

# minutes

## Policy Committee

MEETING HELD ON

MONDAY 16 FEBRUARY 2026

### **Acknowledgement of Traditional Custodians**

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

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## TABLE OF CONTENTS

1	DECLARATION OF OPENING .....	3
2	DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY.....	4
3	APOLOGIES AND LEAVE OF ABSENCE .....	4
4	CONFIRMATION OF MINUTES .....	5
5	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	5
6	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC .....	5
7	PETITIONS AND DEPUTATIONS .....	5
8	REPORTS .....	6
8.1	PROPOSED REVOCATION OF THE HILLARYS STRUCTURE PLAN (WARD - SOUTH-WEST) .....	6
8.2	ANIMALS LOCAL LAW 2025 - ADOPTION (WARD - ALL) .....	19
8.3	CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES (WARD - ALL) .....	26
8.4	ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - ELECTED MEMBER DINNERS (WARD - ALL).....	37
8.5	ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - ELECTED MEMBER LOUNGE (WARD - ALL).....	46
8.6	ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - CONTINUING PROFESSIONAL DEVELOPMENT (WARD - ALL).....	53
8.7	2026 POLICY REVIEW SCHEDULE (WARD - ALL).....	61
9	URGENT BUSINESS .....	65
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	65
11	REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION .....	65
12	CLOSURE .....	65

**Note:**

Clause 15.10 of the City's *Meeting Procedures Local Law 2013* states:

*This local law applies generally to committee meetings except for clause 7.1 in respect of members seating and clause 7.8 in respect of limitation on members speaking.*

# CITY OF JOONDALUP

## MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 16 FEBRUARY 2026.

### 1 DECLARATION OF OPENING

#### 1.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.00pm.

#### ATTENDANCE

##### Committee Members:

Cr Lewis Hutton	<i>Presiding Member</i>
Mayor Daniel Kingston	
Cr Rebecca Pizzey	<i>Deputy Presiding Member</i>
Cr Denise Mercer	
Cr Russ Fishwick, JP	
Cr John Chester	
Cr Phillip Vinciullo	

##### Observers:

Cr Adrian Hill  
Cr Matthew Count

##### Officers:

Mrs Rebecca Maccario	Acting Director Governance and Strategy	
Mr Mat Humfrey	Director Corporate Services	
Mr Nico Claassen	Director Infrastructure Services	
Mrs Cathrine Temple	Acting Director Planning and Community Development	
Ms Christine Robinson	Manager Audit, Risk and Executive Services	
Mr Michael Smith	Manager Community Safety	<i>to 7.04pm</i>
Mrs Kylie Bergmann	Manager Governance	
Mrs Laura Napier	Senior Governance Officer	

There were two members of the public and no member of the press in attendance.

#### 1.2 REQUESTS FOR ELECTRONIC ATTENDANCE

Nil.

## 2 DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

### 2.1 DISCLOSURES OF INTEREST AFFECTING IMPARTIALITY

Elected Members (in accordance with clause 22 of Schedule 1 of the *Local Government [Model Code of Conduct] Regulations 2021*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member / employee is also encouraged to disclose the nature of their interest.

<b>Name / Position</b>	<b>Mayor Daniel Kingston.</b>
<b>Meeting Type</b>	Policy Committee.
<b>Meeting Date</b>	16 February 2026.
<b>Item No. / Subject</b>	Item 8.2 – Animals Local Law 2025 – Adoption (Ward – All).
<b>Nature of Interest</b>	Interest that may affect Impartiality.
<b>Extent of Interest</b>	Mayor Kingston was Secretary of Friends of Yellagonga when a previous submission was made on the proposed local law.

<b>Name / Position</b>	<b>Cr John Chester.</b>
<b>Meeting Type</b>	Policy Committee.
<b>Meeting Date</b>	16 February 2026.
<b>Item No. / Subject</b>	Item 8.2 – Animals Local Law 2025 – Adoption (Ward – All).
<b>Nature of Interest</b>	Interest that may affect Impartiality.
<b>Extent of Interest</b>	Cr Chester is a long-term member of the Friends of Yellagonga Regional Park who made a submission on this item.

## 3 APOLOGIES AND LEAVE OF ABSENCE

### 3.1 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr John Raftis	16 February to 20 February 2026 inclusive.
Cr Rohan O'Neill	17 February to 21 February 2026 inclusive.
Cr Denise Mercer	15 March to 28 March 2026 inclusive.
Cr Rohan O'Neill	4 August to 6 August 2026 inclusive.

### 3.2 APOLOGIES

Cr Nige Jones.

## **4 CONFIRMATION OF MINUTES**

### **4.1 MINUTES OF THE POLICY COMMITTEE HELD ON 17 NOVEMBER 2025**

**MOVED** Mayor Kingston, **SECONDED** Cr Fishwick that the Minutes of the Policy Committee held on 17 November 2025 be **CONFIRMED** as a true and correct record.

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hutton, Mayor Kingston, Cr Chester, Cr Fishwick, Cr Mercer, Cr Pizzey and Cr Vinciullo.

**Against the Motion:** Nil.

## **5 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

## **6 IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

Nil.

## **7 PETITIONS AND DEPUTATIONS**

Nil.

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## 8 REPORTS

### 8.1 PROPOSED REVOCATION OF THE HILLARYS STRUCTURE PLAN (WARD - SOUTH-WEST)

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mrs Cathrine Temple Acting Director Planning and Community Development
<b>FILE NUMBER</b>	16047, 101515
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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#### PURPOSE

For Council to consider advertising a proposal to revoke the *Hillarys Structure Plan*. The proposed revocation is to be progressed as an amendment to *Local Planning Scheme No. 3*.

#### EXECUTIVE SUMMARY

The *Hillarys Structure Plan* was adopted by the Joint Commissioners at their meeting held on 28 September 1999 and approved by the Western Australian Planning Commission (WAPC) on 25 October 1999. The structure plan was developed to facilitate the progressive subdivision and development of land within previously undeveloped portions of Hillarys and Sorrento.

The *Hillarys Structure Plan* was due to expire on 19 October 2025, with Council resolving at its meeting held on 19 November 2024 (CJ309-1124 refers) to request that the WAPC grant a three-year extension to the structure plan approval period in order to facilitate sufficient time for the City to review the structure plan provisions while allowing the structure plan to guide development in the interim.

The WAPC issued approval for this extension request on 28 July 2025, and in its correspondence, advised the City that the structure plan provisions are not considered to be contemporary in accordance with the State or local planning framework, particularly regarding the density coding of the R50 identified sites within the structure plan area.

In response to this feedback, the City has undertaken a review of the density codes and development provisions within the structure plan. It is considered that the development provisions are no longer required to guide future development as there are sufficient controls within the *Residential Design Codes (R-Codes)*, *Residential Development Local Planning Policy (RDLPP)* and the City's *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy*.

The existing 'Residential' and 'Mixed Use' zonings are proposed to remain, with the respective residential density codes also proposed to remain, excluding for Lot 9012 (3) Delos Way, Sorrento, Lot 28 (46) Angove Drive, Hillarys and Lot 29 (35) Martinique Mews, Hillarys, which are proposed to be recoded from R50 to R80 to allow for development of these sites at an appropriate scale.

The *Hillarys Structure Plan* is therefore proposed to be revoked by 'normalising' the structure plan zonings into *Local Planning Scheme No. 3 (LPS3)* through a scheme amendment process. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations)*, an amendment to LPS3 to incorporate the zonings outlined in the structure plan will facilitate revocation of the structure plan where a statement to that effect is included as part of the scheme amendment proposal. This type of amendment is considered a 'standard' amendment in this instance due to the proposed changes to density coding, which requires a 42-day public advertising period.

*It is therefore recommended that Council resolves to adopt the proposed scheme amendment to revoke the Hillarys Structure Plan, for the purpose of public advertising.*

## BACKGROUND

<b>Suburb/Location</b>		Hillarys, bounded by Angove Drive, Curacao Lane, Ewing Drive, Hepburn Avenue, Lacepede Park, Seaward Loop, West Coast Drive, Whitfords Avenue and residential lots. The separate 475 Residential Precinct is bounded by Ern Halliday Recreation Camp, Flinders Avenue and Whitfords Avenue.
<b>Owner</b>		Various.
<b>Zoning</b>	<b>LPS</b>	Urban Development.
	<b>MRS</b>	Urban.
<b>Site area</b>		46.83 hectares.
<b>Structure plan</b>		<i>Hillarys Structure Plan.</i>

### Purpose of structure plans

Structure plans are planning instruments used to facilitate the coordination of future zoning, subdivision and development of land. These documents are 'due regard', meaning that decision makers for development within areas affected by a structure plan are not bound by the provisions of a structure plan, however, are obliged to adhere to the structure plan in determining subdivision and development proposals unless there is valid reason to vary the provisions and objectives of the structure plan.

Structure plans are generally considered to have fulfilled their purpose when the land has been subdivided, lot boundaries established, and any specific structure plan measures implemented.

### Local structure plan review project

In accordance with the LPS Regulations, structure plans are valid for 10 years from the date of approval by the WAPC. For structure plans approved prior to commencement of the LPS Regulations, the 10-year approval period commenced from 19 October 2015 when the LPS Regulations came into operation.

As part of the approval of LPS3, the WAPC advised that a separate review of the City's existing structure plan areas should be undertaken to assess the current status of each structure plan. This would determine if a structure plan covered an area including the following:

- Where development is still occurring, and the structure plan is still relevant and needs to be retained.
- Where development is complete or nearing completion, in which case the structure plan can be revoked via an amendment to LPS3 to rezone the area. This may include introducing relevant development provisions from the structure plan into the scheme.

The City has been progressing this review since LPS3 came into effect, with a number of structure plans revoked or in the process of being revoked.

At its meeting held on 19 November 2024 (CJ309-11/24 refers), Council was presented with an overview of the proposed approach to reviewing the City's structure plans. At this meeting, Council resolved to request that the WAPC extend the period of approval for the *Hillarys Structure Plan* for three years until 19 October 2028.

The WAPC issued approval for this extension request on 28 July 2025 (Attachment 1 refers). This approval included comment that although a limited extension to the approval period has been supported, the structure plan provisions are not considered contemporary or fully aligned with the current State or local planning framework. In particular, it was identified that the R50 density coded sites in the structure plan should be reviewed to facilitate higher density and diverse housing product given the locational context of the sites, better alignment with the strategic planning framework and recent development decision making of the WAPC in the locality.

### Development applications

Two development proposals within the structure plan area have been submitted through the State Government Part 11B Significant Development Pathway for the following sites:

- Lot 9012 (3) Delos Way, Sorrento.
- Lot 29 (35) Martinique Mews, Hillarys.

The Delos Way application proposed a multiple dwelling development consisting of seven storeys and two basement levels. At its meeting held on 25 February 2025 (CJ011-02/25 refers), Council resolved to recommend refusal of the proposal as it was considered to result in an overall density and height that is inconsistent with the required minimum site area and designated local character of the area within the *Hillarys Structure Plan*. This resolution was forwarded to the WAPC, who approved the application on 14 May 2025.

The Martinique Mews application comprises an 11 storey mixed use development consisting of ground floor commercial with multiple dwellings above, and is currently under assessment by the Department of Planning Lands and Heritage. A recommendation on this proposal for Council's consideration is anticipated to be presented to the 24 February 2026 Council meeting.

Development applications have also been approved for the other R50 coded sites in the structure plan area as follows:

- A three storey mixed use development at Lot 28 (46) Angove Drive, Hillarys was approved by the Metro North-West Joint Development Assessment Panel on 1 October 2015. This approval has been implemented.
- A single dwelling at Lot 28 (10) Lanikai Lane, Sorrento was approved by the City on 12 November 2024. This approval has not been acted on.

## DETAILS

It is proposed that a scheme amendment to LPS3 be prepared to rezone the land within the *Hillarys Structure Plan* as outlined below:

- Land within the *Hillarys Structure Plan* rezoned from 'Urban Development' to the 'Mixed Use' and 'Residential' zones and the 'Local Road', 'Other Regional Road' and 'Public Open Space' reserves in accordance with the *Hillarys Structure Plan*;
- Apply the 'R20', 'R30' and 'R50' residential density codes in accordance with the *Hillarys Structure Plan*.
- Apply the 'R80' residential density code to Lot 9012 (3) Delos Way, Sorrento, Lot 28 (46) Angove Drive, Hillarys and Lot 29 (35) Martinique Mews, Hillarys.

If approved by the Minister for Planning, the scheme amendment will facilitate revocation of the structure plan.

### Issues and options considered

The *Hillarys Structure Plan* applies to the land bounded by Curacao Lane, West Coast Drive and Whitfords Avenue to the west, Angove Drive, Ewing Drive and residential lots to the north, residential lots and Lacepede Park to the east, and Hepburn Avenue and Seaward Loop to the south. A separate portion of the structure area (475 Residential Precinct) is bounded by Whitfords Avenue to the west, Flinders Avenue to the north and east, and Ern Halliday Recreation Camp to the south (Attachment 2 refers).

The purpose of the *Hillarys Structure Plan* was to facilitate the progressive subdivision and development of land within previously undeveloped portions of Hillarys and Sorrento. The structure plan area is zoned 'Urban Development' (excluding the 475 Residential Precinct which is zoned 'Residential'), with land use permissibility and development provisions stated as being in accordance with former District Planning Scheme No. 2, now LPS3, and the *Hillarys Structure Plan*.

The structure plan area is now fully developed excluding approximately 15 undeveloped lots, including three significant undeveloped lots at Lot 9012 (3) Delos Way, Sorrento, Lot 28 (10) Lanikai Lane, Sorrento, and Lot 29 (35) Martinique Mews, Hillarys.

The structure plan designates all lots (excluding two mixed use lots) as 'Residential' with an 'R20', 'R30' or 'R50' density code and divides the structure plan area into six precincts as follows (Attachment 3 refers):

- 475 Residential Precinct.
- General Residential Precinct.
- Mixed Use Precinct.
- Sorrento Small Lot Residential Precinct.
- Small Lot Residential Precinct.
- Waterford Residential Precinct.

A detailed assessment of each precinct is provided below, with a comparison to the relevant provisions of the R-Codes (as modified by the City's RDLPP) and the City's *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy* contained in Attachment 4 to this Report. It is important to note that the applicable part of the R-Codes varies on the type of dwelling proposed (single, grouped or multiple) and applicable density code as specified in the below table. The implications for the applicable R-Codes part are discussed in greater detail where relevant within the assessment of each precinct.

