



WAVERLEY  
COUNCIL

# **Timed Dogs Off-leash at Mackenzies Bay: Consultation Summary Report November 2020**

Waverley Council acknowledges the Bidjigal and Gadigal people, who traditionally occupied the Sydney Coast and we acknowledge all Aboriginal and Torres Strait Islander Elders both past and present.

## Contents

Executive summary.....	2
Background.....	4
Approach .....	5
Engagement methodology .....	5
Detailed results.....	7
Respondent place of residence and general position .....	7
Own or regularly walk dog.....	8
Preferred times.....	9
Current frequency of visits and reason for visits.....	11
Supported a trial .....	12
Did not support a trial .....	16
Implication for Mackenzies Bay.....	22
Conclusion .....	29
Appendix A — Clippings from communications channels	
Appendix B — Online survey	
Appendix C — Email submissions	
Appendix D — Dogs off-leash Have Your Say survey responses	



## Executive summary

Mackenzies Bay is a small rocky inlet located south of Marks Park and north of Tamarama Beach in the Bondi Intertidal Protected Area (IPA) and is an important resting spot for birds. Remnant vegetation is also present here.

The main users of Mackenzies Bay are surfers and off-leash dogs and their owners. It is becoming increasingly popular with swimmers and sunbakers, particularly when a beach appears. While dogs are prohibited at Mackenzies Bay, as they are at all Waverley beaches, Mackenzies Bay is known by locals as an un-official dog beach.

Following a *change.org* petition calling for Mackenzies Bay to be made an official off-leash dog area and an report was presented to Council in June 2020 finding that the site was unsuitable for this type of use, Council moved to undertake community consultation to gauge interest in a timed off-leash dog trial for Mackenzies Bay.

Consultation was undertaken in August and September 2020, a total of 527 community members provided feedback on the proposal for a timed off-leash dog trial at Mackenzies Bay. Of these, 471 responded to the survey on Council's Have Your Say page and 56 provided comments by email. Nearly all respondents (524) indicated whether they were for or against the trial. Of these, 436 respondents were for the trial (83%) and 88 respondents were against (17%).

For the survey's multiple choice questions, the most popular responses were:

- The most popular selected time for an off-leash dog trial was from 3pm to 10am.
- Of those who indicated how frequently they visit Mackenzies Bay, 50% said they visited two to three times per month followed by 42% who said they visited daily or most days of the week.
- According to survey responses, the most common reason to visit Mackenzies Bay is as part of the Coastal Walk (69% of survey respondents) followed by for dog walking (67%).

Respondents supportive of the trial raised 10 recurring themes in open text and long form responses. In order of recurrence, these themes were:

- Provision gap of off-leash dog areas
- Alignment of proposal with current use
- Social benefits for both dogs and owners
- Responsible dog ownership
- Mackenzies Bay as an appropriate location for an off-leash dog area
- Support for a trial with controls
- Prioritisation of dog use
- Need for dog bags and bins
- Support of untimed off-leash dog usage
- Support of timed off-leash dog usage.

Respondents opposed to the trial raised 14 recurring themes in open text and long form responses. In order of recurrence, these themes were:

- User conflict
- Dog faeces and urine
- Negative impact on fauna and flora
- Safety concerns for all users
- Safety concerns for children
- Existing off-leash areas available elsewhere
- Poor owner surveillance
- Negative impact on water quality
- Disrespect of times
- Size of Mackenzies Bay is too small for the proposal

- Dog fights
- Lack of boundaries
- Impact on parking and traffic
- Expanding demand for off-leash dog areas.

Based on the outcomes of this consultation and on advice provided in the Council report dated 2 June 2020, three options are presented for Council's consideration:

- **Option 1: Timed off-leash dog trial** – This option would align with the position of most consultation respondents. However, several challenges must be considered when deliberating this option. These challenges mainly relate to:
  - The inability to deliver most core infrastructure and essential amenities required in off-leash dog areas due to site characteristics
  - The inability to effectively contain dogs from accessing Tamarama Beach and the rockpools located between Tamarama Beach and Mackenzies Bay
  - The impact off-leash dogs currently have on the Mackenzies Bay environment, which will be exacerbated if dogs are permitted
  - The need and ability of Council rangers to enforce off-leash times.
- **Option 2: Untimed off-leash trial** – While an untimed off-leash dog trial was not proposed as part of this community consultation, approximately 30% of survey respondents who indicated their preferred time called for an untimed off-leash dog trial. The considerations and implications of an untimed off-leash dog trial at Mackenzies Bay are largely the same as those listed under option 1 (timed off-leash trial). The main differences relate to usage of Mackenzies Bay by non-dog owners, the involvement of rangers, and the potential impact on the environment.
- **Option 3: Maintaining dog prohibition** – While most respondents supported an off-leash dog trial at Mackenzies Bay, many did not. These respondents raised valid concerns which Council must consider. The main benefits of proceeding with this option would be the reclaimed or enhanced use of Mackenzies Bay for people who feel uncomfortable around dogs, and the positive environmental impacts of removing dogs from the area. The main issues to consider under this option would be the local dog-owning community's disappointment and frustration – particularly for those who are longstanding users of Mackenzies Bay, and enforcement of the prohibition on an ongoing basis.

## Background

Mackenzies Bay is a small rocky inlet located near a dense residential area just south of Marks Park and approximately 100m north of Tamarama Beach. When a beach appears, which happens as a result of seasonal changes and other environmental factors, the bay experiences a significant increase in the number of users. When present, the beach is 50m long at most, making it one of the smallest beaches in NSW. The bay is accessible via stairs leading down from the Coastal Walk. Access requires visitors to be 'sure-footed' and is not suitable for everyone.

Mackenzies Bay is located in the Bondi IPA where seashore animals benefit from a special type of protection. Mackenzies Bay is also an important resting and nesting spot for birds along the coastline and includes planted and remnant vegetation.

The main users of Mackenzies Bay are surfers and off-leash dogs and their owners. It is becoming increasingly popular with swimmers and sunbakers, particularly when a beach appears.

While dogs are prohibited at Mackenzies Bay, as they are at all Waverley beaches whether on- or off-leash, Mackenzies Bay has been known by locals as an un-official dog beach for years.

In February 2020, community members presented Council with a *change.org* petition calling for Mackenzies Bay to be made an official off-leash dog area. This was debated in a Council meeting and led to a Council resolution on 18 February 2020 (CM/8.7/20.02) to investigate the suitability of Mackenzies Bay as a potential off-leash dog area.

A report on the matter was presented to Council on 2 June 2020. The report found that Mackenzies Bay was an unsuitable location for an off-leash dog area due to the potentially significant impacts on the local environment and on other users, and due to accessibility issues and site constraints. The report's main recommendation was for Waverley Council to maintain the off-leash dog prohibition and that this be enforced in conjunction with an education campaign.

Following the presentation of the 2 June report, Council moved to undertake community consultation to assess interest in a timed off-leash dog trial for Mackenzies Bay. This report summarises the community consultation outcomes and presents three options for Council's consideration.

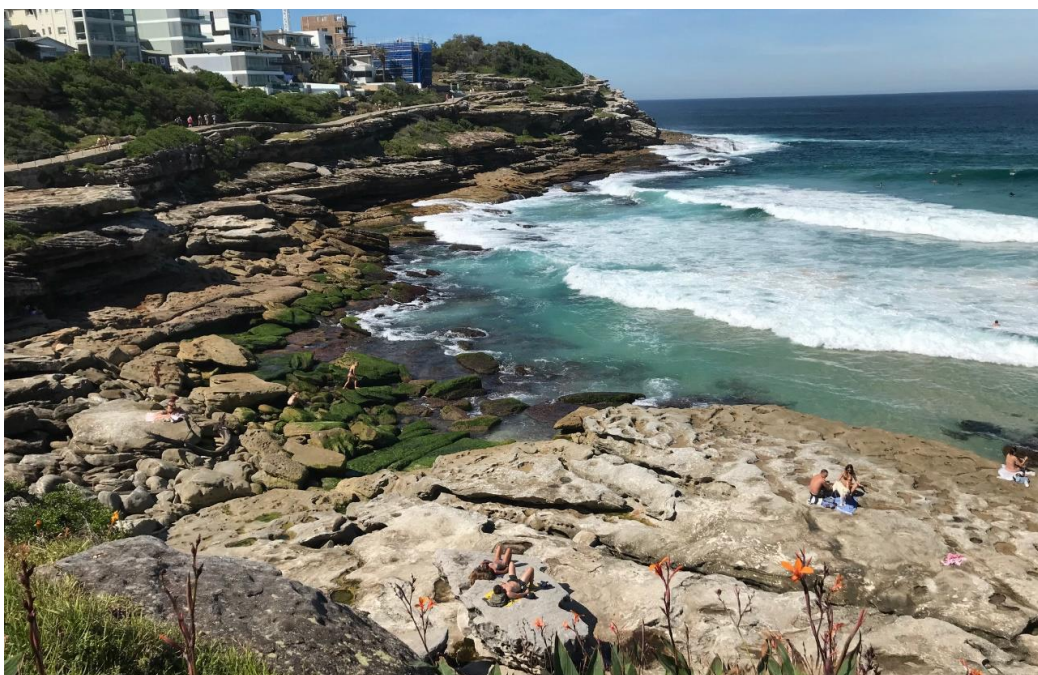


Figure 1 Mackenzies Bay without sand

## Approach

Community consultation ran from 7 August to 20 September 2020. As consultation was during COVID-19 restrictions, face to face engagement was not possible.

The engagement approach focused on the online survey available on the Have Your Say project page. This was deemed to be the best way to reach the whole community. The Have Your Say page and survey launched on 7 August and generated high interest.

Consultation objectives were to:

- understand the different points of view within the community
- ascertain whether an off-leash dog trial is widely supported in the Waverley community (specifically for residents near Mackenzies Bay)
- listen to ideas and feedback regarding how a trial might proceed.

## Engagement methodology

The primary engagement method was the online survey with supplementary information to raise awareness and encourage participation in the project.

The engagement process aligned with Waverley Council's adapted IAP2 model for community engagement and is summarised in Table 1.

