there was a trial, which is not recommended.

## 9. COMMUNITY IMPACT

- 9.1 Dog owners enjoy numerous health and social benefits by walking their dog. Benefits include improved cardiovascular fitness, lower blood pressure, stronger muscles and bones (built up by walking regularly), and decreased stress.

With over 6,500 having been registered, dogs play an important part of our community, and provide an opportunity for owners to meet other owners, swap tips and even make new friends.

- 9.2 According to the RSPCA, off-leash dog activities have many benefits for dogs including the opportunity for dogs to exercise, socialise with other dogs, enjoy the fresh air, practice training techniques, play games and generally race around and burn off energy. It also provides essential mental stimulation and prevent the development of problem behaviours such as destructiveness or excessive barking.



- 9.3 Equally, dog owners must ensure their pets are kept safe and healthy, they know and understand their responsibilities under the law and comply with relevant legislation, local laws, and codes of practice.
- 9.4 Importantly, it must be recognised that there are people in our community who do not wish to have any contact with dogs and this needs to be respected. Council has a responsibility in balancing the needs of the community and to keep amenity protected.

## **10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

- 10.1 The City of Port Phillip Health and Wellbeing Strategy set out in the City of Port Phillip Council Plan 2017-27 guides Council's response to supporting community health and wellbeing. This strategy aims for an 'active, safe and inclusive community where all people are able to connect and access the places, activities and services required to support health and wellbeing'.
- 10.2 Supporting the continuation of the current restrictions on all beaches and St Kilda Botanical Gardens while proposing a trial at South Melbourne Beach reinforces the strategic direction of the City of Port Phillip Council Plan by embracing difference and providing a fair and balanced approach for all users.
- 10.3 In analysing the results of the survey and understanding the current impacts associated with dog off-leash activity within the municipality, the recommendations formed in this report contribute to Council achieving its objectives outlined in the Domestic Animal Management Plan 2017 – 2021, with particular regard to providing sound basis and direction for which Council can plan and make future decisions.

## **11. IMPLEMENTATION STRATEGY**

### **11.1 TIMELINE**

- 11.1.1 Morning trial of a new off-leash zone at South Melbourne Beach to commence 1 November 2019 to 31 March 2020.
- 11.1.2 New and existing signage to be updated by 1 October 2019.
- 11.1.3 Current off-leash maps to be amended and uploaded on Council's website by 1 October 2019.
- 11.1.4 Assessment of the trial of the off-leash area for South Melbourne Beach will be completed in April 2020 and presented to Council for consideration. The assessment will be based on data relating to usage, complaints and incidents relating to dog rush attacks and other general dog related nuisances, impacts on the gardens and its biodiversity and any feedback received from the community. Council will then be able to determine the best outcome for this zone.

### **11.2 COMMUNICATION**

- 11.2.1 Council is committed to the management and appropriate use of its open space. With increasing housing density, Council is endeavouring to achieve the best outcomes and improving the overall quality of life of people in the local community.
- 11.2.2 Council strives to maintain community safety and amenity by seeking to balance the needs of both dog and non-dog owners and undertakes educative initiatives with the community whilst performing its enforcement role.



11.2.3 We encourage responsible pet ownership practices and recognise the positive health and wellbeing benefits associated with having a dog.

**12. OFFICER DIRECT OR INDIRECT INTEREST**

12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

**TRIM FILE NO: 04/01/62**

**ATTACHMENTS**

1. 2018 DAMP Survey Summary Report
2. Dog Off Leash Foreshore Regulations
3. Bayside City Council - Dogs Off Leash Map
4. City of Kingston Foreshore Regulations
5. Dogs Off Leash Not Under Effective Control Issues Received By Animal Management
6. Synthetic Product Used at Eastern Reserve