Residential Codes	Design	Single Houses	Grouped Dwellings	Multiple Dwellings (including dwelling components of mixed-use developments)
Volume 1	Part B	R40 and below	R25 and below	R10 to R25
	Part C	R50 and above; R100-SL; R-AC	R30 and above; R100-SL; R-AC	R30 to R60
Volume 2		NA	NA	R80 and above; RAC

Volume 1 of the Residential Design Codes (R-Codes) provides two pathways for assessing development proposals: the “deemed-to-comply” pathway and the “design principles” pathway. Deemed-to-comply standards offer a straightforward pathway to approval where all set criteria are met, however, they are not intended to operate as absolute requirements. Alternative design solutions such as a greater building height than the deemed-to-comply requirement can be considered through the design principles pathway which requires a decision maker to exercise judgement. This approach provides flexibility in design outcomes while maintaining the overarching objectives of the R-Codes.

Volume 2 of the R-Codes is a performance-based policy with a focus on achieving high-quality design outcomes through an objective based assessment.

Detail regarding the proposed revocation of the *Hillarys Structure Plan*, including a comparison between the existing and proposed planning framework for each precinct within the structure plan area, is outlined below. A full review of the current versus proposed development provisions is provided in Attachment 4 to this Report.

#### 475 Residential Precinct

The 475 Residential Precinct comprises a small residential estate to the northwest of Ern Halliday Recreation Camp that has been fully developed as single houses and a grouped dwelling development. This precinct is unique in the structure plan area as it is currently zoned ‘Residential R40’ under LPS3, not ‘Urban Development’, and therefore the zoning does not require normalisation through the proposed amendment to LPS3.

Built form outcomes for single houses are required to be in accordance with the R-Codes Volume 1 Part B (Part C for the grouped dwellings) and the *Hillarys Structure Plan*. It is considered that the provisions of the R-Codes are sufficient to guide development in place of the structure plan provisions, noting that there are some differences to the requirements under the R-Codes, for example less restrictive provisions for boundary walls but a greater requirement for open space. Noting that the precinct is fully developed, any redevelopment in the structure plan area can be considered on its merits through a development application with due regard given to impact on neighbouring amenity and streetscape.

It is therefore not considered necessary for any development provisions of the 475 Residential Precinct to be incorporated into LPS3.

#### General Residential and Waterford Residential Precincts

The General Residential Precinct comprises approximately one-third of the structure plan area, with the Waterford Residential Precinct applying to the lots framing the northeast boundary of the structure plan area. These precincts have both been almost fully developed, to an R20 density. Land use permissibility within this area is already required to be in accordance with the ‘Residential’ zone of LPS3, therefore both precincts are proposed to be zoned ‘Residential’ R20 in LPS3.

Development in these precincts is currently assessed against both the R-Codes Volume 1 Part B and the *Hillarys Structure Plan*. Whilst both documents support two-storey development, the structure plan also provides for a six-by-six metre tower element and includes dual frontage lot controls within the General Residential Precinct.

The tower element is not included in the R-Codes, however such features can be considered through a design principles pathway where it can be demonstrated that there is no adverse impact on adjoining properties or the streetscape. This provides sufficient flexibility for any future proposals and allows consideration of existing tower elements where they form part of the established streetscape character.

A similar approach applies to boundary wall provisions. The structure plan limits boundary walls to certain lots and only one side boundary, whereas the R-Codes permit boundary walls to two site boundaries for any lot. Any proposal that does not meet the deemed-to-comply criteria can be assessed on merit through the design principles, having regard to amenity and existing streetscape character.

It is therefore not considered necessary for any development provisions of the General Residential Precinct or Waterford Residential Precinct to be incorporated into LPS3. The R-Codes will provide an appropriate and contemporary assessment framework once the structure plan is revoked.

#### Small Lot Residential and Sorrento Small Lot Residential Precincts

The Small Lot Residential Precinct also comprises approximately one-third of the structure plan area and has been almost fully developed at an R30 density in accordance with the structure plan. The Sorrento Small Lot Residential Precinct encompasses all the structure plan area south of Hepburn Avenue within Sorrento and is divided into an R30 area of established single house lots (with several vacant lots remaining) and two large undeveloped R50 coded lots. Regarding the R50 lots, Lot 28 (10) Lanikai Lane, Sorrento has received development approval for a single dwelling, while Lot 9012 (3) Delos Way, Sorrento has received development approval for a seven-storey multiple dwelling development as outlined earlier in this report.

Consistent with the General Residential and Waterford Residential Precincts, land use permissibility within both precincts is already required to be in accordance with the 'Residential' zone of LPS3, therefore both precincts are proposed to be zoned 'Residential' in LPS3 through this process.

Development is currently assessed against the R-Codes and the *Hillarys Structure Plan*. The same structure plan provisions apply to both precincts, however the Small Lot Residential Precinct imposes a maximum two-storey building height and permits a three-by-three metre tower element. The Sorrento Small Lot Residential Precinct refers to a now revoked building envelope local planning policy and therefore building height controls default to the R-Codes which provides a two-storey deemed-to-comply height for R30 coded lots and a three-storey deemed-to-comply height for R50 coded lots.

#### *R30 coded lots*

All R30 coded dwellings within these precincts have been constructed as single houses. The R-Codes Volume 1 Part B are considered sufficient to guide future development within the R30 coded lots for both precincts, including flexibility through the design principles criteria where proposals can demonstrate acceptable amenity and streetscape outcomes. This includes matters such as building height and boundary walls.

Given this, no structure plan provisions are proposal to be carried into LPS3. The existing R30 density coding is appropriate to be normalised into LPS3.

### *R50 coded lots*

The *Hillarys Structure Plan* applies the same development provisions to both R30 and R50 coded lots within the Sorrento Small Lot Residential Precinct. However, for R50 coded lots, development is required to be assessed against the R-Codes Volume 1 Part C, which contains modified medium-density provisions including a three storey 'deemed-to-comply' height limit in place of the structure plans two storey limit.

The Part C provisions of the R-Codes are considered sufficient to guide future development of Lot 28 (10) Lanikai Lane, Sorrento, irrespective of whether the existing single house approval is implemented, or if medium density redevelopment occurs in future. Retaining the R50 density code of this lot is therefore appropriate.

For Lot 9012 Lot 9012 (3) Delos Way, Sorrento, the development approval issued through the Significant Development Pathway along with recent WAPC advice following their extension to the approval period of the *Hillarys Structure Plan*, indicates that the current R50 density code for this lot is no longer considered contemporary with the State planning framework. It is unlikely that retaining the R50 through the structure plan normalisation process would be supported by the WAPC.

An R80 density code is considered more appropriate for this site for the following reasons:

- The R80 coding would be consistent with the proposed density code for Lot 29 (35) Martinique Mews, Hillarys and Lot 28 (46) Angove Drive, Hillarys and the existing Sorrento Activity Centre, which are also landmark coastal sites.
- Residential development at an R80 density code requires assessment against the provisions of the R-Codes Volume 2, which is specifically designed for multiple dwelling (apartment) developments with regard to built form, building height, parking, landscaping and overall site layout. This is considered to assist in delivering a better built form outcome.

An R80 density code has a deemed-to-comply four storey building height, which is considered suitable for a prominent coastal site having regard to established local context. No structure plan provisions are proposed to be carried into LPS3, with development instead to be assessed under the R-Codes Volume 2 at an R80 density.

### Mixed Use Precinct

The Mixed Use Precinct incorporates Lot 28 (46) Angove Drive, Hillarys and Lot 29 (35) Martinique Mews, Hillarys. The Angove Drive site has been developed as a three storey mixed use development. The Martinique Mews site is undeveloped, however is subject to a current proposal through the State Government Part 11B Significant Development Pathway for an 11 storey mixed use development. Further discussion on the land use permissibility and development provisions of the Mixed Use Precinct is provided below.

### *Land use permissibility*

The structure plan states that land uses are to be in accordance with the scheme, however, also specifies a list of land uses that are not permitted or discretionary within the precinct irrespective of permissibility under the scheme. These uses are outlined in the following table.

It is important to note that the *Hillarys Structure Plan* was prepared prior to the LPS Regulations coming into effect in 2015, at which time structure plans had the force and effect of the planning scheme, and could include land use controls which were binding. This is no longer applicable, with the land use permissibility controls listed in the *Hillarys Structure Plan* now being 'due regard' only as land use permissibility is in accordance with the 'Mixed Use' zoning of LPS3. This means that even though the *Hillarys Structure Plan* states certain uses are not permitted, the overriding provisions of LPS3 enable them to be contemplated.

<b>Hillarys Structure Plan – Mixed Use Precinct Land Use Permissibility Comparison to Local Planning Scheme No. 3</b>			
<b>Hillarys Structure Plan - Mixed Use Precinct</b>		<b>Local Planning Scheme No. 3</b>	
<b>Land Use</b>	<b>Permissibility</b>	<b>Land Use</b>	<b>Permissibility</b>
Car Park	X	Car Park	D
Civic Building*	X	Civic Use	D
Communication Antenna*	X	Telecommunications Infrastructure	D
Educational Establishment	X	Educational Establishment	D
Hall / Place of Assembly / Recreation Centre*	X	Community Purpose	D
Kindergarten*	X	Child Care Premises / Educational Establishment	D
Nursing Home*	X	Residential Aged Care Facility	D
Place of Worship	X	Place of Worship	D
Private Recreation*	X	Recreation - Private	D
Reception Centre	X	Reception Centre	D
Retirement Village*	X	No direct equivalent, depending on the proposal may include: <ul style="list-style-type: none"> <li>• Grouped dwelling</li> <li>• Multiple dwelling</li> <li>• Residential Aged Care Facility</li> </ul>	All are D uses
Shop	D	Shop	D

\*These land uses no longer exist in LPS3, therefore the equivalent land use and permissibility have been included.

The structure plan also mandates that the land uses listed in the table below be included in the office and retail floor area calculations of any development.

<b>Retail</b>	<b>Office</b>
Art Gallery	Bank
Bakery	Consulting Rooms
Convenience Store	Office
Corner Store	
Shop	

It is considered that the zoning table of LPS3 is appropriate to control land use outcomes for the structure plan area, with the limited use permissibility of the *Hillarys Structure Plan* unnecessarily restrictive and misaligned with the objectives of the 'Mixed Use' zone as listed in the table below.

<b>Zone Name</b>	<b>Objectives</b>
Mixed Use	<ul style="list-style-type: none"> <li>• To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.</li> <li>• To allow for the development of a mix of varied but compatible land uses which do not generate nuisance detrimental to the amenity of the district or to the health, welfare and safety of its residents.</li> <li>• To encourage high quality, pedestrian friendly, street-orientated development that integrates with surrounding areas.</li> </ul>

All development within the Mixed Use Precinct is currently assessed under the R-Codes Volume 1 Part C and the *Hillarys Structure Plan*. The structure plan supports a minimum and maximum building height of two stories on both lots, however further notes that where a quality landmark is developed on the Martinique Mews lot, a maximum three storey height can be allowed.

It is considered that an R80 density is more appropriate for these sites, for the reasons noted above for the Sorrento Small Lot Residential Precinct regarding Lot 9012 (3) Delos Way, Sorrento. Further, it is noted that LPS3 clause 26(2) assigns a density code of R80 to 'Mixed Use' zoned lots with a site area of 1,000m<sup>2</sup> or greater where no density code is already assigned. The proposed change in density code aligns with the planning scheme requirements for uncoded land given the size of the lots.

Additionally, an R80 density would result in future development being assessed against Volume 2 of the R-Codes. Volume 2 is a performance-based policy with a focus on achieving high-quality design outcomes through an objective based assessment. Whilst Volume 2 suggests four storeys may be a suitable building height for R80 land, alternative heights can be considered where it is demonstrated they meet the corresponding objectives.

It is therefore not proposed to include any development provisions of the structure plan within LPS3, with all residential development to be assessed against the R-Codes Volume 2 at an R80 density. All non-residential development will be assessed against the City's *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy*, which sets out provisions for setbacks, parking, building height, landscaping and other design related matters which are generally consistent with the intent of the existing structure plan.

#### *Retail net lettable area (NLA)*

The *Hillarys Structure Plan* prescribes the maximum retail, office and restaurant NLA for each site as specified in the table below, which could not varied under the former District Planning Scheme No. 2. Notwithstanding the intent and weight that the provision carried when first implemented, these provisions can only be given 'due regard' under LPS3.

<b>Land Use</b>	<b>46 Angove Drive</b>	<b>35 Martinique Mews</b>
Retail	200m <sup>2</sup>	350m <sup>2</sup>
Office	150m <sup>2</sup>	800m <sup>2</sup> (500m <sup>2</sup> on ground floor & 300m <sup>2</sup> on upper floor/s)
Restaurant	150m <sup>2</sup>	150m <sup>2</sup>

It is also noted that the City's *Local Commercial Strategy* has been adopted since the structure plan came into effect. The Angove Drive site has already been developed, with a retail needs assessment/net benefit test provided in the Martinique Mews development application. This application will be assessed against the thresholds specified in the *Local Commercial Strategy* to determine if the development is appropriate.

As such, it is considered that inclusion of a maximum retail NLA for the structure plan area is not required to be included in LPS3.

## Options

The options available to Council in considering the proposed scheme amendment to revoke the *Hillarys Structure Plan* are to:

- proceed to advertise the amendment to the local planning scheme without modifications
- proceed to advertise the amendment to the local planning scheme with modifications or
- not proceed to advertise the amendment to the local planning scheme.

Should Council adopt the proposed scheme amendment for the purpose of advertising, a future report will be presented to Council following the conclusion of the advertising period.

## **Legislation / Strategic Community Plan / Policy implications**

<b>Legislation</b>	<i>Local Planning Scheme No. 3. Planning and Development (Local Planning Schemes) Regulations 2015. Planning and Development Act 2005.</i>
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## **10-Year Strategic Community Plan**

<b>Key theme</b>	3. Place.
<b>Outcome</b>	3-2 Well-planned and adaptable - you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.
<b>Policy</b>	Not applicable.