*Table 1 Community consultation methodology*

Method	Overview	Date	Response
<b>Have Your Say website</b>	Council's Have Your Say website had a dedicated page for the project: <a href="https://haveyoursay.waverley.nsw.gov.au/dogs-off-leash-at-mackenzies-bay">haveyoursay.waverley.nsw.gov.au/dogs-off-leash-at-mackenzies-bay</a>	7 August—20 September 2020	2,400 total visits  877 'informed' visitors (downloaded a document or viewed an image)
<b>Online survey</b>	10-question online survey	7 August—20 September 2020	471 survey responses
<b>Long form submissions (via email to openspace@waverley.nsw.gov.au)</b>	This included all submission sent outside of the Have Your Say survey, primarily direct emails sent to openspace@waverley.nsw.gov.au	7 August—20 September 2020	56 submissions
<b>Flyer drop</b>	Flyers were dropped to approximately 2,000 residences near Mackenzies Bay	Completed around 26 August 2020	
<b>Media release</b>	Media release posted on Council's website.	Made live 17 August 2020	
<b>Social media posts</b>	Facebook & Twitter: Encouraged people to complete the survey	16 August 2020	Reach: 25,822 Engagements: 557
<b>Advertising</b>	Half page ad in The Beast	September edition	
<b>Council</b>	Waverley Weekly x 4	20, 27 August,	36 clicks to Have Your

<b>Enewsletters</b>		3, 10 June and 17 September 2020	Say 1,500 subscribers
	Engagement eNewsletter	11 August 2020	3,583 subscribers
<b>Stakeholder outreach</b>	Direct emails and notifications to targeted stakeholders	7 August—20 September	

## Detailed results

A total of 527 community members provided feedback on the proposal for a timed off-leash dog trial at Mackenzies Bay. Of these, 471 responded to the survey on Council's Have Your Say page and 56 provided comments by email. A copy of the survey questions is attached to this report.

Nearly all respondents (524) indicated whether they were for or against the trial. Of these, 436 respondents were for the trial (83%) and 88 respondents were against (17%). This is shown in Figure 2.

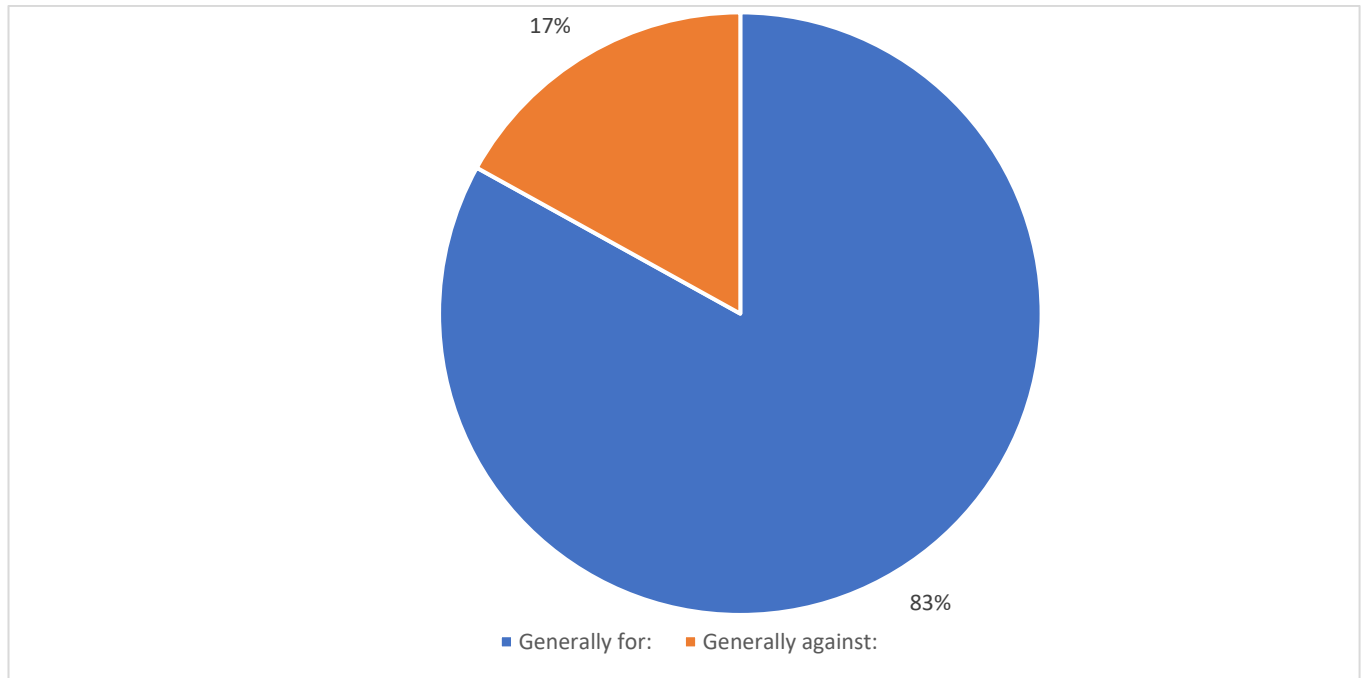


Figure 2 Breakdown of respondents for and against the trial – Survey and emails

## Respondent place of residence and general position

Respondents were asked to indicate their suburb of residence when completing the survey. Some email respondents also indicated where they resided. Locations of respondents' residence were divided into three categories:

- immediate locals (reside near Mackenzies Bay, which we've defined as the suburbs Bronte, Tamarama and Bondi)
- broader locals (reside within the wider Waverley LGA)
- outside the Waverley LGA or unspecified.

The breakdown of respondents by location is identified in Table 2.

Table 2 Breakdown of respondents' place of residence

% of respondents	Number of respondents	Suburb breakdown
36%	191	Immediate local = Tamarama, Bronte, Bondi
32%	173	Broad local = within Waverley LGA
31%	165	Outside LGA & Unspecified

As shown in Table 3, we further analysed immediate and broader local residents' position generally for or against an off-leash dog trial at Mackenzies Bay.



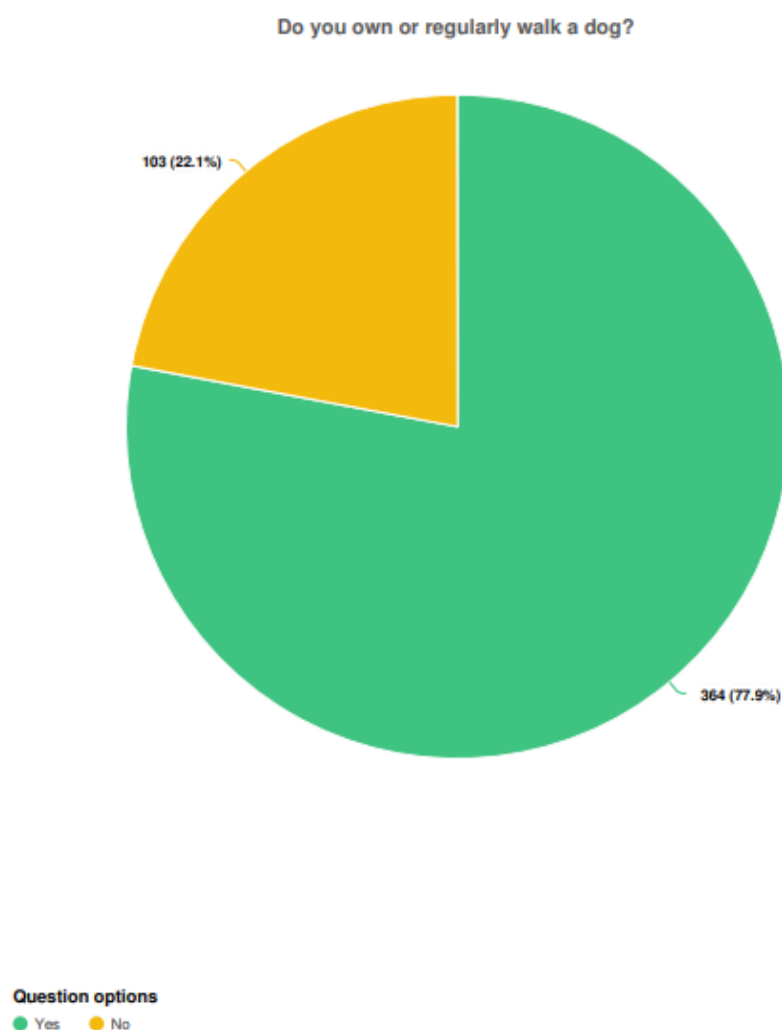
Table 3 Immediate and broader local residents' position

% of respondents	Number of respondents	Position
<b>Immediate local</b>		
73%	141	For
25%	49	Against
0.5%	1	Unspecified
<b>Broad local</b>		
89%	154	For
10%	18	Against
0.6%	1	Unspecified

## Own or regularly walk dog

As shown in Figure 3, most survey respondents own or regularly walk a dog. Of these, 350 were supportive of a trial and 12 were not.

Of those respondents who do not own a dog, 54 were supportive of the trial, and 49 were not.



Optional question (467 response(s), 4 skipped)

Question type: Radio Button Question

Figure 3 Own or regularly walk a dog – survey respondents

## Preferred times

Of those who indicated a preferred time for an off-leash dog trial at Mackenzies Bay, most (63% - 460 survey respondents) supported 3pm-10am as being the preferred off-leash time. This is shown in Figure 4 below. Respondents could select as many options as applicable for them.

