

1.5 Beach Closure Policy

Policy Owner	Executive Director Corporate & Commercial Services
Responsible Officer	Manager Public Health & Safety
Date of Approval	25/08/2017
Amended/Revised	25/06/2024

Objective

Providing direction for responding to recent or possible shark activity including shark attacks and possible shark attractants such as marine mammal stranding/carcass, as well as the broader approach to water safety warnings and information provided to the public.

Guide the administration of the City of Albany Local Government Property Local Law 2011, under which a sign may be erected to regulate, prohibit, or restrict specific activities on the beach or in the water and the giving of directions to swimmers to leave the water if a shark is suspected of being in the vicinity of the beach.

Provide information to the general public to allow them to make informed decisions about personal safety when entering the water after a shark sighting or recent shark activity.

Scope

This policy applies to beach areas under the care, control, and management of the City, excluding privately owned land and land under the control or management of another government agency.

Policy Statement

The City of Albany:

- Is committed to providing a safe and welcoming place for residents and visitors.
- The City's actions will be guided by the following considerations:
 - Warning the public and closing beaches to reduce the likelihood of shark / human encounters however complete protection from sharks can never be guaranteed.
 - Sharks are very mobile and are capable of travelling large distances in a short period.
 - Authorised Persons will access credible information from relevant sources to inform response strategies – including from Water Police (9442 8600).

Legislative and Strategic Context

Compliance with the:

- Local Government Act 1995, section 2.7(2)(b) Council determines local government policies; and
- Local Government Property Local Law 2011, Part 5 – Matters Relating to Particular Local Government Property, Division 2 – Beaches, Clause 5.4 Powers of authorised persons or surf life saving club members.

Review Position and Date

This policy and procedure must be reviewed every two years.

Responsibility for the implementation of this policy rests with the Chief Executive Officer and Executive Management Team and is to inform all strategic plans of the City.

Associated Documents

- City of Albany Ranger Procedure – Beach Closures (attached).
- Surf Life-Saving WA (SLSWA) Shark Incident Management Protocol.
- Marine Mammal Carcass or Stranding Response Policy & Procedure.

Definitions

Key terms and acronyms used in the policy, and their definitions:

- **Authorised Person** means a person authorised by the local government under section 9.10 of the Local Government Act for the purpose of administering the City of Albany's local laws.
- **District** means the district of the local government.
- **SLSWA** means Surf Life Saving Western Australia.
- **Patrolled Beach** means a beach that has a SLSWA beach safety and surveillance service in operation.
- **Confirmed Shark Sighting** means a shark sighting reported to the City by the WA Government Shark Monitoring Network and/or WA Water Police.
- **Marine Mammal** includes whales, pilot whales, seals, porpoise, dolphins, sea lions, Dugongs,
- **Recent shark activity including potential for shark activity** means any occurrence that an Authorised Person reasonably believes may create an attractant for sharks and includes any information or advice received from the Department of Primary Industries and Regional Development.
- **BEN Sign** means 'Beach Emergency Network' (BEN) Sign which is erected at beaches and bays on the coastline and displays the location name and BEN reference number. These signs provide the wording "Beach Closed" on the flip side and may be turned around in their mounting to reflect that the beach is 'Closed'.

1.5 Beach Closure Procedure

Objective

The following procedure provides guidelines for beach closures in response to shark activity, potential for shark activity, or shark attacks at the City of Albany-managed beaches. Actions taken will be dependent on jurisdiction and available resources.

Scope

This procedure applies to authorised persons appointed by the local government under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an authorised person under the Local Government Property Local Law 2011.

Responsibility, Review Position and Date

This procedure must be reviewed every two years.

Responsibility for the implementation of this procedure rests with the Manager Public Health & Safety

Shark Alerts

All shark sightings are to be reported to Water Police on 9442 8600.

Shark sightings reported to Water Police, or where a tagged shark activates a receiver, results in an automatic SMS message alert. Authorised persons will receive these alert messages on their mobile phones. The messages contain information regarding the location of the shark; however, the species or size may not be identified in the message.

This information is also posted on the Shark Smart website at www.sharksmart.com.au. Beach users should be encouraged to check this website before deciding about water use.

In the event of a confirmed shark sighting, the following precautions will be implemented by Authorised Persons where the sighting meets the following criteria:

- If the shark is larger than three metres and within one kilometre of the shore – close the beach and water 1km either side of the shark location for one hour (two hours at dawn; for the remainder of the evening if at dusk)
- If the shark is 2 – 3 metres in length and/or schooling sharks and within 500 metres of the shore – close the beach and water 1km either side of the shark location for one hour (two hours at dawn; for the remainder of the evening if at dusk).
- If the shark is less than two metres in length – advise the public but do not close the beach.
- Tagged shark: Two or more activations of the receiver within one hour.