## *Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015*

Part 5 of the *Planning and Development Act 2005*, in conjunction with the LPS Regulations, enables a local government to prepare or amend a local planning scheme and sets out the process to be followed.

Under the LPS Regulations, scheme amendments are classified as being basic, standard, or complex amendments. In resolving to proceed with an amendment, Council needs to specify the amendment type and explain the reason for that classification. The proposed scheme amendment is considered to be a standard amendment as it does not result in any significant environmental, social, economic or governance impacts on land within the City.

Clause 35A of the LPS Regulations states that if an amendment to a local planning scheme affects the area to which a structure plan approved under the scheme relates, the amendment must include a statement that outlines where the structure plan is to be revoked, amended or is not affected when the amendment takes effect. The proposed scheme amendment would revoke the *Hillarys Structure Plan*.

Should Council resolve to proceed with the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the Environmental Protection Authority to decide whether or not a formal environmental review is necessary. Should the Environmental Protection Authority decide that an environmental review is not necessary, and notifies the City accordingly, then it will be necessary to proceed to advertise the proposed scheme amendment for 42 days. The proposed amendment to the planning scheme must also be forwarded to the WAPC for consent to advertise.

Upon closure of the advertising period, Council is required to consider all submissions received and decide whether to support the amendment, with or without modifications, or not support the amendment. The decision is then forwarded to the WAPC, which makes a recommendation to the Minister for Planning. The Minister can either grant final approval to the amendment, with or without modifications, or refuse the amendment.

### Structure Plan Framework

The Structure Plan Framework outlines the manner and form in which a structure plan is to be prepared under the LPS Regulations. Clause 16 of the framework outlines that the WAPC may revoke its approval of a structure plan under the deemed provisions of the LPS Regulations and provides for common circumstances in which this would occur, including where the zoning of the land is covered within the scheme and following finalization of the subdivision of the land.

### **Risk management considerations**

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

### Strategic Risk Relationship

<b>Risk</b>	<b>DECISIONS</b>	<b>REPUTATION</b>
<b>Risk Event Description</b>	Ineffective / improper decision making	Loss of community trust
<b>Risk Responsibility</b>	Director Governance and Strategy	Chief Executive Officer
<b>Residual Risk</b>	High	
<b>Control Effectiveness</b>	Strong	
<b>Risk Appetite</b>	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.	
<b>Risk Control</b>	The relevant control, to mitigate risk, is the provision of a report outlining procedural updates that would reduce conflicting guidance and legislative obligation.	

### Other risk information

If Council elects not to adopt the scheme amendment for advertising, then the amendment will not proceed any further unless Council is directed by the Minister for Planning under Section 76 of the *Planning and Development Act 2005*. This may result in further uncertainty for significant development applications within the structure plan area due to the structure plan no longer being considered a contemporary planning document by the WAPC.

### **Financial / budget implications**

The City, as the proponent, is required to cover the costs associated with distributing letters to landowners and occupiers within the structure plan area, with approximately 646 letters to be sent.

The City is also required to cover the costs associated with the cost of publishing a notice in the local newspaper and the Government Gazette should the amendment be approved by the Minister for Planning. The cost of publishing the amendment in the local newspaper is approximately \$130 and the cost of publishing within the Government Gazette is approximately \$160.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

Should Council resolve to initiate the proposed scheme amendment, it is required to be advertised for public comment for 42 days. Advertising will be conducted in accordance with the LPS Regulations and the City's *Planning Consultation Local Planning Policy* as follows:

- Letters to landowners and occupiers within the structure plan area.
- An email to the Community Engagement Network.
- Emails to registered resident and ratepayer groups.
- A notice on the City's social media platforms.
- A notice and documents placed on the City's website.

### **COMMENT**

The proposed scheme amendment to revoke the *Hillarys Structure Plan* is considered appropriate as the structure plan area has been substantially developed and the provisions within the structure plan are no longer required to guide development.

The proposed scheme amendment would result in the following zonings/density codes in LPS3:

- Land within the *Hillarys Structure Plan* rezoned from 'Urban Development' to the 'Mixed Use' and 'Residential' zones and the 'Local Road', 'Other Regional Road' and 'Public Open Space' reserves;
- Apply the 'R20', 'R30' and 'R50' residential density codes in accordance with the *Hillarys Structure Plan*.
- Apply the 'R80' residential density code to Lot 9012 (3) Delos Way, Sorrento, Lot 28 (46) Angove Drive, Hillarys and Lot 29 (35) Martinique Mews, Hillarys.

The zoning and density codes proposed are consistent with the *Hillarys Structure Plan* excluding Lot 9012 (3) Delos Way, Sorrento, Lot 28 (46) Angove Drive, Hillarys and Lot 29 (35) Martinique Mews, Hillarys. The density coding of these lots is proposed to be increased from R50 to R80 to allow for higher density development of landmark sites at an appropriate scale.

It is therefore recommended that Council resolve to adopt the proposed scheme amendment for the purpose of public advertising.

## VOTING REQUIREMENTS

Simple Majority.

**OFFICER'S RECOMMENDATION MOVED Cr Fishwick, SECONDED Cr Mercer that Council:**

**1 Pursuant to Section 75 of the *Planning and Development Act 2005* and Regulation 35(1) *Planning and Development (Local Planning Schemes) Regulations 2015*, ADOPT an amendment to the City of Joondalup *Local Planning Scheme No. 3* to:**

**1.1 rezone the land within the *Hillarys Structure Plan* from 'Urban Development' to the 'Mixed Use' and 'Residential' zones and the 'Local Road', 'Other Regional Road' and 'Public Open Space' reserves;**

**1.2 apply the 'R20', 'R30' and 'R50' residential density codes in accordance with the *Hillarys Structure Plan*;**

**1.3 apply the 'R80' residential density code to Lot 9012 (3) Delos Way, Sorrento, Lot 28 (46) Angove Drive, Hillarys and Lot 29 (35) Martinique Mews, Hillarys;**

**for the purpose of public advertising for a period of 42 days;**

**2 In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DETERMINES that the scheme amendment is a standard amendment as the proposal does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;**

**3 Pursuant to Regulation 35A(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES that the amendment to the City of Joondalup *Local Planning Scheme No. 3* include the following statement:**

***"Approval of the City's Hillarys Structure Plan is to be revoked when this amendment is approved and takes effect."***

**The Motion was Put and**

**CARRIED (6/1)**

**In favour of the Motion:** Cr Hutton, Mayor Kingston, Cr Fishwick, Cr Mercer, Cr Pizzey and Cr Vinciullo.

**Against the Motion:** Cr Chester.

## ATTACHMENTS

1. WAPC Letter - Extension to Approval Period of Hillarys Structure Plan [8.1.1 - 1 page]
2. Hillarys Structure Plan Location Map [8.1.2 - 1 page]
3. Hillarys Structure Plan Density, Precinct and Zoning Maps [8.1.3 - 5 pages]
4. Hillarys Structure Plan Development Provisions Assessment Tables [8.1.4 - 10 pages]

**Disclosures of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Mayor Daniel Kingston.</b>
<b>Meeting Type</b>	Policy Committee.
<b>Meeting Date</b>	16 February 2026.
<b>Item No. / Subject</b>	Item 8.2 – Animals Local Law 2025 – Adoption (Ward – All).
<b>Nature of Interest</b>	Interest that may affect Impartiality.
<b>Extent of Interest</b>	Mayor Kingston was Secretary of Friends of Yellagonga when a previous submission was made on the proposed local law.

<b>Name / Position</b>	<b>Cr John Chester.</b>
<b>Meeting Type</b>	Policy Committee.
<b>Meeting Date</b>	16 February 2026.
<b>Item No. / Subject</b>	Item 8.2 – Animals Local Law 2025 – Adoption (Ward – All).
<b>Nature of Interest</b>	Interest that may affect Impartiality.
<b>Extent of Interest</b>	Cr Chester is a long-term member of the Friends of Yellagonga Regional Park who made a submission on this item.

**8.2 ANIMALS LOCAL LAW 2025 - ADOPTION (WARD - ALL)**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mrs Cathrine Temple Acting Director Planning and Community Development
<b>FILE NUMBER</b>	05885, 101515
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

**PURPOSE**

For Council to note the submissions received following public advertising of the proposed City of Joondalup Animals Local Law 2025 and resolve to make the local law in accordance with section 3.12 of the *Local Government Act 1995* (the Act).

**EXECUTIVE SUMMARY**

At its meeting held on 27 May 2025 (CJ130-05/25 refers), Council resolved to make the proposed City of Joondalup Animals Local Law 2025 for the purpose of public advertising. The purpose of the City of Joondalup Animals Local Law 2025 is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup. The effect of this local law is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

In accordance with section 3.12(3) of the *Local Government Act 1995* (the Act) the City is to give local public notice and advertise the proposed local law for a period of six weeks and forward a copy to the Departmental CEO.

At the close of the public consultation period the City received 106 submissions in relation to the proposed Animals Local Law 2025, including one submission from the Department of Local Government, Industry Regulation and Safety (DLGIRS). The Community Consultation Outcomes Report is provided at Attachment 1 to this Report. Details of the submissions, with officer responses, is provided at Attachment 2 to this Report.

*It is therefore recommended that Council:*

- 1 *NOTES the submissions received at the close of the public submissions period for the proposed Animals Local Law 2025, as detailed in Attachment 2 to this Report;*
- 2 *BY AN ABSOLUTE MAJORITY ADOPTS the City of Joondalup Animals Local Law 2025, as detailed in Attachment 4 to this Report;*
- 3 *AUTHORISES the Mayor and Chief Executive Officer to sign and affix the Common Seal to the adopted City of Joondalup Animals Local Law 2025;*
- 4 *NOTES the progression of the remaining actions to finalise the local law adoption process as detailed in section 3.12 and 3.15 of the Local Government Act 1995;*
- 5 *ADVISES all submitters of Council's decision.*

## **BACKGROUND**

At its meeting held on 27 May 2025 (CJ130-05/25 refers), Council resolved to make the proposed City of Joondalup Animals Local Law 2025 for the purpose of public advertising.

A notice advising of Council's intention to make the proposed local law, and of the purpose and effect of the proposed local law, was published in accordance with section 3.12 of the Act in the following places for a period of six weeks from Thursday 19 June 2025 to Friday 8 August 2025:

- Webpage linked through the "Community Consultation" section of the City's website visible from 19 June 2025 to 8 August 2025.
- Public Notice published in *Joondalup Voice* on 26 June 2025.
- Public Notice posters on display at the City's administration building and the City's libraries from 19 June 2025 to 8 August 2025.
- Public Notice item published in the Public Notice eNewsletter emailed to subscribers on 19 June 2025.
- Item published in the Community Consultation eNewsletter emailed to subscribers on 19 June 2025.
- Public Notice post on Facebook through the City's Facebook account on 19 June 2025.

In accordance with the requirements of the Act, a copy of the proposed local law was also submitted to the Minister for Local Government and Director General on 27 June 2025, for consideration.

The time for making public submissions closed on 8 August 2025.

## **DETAILS**

At the close of the public submission period, the City received 106 submissions, including a submission from the Department of Local Government, Industry Regulation and Safety (DLGIRS) received on 6 November 2025. A schedule of submissions, and officer responses, is provided at Attachment 2 to this Report.

Common themes that were addressed in the submissions include the following:

- Cats should be confined at all times.
- Cats should have a curfew.
- Concerns about cat excrement.
- Concerns about effect of cats on flora/fauna.

The following amendments have been made to the proposed Animals Local Law 2025, in light of the feedback received from the public and DLGIRS:

- Amend clause 5.4 by deleting clause 5.4(1) and replacing with  
*(1) For the purposes of this local law, those sections of land specified in Schedule 2, are designated as a horse exercise area.*
- Amend clause 5.4 by deleting clause 5.4(6)
- Amend clause 2.5 by adding the following clause:  
*(3) Notwithstanding the above, the confinement of dangerous dogs is provided in the Dog Act 1976.*
- Amend clause 4.10(2) by removing the words ‘in the opinion of an Authorised Person’.
- Amend the definition of ‘approved fees’ in clause 1.6(1) to include a reference to being made from time to time ‘under sections 6.16 to 6.19 of the Act.’
- Amend clause 1.4 by referring to the City of Joondalup Animals Local Law 1999, as published in the Government Gazette on all dates listed – combining into one clause.
- Amend clause 5.4(5) by splitting the two sentences into two separate clauses.
- Amend clause 8.9(2) by deleting all references of ‘thereon.’

Where suggested changes have been supported, they have been included in the local law and submitted to Council for adoption. Given that these changes are minor in nature, it is not expected that the amendments will have any effect on the local law making process.

It should also be noted, in relation to the previous proposed Animals Local Law 2024, which was presented to the Council at its meeting held on 26 March 2024 (CJ061-03/24 refers), the Council resolved to increase the modified penalties listed in Schedule 1 of the proposed local law to \$250. As this resolution related specifically to the proposed Animals Local Law 2024, the modified penalties have not been increased for the proposed Animals Local Law 2025, and they remain at \$100.

Section 3.12(4) of the *Local Government Act 1995* provides that, ‘*after the last day for submissions the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.*’

Advice has been sought from the DLGIRS with regard to amending the modified penalties at this stage in the local law making process. The DLGIRS has taken the view, ‘*that any change to a draft local law that impacts a legal right, obligation or privilege is likely to be significant*’. Under that definition, changing the amount for modified penalties at this stage is likely to qualify as a significant change.

If Council were of the mind to increase the modified penalties, it is suggested that either:

- 1 the proposed local law is amended and re-advertised for public comment in order to meet the requirements under section 3.12 of the local law making process, or
- 2 the Council proceeds with the current proposed local law and prepares an Amendment Local Law at a later stage should it wish to increase the modified penalties.

Given the significant interest from the community with regard to the proposed Animals Local Law, and specifically in relation to proposed changes for cat prohibited areas and managing nuisance cats, it is recommended that Council proceeds with the proposed local law as is currently drafted.

A copy of the amended local law showing the marked-up changes is provided at Attachment 3.

The amended local law to be adopted and submitted to the State Law Publisher for publication in the *Government Gazette* is provided at Attachment 4.