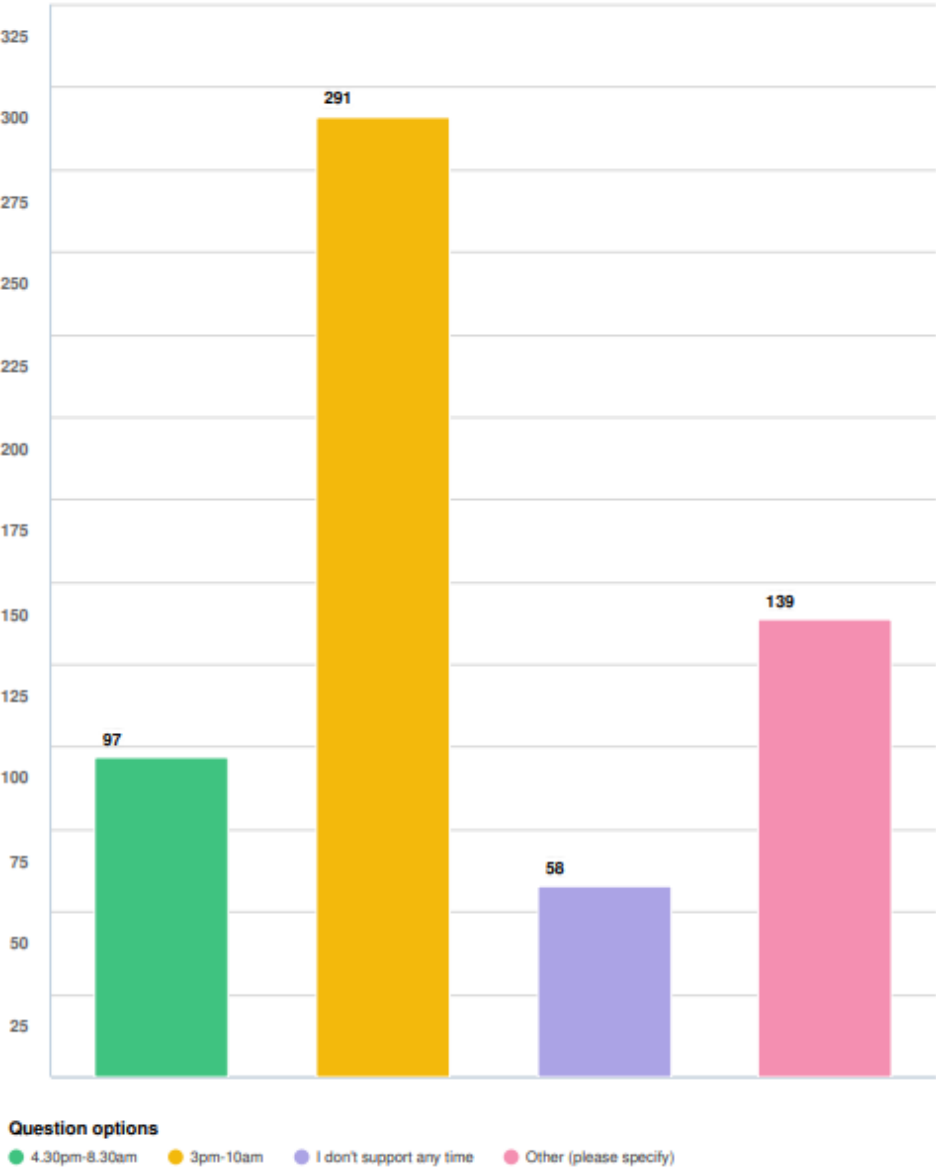
Respondents were invited to specify their reason for selecting specific options. Table 4 summarises the key themes for each time period.

*Table 4 Key themes for preferred time*

Option	Key themes
<b>3pm—10am</b>	<p>This was the most preferred option by respondents.</p> <p>The main reasons for selecting this option were that it was the longest time period available. It allowed for flexibility and suited their needs for work and school schedules, and they felt it provided a fair balance of for different users (those with dogs and those who wanted to swim without dogs). It was important for these users that any time considered was sympathetic to the daylight hours in both summer and winter, so allowed for year-round use.</p> <p>Respondents felt that this option would be the best way to reduce congestion in the area. Many of the respondents also highlighted they would prefer it be a 24/7 off-leash area.</p>
<b>4.30pm—8.30am</b>	<p>The people who selected this option highlighted that this option suited their needs and allowed for flexibility.</p> <p>Most respondents who selected this option, also selected 3pm—10am.</p>
<b>Other</b>	<p>The majority of respondents who selected 'Other' suggested that Mackenzies Bay become a permanent (24 hours, 7 days a week) dogs off-leash area. This was also reflected in responses from those who selected the 3pm—10am option — the longer time the better.</p> <p>Other respondents suggested several different time options, such as just during the day e.g. 9am—5pm, or a mixture of before work/school and after work/school times e.g. 5—7am and again at 6pm—8pm.</p> <p>Flexibility for dog owners was raised as an important issue, as was being considerate of daylight hours, people's work schedules, water safety (e.g. Being considerate of high tides), and congestion (the long the time period, the less congested it would be as people wouldn't be rushing to go with their dogs during the specific time periods)</p>

The key themes for those who selected 'I don't support any time' are discussed in the thematic analysis later in this report.

What time period would you prefer to trial dogs off-leash? (select all that apply)

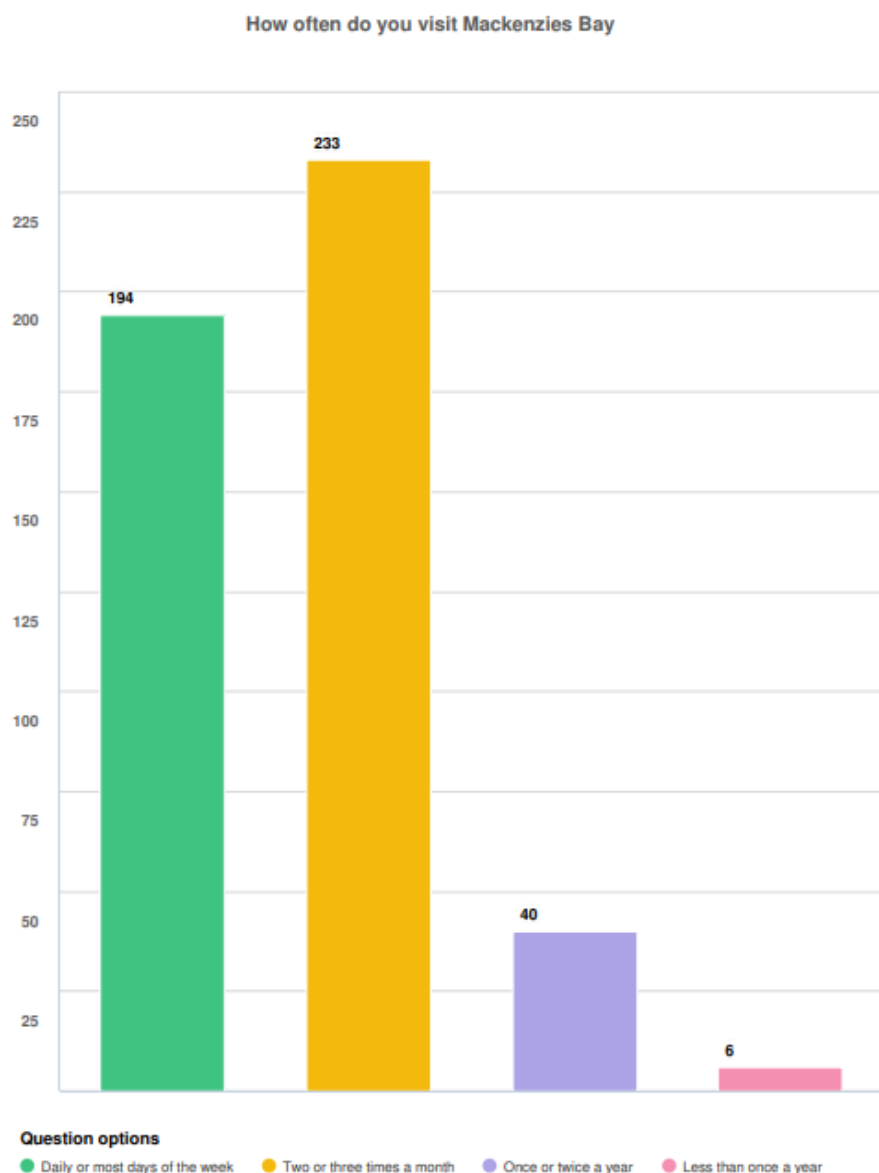


Optional question (460 response(s), 11 skipped)

Figure 4 Preferred off-leash dog time – Survey

## Current frequency of visits and reason for visits

Of those who indicated how often they visit Mackenzies Bay, most (50% - 233 survey respondents) said they visited two to three times per month, followed by 42% (194 survey respondents) who said they visited daily or most days of the week. This is shown in Figure 5.



Optional question (465 response(s), 6 skipped)

Figure 5 Frequency of visit - Survey

The most common reason to visit Mackenzies Bay is as part of the Coastal Walk (69% - 323 survey respondents) followed by for dog walking (67% - 313 survey respondents). These are shown alongside other common activities in Figure 6. The most common response from those who selected 'Other' was to take photos and to swim/surf.