Beach Categories

<p>Category 1 Beach CATEGORY</p>	<ul style="list-style-type: none"> • Middleton Beach* including Ellen Cove Shark Barrier. • Emu Beach <p><i>* Middleton Beach is patrolled by SLSWA on a seasonal basis. When it is patrolled by SLSWA, SLSWA will be responsible for responding to shark sightings or shark attacks.</i></p>
<p>Category 2 Beach CATEGORY</p>	<p>Beaches are located on the shores of King George Sound which are managed by the City of Albany. It excludes any beaches on land managed by any other government agency.</p> <p>The following beaches are included:</p> <ul style="list-style-type: none"> • Whaler’s Cove (Frenchman Bay). • Goode Beach.
<p>Category 3 Beach CATEGORY</p>	<p>All other beaches within the City of Albany are not identified as a category 1 or category 2 beach.</p>

Response – Confirmed Shark Sightings (Criteria Met)

<p>Category 1 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Notify the City of Albany Manager Communications via text message or phone call. • SLSWA lifeguards will operationally respond to shark sightings on patrolled beaches as per current Surf Life Saving WA Shark Incident Management protocols. • During SLSWA off-season, Authorised Persons will respond and implement these procedures. • Erect “Sharks Beach Closed” signage 1km on either side of the shark location. • Change BEN signs from open to closed. • Alert beach users were reasonably practicable. • The beach will be closed for a minimum of one hour (two hours if at dawn; for the remainder of the evening if at dusk) from the time of the original confirmed sighting. • The beach may be re-opened 1 hour after the last confirmed sighting.
<p>Category 2 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Notify the City of Albany Manager Communications via text message or phone call. • Erect “Caution Confirmed Shark Sighting” signage 1km on either side of the shark location. • Change BEN signs from open to closed. • Alert beach users were reasonably practicable. • Warning signs to remain in place for a minimum of two hours. • If the sighting occurs at dusk, or Authorised Persons are responding to other priority matters, warning signs will stay in place for the remainder of that day, to be removed the following day.
<p>Category 3 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Category 3 beaches are not patrolled and signage in the event of shark sightings or recent/potential activity will be at the discretion of Authorised Officers and dependent on seasonal conditions and human presence and activity. • Permanent signage may be considered to alert beachgoers that this is a non-patrolled beach and that sharks frequent the waters of the south coast.

Response – Recent shark activity or potential for shark activity

<p>Category 1 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Notify the City of Albany Manager Communications via text message or phone call. • Erect “Caution Recent Shark Activity in This Area” 1km on either side of the shark location. • Alert beach users where possible.
<p>Category 2 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Notify the City of Albany Manager Communications via text message or phone call. • Erect “Caution Recent Shark Activity in This Area” signage 1km either side of the shark location. • Alert beach users where possible.
<p>Category 3 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Category 3 beaches are not patrolled and signage in the event of shark sightings or recent/potential share activity will be at the discretion of Authorised Officers and dependent on seasonal conditions and human presence and activity. • Permanent signage may be considered to alert beachgoers that this is a non-patrolled beach and that sharks frequent the waters of the south coast.

Response – Shark Attack

<p>Category 1 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Notify the City of Albany Manager Communications via text message or phone call. • SLSWA lifeguards will operationally respond to shark sightings on patrolled beaches as per current Surf Life Saving WA Shark Incident Management protocols. • An Authorised Person will erect “Sharks. Beach Closed” signage at appropriate locations including 1km on either side of the shark location. • BEN signs will be changed from open to closed. • In consultation with WA Police and the Department of Fisheries, the beach may either be re-opened by an Authorised Person the following morning or remain closed for another 24 hours.
<p>Category 2 & 3 Beach RESPONSE</p>	<ul style="list-style-type: none"> • Notify the City of Albany Manager Communications via text message or phone call. • An Authorised Person will erect “Sharks. Beach Closed” signage at appropriate locations including 1km on either side of the shark location. • BEN signs will be changed from open to closed. • In consultation with WA Police and the Department of Fisheries, the beach may either be re-opened by an Authorised Person the following morning or remain closed for another 24 hours.

Roles & Responsibilities

City of Albany	<ul style="list-style-type: none"> The City will support other agencies such as the Departments of Fisheries, Biodiversity Conservation and Attractions (DBCA), WA Police (WAPOL), Surf Life Saving WA (SLSWA) and other local government authorities to respond to shark threats within their jurisdictions subject to resource availability. In the event of a shark-related fatality, the City will participate in any post-incident analysis organised by the HMA.
WAPOL	<ul style="list-style-type: none"> WAPOL is the hazard management authority for shark fatality on behalf of the coroner. The City will assist with beach closures, media coordination, as well as community recovery initiatives where relevant.
FISHERIES	<ul style="list-style-type: none"> The Department of Fisheries (Fisheries) is responsible for any actions related to the attempted capture and or destruction of a potentially dangerous shark(s).
DBCA	<ul style="list-style-type: none"> The Department of Biodiversity Conservation and Attractions (DBCA) is responsible for shark response protocols associated with beaches/coastlines under its jurisdiction.
COMMUNITIES	<ul style="list-style-type: none"> The Department of Communities is available to provide referrals to counselling services for impacted community members where required.

Prioritisation of response activities

The City of Albany Ranger Teams' general working hours are between 8:00am and 5:00pm and are only authorised to operate between 6:00am and 6:00pm.

Where priority activities or other resource constraints divert City resources from dealing with immediate shark matters, secondary support resources may be activated as soon as possible to assist with the following:

- Other on-duty City Rangers / other Authorised Persons, other City staff.
- WA Police and other Emergency Service agencies (where relevant).
- Neighbouring Local Governments.

Communications

The City will promote to the public relevant information sources to assist education, awareness raising and informed personal decision-making.

- Report Shark Sightings to Water Police on 9442 8600.
- <http://twitter.com/SLSWA> - Surf Life Saving WA Twitter.
- <http://www.sharksmart.com.au> – Department of Fisheries information portal.
- City of Albany website/media releases.