In the event that Council resolves to make the City of Joondalup Animals Local Law 2025, as presented, the following sequence of events will commence:

- 1 The local law will be published in the *Government Gazette* and a copy provided to the Minister of Local Government and Director General of the LGIRS.
- 2 After gazettal, local public notice will be given stating the title of the local law, the purpose and effect of the local law (including the date when it comes into operation) and advising where copies of the local law may be inspected at or obtained.
- 3 A copy of the local law together with the accompanying explanatory memorandum, will then be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation for scrutiny. The local law will come into effect two weeks after gazettal.

Council should be aware that it is possible that the JSCDL, after reviewing the local law, may require certain amendments to be made. If this is the case, the Council will be required to recommence the process of advertising for public comment, resolving again to make the amendment local law, gazettal and re-submission to the JSCDL for further consideration.

### **Issues and options considered**

Council may choose to:

- 1 adopt the proposed City of Joondalup Animals Local Law 2025, as advertised;
- 2 adopt the local law with minor modifications following the public submission period, subject to the modifications not being significantly different to what was advertised; or
- 3 not adopt the proposed local law.

It is recommended that Council proceed with Option 2.

**Legislation / Strategic Community Plan / Policy implications**

<b>Legislation</b>	<i>Cat Act 2011.</i> <i>Dog Act 1976.</i> <i>Local Government Act 1995.</i> <i>City of Joondalup Animals Local Law 1999.</i> Proposed City of Joondalup Animals Local Law 2025.
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**10-Year Strategic Community Plan**

<b>Key theme</b>	5. Leadership.
<b>Outcome</b>	5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.
<b>Policy</b>	Not applicable.

**Risk management considerations**

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

<b>Risk</b>	<b>DECISIONS</b>	<b>EXPECTATIONS</b>	<b>REPUTATION</b>
<b>Risk Event Description</b>	Ineffective / improper decision making	Inability to understand community expectations	Loss of community trust
<b>Risk Responsibility</b>	Director Governance and Strategy		Chief Executive Officer
<b>Residual Risk</b>	High		
<b>Control Effectiveness</b>	Strong		
<b>Risk Appetite</b>	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.		
<b>Risk Control</b>	The relevant control, to mitigate risk, is the provision of a report to Council in accordance with the requirements of the <i>Local Government Act 1995</i> .		

The proposed local law is yet to be considered by the Joint Standing Committee on Delegated Legislation (JSCDL), which reviews local laws created by local governments (including amendments) as well as other subsidiary legislation. Should the City not follow the local law creation process as detailed in the Act, the JSCDL may recommend disallowance of the local law.

### **Financial / budget implications**

The costs associated with the local law-making process is approximately \$2,500 being public advertising costs to publish the local law in the *Government Gazette*. Funds are available in the 2025-26 Annual Budget for statutory advertising.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

In accordance with section 3.12 of the Act, public consultation on the proposed Animals Local Law 2025 occurred as follows:

- 1 By giving local public notice for a period of not less than six weeks from the date of advertising, including the following:
  - Webpage linked through the “Community Consultation” section of the City’s website visible from 19 June 2025 to 8 August 2025.
  - Public Notice published in *Joondalup Voice* on 26 June 2025.
  - Public Notice posters on display at the City’s administration building and the City’s libraries from 19 June 2025 to 8 August 2025.
  - Public Notice item published in the Public Notice eNewsletter emailed to subscribers on 19 June 2025.
  - Item published in the Community Consultation eNewsletter emailed to subscribers on 19 June 2025.
  - Public Notice post on Facebook through the City’s Facebook account on 19 June 2025.
- 2 Providing a copy of the proposed local law to the Minister responsible for the Act under which the proposed local law is being made (being the Minister for Local Government), as well as the Director General.

### **COMMENT**

The proposed Animals Local Law 2025 was publicly advertised in accordance with the Act, and subsequently minor amendments were made taking into account the submissions received.

Should Council proceed with the making of the local law, the remaining actions as specified in the Act will progress which, in summary, involves publishing of the local law in the *Government Gazette* and submission of the local law to the JSCDL.

### **VOTING REQUIREMENTS**

Absolute Majority.

**OFFICER'S RECOMMENDATION MOVED Cr Chester, SECONDED Mayor Kingston** that Council:

- 1 NOTES the submissions received at the close of the public submissions period for the proposed Animals Local Law 2025, as detailed in Attachment 2 to this Report;
- 2 BY AN ABSOLUTE MAJORITY ADOPTS the City of Joondalup Animals Local Law 2025, as detailed in Attachment 4 to this Report;
- 3 AUTHORISES the Mayor and Chief Executive Officer to sign and affix the Common Seal to the adopted City of Joondalup Animals Local Law 2025;
- 4 NOTES the progression of the remaining actions to finalise the local law adoption process as detailed in section 3.12 and 3.15 of the *Local Government Act 1995*;
- 5 ADVISES all submitters of Council's decision.

#### **PROCEDURAL MOTION - THAT THE ITEM BE DEFERRED**

**MOVED Cr Hutton, SECONDED Mayor Kingston** that Item 8.2 – Animal Local Law 2025 – Adoption, BE DEFERRED to a future meeting of the Policy Committee, as per clause 10.1(a) of the *City of Joondalup Meeting Procedures Local Law 2013*, awaiting amendments to the *Cat Act 2011* to enable local government to make cat containment local laws.

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hutton, Mayor Kingston, Cr Chester, Cr Fishwick, Cr Mercer, Cr Pizzey and Cr Vinciullo.

**Against the Motion:** Nil.

#### **ATTACHMENTS**

1. Community Consultation Outcomes Report 2025 [8.2.1 - 48 pages]
2. Schedule of Submissions [8.2.2 - 58 pages]
3. Animals Local Law 2025 - Marked Up - Following Consultation [8.2.3 - 32 pages]
4. Animals Local Law 2025 - Final - Following Consultation [8.2.4 - 34 pages]

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### 8.3 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES (WARD - ALL)

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Director Governance and Strategy
<b>FILE NUMBER</b>	09358, 101515
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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#### PURPOSE

For Council to:

- adopt a revised *Code of Conduct for Council Members, Committee Members and Candidates*;
- adopt a revised *Complaint Resolution and Investigation Council Policy*;
- adopt a revised delegation relating to the *Model Code of Conduct for Council Members, Committee Members and Candidates*; and
- appoint a panel of persons to perform the functions of the Council under clauses 12 and 13 of the *Code of Conduct for Council Members, Committee Members and Candidates*.

#### EXECUTIVE SUMMARY

On 17 December 2025 new Local Government Inspector Regulations and Consequential Regulations were published to implement key components of local government reform relating to the role and powers of the new Local Government Inspector and associated oversight powers.

As part of the *Local Government Regulations Amendment (Local Government Amendment Act 2024) Regulations 2025* (Inspector Consequential Regulations), changes were made to the Model Code of Conduct to reflect the new complaints handling system.

Council is therefore required to update its *Code of Conduct for Council Members, Committee Members and Candidates* to reflect the changes to the Model Code of Conduct, as well as its *Complaint Resolution and Investigation Council Policy*.

An amendment to delegation 1.1.8 is also required in order to bring the delegation in alignment with the recent changes to the Model Code of Conduct. Additionally, new clause 14B(3) provides that the Council may authorise 1 or more persons to perform the functions of Council under clauses 12 and 13.

*It is therefore recommended that Council:*

- 1 *ADOPTS BY AN ABSOLUTE MAJORITY the revised Code of Conduct for Council Members, Committee Members and Candidates, as provided in Attachment 2 to this Report;*
- 2 *ADOPTS the revised Complaint Resolution and Investigation Council Policy, as provided in Attachment 5 to this Report;*
- 3 *BY AN ABSOLUTE MAJORITY and in accordance with section 5.42 of the Local Government Act 1995, AMENDS delegation 1.1.8 as provided in Attachment 3 to this Report;*
- 4 *BY AN ABSOLUTE MAJORITY AUTHORISES the contractors listed under Common Use Agreement CUAHRS2021 – Human Resource and Investigation Services (Category 1), to perform the functions of the Council under clauses 12 and 13 of the Code of Conduct for Council Members, Committee Members and Candidates;*
- 5 *In authorising the persons listed under Part 4, the Council CONFIRMS that it is satisfied that the persons being authorised are suitably qualified and experienced to perform the functions of the Council under clauses 12 and 13 of the Code of Conduct because of the competitive procurement process of the WA Department of Finance;*
- 6 *In authorising the persons listed under Part 4, the Council CONFIRMS that it is satisfied that the persons being authorised are impartial and have no close association with any member of the council or any employee of the local government because of the restrictions included in the Council adopted Complaint Resolution and Investigation Council Policy.*

## **BACKGROUND**

On 17 December 2025 new Local Government Inspector Regulations and Consequential Regulations were published to implement key components of local government reform relating to the role and powers of the new Local Government Inspector and associated oversight powers.

The *Local Government Regulations Amendment (Local Government Amendment Act 2024) Regulations 2025* (Inspector Consequential Regulations) were implemented to amend the following existing regulations:

- *Local Government (Administration) Regulations 1996 (the Administration Regulations)*
- *Local Government (Audit) Regulations 1996 (the Audit Regulations).*
- *Local Government (Financial Management) Regulations 1996 (the Financial Management Regulations).*
- *Local Government (Functions and General) Regulations 1996 (the Functions and General Regulations).*
- *Local Government (Model Code of Conduct) Regulations 2021 (the Code of Conduct Regulations).*
- *Local Government (Regional Subsidiaries) Regulations 2017 (the Regional Subsidiary Regulations).*

The Inspector Consequential Regulations deal with the following key matters:

- Updated references to the Inspector, where applicable, to reflect the Inspector's role and functions.
- New provisions to prescribe information that must be treated on a confidential basis at council and committee meetings.
- A new register to deal with misconduct and adverse findings.
- Prescribing offences and penalties for failure to complete mandatory council member training, including a requirement to repay advance payments of fees and allowances.
- Prescribing how a local government CEO may deal with unreasonable complaints from members of the public.
- Updating the Model Code of Conduct to reflect the new complaints handling system
- Placing certain restrictions on payment of a council member's legal expenses for appeals relating to financial penalties imposed or misconduct.
- Updating the compliance audit return process to reflect it becoming a responsibility of the Inspector.

In relation to updating the Code of Conduct, section 5.104(2) of the *Local Government Act 1995* provides that:

- (2) *within 3 months after the day on which regulations amending the model code come into operation, the local government must amend (by absolute majority) the adopted code of conduct to incorporate the amendments made to the model code.*

The Inspector Consequential Regulations came into effect on 1 January 2026. Therefore, Council must update its *Code of Conduct for Council Members, Committee Members and Candidates* by Council by 1 April 2026.

## **DETAILS**

The changes to the Model Code of Conduct are outlined in Part 6 of the *Local Government Regulations Amendment (Local Government Amendment Act 2024) Regulations 2025*, and are summarised as follows:

- Updates throughout the Code of Conduct to recognise the role and powers of the Local Government Inspector and inspectorate officers.
- New clause 14A to provide for the appointment of a monitor.
- New clause 14B relating to the performance of the local government's functions under clauses 12 and 13 and providing for circumstances where the council can authorise one or more persons to perform a function for and on behalf of the local government.

A revised *Code of Conduct for Council Members, Committee Members and Candidates* is provided at Attachment 1 to this Report (with tracked changes), taking into account the amendments made to the *Local Government (Model Code of Conduct) Regulations 2021*.

A final version of the *Code of Conduct for Council Members, Committee Members and Candidates* is provided at Attachment 2 to this Report.

Subsequent to the formal adoption of the Code, Council has previously authorised the following person/s to receive complaints and/or withdrawal of complaints in accordance with clause 11(3) of the Code (CJ045-04/21 refers):

- The City's Chief Executive Officer is authorised to receive complaints and withdrawal of complaints under the *Local Government (Model Code of Conduct) Regulations 2021*.
- The Director Governance and Strategy is authorised to receive complaints and withdrawal of complaints under the *Local Government (Model Code of Conduct) Regulations 2021*, where the complainant is the City's Chief Executive Officer.

### **Complaint Investigation Policy**

The *Complaint Investigation Council Policy* has also been updated to reflect the amendments made to the *Local Government (Model Code of Conduct) Regulations 2021* and other operational improvements, summarised as follows:

- Inclusion of clauses relating to:
  - dismissal of complaints
  - withdrawal of complaints
  - findings of complaints
  - confidentiality of complaints.
- Updated clauses relating to:
  - external person conducting investigations
  - assistance being provided to authorised employees
  - contents of investigation report
  - reporting via register of substantiated complaints and annual report.

A revised copy of the *Complaint Resolution and Investigation Council Policy* is provided at Attachment 4 to this Report, including tracked changes, and final version is provided at Attachment 5 to this Report.

### **New complaints system**

Under the new complaints system there are three types of breaches as follows:

- Behavioural breaches.
- Conduct breaches.
- Specified breaches.

### **Behavioural breaches**

Behavioural breaches are those relating to the local government's adopted code of conduct and relate to the following:

- Personal integrity and use of social media.
- Relationships with others.
- Behaviour at council or committee meetings.

Behavioural breaches are predominantly dealt with by the local government.

## Conduct breaches

Conduct breaches (formerly referred to as minor breaches) contravene the *Local Government (Model Code of Conduct) Regulations 2021* and include the following:

- Misuse of a local government resource.
- Securing personal advantage or disadvantaging others.
- Prohibition against involvement in administration.
- Relationships with local government employees.
- Disclosure of information/interests.

Conduct breaches are dealt with by the Inspectors Office. After conducting a preliminary assessment to ensure a complaint is valid, the Inspector refers the complaint and evidence to an adjudication process. The adjudication process has replaced the previous Local Government Standards Panel.

The Inspector must decline to accept a conduct breach complaint if the incident occurred more than 12 months before the complaint is received.

The Inspector must publish on their website any finding or order made by an adjudicator regarding a conduct breach.

If the Inspector considers a conduct breach to be a recurrent breach, they can refer the matter to the State Administrative Tribunal.

## Specified breaches

Specified breaches (formerly known as serious breaches) are specified offences listed in Schedule 8A.1 of the *Local Government Act 1995* or prescribed in the *Local Government (Local Government Inspector) Regulations 2025*.

Specified offences include the following:

- Failure to vote at a meeting.
- Failure to disclose an electoral gift.
- Improper use of information.
- Disclosure of information about a complaint.
- Provision of false or misleading information about a complaint.
- Hindering or obstructing the Inspector, a monitor or an investigator.