### Why do you visit Mackenzies Bay?

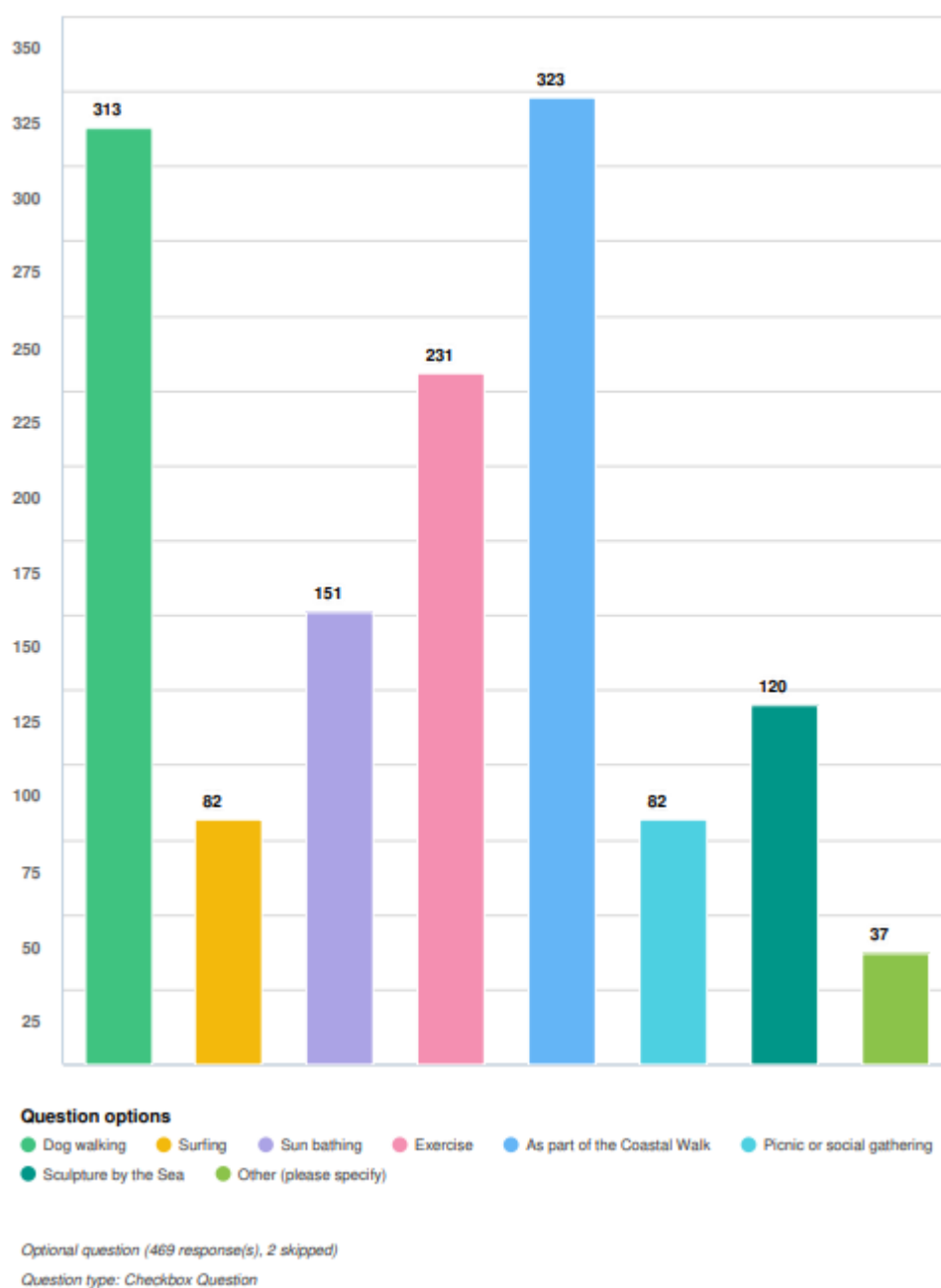


Figure 6 Reason for visits to Mackenzies Bay - Survey

## Supported a trial

Respondents supportive of the trial raised 10 recurring themes. In the survey, these were raised under question 10. These themes are summarised below:

- **Provision gap:** Approximately 73 respondents (64 surveys and 9 emails) stated that there is a provision gap that justifies the need for the trial.
  - Some respondents stated that the provision gap is for off-leash dog areas in general and others specified that the provision gap is for off-leash dog beaches specifically.
  - Some respondents specified that this provision gap exists in Waverley LGA while others said it is in the Eastern Suburbs, in Sydney or along the coast more broadly.
  - Some respondents raised that dogs enjoy swimming, that owners like swimming with their dogs and that

- few places allow for these activities to happen together.
  - Some respondents stated that there is a high rate of dog ownership in Waverley LGA and in the Eastern Suburbs more broadly, particularly in the context of Covid-19 when dog ownership has increased. Respondents said that this warrants an increased provision of off-leash dog areas. Respondents also raised that many people feel like dogs are family members.
  - Some raised that the nearest off-leash dog beach for Waverley LGA residents is in Rose Bay. These respondents stated that this beach is far for them to travel to, particularly for those who rely on public transport in which dogs are not allowed.
- **Alignment with existing use:** Approximately 31 respondents (27 surveys and 4 emails) stated that the trial should proceed as it would align the permitted use of Mackenzies Bay with the longstanding actual use of the area.
  - Some respondents said that a trial is not needed as the current use could be viewed as a successful trial.
  - Some supported the trial as it would provide dog owners and non-dog owners alike with clarity on what to expect at Mackenzies Bay. In other words, dog owners would feel more comfortable knowing they were not breaking any rules and non-dog owners would know to expect the presence of off-leash dogs.
- **Social benefits for both dogs and owners:** Approximately 31 respondents (28 surveys and 3 emails) stated that off-leash dog areas create social benefits for both dogs and their owners, and that dogs in general lead to social benefit for people.
  - Some respondents stated that pets contribute to improved mental health.
  - Some respondents said that Mackenzies Bay provides an opportunity for dog owners to meet other community members, which enhances social cohesion, mental health and well-being.
  - Some respondents said that an off-leash dog area at Mackenzies Bay would help with dogs' socialisation.
  - Some respondents said an off-leash dog area at Mackenzies Bay would help improve owners' and dogs' physical health as here they could both exercise together, namely by swimming.
  - Some respondents said that more off-leash dog areas are needed to increase the opportunity for dogs and their owners to spend time together outdoors, which respondents said decreases dog and owner anxiety and improves their mental health.
  - Some respondents said that community members who cannot own a dog sometimes go to Mackenzies Bay and off-leash dog areas to observe or interact with dogs, which provides them with a sense of joy.
- **Responsible owners:** Approximately 26 respondents (23 surveys and 3 email) stated that most dog owners are responsible people.
  - Respondents mainly said that dog owners are generally responsible and pick up after their dogs.
  - Some respondents mentioned that most dog owners try minimising the impact of their dogs on other users and on the environment.
  - Some respondents said that a trial would allow Council and other users to witness that dog owners are responsible people.
  - Some respondents stated that dog owners keep each other accountable and that this would likely be heightened during and off-leash dog trial to increase the likelihood of it subsequently being officialised.
- **Appropriate location:** Approximately 25 respondents (19 surveys and 6 emails) believed that Mackenzies Bay is an appropriate location for an off-leash dog area.
  - Some respondents specified that it is an appropriate location as it is removed from the Coastal Walk and crowds in general, thereby limiting the impact on other users.
  - Some respondents stated that one of the characteristics making it an appropriate location is because it is difficult to access. It can be implied that respondents believe this contributes to making it an appropriate location as it is presumably less desirable and accessible for some users.
  - Some respondents believed that Mackenzies Bay is an appropriate location as most users are dogs and their owners and there are few other users, such as swimmers and sunbakers, particularly in the early morning and late afternoon. Some specified that there are few other users as the water is too hazardous and because few people 'accidentally' come across the bay.
  - Some specified that it is an appropriate location as it is rarely a beach.

- **For trial with controls:** Approximately 25 respondents (19 surveys and 6 emails) supported an off-leash dog trial provided there are controls.
  - Several respondents said that the trial should proceed under the condition that owners pick up after their dogs.
  - Several respondents said it would be important for there to be an increased presence of rangers. Rangers should enforce the off-leash dog times and should educate the community on responsible dog ownership.
  - Several respondents supported issuing fines to owners who do not respect times and particularly to those who do not pick up after their dogs. Some supported higher fines than those that are currently issued.
  - Should the trial proceed, several respondents said there should be clear signage regarding appropriate use of the area. Respondents suggested that signage include:
    - permissible times
    - reminders to pick up after dogs
    - information on appropriate behaviour, such as owners needing to monitor their dogs even when off-leash to prevent user conflict, safety issues and impact on the environment
    - a notice stating that only non-aggressive and trained dogs are allowed off-leash.
  - Some supported the trial as, by allowing dogs, Council would have greater usage oversight.
  - Some respondents said that, should the trial proceed, the area where dogs are allowed should be clearly delimited and access to certain locations should be restricted. Respondents suggested that dogs should not access Gaerloch Avenue, Tamarama Beach and the rock pools between Tamarama Beach and Mackenzies Bay.
  - One respondent said that all dogs should be registered and should be wearing a harness even when off-leash.



Figure 7 Existing signage at Mackenzies Bay

- **Prioritised dog use:** Approximately 20 respondents (16 surveys and 4 emails) said that dogs should be prioritised over other users at Mackenzies Bay.
  - Respondents who raised this theme mainly stated that there are several beaches for humans, but none or very few for dogs. They stated that dogs and their owners should be prioritised as a user group at Mackenzies Bay as other users can attend other beaches if they do not like dogs.
  - Similarly to the theme 'alignment with existing use', some respondents said that most existing users are dog owners or dog lovers and that those who do not like dogs can use other beaches.
- **Need for dog bags and bins:** Approximately 19 respondents (15 surveys and 4 emails) stated that dog bags and bins would be required at Mackenzies Bay should the trial proceed.
  - Respondents said the availability of dog bags and bins would encourage owners to pick up after their dogs.
  - Several specified that a bin would be required at the bottom of the stairs.
  - Some respondents specified that bins would need to be regularly emptied and dog bags regularly refilled.
- **Support of untimed usage:** Approximately 17 people (16 survey and 1 email) expressed their support for untimed off-leash dog usage of Mackenzies Bay. This is further discussed in Table 4 of this report and in the section dedicated to preferred times.
  - Of these respondents, many stated general support for untimed usage of Mackenzies Bay.
  - Some respondents said there should be untimed usage off-leash dogs at Mackenzies Bay to allow dog owners to come at a time that suits them.
  - Some respondents said that dedicated off-leash times may not align with tides, which could prevent dog owners from safely using the bay when off-leash dogs are permitted.
  - One respondent stated that there would be overcrowding if dog owners could only come during specific times, which could potentially be dangerous.
  - One person said that dog owners who come at different times during the day would be concerned about being fined if dogs were to only be allowed during specific times.
  - One person said that after-dark off-leash hours were unsuitable for Mackenzies Bay due to the uneven terrain and that dogs should therefore be allowed anytime during the day.
  - One person said timed usage causes confusion and anxiety for dog owners.
- **Support of timed usage:** Approximately 14 respondents (8 survey and 6 email) expressed their support for timed off-leash dog usage of Mackenzies Bay. This is further discussed in Table 4 of this report and in the section dedicated to preferred times.
  - Of these respondents, many stated general support for a timed trial.
  - Some specified proposed times for an off-leash dog trial. Proposed times included:
    - 5pm-8am
    - 6pm-10am
    - 6am-8am and 6pm-8pm
    - 4pm-10am.
  - To minimise user conflict and to prioritise people, some respondents specified that off-leash times should be when there are few non-dog owning users. In accordance with this, some respondents said that off-leash times should vary based on seasons to adapt to preferred usage times of non-dog owners.
  - One person said that commercial dog walkers should not be allowed to use Mackenzies Bay during certain times.