If the Inspector determines a complaint concerns a potential specified breach, it can be allocated to an inspectorate investigator. After receiving a report on the investigation, the Inspector has a range of options available depending on the relevant section of the Act including the following:

- Commencing a prosecution.
- Issuing a caution or infringement notice.
- Referring the matter to the State Administrative Tribunal.
- Declining to take any action.

The Inspector must publish on their website any finding or order made regarding a specified breach.

## Dealing with a behavioural complaint

In terms of putting the Code of Conduct into effect, the local government (Council) has ultimate responsibility for dealing with complaints and/or dismissal of complaints under clauses 12 and 13 of the Model Code of Conduct. These functions cannot be delegated. However, Council may either:

- authorise a committee of the council, comprising council members only, to perform a function for and on behalf of the local government [clause 14B(2)]; or
- authorise a person who is none of the persons listed in clause 14B(3), to perform a function for and on behalf of the local government.

Clause 14B(5) also makes it clear that employees can continue to provide advice and assistance to Council. Similarly, the CEO's responsibility to advise and procure advice for Council (s5.41(3)(a)) is not affected.

It is recommended, as a minimum, that Council authorise a panel of external investigators to deal with a complaint. This would require an amendment to delegation 1.1.8 is required in order to bring the delegation in alignment with the recent changes to the Model Code of Conduct. The proposed changes to delegation 1.1.8 are as follows:

- Remove delegation to CEO to deal with complaints (this function must be performed by the Council, or a committee authorised under 14B(2) or an authorised person under clause 14B(3).
- Authority to provide advice or any other assistance to the council, a committee or person authorised under clause 14B(3) [refer clause 14B(5)].
- Authority to appoint an external investigator to deal with a complaint [refer clause 14B(5)].

A revised delegation 1.1.8 is provided at Attachment 3 to this Report for Council's consideration.

Authority to appoint an external investigator would be subject to a condition that appointment of an external investigator must be in accordance with a resolution of council authorising that person/s to perform the function of dealing with or dismissing a complaint [refer clause 14B(3)]. Clause 14B(3) provides that none of the following persons are able to perform a function for or on behalf of the local government under clauses 12 and 13 –

- a member of the council of any local government;
- a member of the governing body of any regional subsidiary;
- an employee of any local government or regional subsidiary;
- an employee of WALGA or the Local Government Professionals Australia (WA);
- a member of the governing body of, or an employee of, a body corporate the activities of which are, wholly or partly, advocating or otherwise acting for, or on behalf of, 1 or more of the following –
  - Local governments;
  - Members of councils;
  - Employees of local governments.

It is therefore recommended that Council authorises a Panel of persons to perform the Council's functions under clauses 12 and 13 in relation to dealing with or dismissing a complaint.

Western Australian Local Governments are able to buy from the Department of Finance Common Use Arrangements (CUA). The City currently uses CUAHRS2021 – Human Resource and Investigation Services (Category 1), as recommended by the Public Sector Commission, for investigating complaints received under the *Code of Conduct for Council Members, Committee Members and Candidates*.

Category 1 description is provided as follows:

Contractors providing services under this category will work collaboratively with the Customer (applying relevant legislation or regulations) to:

- Undertake a range of investigations including those that involve alleged, suspected and proven activities that may lead to criminal and civil prosecutions and administrative decisions (for example; disciplinary and misconduct issues). This may also include investigations leading to other administrative and workplace decisions (for example; grievance and substandard performance issues).
- Provide advice required by a Customer concerning investigation frameworks, processes and techniques involved in dealing with the investigation, as well as advice on when it is appropriate to undertake an 'Improvement Action' rather than an investigation.
- For investigations, consider what identity, criminal records or other security checks you require from the investigator and determine whether a licensed investigator is required.

There are currently 21 contractors on the CUA list for Category being the following:

- Applied Innovation Centre.
- Australia Wide Investigations.
- BDO Services.
- Beilby Downing Teal.
- Brennan and Associates Workplace Investigations Services.
- Carter Associates.
- Emergency Support Network.
- Gold Security Group International.
- Heelan and Co Industrial Relations and Management.
- INVision Investigations and Consulting.
- Public Sector Training Solutions.
- QL Management Consultants.
- QuantumCorp WA.
- Resilience Solutions.
- SWY Consulting.
- The Futures Group.
- The Procure Group.
- Verifact Investigations.
- WISE Workplace.
- Workplace Management Network.
- Zambotti Consulting.

The City typically uses The Futures Group for the investigation of complaints received under the *Code of Conduct for Council Members, Committee Members and Candidates* however, it is recommended that Council authorises all of the contractors listed under the Common Use Agreement CUAHRS2021 so that the CEO has authority to appoint any of those contractors if required to undertake an investigation.

The WA Department of Finance (the Department) has authority to establish, vary or add contractors to a CUA; with individual agencies not being able to add contractors themselves. CUAs are whole of government arrangements governed by the *Procurement Act 2020*, the *WA Procurement Rules*, and the Department's contract management responsibilities.

Contractors are only added to a CUA through a competitive procurement process approved and managed by the Department, which ensures:

- value for money
- fairness and probity
- compliance with WA procurement law
- risk, insurance and due diligence requirements are met consistently across government.

When a CUA expires, the Department:

- reviews supplier performance and market changes
- redesigns categories and requirements
- issues a new procurement process
- selects contractors competitively.

Existing contractors must re-tender and are not guaranteed reappointment.

Due to the Department's competitive procurement process, Council can be satisfied that the persons being authorised are suitably qualified and experienced to perform the functions of the Council under clauses 12 and 13 of the Code of Conduct.

The revised *Complaint Resolution and Investigation Council Policy* includes:

- 8.3 A person appointed as an Approved Investigator of a complaint must be impartial and have no close association with any member of Council or any employee of the City.
- 8.4 All investigations must be conducted without bias and in an impartial and objective manner without any actual or perceived conflict of interest. Any conflict of interest will deem the external person ineligible to be appointed.
- 13.1 At the conclusion of the investigation a confidential report is to be prepared detailing – (k) a declaration that the Approved Investigator has no close association with any member of Council or any employee of the City.

The *Complaint Resolution and Investigation Internal Policy* includes under clause 1.4 that if a conflict of interest arises, this must be disclosed and documented before the appointment of an Approved Investigator. Any conflict of interest will deem the Investigator ineligible to be appointed.

Due to the requirement for Council to adopt the revised *Complaint Resolution and Investigation Council Policy* and clause 1.4 of the *Complaint Resolution and Investigation Internal Policy*, Council can be satisfied that the persons being authorised are impartial and have no close association with any member of the council or any employee of the local government.

In practice this means, the CEO would continue to receive behavioural breach complaints under the *Code of Conduct for Council Members, Committee Members and Candidates*. The local government's functions under clauses 12 and 13 (dealing with and/or dismissing a complaint) must be performed by the Council, unless under clause 14B(3) the Council resolves to authorise a person (or panel of persons) to perform the functions under clauses 12 and 13. If the Council has authorised a person or persons to perform the Council's functions under clauses 12 and 13, the CEO would refer complaints received to one of those contractors. A report would then be provided to Council, for a Council decision as to the outcome of the complaint. Unless the Council decides to establish a Committee under clause 14B(2), in which case the Committee would receive the report.

Alternatively, Council can appoint the current contractor, The Futures Group to perform the functions of the Council under clauses 12 and 13 of the Code of Conduct, based upon the CUA process and past investigations conducted. This would require amending the *Purchasing Council Policy* to enable only one quotation to be sought and received, however, it would not allow for a competitive procurement process.

### Issues and options considered

Council can either:

- adopt the revised Code, Policy and Delegation as presented
- adopt the revised Code, Policy and Delegation with further amendments  
or
- not adopt the revised Code, Policy or Delegation and seek further advice from the CEO.

### Legislation / Strategic Community Plan / Policy implications

**Legislation**                      *Local Government Act 1995.*  
    *Local Government (Model Code of Conduct) Regulations 2021.*

### 10-Year Strategic Community Plan

**Key theme**                        5. Leadership.

**Outcome**                        5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

**Policy**                              *Complaint Investigation Council Policy.*

### Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

<b>Risk</b>	<b>DECISIONS</b>
<b>Risk Event Description</b>	Ineffective / improper decision making
<b>Risk Responsibility</b>	Director Governance and Strategy
<b>Residual Risk</b>	High
<b>Control Effectiveness</b>	Strong
<b>Risk Appetite</b>	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.
<b>Risk Control</b>	The relevant control, to mitigate risk, is the provision of updates and details in compliance to legislative responsibilities.

Other risk information

Local governments across the State are bound by the Model Code of Conduct provisions and local governments are required to incorporate any amendments made to the Model Code of Conduct within 3 months of the regulations coming into operation (that is by 1 April 2026).

**Financial / budget implications**

Provisions are made within the City's operational budget to appoint external parties or investigators for complaints that are referred to those parties to manage.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Industry consultation has occurred with the Western Australian Local Government Association, Local Government Professionals WA and the Department of Local Government, Industry Regulation and Safety in relation to the implementation of a Local Government Inspector and associated oversight powers.

**COMMENT**

The City's *Code of Conduct for Council Members, Committee Members and Candidates* is based on the Model Code of Conduct provisions and the City has very little opportunity to review or amend the provisions within it.

A local government may include in the adopted code of conduct additional requirements to those referred to in the Model Code of Conduct, but any additional requirements can only be expressed to apply to council members or committee members and they must not be inconsistent with the Model Code of Conduct.

Council has 3 months from the day on which the amendment regulations came into operation to adopt the revised Code of Conduct and to incorporate the amendments made to the Model Code of Conduct (that is by 1 April 2026). Should this not happen, the Model Code of Conduct is taken to be the local government's adopted Code of Conduct until the local government adopts a revised Code of Conduct in alignment with the Model Code of Conduct.

## VOTING REQUIREMENTS

Absolute Majority.

**OFFICER'S RECOMMENDATION MOVED Mayor Kingston, SECONDED Cr Mercer that Council:**

- 1 ADOPTS BY AN ABSOLUTE MAJORITY the revised *Code of Conduct for Council Members, Committee Members and Candidates*, as provided in Attachment 2 to this Report;**
- 2 ADOPTS the revised *Complaint Investigation Council Policy*, as provided in Attachment 5 to this Report;**
- 3 BY AN ABSOLUTE MAJORITY and in accordance with section 5.42 of the *Local Government Act 1995*, AMENDS delegation 1.1.8 as provided in Attachment 3 to this Report;**
- 4 BY AN ABSOLUTE MAJORITY AUTHORISES the contractors listed under Common Use Agreement CUAHRS2021 – Human Resource and Investigation Services (Category 1), to perform the functions of the Council under clauses 12 and 13 of the Code of Conduct for Council Members, Committee Members and Candidates;**
- 5 In authorising the persons listed under Part 4, the Council CONFIRMS that it is satisfied that the persons being authorised are suitably qualified and experienced to perform the functions of the Council under clauses 12 and 13 of the Code of Conduct because of the competitive procurement process of the WA Department of Finance;**
- 6 In authorising the persons listed under Part 4, the Council CONFIRMS that it is satisfied that the persons being authorised are impartial and have no close association with any member of the council or any employee of the local government because of the restrictions included in the Council adopted Complaint Resolution and Investigation Council Policy.**

**The Motion was Put and**

**CARRIED (6/1)**

**In favour of the Motion:** Cr Hutton, Mayor Kingston, Cr Chester, Cr Fishwick, Cr Mercer and Cr Vinciullo.

**Against the Motion:** Cr Pizzey.

## ATTACHMENTS

1. 2026 Code of Conduct (tracked changes) [8.3.1 - 15 pages]
2. 2026 Code of Conduct (clean copy) [8.3.2 - 15 pages]
3. Delegation 1 1 8 Complaints Model Code of Conduct [8.3.3 - 2 pages]
4. 2026 Complaint Resolution and Investigation Council Policy (tracked changes) [8.3.4 - 8 pages]
5. 2026 Complaint Resolution and Investigation Council Policy (clean copy) [8.3.5 - 7 pages]

## 8.4 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - ELECTED MEMBER DINNERS (WARD - ALL)

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Director Governance and Strategy
<b>FILE NUMBER</b>	101269, 101515
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### PURPOSE

For the Policy Committee to give consideration to the *Elected Members' Entitlements Council Policy* subsequent to a Notice of Motion submitted to the Council meeting held on 22 July 2025 related to removing Elected Member Dinner provisions.

### EXECUTIVE SUMMARY

At the Council meeting held on 22 July 2025 (CJ207-07/25 refers), consideration was given to a Notice of Motion related to the *Elected Members' Entitlements Council Policy* and proposed amendment to remove Elected Members Dinner provisions (Clause 11.1 of the Policy).

The Council resolved as follows:

*That Item 16.1 – Cr Daniel Kingston – Elected Member Dinners and Elected Member Entitlements Council Policy – BE REFERRED to the Policy Committee for further consideration.*

The Policy Committee gave consideration to this matter at its meeting held on 17 November 2025 where it was requested that the Chief Executive Officer provide a further report giving consideration to options for restricting the number of Elected Member Dinners and to alternative options for engaging with members of the community.

This report examines options for reducing the number of Elected Member Dinners and alternative options for engaging with the community.

*It is therefore recommended that the Policy Committee gives consideration to:*

- 1 *The following Notice of Motion submitted to the Council meeting of 22 July 2025 (CJ207-07/25 refers):*

*That Council AMENDS the Elected Members' Entitlements Council Policy, as provided in Attachment 1 to this Report, subject to the following amendments:*

- 1 *that clause 11.1 – Elected Member Dinners of the Policy be deleted.*
- 2 *The number of Volunteer Appreciation Functions conducted per year.*

## BACKGROUND

At the Council meeting held on 22 June 2025 (CJ207-07/25 refers), consideration was given to a Notice of Motion related to the *Elected Members' Entitlements Council Policy* and proposed amendment to remove Elected Member Dinner provisions.