Approximately 88 respondents (76 survey and 12 email) expressed their general support for a trial at Mackenzies Bay and some made additional comments. Some of these comments included:

- Some respondents said off-leash dog areas help reduce disruptive dog noises (such as barking) in residential areas as dogs can spend more time out with their owners.
- Some requested that the off-leash trial be extended to other areas, including:
  - Bondi Beach
  - the grassy area behind Bondi Pavilion



- the grassy area near the Bondi Beach car park exit
- South Bondi Beach, namely the grassy area at the south of the beach
- Bondi flat rock
- Tamarama Beach
- Barracluff Park
- the Coastal Walk.
- Some respondents requested bubblers for dogs.

## Did not support a trial

Respondents opposed to the trial raised 14 recurring themes. In the survey, these were raised under questions 2 and 3. These themes are summarised below:

- **User conflict:** Approximately 48 respondents (36 surveys and 12 emails) stated that there are existing user conflicts at Mackenzies Bay between dogs and owners and other users, or expressed concern that there would be user conflict should the trial proceed.
  - Several respondents reported existing user conflict at Mackenzies Bay involving dog owners. Respondents said that dog owners:
    - do not prevent their dogs from disturbing other users
    - prioritise the enjoyment of their dogs over other users' enjoyment
    - are rude towards other users
    - state that their dogs are entitled to use Mackenzies Bay
    - state that the bay is known as an off-leash dog area and other users should have known what to expect.
  - Several respondents reported existing user conflict involving off-leash dogs at Mackenzies Bay, particularly when there is sand, despite the existing dog prohibition. Respondents reported disruptive dog behaviour that affect people's capacity to enjoy Mackenzies Bay, including dogs barking, approaching other users, sniffing and licking, stealing food, throwing sand, running over people and towels, bumping into people and occasionally knocking people over. Respondents expressed concern that this would be exacerbated should off-leash dogs be permitted.
  - Several respondents stated that there is a large resident and visitor population around Mackenzies Bay and that Waverley LGA has a high population density. Respondents said it was therefore inappropriate to have an off-leash dog area here. Respondents said that off-leash dog areas should be provided in places with a lower population density and with lower resident and visitor usage.
  - Several respondents said that they previously used Mackenzies Bay and have started avoiding the area due to the growing number of off-leash dogs. This includes reports that the number of families with young children using Mackenzies Bay has been declining as the number of off-leash dogs has been increasing.
  - Some respondents said they would like to use the area, but feel alienated due to the presence of off-leash dogs. Some respondents said they would start avoiding the area should off-leash dogs be permitted.
  - Several respondents discussed the conflict with dogs on the rock platform between Mackenzies Bay and Tamarama Beach, particularly in the rockpools. Conflict here appears to be particularly pronounced as respondents stated that this is a popular area for families with young children who do not feel comfortable using Tamarama Beach or Mackenzies Bay due to hazardous conditions. This is linked to the theme focused on the negative impact of dogs on water quality.
  - Several respondents said that the presence of dog faeces and urine currently affect their use and enjoyment of Mackenzies Bay and other off-leash areas. Respondents expressed concern that this issue would be exacerbated should off-leash dogs are permitted. This is linked to the theme focused on dog faeces and urine.
  - Respondents stated that Council should prioritise the use and enjoyment of Mackenzies Bay for people over dogs.
  - Some respondents reported increasing user conflict at Marks Park since the introduction of off-leash dog

times. Respondents reported that dog owners do not respect off-leash times and that dogs wander into the children's play area. Respondents expressed concern that the same would happen at nearby Mackenzies Bay should off-leash dogs be permitted there.

- As mentioned above, several respondents reported existing user conflict between dogs and their owners and other users at Mackenzies Bay, particularly in the rockpools. Some respondents observed existing community tensions and expressed concern that these would grow should off-leash dogs be permitted, which would negatively impact on community cohesion.



Figure 8 People swimming and sunbaking at Mackenzies Bay in April 2020

- **Dog faeces and urine:** Approximately 42 respondents (25 surveys and 17 emails) expressed concerns regarding current issues with dog faeces and urine at Mackenzies Bay and that this issue would be exacerbated during an off-leash dog trial.
  - Several respondents reported these existing issues, including on the rocks between Mackenzies Bay and Tamarama which is a popular bathing spot for families. Respondents said that faeces left at Mackenzies Bay and on the nearby rock platform had a significant impact on their ability to use and enjoy the bay. This is linked to the theme focused on the negative impact of dogs on water quality and the theme focused on user conflict.
  - Some respondents said that the current issue with dog faeces at Mackenzies Bay is related to the fact that owners do not always have visibility over their off-leash dogs, particularly if owners are swimming or sunbaking. This is linked to the theme discussing concerns over inadequate surveillance of dogs.
  - Some respondents stated that the likelihood of owners not picking up after their dogs in off-leash areas is higher compared to areas where dogs are allowed on-leash.
  - Several respondents commented on other off-leash dog areas which they stated had significant issues related to dog faeces and urine. For example, several respondents identified what they believe is a severe issue at Marks Park and some also commented on Bronte Park, both of which are nearby timed off-leash dog areas. Some respondents also said that bins in off-leash dog areas, such as Marks Park and

- Raleigh Reserve, frequently overflow with dog bags. Respondents expressed concern that the faeces and urine issues would be replicated at Mackenzies Bay should the trial proceed.
- Several respondents said that dog faeces and urine have an adverse impact on the environment and that Mackenzies Bay's environment is fragile. This is linked to the theme dedicated to the discussion on the negative impact of dogs on the environment.
  - Some respondents said that they regularly found dog faeces at Tamarama Beach and that they believe this occurs due to dogs accessing the beach via Mackenzies Bay. This is linked to the theme discussing the lack of boundaries at Mackenzies Bay.
  - Some respondents said that providing dog bags and bins has a limited impact on the reduction of dog waste in off-leash areas as some owners would continue not picking up after their dogs.
  - Some respondents expressed concern over the adverse impact dog waste has on human health.
- **Negative impact on fauna and flora:** Approximately 41 respondents (32 surveys and 9 emails) expressed concern regarding the negative impact off-leash dogs currently have on the local environment and that this impact would be exacerbated during an off-leash dog trial.
    - Several respondents said that allowing off-leash dogs at Mackenzies Bay would lead to loss of habitat for local wildlife who already suffer from reduced habitat. Respondents were particularly concerned about the impact on coastal birds. Other mentions included lizards and insects.
    - Several respondents said that some dog owners do not pick up after their dogs and that faeces have a negative impact on the environment. This is linked to the theme focused on dog faeces and urine.
    - Several respondents expressed concern regarding the impact of off-leash dogs on local vegetation, both planted and remnant. Some respondents mentioned Council's efforts to regenerate coastal vegetation and that off-leash dogs would undermine these efforts.
    - Some respondents noted that off-leash dogs had heavily impacted the natural environment at Bronte Park and expressed concern that the same would occur at Mackenzies Bay.
    - Some respondents expressed concern regarding the impact of off-leash dogs on marine life. Some raised that Mackenzies Bay is located within a protected area. For example, respondents mentioned the impact of off-leash dogs on frogs.
    - Some respondents said that off-leash dogs would contribute to erosion.
    - Some respondents said that even a trial of off-leash dogs would have permanent impacts on the environment.
    - Some respondents said they had witnessed owners not attempting to restrain their dogs as they chased or attacked birds at Mackenzies Bay and elsewhere. Some respondents said that some owners encourage their dogs to chase birds.
    - Some respondents said that plastic dog bags and other litter left at Mackenzies Bay contribute to the deterioration of the environment.
  - **Safety – all:** Approximately 32 respondents (23 surveys and 9 emails) expressed concern regarding people's safety should an off-leash dog trial proceed at Mackenzies Bay.
    - Some respondents said that owners do not recognise when their dogs pose a threat to other users.
    - Some respondents reported existing safety issues involving dogs and other users' safety at Mackenzies Bay and other nearby locations. Some respondents reported being tripped by running dogs, chased by dogs, nearly knocked over the cliff edge due to a dog jumping onto them, and experienced other aggressive dog behaviour that made them feel unsafe. One respondent reported nearly being injured when an owner threw a large stick for their dog to chase nearly hit the respondent in the face as they were swimming.
    - Some respondents said that dog owners do not monitor their dogs appropriately in off-leash areas, which poses a safety risk to other users.
    - Some respondents reported fearing dogs, particularly when they are off-leash. Some said this fear was due to a past dog attack and due to unpredictable dog behaviour.
    - Some respondents said that excitable and aggressive dogs pose a greater risk at Mackenzies Bay due to the slippery and uneven rocks.
    - Some respondents said that off-leash dogs would pose a safety risk for those who are allergic to dogs.
    - One respondent said they believe there are more dog attacks than those officially reported.

- **Existing off-leash areas elsewhere:** Approximately 25 respondents (16 surveys and 9 emails) did not support an off-leash dog area at Mackenzies Bay as there are existing off-leash areas elsewhere, including near the bay.
  - Of those who raised this theme, nearly all stated that off-leash dogs were already permitted at nearby Marks Park and that the provision of an off-leash dog area at Mackenzies Bay was therefore unnecessary. Some respondents also stated that there was a second off-leash dog area nearby at Bronte Park.
  - Some respondents stated that there is an existing off-leash dog beach in Rose Bay, which is relatively near.
  - Some respondents stated that the existing number of off-leash dog areas is adequate.
- **Safety – children:** Approximately 24 respondents (14 surveys and 7 emails) expressed concern for children’s safety should an off-leash dog trial proceed at Mackenzies Bay.
  - Respondents expressed general concern for children’s safety around dogs, particularly off-leash dogs. Respondents feared dogs might bite or attack children, which could cause significant injuries or death.
  - Some respondents mentioned that safety risks for children would be higher at Mackenzies Bay due to the small size of the area. This is linked to the specific theme regarding the small size of the bay.
  - Some respondents mentioned that children had been or could be caught in dog fights. This is linked to the theme specific to dog fights.
  - Some respondents said that their children were afraid of dogs and said there were existing issues with dogs scaring children at Mackenzies Bay, particularly in the rockpools located between the bay and Tamarama Beach. This is linked to the theme about the negative impact of dogs on water quality.
  - Some respondents reported being ignored or aggressively spoken to by dog owners after asking them to keep their dogs away from children at Mackenzies Bay and in other locations, such as the off-leash dog beach in Rose Bay. This is related to the theme specifically about user conflict.
  - Some respondents stated that they had lost use of Marks Park following the introduction of off-leash times and were concerned a similar situation would occur at and near Mackenzies Bay should a trial proceed. Some respondents reported that dog owners do not respect off-leash times at Marks Park and that dogs at Marks Park venture around and into the play equipment. One respondent said that their child was bitten at Marks Park during on-leash time.
- **Poor owner surveillance:** Approximately 23 respondents (13 surveys and 10 emails) stated that there is poor surveillance of off-leash dogs, particularly at Mackenzies Bay.
  - Several respondents said that there was poor surveillance of off-leash dogs at Mackenzies Bay as dog owners are often swimming or sunbaking. Respondents said that, as a result, dog owners do not have adequate control over their dogs and frequently do not see when they need to pick up after their dog. This is linked to the theme focussed on dog faeces and urine.
  - Some respondents said that dog owners do not appreciate that they must keep their dogs under control even when they are off-leash.
- **Negative impact on water quality:** Approximately 21 respondents (10 surveys and 11 emails) stated that off-leash dogs would have a negative impact on water quality at Mackenzies Bay.
  - Several respondents noted that off-leash dogs currently access the rockpools located between Mackenzies Bay and Tamarama Beach. This area is highly used by families with young children. Respondents said that they are becoming uncomfortable using this area with children as off-leash dogs have increasingly been coming into the rockpools. Respondents are concerned about children safety as well as water quality. This is linked to the themes dedicated to children safety, user conflict, and faeces and urine.
  - Respondents expressed concern that dog faeces and urine would wash into the water. Many were concerned about the impacts this could have on swimmers’ and surfers’ health.
  - Some respondents stated that they swim at Mackenzies Bay and expressed concern about dogs swimming too for hygiene and safety reasons.



- **Disrespect of times:** Approximately 18 respondents (16 surveys and 2 emails) expressed concern that dog owners would not respect dedicated off-leash times at Mackenzies Bay.
  - Some respondents said that once off-leash dogs are permitted in an area, dog owners use the space at all times regardless of whether there are dedicated off-leash times or not.
  - Some respondents expect dog owners would consciously attend Mackenzies Bay outside of off-leash times and claim confusion if they were to be disciplined.
  - Some respondents said that off-leash times are not respected at Bronte Park and Marks Park, and likewise off-leash times would not be respected at Mackenzies Bay.
  - Some respondents said that Council does not currently enforce times at other off-leash dog areas in the LGA and would therefore be unlikely to enforce times at Mackenzies Bay. Some respondents said that Council does not enforce off-leash dog regulations due to inadequate resourcing. One respondent was advised that rangers could not enforce regulations for work health and safety reasons.
  - Some respondents said that other users of Mackenzies Bay would be alienated from the area because dog owners would disrespect off-leash times and Council would not actively enforce those times. This theme is linked to the theme focused on user conflict.
- **Size too small:** Approximately 14 respondents (9 surveys and 5 emails) said Mackenzies Bay is too small to allow off-leash dogs.
  - Most respondents said that Mackenzies Bay is too small for off-leash dogs and other users to enjoy together and that off-leash dogs would therefore have a negative impact on other users. Respondents also mentioned that priority should be granted to other users, particularly in a high-density area with high visitation rates like Waverley. This is linked to the theme about user conflict.
  - One respondent said that successful off-leash dog areas must provide more space than what is available at Mackenzies Bay.
  - One respondent said there would be an increase in dog fights due to the small size of the bay. This is linked to the theme focused on dog fights.
  - One respondent said that an off-leash dog trial would attract more people to Mackenzies Bay, which would lead to overcrowding as Mackenzies Bay is small. The respondent said overcrowding was particularly undesirable during a pandemic as it could lead to a spike in Covid-19 community transmissions.
- **Dog fights:** Approximately 13 respondents (7 surveys and 6 emails) mentioned dog fights when discussing their opposition to an off-leash dog trial.
  - Some respondents reported witnessing dog fights at Mackenzies Bay.
  - Some respondents reported frequent dog fights at Marks Park.
  - Some respondents commented that dog fights make adults uncomfortable and pose a safety risk to children. Safety risks to children is further discussed under its dedicated theme.
  - One respondent said that larger dogs can pose a risk to smaller dogs and that large and small dogs should therefore have their own dedicated times in off-leash areas.
  - One respondent said that the number of dogs at Mackenzies Bay would increase during a trial, which would increase the risk of dog fights.
- **Lack of boundaries:** Approximately 8 respondents (6 surveys and 2 emails) expressed concern over permitting off-leash dogs at Mackenzies Bay due to the lack of boundaries in this location.
  - Respondents said it would be difficult to contain off-leash dogs at Mackenzies Bay as there are no boundaries controlling where they could access.
  - Due to the lack of boundaries, some respondents reported that off-leash dogs currently access Tamarama Beach via Mackenzies Bay. For this reason, one respondent reported regularly finding faeces on the Tamarama Beach volleyball courts. Respondents expressed concern that the number of dogs accessing Tamarama Beach would increase if off-leash dogs were permitted at Mackenzies Bay.
  - Some respondents said that signage showing where off-leash dogs are permitted may not adequately control where dogs go. For example, some respondents said that at Rodney Reserve dog owners disregard the sign indicating the boundary where dogs are permitted and that dogs regularly wander onto the sports field. Similarly, some respondents said that dogs regularly wander into the playground at

Marks Park despite signage. Respondents expressed concern that a similar situation would occur at Mackenzies Bay, particularly because current dog owners ignore the existing signage indicating the prohibition of off-leash dogs at the bay.

- **Impact on parking and traffic:** Approximately 7 respondents (2 surveys and 5 emails) said allowing off-leash dogs at Mackenzies Bay would lead to parking and traffic issues in surrounding areas.
  - Respondents stated that there is an existing shortage of parking spaces near Mackenzies Bay. Respondents said that permitting off-leash dogs at Mackenzies Bay would attract dog owners from outside the local area who would come to Mackenzies Bay by car, which would aggravate the existing shortage of parking spots.
  - Respondents noted that the number of cars in the area surrounding Marks Park had increased since off-leash dogs were permitted. Respondents were concerned that this would occur near Mackenzies Bay should off-leash dogs be permitted.
- **Expanding demand:** Approximately 6 respondents (3 surveys and 3 emails) expressed concern over dog owners' expanding demand for off-leash dog areas.
  - Respondents expressed concern that dog owners would advocate for an increasing amount of locations to allow off-leash dogs. For example, respondents expressed concern that dog owners would advocate for Bondi Beach and Tamarama Beach to allow off-leash dogs.
  - Should off-leash dogs be permitted at Mackenzies Bay, one respondent expressed concern that dog owners would allow their off-leash dogs to walk along the Coastal Walk as Bronte Park, Marks Park and Mackenzies Bay would be three nearby locations along the Coastal Walk where off-leash dogs would be permitted.

Approximately 26 respondents (19 surveys and 7 emails) expressed their general opposition to the trial and made other comments in opposition to the off-leash dog trial. Some of these comments included:

- Some respondents expressed general opposition to dogs being off-leash on beaches.
- Some respondents called for enforcement of the current dog prohibition. One respondent praised rangers' enforcement of off-leash dogs.
- Some respondents said that Council should replace existing signs indicating the prohibition of dogs. One respondent noted that there were no dog bags at Mackenzies Bay and that signage was lost in a recent storm.
- Some respondents said that by permitting off-leash dogs, Council would be condoning prohibited behaviour.
- Some respondents stated that this part of the coast has strong heritage values and that it is currently negatively impacted by the presence of dogs.

## Implication for Mackenzies Bay

Three options have emerged from the consultation outcomes regarding how and whether to proceed with an off-leash dog trial at Mackenzies Bay. These options are to proceed with a timed off-leash trial, proceed with an untimed trial, or maintain the existing dog prohibition.

A discussion on the implication of each option is described below.

### Option 1: Timed off-leash dog trial

Most survey respondents (83%) generally supported an off-leash dog trial at Mackenzies Bay. The main reason survey respondents supported the trial was because they did not believe there is an adequate provision of off-leash dog areas available to them, particularly off-leash dog beaches. Several respondents also said the trial should proceed as it would align the permitted use of Mackenzies Bay with its current actual use.

Considerations regarding option 1 are described below.

#### **Times, dates and duration**

While some respondents supported off-leash times that would prioritise human use of Mackenzies Bay, most respondents supported times that would maximise off-leash dog use.

If non-dog use were to be prioritised, the preferred off-leash dog times would be 4.30pm to 8.30am.

If off-leash dog use were to be prioritised, the preferred off-leash dog times would be 3pm to 10am.

Should Council wish to proceed with a timed off-leash dog trial, it would be advisable to proceed with the trial for two months from mid-December 2020 to mid-February 2021. This period would span both the Christmas and school holiday period and the 'normal' non-holiday period, providing Council with a relatively good understanding of how successful the trial would be during on- and off-peak times in summer.

#### **Physical components**

Key components for an off-leash dog area according to the South Australian Dog and Cat Management Board's 2013 *Unleashed: A Guide to Successful Dog Parks* are:

- Core infrastructure
  - Perimeter fencing
  - Entry gates / doggy airlock (two gates per entry)
  - Service (maintenance) gates
  - Pathways (internal and external)
  - Ground surfaces (e.g. grass, mulch, gravel, sand, concrete)
  - Landscaping (e.g. vegetation, screen planting, mounding).
- Essential amenities
  - Drinking water fountains (including plumbing and drainage)
  - Bins and bag dispensers
  - Shelter
  - Seating
  - Signage.

Due to the topographical characteristics of Mackenzies Bay, the tidal range and due to the important heritage values of this portion of the coastline, Council would be unable to provide most core infrastructure and essential amenities listed above. For example:

- Providing perimeter fencing and gates would be unfeasible for neither a trial nor a permanent off-leash dog area at Mackenzies Bay due to the rocky terrain.