The Council resolved as follows:

*That Item 16.1 – Cr Daniel Kingston – Elected Member Dinners and Elected Members' Entitlements Council Policy – BE REFERRED to the Policy Committee for further consideration.*

The Policy Committee gave consideration to this matter at its meeting held on 17 November 2025 where it was resolved as follows:

*That Item 8.8 - Elected Members' Entitlements Council Policy - Elected Member Dinners, BE REFERRED BACK to the Chief Executive Officer, as per clause 10.1(c) of the City of Joondalup Meeting Procedures Local Law 2013, to consider options for restricting the number of Elected Member Dinners and to consider alternative options for engaging with members of the community.*

This report examines options for reducing the number of Elected Member Dinners and alternative options for engaging with the community.

It is at the Council's discretion to amend the Policy.

## DETAILS

At the Council meeting held on 22 July 2025 (CJ207-07/25 refers), consideration was given to a Notice of Motion related to the *Elected Members' Entitlements Council Policy* and proposed amendment to remove Elected Members Dinner provisions (Clause 11.1 of the Policy).

The following Officer's comment was provided to the Notice of Motion:

*"The Elected Members' Entitlements Council Policy provides as follows in relation to Elected Member Dinners:*

*11 Other entitlements:*

*11.1 Elected Member Dinners:*

- a. To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.*
- b. The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.*
- c. Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.*

*As has been published previously (refer Council resolution CJ053-03/25) the Elected Member Dinners Budget is approximately \$15,000 per annum (estimate based on previous attendance/costs) exclusive of GST, with a budget per person of approximately \$100 comprising salaries; food and refreshments.*

*At the Council meeting held on 25 March 2025 (CJ053-03/25 refers) the matter of Elected Member Dinners was considered as part of the response to AGM motions, whereby it was resolved as follows:*

*In relation to Motion No. 21 carried at the Annual General Meeting of Electors:*

- 21.1 *DOES NOT SUPPORT the request to publish the guest lists and expenditure for all Elected Member Dinners and all Formal City Dinners on the City's website, given the provisions of the Local Government Act 1995 and Freedom of Information Act 1992 and availability of expenditure information on request;*
- 21.2 *REQUESTS that the Policy Committee give consideration to the Elected Members' Entitlements Council Policy as it relates to Elected Member Dinners in its proposed 2025-26 review of the Policy.*

*It is at the Council's discretion whether to amend the Policy in relation to the provision of Elected Member Dinners at this juncture or wait until after the 2025 local government election when the Policy is proposed to be reviewed, and in alignment with the Council direction."*

The Policy Committee gave consideration to this matter at its meeting held on 17 November 2025 where it was requested that the Chief Executive Officer provide a further report detailing options for restricting the number of Elected Member Dinners and alternative options for engaging with members of the community.

The following options are provided:

#### *Retain the Status Quo*

In 2026, it is proposed to provide eight occasions to conduct Elected Member Dinners, providing Elected Members with a number of opportunities to host a dinner, acknowledging that dinners may be cancelled due to insufficient numbers.

For an Elected Member Dinner to proceed, a minimum of three Elected Members must elect to host a table.

In the 2025 calendar year, the following dinners were held:

- January-March - no dinners were held.
- April – June - one dinner was held (six Elected Members as hosts, 58 guests inclusive of Elected Members).
- July – September - one dinner was held (three Elected Members as hosts, 30 guests inclusive of Elected Members).
- October – December - no dinners were held.

The estimated time for planning and coordinating each Elected Member Dinner is estimated in hours per event, as follows:

- Planning – 9.5 hours.
- Delivery – 28 hours (inclusive of 18 hours casual employees).

If a dinner does not proceed there is still administrative time of approximately two hours per scheduled dinner (related sending emails, reminders and reporting).

Retaining the status quo would allow Elected Members a number of opportunities to host dinners throughout the year in accordance with the Policy provisions.

*Reduce the Number of Dinner Opportunities (whilst maintaining the Policy permitting dinner numbers)*

Reducing the number of dinner opportunities to say six per year would likely mean higher attendance numbers at the Elected Member Dinners and less opportunity for the dinners to be cancelled as they are unable to meet the minimum threshold of three Elected Members hosting/attending. It would also result in a small reduction in administration tasks associated with managing the process.

*Reduce the Dinner Entitlements*

The Council could consider reducing the dinner entitlement to any of the following:

- The Mayor being entitled to host four dinners per calendar year, and each Ward a total of eight each year, based on four dinners per Ward Councillor.

This is effectively reducing by one third the number of Elected Member Dinners. Should this option be agreeable, it would also be appropriate to reduce the number of dinner opportunities to say six during the calendar year.

- The Mayor being entitled to host three dinners per calendar year, and each Ward a total of six each year, based on three dinners per Ward Councillor.

This is effectively halving the number of Elected Member Dinners. Should this option be agreeable, it would also be appropriate to reduce the number of dinner opportunities to say five or six during the calendar year.

- The Mayor being entitled to host two dinners per calendar year, and each Ward a total of four each year, based on two dinners per Ward Councillor.

This is effectively reducing by two thirds the number of Elected Member Dinners. Should this option be agreeable, it would also be appropriate to reduce the number of dinner opportunities to say four or five during the calendar year.

The budget associated with conducting the dinners should be maintained as current, being \$15,000; and reviewed based on uptake.

*Remove the Entitlement to Conduct Dinners*

This is in effect, the intent of the Notice of Motion submitted to the July 2025 Council meeting. This would allow a budget saving of \$15,000.

## Options for Engagement with the Community

### ***Volunteer Appreciation Functions***

The *Volunteer Council Policy* (refer Attachment 2) provides that *“in order to recognise the significant efforts of volunteers within the community, the City will conduct volunteer functions where possible, in alignment with best practice recognition events, as well as other local opportunities.”*

The City undertakes a number of activities to recognise the role that volunteers play in supporting the City’s service delivery, as well as their broader contribution to our community.

In 2026, there are four appreciation functions proposed to be conducted for volunteers, and an end of year community function, being five functions in total.

The four volunteer appreciation civic functions rotate between each group being recognised in alternate years:

- Sporting Clubs
- Service Clubs (Lions, Probus)
- Ratepayer/Resident Groups
- Seniors Groups
- City of Joondalup Volunteers
- Surf Clubs
- Conservation Groups
- City of Joondalup Library Volunteers.

The approval of these appreciation events, conducted in alignment with the Council’s Policy, is undertaken in consultation with the Mayor. The Mayor also approves the invitation lists which normally involve the volunteer groups being granted the opportunity to nominate which of their members should attend the event. This provides a level of autonomy to the groups to nominate who should represent them at the function.

The City budgets \$12,000 for the appreciation functions. Approximately 100 people are invited to each event.

Should the Council consider that it would like to acknowledge other volunteers or community groups, these will need to be identified by the Mayor/Elected Members. Whilst there is an opportunity to increase the number of appreciation functions this would have an impact on resourcing, both from the perspective of the cost of conducting the event (approximately \$3,000 per event - comprising of salaries; food and refreshments for the event only) but also the cost of employment of additional staff to coordinate the events.

The City currently has two part-time civic functions event staff (1.2 FTE) that coordinate and plan the range of City corporate functions and events throughout the year. The estimated time for planning and coordinating volunteer appreciation functions is estimated in hours per event, as follows:

- Planning – 20 hours.
- Delivery – 20 hours (inclusive of 12 hours casual employees).

Should the Council wish to include additional events on the civic functions calendar it will need to give consideration to removing some existing functions or increasing resources (budget and staffing). Other events coordinated and conducted by the team include the following:

- Australia Day Citizenship Ceremony.
- Citizenship Ceremonies (12 proposed in 2026).
- Valentine's Concert VIP Function.
- Joondalup Dinner.
- ANZAC Dawn Service and Remembrance Day.
- NAIDOC Launch.
- End of Year appreciation function.
- Business Forums.
- Honorary Freeman Induction Ceremonies.
- Community Art Exhibition and Invitation Art Prize Awards.
- Significant event/project launches.

It is recognised that if the Council does not proceed with, or reduces the number of, Elected Member Dinners, there is an opportunity to offset some of the resourcing required for additional functions.

### ***Other Mechanisms***

Other mechanisms that Elected Members could consider in relation to improved engagement with members of the community include, but are not limited to the following:

- Conduct ward meetings/surgeries with members of the community as provided for in the *Elected Members' Communications Council Policy*.
- Contribute to resident/community association newsletters within the relevant Ward.
- Attend local events and volunteer activities to show support and build relationships.
- Social media engagement.
- Use online surveys and interactive platforms for feedback on proposals or perceived needs within neighbourhoods.
- Recognise and celebrate the achievements of volunteer groups publicly.
- Partner with local volunteer organisations on initiatives like environmental clean-ups, youth programs, or social services.

### **Issues and options considered**

The Policy Committee may recommend to Council that with regard Elected Member Dinners it:

- amend the *Elected Members' Entitlements Council Policy* and proposed amendment (as suggested in the Notice of Motion, or similar) to remove Elected Member dinner provision
- amend the *Elected Members' Entitlements Council Policy* to reduce the number of Elected Member dinners  
or
- retain the *Elected Members' Entitlements Council Policy* without amendment.

The Policy Committee may recommend to Council that with regard Volunteer Appreciation Functions it:

- maintain the current schedule of four volunteer appreciation functions per calendar year  
or
- increase the number of volunteer appreciation functions per calendar year and a commensurate increase in the budget for human resources and materials and contracts.

### Legislation / Strategic Community Plan / Policy implications

**Legislation**                      *Local Government Act 1995.*

### 10-Year Strategic Community Plan

**Key theme**                      5. Leadership.

**Outcome**                      5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

**Policy**                              *Elected Members' Entitlements Council Policy.*  
*Elected Members' Communications Council Policy.*

### Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

### Strategic Risk Relationship

<b>Risk</b>	<b>DECISIONS</b>	<b>EXPECTATIONS</b>	<b>REPUTATION</b>	<b>HEALTH/SAFETY</b>
<b>Risk Event Description</b>	Ineffective / improper decision making	Inability to understand community expectations	Loss of community trust	Failure to maintain safe and healthy workplace
<b>Risk Responsibility</b>	Director Strategy	Governance and	Chief Executive Officer	
<b>Residual Risk</b>	<b>High</b>			
<b>Control Effectiveness</b>	Strong			
<b>Risk Appetite</b>	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.			
<b>Risk Control</b>	The relevant control, to mitigate risk, is the provision of information supporting updates to conduct and governance arrangements that aim to protect workplace safety.			

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**Financial / budget implications**

The Elected Member Dinner budget is \$15,000 per annum.

The Volunteer Appreciation Functions budget is \$12,000 per annum, excluding costs related to pre-planning and coordinating the events.

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

It is at the Council's discretion whether to amend the *Elected Members' Entitlements Council Policy* in relation to the removal of the provisions related to Elected Member Dinners, and the number of Volunteer Appreciation Functions conducted.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION MOVED Mayor Kingston, SECONDED Cr Pizzey** that the Policy Committee gives consideration to:

- 1 The following Notice of Motion submitted to the Council meeting of 22 July 2025 (CJ207-07/25 refers):

*That Council AMENDS the Elected Members' Entitlements Council Policy, as provided in Attachment 1 to this Report, subject to the following amendments:*

- 1 *that clause 11.1 – Elected Member Dinners of the Policy be deleted.*
- 2 The number of Volunteer Appreciation Functions conducted per year.

**PROCEDURAL MOTION - THAT THE ITEM BE DEFERRED**

**MOVED** Cr Hutton, **SECONDED** Cr Vinciullo that Item 8.4 – Elected Members' Entitlements Council Policy – Elected Member Dinners, **BE DEFERRED** to a future meeting of the Policy Committee, as per clause 10.1(a) of the *City of Joondalup Meeting Procedures Local Law 2013*.

**The Motion was Put and**

**CARRIED (6/1)**

**In favour of the Motion:** Cr Hutton, Cr Chester, Cr Fishwick, Cr Mercer, Cr Pizzey and Cr Vinciullo.

**Against the Motion:** Mayor Kingston.

**ATTACHMENTS**

1. Elected Members' Entitlements Council Policy [**8.4.1** - 19 pages]
2. Volunteer Council Policy [**8.4.2** - 2 pages]

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## 8.5 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - ELECTED MEMBER LOUNGE (WARD - ALL)

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Director Governance and Strategy
<b>FILE NUMBER</b>	101269, 101515
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### PURPOSE

For the Policy Committee to give consideration to the *Elected Members' Entitlements Council Policy* subsequent to a Notice of Motion submitted to the Council meeting held on 24 June 2025 related to access to the Elected Member Lounge.

### EXECUTIVE SUMMARY

At the Council meeting held on 24 June 2025 (CJ186-06/25 refers), consideration was given to a Notice of Motion related to the *Elected Members' Entitlements Council Policy* and proposed amendments to restrict access to alcohol in the Elected Member Lounge outside of functions and events.

The Council resolved *that Item 16.1 – Cr Daniel Kingston - Elected Members' Entitlements Council Policy – BE REFERRED to the Policy Committee for further consideration.*

The Policy Committee gave consideration to this matter at its meeting held on 28 July 2025 where it was requested that the Chief Executive Officer provide a report that considers options to ensure that strong effectiveness controls continue to apply for the management of alcohol at the City of Joondalup.

This report examines a range of effectiveness of control options for the Committee's consideration.

### BACKGROUND

At the Council meeting held on 24 June 2025 (CJ186-06/25 refers), consideration was given to a Notice of Motion related to the *Elected Members' Entitlements Council Policy* and proposed amendments to restrict access to alcohol in the Elected Member Lounge outside of functions and events.

The Council at its 24 June 2025 meeting resolved *that Item 16.1 – Cr Daniel Kingston – Elected Members' Entitlements Council Policy – BE REFERRED to the Policy Committee for further consideration.*

The Policy Committee gave consideration to this matter at its meeting held on 28 July 2025 where it was resolved as follows:

*That Item 8.5 - Elected Members Entitlements Council Policy, BE REFERRED BACK to the Chief Executive Officer for a report that considers options to ensure that strong effectiveness controls continue to apply for the management of alcohol at the City of Joondalup, as per clause 10.1(c) of the City of Joondalup Meeting Procedures Local Law 2013.*

This report examines effectiveness of control options for the Committee's consideration as discussed at the Policy Committee meeting in July.

It is at the Council's discretion to amend the Policy.