- Fencing and gates would also limit public circulation and would have a negative visual impact for users of the Coastal Walk, and possibly for users of other nearby locations.
- Appropriate plumbing is unavailable in Mackenzies Bay, which would prevent the installation of a water fountain.
- Both those who support and oppose the trial expressed concern regarding dog faeces at Mackenzies Bay. A bin is currently located on the Coastal Walk at the top of the stairs, however several respondents supported installing a bin at the bottom of the stairs for ease of access. Respondents also specified that the bins should be regularly emptied to prevent them from overflowing as has been observed in other off-leash dog areas. Providing a bin at the bottom of the stairs would not be feasible due to accessibility constraints: the Public Place Cleansing team cannot bring shuttle bins up and down the steep stairs giving onto uneven and slippery rocks multiple times as day as this would present a work health and safety risk.
- Further, infrastructure cannot be provided too close to the water's edge as it would deteriorate quickly, would be damaged in king tides / storm surge and wash away contributing to water pollution. Therefore, it is not possible to install bins or fencing at the bottom of the stairs which access Mackenzies Bay.



*Figure 9 Existing bin at top of Mackenzies Bay stairs*



Signage would be of the utmost importance should the trial proceed. This was also raised by several respondents. Signage should include clear information regarding:

- The time when off-leash dogs are permitted
- Information on responsible dog ownership, such as reminders to pick up after dogs, preventing dogs from disturbing the natural environment (e.g. chasing birds and digging up vegetation) and limiting impact on other users
- What to do to remain safe at Mackenzies Bay and what to do if dogs get caught in a wave or current
- Where dogs are permitted during off-leash times.

### **Boundary of off-leash dog area**

To promote safety, safeguard the use of the rockpools for young families, prevent dogs from accessing Tamarama Beach and to limit community conflict off-leash dogs should be prevented from accessing the rock platform should a trial proceed.

Survey and email responses clearly conveyed that families with young children highly value the rockpools located here as it is less hazardous than nearby Mackenzies Bay and Tamarama Beach. Some families with children have also expressed concern over interactions between their children and dogs, and some have reported conflicts when parents have asked dog owners to keep dogs away from children.

The potential risk of co-locating activities involving children and dogs was also outlined in the Council report dated 2 June 2020 and in *Unleashed: A Guide to Successful Dog Parks*.

Due to topographical and tidal constraints described above, installing perimeter fencing to contain off-leash dogs will be impossible as will installing signage around the perimeter to identify the boundaries of where dogs are allowed. The only option to identify where off-leash dogs would be permitted would be by installing prominent signage at the top and the bottom of the stairs before the high water mark. There will be a pronounced need for strict ranger enforcement of regulations considering the limited opportunities to identify boundaries.

### **Impact on the environment**

As noted in the background information and in the Council report dated 2 June 2020, Mackenzies Bay is located in the Bondi IPA where seashore animals benefit from a special type of protection. It is also an important resting spot along the coastline for birds. In 2019, with Superb Fairy-Wrens reportedly are found nesting at Mackenzies Bay.

There is a small parcel of remnant vegetation, mainly native marine grass, at Mackenzies Bay. This parcel of vegetation has reduced significantly over the years. However, as the original soil remains, there is an opportunity to regenerate the remnant vegetation. In recent years Council has planted native plants at Mackenzies Bay.

From an analysis of Mackenzies Bay and the impacts of off-leash dogs on the environment, described in the Council report dated 2 June 2020, impacts include:

- Negative impact of dog faeces on water quality
- Negative impact of off-leash dogs on native fauna, particularly seashore mammals, small birds in the vegetation and coastal birds on the rocks that use the area consistently.
  - As mentioned above, seashore mammals benefit from a special type of protection in the Bondi IPA and in IPAs in general. Council stakeholders indicated that dog movement and natural predatory behaviour would have a negative impact on the marine biodiversity of Mackenzies Bay, including on invertebrates and marine algae.
  - Council stakeholders stated that off-leash dogs regularly chase birds and that these birds will learn to avoid Mackenzies Bay. As a result, birds will lose a nesting spot and an important stepping stone for bird movement along the coast, which could severely disrupt birds' ability to travel along the coast.

- Negative impact on native and planted flora due to trampling by dogs and dog owners and due to the alteration of soil nutrient caused by dog faeces.

Survey and email responses demonstrated that the community strongly values the environment. Some respondents expressed concern regarding the impact off-leash dogs currently have on the local environment, including on water quality, and how this would be exacerbated should an off-leash dog trial proceed.

Should off-leash dogs be permitted, Council must be aware that little will be doable to mitigate the potential impact of off-leash dogs on the environment – particularly on water quality and fauna. Mitigation measures at Council's disposal include installing fencing around vegetation (particularly remnant vegetation and soil) to prevent dog access, installing signage asking dog owners to prevent dogs from disturbing the environment, and launching an education campaign on how to minimise the impact of dogs on the environment. However, signage and education campaigns are not able to prevent an impact to the environment.

### **Enforcement of off-leash times**

Several respondents noted that off-leash times are not respected at other areas and expressed concern that the same would occur at Mackenzies Bay. For this reason, many respondents supported an increased presence of rangers at Mackenzies Bay to enforce off-leash times should the trial proceed. However, several respondents also expressed concern that this would not occur considering limited enforcement of the dog prohibition currently in place.

Mackenzies Bay isn't readily accessible as the stairs from the Coastal Walk give onto large rocks that are often wet and slippery. As noted in the Council report dated 2 June 2020, rangers stated in consultation that these conditions limit their ability to enforce the existing off-leash dog prohibition due to work health and safety concerns. Should the trial proceed, Council rangers would be required to review their management of work health and safety processes to enable enforcement of off-leash dog times at Mackenzies Bay.



*Figure 10 Mackenzies Bay stairs leading onto rocks*

## **Measures of success**

Measures of success to assess whether the potential off-leash dog trial were successful could include:

- Number of community complaints lodged with Council
- Number of fines issued to community members due to disrespect of off-leash times or not picking up after dogs
- Condition of vegetation at Mackenzies Bay
- Pulse survey that users can access while at the site by scanning a QR code
- Simple survey following the end of the trial asking whether community members thought the trial was successful whether they would like a permanent timed off-leash area at Mackenzies Bay.

## Option 2: Untimed off-leash trial

As shown in Figure 4, while an untimed off-leash dog trial was not proposed as part of this community consultation, 139 survey respondents (30% of respondents who indicated their preferred time) nominated an 'other' preferred time for an off-leash trial. Most of these 'other' responses called for an untimed off-leash dog trial.

The considerations and implications of an untimed off-leash dog trial at Mackenzies Bay are largely the same as those listed under option 1 (timed off-leash trial). The main differences relate to usage of Mackenzies Bay by non-dog owners, the involvement of rangers, and the potential impact on the environment.

### **Potential impact on non-dog owners**

The main difference between options 1 and 2 is that if off-leash dogs are permitted at all times, it is likely that usage of Mackenzies Bay by other users would decline.

As mentioned in the thematic analysis of survey and email responses opposed to the trial, several respondents expressed safety concerns regarding dogs or disliked being around dogs. For these reasons, some respondents said they avoided Mackenzies Bay due to the existing usage of dogs and others said they would avoid the bay if the trial proceeded.

Non-dog owners could increasingly avoid Mackenzies Bay during a timed off-leash trial (option 1), though there is also a chance that non-dog owner usage could potentially increase during times when off-leash dogs are not permitted (provided these times are enforced). However, should an untimed off-leash trial proceed (option 2), there would be an even greater risk of alienating existing and potential non-dog owners who would then lose use of Mackenzies Bay.

### **Involvement of rangers**

Rangers may have less involvement in an untimed off-leash dog trial compared to a timed trial as they would not be required to monitor times when dogs are not allowed. This could alleviate some of the rangers' work health and safety concerns related to accessibility to Mackenzies Bay.

Some level of ranger presence would nonetheless be required to promote responsible dog ownership, such as picking up after dogs.

### **Potential impact on the environment**

The potential impact of off-leash dogs on the Mackenzies Bay environment is described under option 1. There is a risk that allowing untimed access to Mackenzies Bay would have an even greater impact on the local environment as dogs would be spending more time in the area.

## Option 3: Maintaining dog prohibition

While most respondents supported an off-leash dog trial at Mackenzies Bay, 88 people (17% of all respondents) did not support a trial. These respondents raised valid concerns (summarised above) which Council must consider.

One of the main benefits of proceeding with this option would be the reclaimed or enhanced use of Mackenzies Bay for people who feel uncomfortable around dogs. Those who will most benefit from maintaining and enforcing dog prohibition will be users who are afraid of dogs or users with young children who currently avoid Mackenzies Bay due to the presence of dogs.

Needless to say, that dog owners who currently use the area for activities such as sunbaking and swimming would not lose the use of Mackenzies Bay for those activities should the dog prohibition be maintained. They would simply lose the unauthorised use of Mackenzies Bay as an area to exercise their dogs.



The other main benefit of maintaining and enforcing the dog prohibition at Mackenzies Bay will be for the environment. As described in the background section of this report and confirmed through consultation responses, there are many off-leash dogs currently using Mackenzies Bay despite the dog prohibition and these dogs have a negative impact on the local fauna, flora and water quality. This is due to dogs' disruptive behaviour, such as chasing birds and digging vegetation for example, and due to the presence of faeces that alter the nutrient of the soil and affect water quality.

Removing dogs from Mackenzies Bay would mitigate the risk of birds losing Mackenzies Bay as a nesting area important stepping stone for movement along the coastline. It would also improve water quality and native flora as less faeces and urine would enter the water and the soil. Benefits for vegetation would also come from reduced digging and trampling by dogs.

Installing fencing around remnant vegetation as recommended for options 1 and 2 would also help protect flora under option 3 while dog owners adjust to enforcement of the dog prohibition. However, there would be a lesser need for this fencing in the long-term as rule enforcement increases and dog owner behaviour changes.

Should Council decide to proceed with option 3, the main issues to consider would be the local dog-owning community's disappointment and frustration – particularly for those who are longstanding users of Mackenzies Bay, and enforcement of the prohibition on an ongoing basis. These two main issues are discussed below.

### **Community disappointment frustration**

As demonstrated by the high number of responses we have received during this consultation, there is an active and vocal community of dog owners in Waverley LGA and in the Eastern Suburbs more broadly. This point in itself is not sufficient reason to proceed with an off-leash dog trial or a permanent off-leash dog area at Mackenzies Bay. However, this indicates that there will likely be strong community disappointment and frustration should a trial not proceed after this consultation period.

The consultation regarding a proposed off-leash dog area may have raised dog owners' hopes that a new off-leash area would soon become available. Proceeding with option 3 would likely lead to disappointment for these people. For dog owners who have been using Mackenzies Bay as an off-leash dog area despite the prohibition on dogs, proceeding with option 3 would mean loss of public open space that dog owners and their pets can share.