It is therefore recommended that *the Policy Committee gives consideration to the following Notice of Motion submitted to the Council meeting of 24 June 2025:*

*"That Council:*

*AMENDS the current Elected Members' Entitlements Council Policy, as provided in Attachment 1 to this Report, as follows:*

1 *that clause 3.2(a)(viii) of the Policy be amended to read as follows:*

*"Access to the Elected Member Lounge and refreshments. However, access to alcohol provided by the City outside of functions and events is prohibited."*

2 *that clause 3.3(a)(i) of the Policy be amended to read as follows:*

*"Access to the Elected Member Lounge and refreshments. However, access to alcohol provided by the City outside of functions and events is prohibited."*

## **DETAILS**

*The Elected Members' Entitlements Council Policy provides that Elected Members have "access to the Elected Member Lounge and refreshments" as part of their entitlements.*

Elected Members do not have access to alcoholic refreshments in the lounge area other than civic events and functions, and informal gatherings following meetings of the Council/Elected Members.

There are Responsible Service of Alcohol (RSA) obligations (*Liquor Control Act 1988*) related to the serving/consumption of alcohol for civic events and functions which the City must observe, which is elaborated upon further in the report.

The City also has obligations under the *Work Health and Safety Act 2020*. In this regard, it is considered that the Chief Executive Officer (CEO) is responsible as the Person Conducting a Business or Undertaking (PCBU) and for the worksite as under s29 of the *Work Health and Safety Act 2020*, Elected Members fall under the term others and are exempt from the term Officer and PCBU.

S29 (Duties of other persons at the workplace) of the Act provides that a person at a workplace (whether or not the person has another duty under this Part) must:

- (a) take reasonable care for the person's own health and safety; and
- (b) take reasonable care that the person's acts or omissions do not adversely affect the health and safety of other persons; and
- (c) comply, so far as the person is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.

Elected Members are therefore responsible for their own health, safety and wellbeing and must ensure that any act or omission they conduct does not affect the health, safety and wellbeing of themselves or others. As such, Elected Members must:

- adhere to all City Protocols including the alcohol and drug protocol and Code of Conduct for Council Members, Committee Members and Candidates
- not consume any alcohol if they are still performing or undertaking any duties in an official capacity
- not pressure anyone to drink or make others feel embarrassed by not drinking be responsible for ensuring they have access to safe transport home for those who have consumed alcoholic beverages and could be over the Blood Alcohol Concentration (BAC) limit of 0.05%.

### **Access to Refreshments Options**

The following options are suggested for the Committee's consideration:

- *Retain the status quo*

As referred to above, Elected Members are responsible for their own health, safety and wellbeing and must ensure that any act or omission they conduct does not affect the health, safety and wellbeing of themselves or others.

Retaining the status quo incurs relatively minor expenditure and provides Elected Members to be responsible for themselves regarding consuming alcohol safely.

- *Restrict access to the Elected Member Lounge fridge*

There is the ability to restrict access to the Elected Member Lounge fridge and alcoholic refreshments by either installing a locking mechanism to the fridge, allowing access to soft drinks only; or removing all alcoholic beverages from the bar area and restocking the fridges for civic events and functions. The latter option would have some minor resourcing implications, having to restock the fridge prior to events, and remove stock following events.

- *Ensure a member of staff is on duty for the serving of alcohol*

A person holding RSA certification be present within the Elected Member Lounge following meetings to serve alcohol.

RSA is a legal requirement for anyone selling, serving, or supplying alcohol, teaching skills to serve responsibly, identify intoxicated patrons, refuse service to minors/drunken individuals, and manage difficult situations. It's a nationally recognised certification covering legal obligations, safe service, and handling complex customer interactions, with specific state variations (like WA) requiring tailored courses or refreshers. RSA covers the following:

- Legal Obligations: Understanding laws for serving minors and intoxicated patrons.
- Safe Service Practices: Serving standard drinks, promoting low-risk drinking, and identifying signs of intoxication.
- Refusal of Service: Knowing when and how to refuse serving alcohol to a patron.
- Conflict Management: Handling difficult situations and ensuring customer safety.

The City ensures it has RSA certified staff serving at its formal civic events and functions.

It is considered that this option is cost prohibitive given the staff member would need to be present (and paid overtime rates) for the duration of the meeting being conducted; and serving only following the meeting; that is, if Elected Members decided to use the Lounge following the meeting.

- *Honour system for consumption of alcohol*

At the Policy Committee meeting held in July 2025 it was suggested that one option to be explored was for Elected Members to contribute to the purchase of any alcoholic refreshments through an honour system, whereby Elected Members reimburse the City (at cost) for beverages consumed.

The reimbursement of costs for alcohol would be categorised as a sale under s3 of the *Liquor Control Act 1988*, which may require the City to obtain a liquor licence.

The *Act* provides that there are specific situations where the sale, supply or consumption of liquor does not require a licence or permit. Such situations involve small amounts of liquor supplied in controlled environments and social situations where relatively few people are in attendance. These situations are only considered to be exempt when the *exact conditions* of the exemptions, as stated in the *Liquor Control Regulations 1989*, are met. The exemptions provide for very limited and specific circumstances. Particular circumstances related to the situation the subject of this report do not appear to be expressly provided for.

If the City was unable to operate within the exemptions, then it would need to apply for either an occasional liquor licence or a permanent liquor licence, which would require having to meet a number of licensing obligations.

It is considered that if the Council would like to explore this option further and whether the City could be classified as exempt or requires a licence for gatherings following meetings of the Council/Elected Members, the Department of Local Government Industry Regulation and Safety would need to be contacted and clarification sought.

- *Elected Member purchase of alcohol*

At the Policy committee meeting held in July 2025 it was suggested that one option to be explored was for Elected Members to store their own alcoholic refreshments in the fridge provided in the kitchen located in the Mayor/Councillors meeting area.

This is an option that is open to the Council to consider.

### **WALGA and Regional Council Meetings**

One of the matters raised at the July 2025 Policy Committee meeting was whether alcohol should be served following meetings of the WA Local Government Association; Catalina Regional Council; and Mindarie Regional Council, when hosted by the City.

The City provides a staff member with an RSA to serve refreshments to the City's guests.

It is at the Council's discretion whether to amend the practice in relation to the restriction of alcohol consumption in the Elected Member Lounge for WALGA and Regional Council meetings it hosts. Should the Council consider alcohol should no longer be served, it might be prudent to raise with other local governments that also host City/Council representatives to ensure there is consistency in approach.

### **Issues and options considered**

The Policy Committee may recommend to Council that it:

- amend the *Elected Members' Entitlements Council Policy* (as suggested in the Notice of Motion, or similar) to restrict access to alcohol in the Elected Member Lounge outside of functions and events  
or
- retain the *Elected Members' Entitlements Council Policy* without amendment.

### **Legislation / Strategic Community Plan / Policy implications**

**Legislation**                      *Local Government Act 1995.*

#### **10-Year Strategic Community Plan**

**Key theme**                      5. Leadership.

**Outcome**                      5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

**Policy**                              *Elected Members' Entitlements Council Policy.*

### **Risk management considerations**

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

#### Strategic Risk Relationship

<b>Risk</b>	<b>DECISIONS</b>	<b>REPUTATION</b>	<b>HEALTH/SAFETY</b>
<b>Risk Description</b>	Ineffective / improper decision making	Loss of community trust	Failure to maintain safe and healthy workplace
<b>Risk Responsibility</b>	Director Governance and Strategy	Chief Executive Officer	
<b>Residual Risk</b>	High		
<b>Control Effectiveness</b>	Strong		
<b>Risk Appetite</b>	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.		
<b>Risk Control</b>	The relevant control, to mitigate risk, is the provision of a response that outlines legislative compliance requirements, obligations and responsibilities that are relevant to the control mechanisms provided.		

#### Other risk information

S29 of the *Work Health and Safety Act 2020* is referred to within the report, including the responsibilities of the CEO and Elected Members.

The City also has obligations with regard the *Liquor Licence Act 1988*. Should consideration be given to applying for a liquor licence the City will be required to adhere to serving and consumption requirements.

#### **Financial / budget implications**

There is no stock take of alcohol in the Elected Member Lounge following meetings given the minimal amount consumed. It is estimated that the refreshments consumed over the course of a year would be an estimated \$1,000.

#### **Regional significance**

Not applicable.

#### **Sustainability implications**

Not applicable.

#### **Consultation**

Not applicable.

## COMMENT

It is at the Council's discretion whether to amend the *Elected Members' Entitlements Council Policy* in relation to the prohibition of alcohol consumption in the Elected Member Lounge.

## VOTING REQUIREMENTS

Simple Majority.

**OFFICER'S RECOMMENDATION MOVED Cr Pizzey, SECONDED Cr Fishwick** that the Policy Committee gives consideration to the following Notice of Motion submitted to the Council meeting of 24 June 2025:

*"That Council:*

*AMENDS the current Elected Members' Entitlements Council Policy, as provided in Attachment 1 to this Report, as follows:*

1 *that clause 3.2(a)(viii) of the Policy be amended to read as follows:*

*"Access to the Elected Member Lounge and refreshments. However, access to alcohol provided by the City outside of functions and events is prohibited."*

2 *that clause 3.3(a)(i) of the Policy be amended to read as follows:*

*"Access to the Elected Member Lounge and refreshments. However, access to alcohol provided by the City outside of functions and events is prohibited."*

## PROCEDURAL MOTION - THAT THE ITEM BE DEFERRED

**MOVED Cr Hutton, SECONDED Cr Vinciullo** that Item 8.5 – Elected Members' Entitlements Council Policy – Elected Member Lounge, **BE DEFERRED** to a future meeting of the Policy Committee, as per clause 10.1(a) of the *City of Joondalup Meeting Procedures Local Law 2013*.

**The Motion was Put and**

**CARRIED (6/1)**

**In favour of the Motion:** Cr Hutton, Cr Chester, Cr Fishwick, Cr Mercer, Cr Pizzey and Cr Vinciullo.

**Against the Motion:** Mayor Kingston.

## ATTACHMENTS

1. Elected Members' Entitlements Council Policy [8.5.1 - 19 pages]

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## 8.6 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - CONTINUING PROFESSIONAL DEVELOPMENT (WARD - ALL)

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Director Governance and Strategy
<b>FILE NUMBER</b>	101269, 101515
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### PURPOSE

For Council to review the *Elected Members' Entitlements Council Policy* with regard to continuing professional development, and to identify any amendments that may be required.

### EXECUTIVE SUMMARY

As part of the *Local Government Legislation Amendment Act 2019* introduced in September 2019, section 5.128 was inserted into the *Local Government Act 1995* (the Act), requiring local governments to prepare a policy in relation to the continuing professional development of Elected Members and that the policy must be reviewed after each local government election.

The last ordinary local government election took place on 18 October 2025. The purpose of this Report is to review the *Elected Members' Entitlements Council Policy* with regard to continuing professional development, and to satisfy the requirements of section 5.128(5)(a) of the Act.

The Policy Committee gave consideration to this matter at its meeting held on 17 November 2025 where it was requested that the CEO give further consideration to options for the approval process and criteria for conference and training attendance.

*It is therefore recommended that Council:*

- 1 *NOTES a review of the Elected Members' Entitlements Council Policy has been undertaken in accordance with section 5.128(5)(a) of the Local Government Act 1995, with regard to continuing professional development;*
- 2 *BY AN ABSOLUTE MAJORITY ADOPTS the revised Elected Members' Entitlements Council Policy, as provided in Attachment 4 to this Report.*

## BACKGROUND

The *Elected Members' Entitlements Council Policy* (the policy) was last significantly reviewed in September 2013 (CJ185-09/13 refers), with a number of minor amendments subsequently made in March 2015 (CJ050-03/15 refers), April 2017 (CJ051-04/17 refers), May 2021 (CJ072-05/21 refers), May 2022 (CJ077-05/22 refers), May 2023 (CJ067-05/23 refers) and March 2024 (CJ058-03/24 refers).

The policy details, amongst other things, payments and entitlements for Elected Members, including:

- the equipment issued to Elected Members;
- the payment of statutory fees and allowances as determined by the Salaries and Allowances Tribunal;
- provisions around the attendance at conferences and training events and associated requirements; and
- reimbursement of expense provisions and other entitlements.

On 16 September 2019 and as part of the *Local Government Legislation Amendment Act 2019*, a new section 5.128 was inserted into the Act as follows:

### ***"5.128. Policy for continuing professional development***

- (1) *A local government must prepare and adopt\* a policy in relation to the continuing professional development of council members.*

*\* Absolute majority required.*

- (2) *A local government may amend\* the policy.*

*\* Absolute majority required.*

- (3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*

- (4) *The CEO must publish an up-to-date version of the policy on the local government's official website.*

- (5) *A local government —*

*(a) must review the policy after each ordinary election; and*

*(b) may review the policy at any other time."*

In addition, amendments to the *Local Government (Administration) Regulations 1996* require that Continuing Professional Development is either relevant to an Elected Member's role as defined under the Act, or the Council's role. The amendments also stipulate that payment shall not be made for training or continuing professional development that is scheduled to occur within the last three months of an Elected Member's term of office or upon delivery of a notice of resignation to the CEO, specifying a later day from which the resignation will take effect. These regulations came into effect on 19 October 2023, and the Policy has already been updated to reflect these changes (CJ058-03/24 refers).

### Conference and Training events

To enable elected members to develop and maintain their skills and knowledge relevant to their role as representatives of the City, the City's policy provides that elected members are able to attend conferences and training events within Australia and overseas (subject to Council approval) and the associated arrangements around bookings; registration; and the reimbursement of associated expenses (see Part 6).

Conferences and training under the policy shall generally be limited to the following:

- West Australian Local Government Association and Australian Local Government Association conferences.
- Special 'one off' conferences called for or sponsored by the West Australian Local Government Association and / or Australian Local Government Association on important issues.
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities
- Australian Sister Cities Conferences.
- West Australian Local Government Association Elected Member Training and Development.
- Training relating to the role of elected members.
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles / responsibilities of elected members, meeting procedures and the like.

As part of the City's annual budget, allocation is made for elected members to attend conference and training events in line with the amounts set within the policy (currently \$19,800 for the Mayor and \$9,000 for Councillors) which is adjusted annually by CPI (All Groups Perth).

The costs for the mandatory training that is required to be completed by an Elected Member following their election, is not charged to the Elected Member's annual conference and training expense allocation, and is directly paid for by the City.