Should the prohibition on dogs at Mackenzies Bay be maintained, it will be essential to communicate the reasons for proceeding with this option with clarity and, more importantly, empathy. This can be done through material uploaded to the Have Your Say page and through an education campaign.

### **Enforcement of dog prohibition**

As mentioned above, dog owners will likely be sensitive to increased enforcement of dog prohibition. It would therefore be preferable for early enforcement to focus on community education and issuing warnings rather than fines. After a few months of soft enforcement or after an initial warning for individuals, rangers should begin normal enforcement of dog prohibition rules including issuing fines.

Due to the long history of ongoing use of Mackenzies Bay as an off-leash dog area, local dog owners will likely attempt to continue using the area as such despite dog prohibitions being maintained. An education campaign is unlikely to lead to behaviour change for these users.

If it were decided that dogs should continue being prohibited from Mackenzies Bay, this should be enforced by Council rangers. Rangers would be required to continue managing work health and safety processes in relation to site accessibility to enable safe and regular enforcement.



## Conclusion

Most survey and emails respondents supported proceeding with a timed off-leash dog area at Mackenzies Bay, namely due to perceived shortage of off-leash dog areas and to align permitted use of Mackenzies Bay with its actual use.

However, 17 respondents did not support the trial, namely due to user conflict, increase in dog faeces and urine, and the negative impact dogs would have on the environment. The negative impact off-leash dogs currently have on Mackenzies Bay environment would be exacerbated during a trial however short.

The decision whether to proceed with an off-leash dog trial at Mackenzies Bay is therefore not straightforward.

Based on the outcomes of this consultation and on advice provided in the Council report dated 2 June 2020, Council must decide between three options:

- Option 1: Timed off-leash dog trial
- Option 2: Untimed off-leash trial
- Option 3: Maintaining dog prohibition.

Should Council select option 1 or 2, site preparations should be undertaken imminently to allow for a trial to proceed from mid-December 2020.

Should Council select option 3, Council should install new signage and launch an education campaign as soon as feasibly possible, and rangers should increase surveillance immediately while monitoring work health and safety processes. Based on the site constraints outlined in this report and previous Council reports, it is recommended that Mackenzies Bay is not a suitable location as a dog off-leash area due to the impact on the environmental values of the bay, conflict with other users of the bay, treacherous surf conditions and location being unable to provide adequate facilities such as access paths, bins, seating or fencing.

## Appendix A — Clippings from communications channels

### Flyer distributed to local residents + distribution map

 **HAVE YOUR SAY** 

## Let us know your thoughts on dogs off-leash at Mackenzies Bay

Council is considering a timed off-leash dogs trial at Mackenzies Bay.

We want to know if you are supportive or unsupportive of a trial, and if you have any particular ideas or concerns we should consider.

Consultation will run for six weeks, closing 20 September 2020.

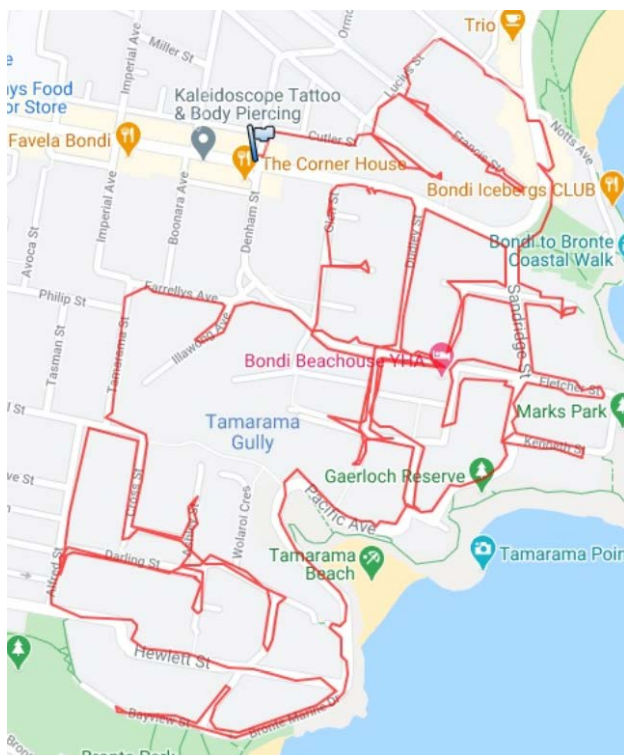


Mackenzies Bay

 Head to [haveyoursay.waverley.nsw.gov.au](https://haveyoursay.waverley.nsw.gov.au) for more information  
Questions? Call us on 9083 8000 or email [openspace@waverley.nsw.gov.au](mailto:openspace@waverley.nsw.gov.au)



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## Print advertising in The Beast



HAVE YOUR SAY

# Let us know your thoughts on dogs off-leash at Mackenzies Bay



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Mackenzies Bay




Head to [haveyoursay.waverley.nsw.gov.au](https://haveyoursay.waverley.nsw.gov.au) for more information  
Questions? Call us on **9083 8000** or email [openspace@waverley.nsw.gov.au](mailto:openspace@waverley.nsw.gov.au)





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## Social media posts





Waverley Council

Published by Sprout Social [?] · 16 August · 🌐



We're currently asking for your views on trialling dogs off-leash at Mackenzie's Bay. Please head to <https://haveyoursay.waverley.nsw.gov.au> for more information and to complete our survey. Submissions close 20 September.





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


25,822

People reached

2,733


Engagements


Boost post





Shaun Knoop, Nicole Cupic and 111 others

52 Comments 38 shares

 Like

 Comment






 Share



### Performance for your post

**25,822** People Reached

557 Reactions, comments & shares *i*

306  Like	98 On post	208 On shares
41  Love	16 On post	25 On shares
2  Wow	1 On post	1 On shares
1  Sad	0 On post	1 On shares
1  Angry	1 On post	0 On shares
165 Comments	93 On Post	72 On Shares
41 Shares	38 On Post	3 On Shares

2,176 Post Clicks

**200** Photo views      **81** Link clicks *i*      **1,895** Other Clicks *i*

### NEGATIVE FEEDBACK

1 Hide post  
0 Report as spam

Reported stats may be delayed from what appears on posts



## Enewsletters (Waverley Weekly and Have Your Say Engagement enews)

### HAVE YOUR SAY ON MACKENZIES BAY



Are you supportive or unsupportive of a timed dogs off-leash trial at Mackenzies Bay? Your feedback will help Council determine whether to go ahead with a trial. [Our online survey closes this Sunday 20 September.](#)

Other projects currently open for feedback:

- the concept design for [conserving and upgrading Bondi Surf Club](#)
- a draft Planning Agreement for [82–84 Curlewis Street, Bondi Beach](#)
- the draft [Heritage Assessment](#)
- your pick for the book that should be awarded this year's [People's Choice Prize as part of the Mark & Evette Moran Nib Award](#)

**MORE PROJECTS**



## HAVE YOUR SAY



Register online at [haveyoursay.waverley.nsw.gov.au](https://haveyoursay.waverley.nsw.gov.au) to be the first to hear of upcoming engagement projects and to let us know your ideas, feedback and views on Council's projects.

Current projects on consultation:

- the potential for a timed trial of [dogs off-leash at Mackenzies Bay](#)
- the concept design for [conserving and upgrading Bondi Surf Club](#)
- a draft Planning Agreement for [82–84 Curlewis Street, Bondi Beach](#)
- the draft [Heritage Assessment](#)
- your pick for the book that should be awarded this year's [People's Choice Prize as part of the Mark & Evette Moran Nib Award](#)

HAVE YOUR SAY



## **Dogs off leash at Mackenzies Bay**

We're inviting the community to have its say about allowing dogs at Mackenzies Bay, Tamarama. Currently, Council does not allow dogs at any of Waverley's beaches and ocean pools though for years dog owners have used the coastal inlet to take their animals off-leash.

Our consultation into dogs off-leash at Mackenzies Bay is now open until 20 September [here](#). The consultation aims to see whether a dog off-leash area at the location is widely supported by the community, most specifically Tamarama residents. [Find out more here](#).

## **Appendix B — Online Survey**

# Timed Dogs Off-leash at Mackenzies Bay

Have Your Say Waverley

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## Feedback on timed dogs off-leash trial at Mackenzies Bay

Do you support trialling a timed dogs off-leash trial at Mackenzies Bay?

(Choose any one option)

- ☐ Yes
- ☐ No

Answer this question only if you have chosen No for Do you support trialling a timed dogs off-leash trial at Mackenzies Bay?

Why are you unsupportive of a timed dog off-leash area at Mackenzies Bay?

What time period would you prefer to trial dogs off-leash? (select all that apply)

(Choose all that apply)

- ☐ 4.30pm-8.30am
- ☐ 3pm-10am
- ☐ I don't support any time
- ☐ Other (please specify)

Why did you select this time period?

# Timed Dogs Off-leash at Mackenzies Bay

## Have Your Say Waverley

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How often do you visit Mackenzies Bay

(Choose all that apply)

- ☐ Daily or most days of the week
- ☐ Two or three times a month
- ☐ Once or twice a year
- ☐ Less than once a year

Why do you visit Mackenzies Bay?

(Choose all that apply)

- ☐ Dog walking
- ☐ Surfing
- ☐ Sun bathing
- ☐ Exercise
- ☐ As part of the Coastal Walk
- ☐ Picnic or social gathering
- ☐ Sculpture by the Sea
- ☐ Other (please specify)

Do you own or regularly walk a dog?

(Choose any one option)

- ☐ Yes
- ☐ No

Answer this question only if you have chosen Yes for Do you own or regularly walk a dog?

Where do you currently walk your dog(s)?

Answer this question only if you have chosen Yes for Do you own or regularly walk a dog?

Generally, what time do you walk your dog(s)?

(Choose all that apply)

- ☐ Before 6am
- ☐ 6am - 9am
- ☐ 9am - 12pm
- ☐ 12pm - 3pm
- ☐ 3pm - 6pm
- ☐ 6pm - 10pm
- ☐ After 10pm

Do you have any further feedback for us to consider regarding a trial of a timed dogs off-leash area at Mackenzies Bay? Please let us know here.