### **DETAILS**

The Policy Committee gave consideration to this matter at its meeting held on 17 November 2025 where it was requested that the CEO give further consideration to options for the approval process and criteria for conference and training attendance.

The following motion was passed by the Policy Committee:

*MOVED Cr Hutton, SECONDED Mayor Kingston that Item 8.7 - Elected Members' Entitlements Council Policy - Continuing Professional Development, BE REFERRED BACK to the Chief Executive Officer, as per clause 10.1(c) of the City of Joondalup Meeting Procedures Local Law 2013, to consider further options for the approval process and criteria for conference and training attendance.*

More specifically, it was requested that consideration be given to the following matters:

**1. Approval for conference and training attendance (clause 7.4)**

It was suggested that clause 7.4 be amended to require elected members to seek approval from the CEO to attend a conference and/or training event. Currently clause 7.4 requires that an elected member inform only the CEO in advance of attendance. It is considered this change would be beneficial. The Policy has been amended at clause 7.4 – Request for Approval - to reflect this change.

It was further suggested that the CEO continue to approve elected member conference and training attendance (except overseas which would be approved by the Council), but that there be an option for the request to be referred to the Council, should the CEO refuse an application. It is considered that this change would be beneficial and as such, the Policy has been amended to include a new clause 7.5 - Approval - to reflect this change.

It was further suggested that approval to attend conference and training events be based on good conduct of the elected member and/or attendance records of the elected member at elected member workshops/meetings in order to qualify for approval to attend training/CPD.

Putting a caveat on elected member attendance at training/CPD that is linked to good conduct and/or elected member meeting attendance records could be problematic for the following reasons:

- Different purpose and objectives
  - Elected member meetings typically focus on the decision-making process, while training and CPD aim to enhance professional knowledge, skills and industry awareness.
  - Linking the two creates an artificial connection that does not reflect the purpose of professional development.
- Equity and fairness
  - Elected members may miss meetings for legitimate reasons such as workload or health issues, for example.
  - Penalising elected members by denying training/CPD opportunities based on attendance records could create inequity and discourage engagement.
- Focus on competence, not attendance
  - Professional development should be based on role requirements, performance goals, and personal/professional growth – not meeting attendance.
  - Attendance does not necessarily correlate with competence or commitment to learning.
- Risk of limiting organisational capability
  - Restricting training/CPD based on meeting attendance could prevent high-performing elected members from gaining critical skills, ultimately harming the Council's effectiveness.

That being said, if the Council wishes to provide a caveat/qualification with regard to Elected Members having attended a particular number of meetings prior to any consideration being given to approving training/CPD, then the Council is requested to provide advice on what number/percentage of meeting attendance that should be.

## **2. Conferences and training that may be attended (new clause 7.6)**

It was suggested that clause 7.6 be amended to limit the types of conference and training events that may be attended by elected members. It is a matter for Council to determine what are the eligible conference and training events that may be attended by elected members.

By way of reference, the WALGA template for Continuing Professional Development Policy (Attachment 1 refers), provides the following:

Eligible Continuing Professional Development activities include the following:

- WA Local Government Association Council (WALGA) and Australian Local Government Association (ALGA) conferences.
- Special 'one off' conferences called for or sponsored by WALGA and/or ALGA on important Local Government issues.
- Annual conferences of the major professions in Local Government and other institutions of relevance to Local Government activities.
- Other Local Government-specific training courses, workshops and forums, relating to the outcomes listed above.
- Training relevant to the outcomes listed above offered by accredited organisations.
- Conferences, training, workshops or seminars that address the initiatives and projects identified in the City's Strategic Community Plan, Corporate Business Plan or other strategic documents.

Should Council wish to further limit the types of training and conference events that may be attended by elected members, it is requested that Council specify the limitations to be made in the policy.

## **3. Booking arrangements (Clause 7.7.2)**

Clause 7.7.2 currently provides that booking arrangements for registration, travel and accommodation can be arranged for by the elected member. Amendments are proposed to this clause to ensure that all booking arrangements for registration, travel and accommodation are arranged directly by the City to ensure the best use of City discounts when booking, and to ensure that the Administration has oversight as to when and how an elected member is travelling for elected member business.

## **4. Extent of expenses to be reimbursed (clause 7.7.6)**

It was suggested that consideration be given to whether elected members are entitled to costs related to alcohol purchases. Clause 7.7.6 provides that an elected member attending a conference and training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:

- i. meals and refreshments for the Elected Member (that are not covered by the conference and training registration costs);
- ii. dry-cleaning and laundry expenses; and
- iii. reasonable telephone, internet and facsimile charges.

The CEO has considered that two alcoholic beverages with each meal would be 'normally accepted.' It is also considered that one alcoholic beverage in between lunch and dinner could be 'normally accepted.'

It is at the Council's discretion as to whether it should restrict the policy, or further define in the policy, expense reimbursements in relation to alcoholic purchases.

#### **5. Report on Conference and training attendance (clause 9)**

It was suggested that consideration be given to developing a report template for elected members to report on their attendance, key features and benefits of the training or CPD. It is considered this change would be beneficial. A template has been developed and a draft is provided at Attachment 2.

Recent public scrutiny has also called for Elected Member conference reports to be made available to the public. Should Council wish to make elected member conference reports available to the public, it is suggested that clause 9 of the Policy be amended to reflect this change.

A copy of the *Elected Members' Entitlements Council Policy* with tracked changes is provided at Attachment 3 to this report.

A final copy of the *Elected Members' Entitlements Council Policy* is provided at Attachment 4 to this report.

#### **Issues and options considered**

Council may choose to:

- retain the current *Elected Members' Entitlements Council Policy*, with regard to continuing professional development
- make amendments to the *Elected Members' Entitlements Council Policy*, with regard to continuing professional development, as provided for in Attachment 4 to this report  
or
- accept the recommended changes and make further amendments to the *Elected Members' Entitlements Council Policy*, as provided for in Attachment 4 to this report.

Option 2 is the preferred option for the reasons detailed in this report.

#### **Legislation / Strategic Community Plan / Policy implications**

**Legislation**                      *Local Government Act 1995.*  
*Local*

#### **10-Year Strategic Community Plan**

**Key theme**                        5. Leadership.

**Outcome**                        5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.  
5-2 Proactive and represented- you are confident that the City is advocating on your behalf for initiatives that benefit the community.

**Policy**                                *Elected Members' Entitlements Council Policy.*

## Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

### Strategic Risk Relationship

<b>Risk</b>	<b>DECISIONS</b>	<b>REPUTATION</b>
<b>Risk Event Description</b>	Ineffective / improper decision making	Loss of community trust
<b>Risk Responsibility</b>	Director Governance and Strategy	Chief Executive Officer
<b>Residual Risk</b>	High	
<b>Control Effectiveness</b>	Strong	
<b>Risk Appetite</b>	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.	
<b>Risk Control</b>	The relevant control, to mitigate risk, is the provision of a policy that allows compliance with legislative requirements.	

### Other risk information

The *Elected Members' Entitlements Council Policy* has been reviewed and it is considered that the conference, training and event provisions detailed in the Policy (parts 6 and 7) satisfy the intent of section 5.128 of the Act.

## Financial / budget implications

Sufficient budget provisions are made in the City's annual budget to cover the Elected Member allowances, expenses and entitlements that are detailed in the policy, including conference and training attendance.

## Regional significance

Not applicable.

## Sustainability implications

Not applicable.

## Consultation

The Policy Committee provided feedback on the Policy at its meeting held on 17 November 2025. A further opportunity for elected members to provide feedback will be provided at the Policy Committee on 16 February 2026.

WALGA have provided a template 'Council Member Continuing Professional Development Policy' to assist Local Governments in adopting a policy as required by section 5.128 of the *Local Government Act 1995*, which is provided as Attachment 1 to this Report.

## COMMENT

The *Elected Members' Entitlements Council Policy* provides a framework to support Elected Member's training and development needs as well as clarity around the entitlements, allowances and fees as stipulated in the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

## VOTING REQUIREMENTS

Absolute Majority.

**OFFICER'S RECOMMENDATION MOVED Cr Fishwick, SECONDED Cr Pizzey** that Council:

- 1 NOTES a review of the *Elected Members' Entitlements Council Policy* has been undertaken in accordance with section 5.128(5)(a) of the *Local Government Act 1995*, with regard to continuing professional development;
- 2 BY AN ABSOLUTE MAJORITY ADOPTS the revised *Elected Members' Entitlements Council Policy*, as provided in Attachment 4 to this Report.

## PROCEDURAL MOTION - THAT THE ITEM BE DEFERRED

**MOVED Cr Hutton, SECONDED Cr Vinciullo** that Item 8.6 – Elected Members' Entitlements Council Policy – Continuing Professional Development, BE DEFERRED to a future meeting of the Policy Committee, as per clause 10.1(a) of the *City of Joondalup Meeting Procedures Local Law 2013*.

The Motion was Put and

**CARRIED (6/1)**

In favour of the Motion: Cr Hutton, Cr Chester, Cr Fishwick, Cr Mercer, Cr Pizzey and Cr Vinciullo.

Against the Motion: Mayor Kingston.

## ATTACHMENTS

1. WALGA Template Continuing Professional Development Policy [8.6.1 - 13 pages]
2. FORM Conference Report Template [8.6.2 - 1 page]
3. Elected Members Entitlements Policy Continuing Professional Development - Tracked Changes [8.6.3 - 20 pages]
4. Elected Members Entitlements Policy Continuing Professional Development - Final [8.6.4 - 20 pages]

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## 8.7 2026 POLICY REVIEW SCHEDULE (WARD - ALL)

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Director Governance and Strategy
<b>FILE NUMBER</b>	110327, 101515
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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### PURPOSE

For the Policy Committee to note the 2026 Policy Review Schedule.

### EXECUTIVE SUMMARY

The 2026 Policy Review Schedule is provided as Attachment 1 to this Report. The schedule details the following for the policies identified for review in 2026:

- Policy name.
- Policy type.
- Last date reviewed.
- Scheduled date for five-year review.
- Planned date for review in 2026.

*It is therefore recommended that the Policy Committee NOTES the 2026 Policy Review Schedule, as detailed in Attachment 1 to this Report.*

### BACKGROUND

Policies at the City of Joondalup are reviewed in three ways as follows:

- Policy repealed/revoked — a policy is deemed no longer required or has been subsequently superseded by another policy.
- Requiring minor amendments — a policy requires changes to language, style and/or formatting, that do not impact on the application of the policy.
- Requiring major amendments — a policy requires changes that significantly alter the City's position on an issue or change the strategic intent of the policy.

Policies are generally scheduled for review every five years; however, policies may be reviewed at an earlier date as a result of the following:

- Legislative changes which have a bearing on a particular policy.
- Council decisions which affect the continued validity or applicability of a policy.
- Important technological, industry or social changes.
- Any other such circumstance that would justify an earlier review.

## DETAILS

At the Policy Committee meeting held on 31 October 2022, following a review of the City of Joondalup Policy Manual, it was noted that an annual Policy Review Schedule would be presented at the first Policy Committee meeting every year.

The 2026 Policy Review Schedule is provided as Attachment 1 to this Report, which details the following for the policies identified for review in 2026:

- Policy name.
- Policy type.
- Last date reviewed.
- Scheduled date for five-year review.
- Planned date for review in 2026.

It should be noted that any revisions to the schedule throughout the year will be reflected in the Upcoming Reports to Council and Committees Calendar which is distributed to Elected Members via the Desk of the CEO each month.

### Issues and options considered

The Policy Committee can do the following:

- note the 2026 Policy Review Schedule, as detailed in Attachment 1 to this Report or
- provide direction on the priority of policy reviews, recognising that this may have an impact on resourcing and community consultation (if required).

### Legislation / Strategic Community Plan / Policy implications

**Legislation**                      *Local Government Act 1995.*

#### 10-Year Strategic Community Plan

**Key theme**                      5. Leadership.

**Outcome**                      5-4 Responsible and financially sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

**Policy**                              Not applicable.

### Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

<b>Risk</b>	<b>DECISIONS</b>
Risk Event Description	Ineffective / improper decision making
Risk Responsibility	Director Governance and Strategy
Residual Risk	<b>High</b>
Control Effectiveness	Strong
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.
Risk Control	The relevant control, to mitigate risk, is the provision of report that allows compliance with requirements.

Other risk information

To fulfil the Council's governance requirements, the City's Policy Manual enables the documentation, maintenance and review of its current policies. Regular reviews of the City's policies are required to ensure their continued relevance and applicability.

**Financial / budget implications**

There are currently no financial implications associated with the Policy Review Schedule. However, should the Council choose to prioritise the review of other policies not currently listed, this may impact the budget in relation to any additional external expertise and/or community consultation activities required.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**COMMENT**

In accordance with the need for periodic reviews of policies to ensure good governance principles are maintained, it is proposed that the Policy Committee note the 2026 Policy Review Schedule and the proposed timeframes for policy reviews.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION MOVED Cr Hutton, SECONDED Cr Vinciullo that the Policy Committee NOTES the 2026 Policy Review Schedule, as detailed in Attachment 1 to this Report.**

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hutton, Mayor Kingston, Cr Chester, Cr Fishwick, Cr Mercer, Cr Pizzey and Cr Vinciullo.

**Against the Motion:** Nil.

## **ATTACHMENTS**

1. Schedule for 2026 Policy Committee Meetings - Final [8.7.1 - 1 page]

**9 URGENT BUSINESS**

Nil.

**10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**11 REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

Nil.

**12 CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 7.10pm the following Committee Members being present at that time:

CR LEWIS HUTTON  
MAYOR DANIEL KINGSTON  
CR DENISE MERCER  
CR REBECCA PIZZEY  
CR RUSS FISHWICK, JP  
CR JOHN CHESTER  
CR PHILLIP VINCIULLO

## **16 FEBRUARY 2026 - POLICY COMMITTEE ATTACHMENTS**

<b>8.1 PROPOSED REVOCATION OF THE HILLARYS STRUCTURE PLAN (WARD - SOUTH-WEST)</b> .....	<b>3</b>
8.1.1 WAPC LETTER - EXTENSION TO APPROVAL PERIOD OF HILLARYS STRUCTURE PLAN.....	3
8.1.2 HILLARYS STRUCTURE PLAN LOCATION MAP.....	4
8.1.3 HILLARYS STRUCTURE PLAN DENSITY, PRECINCT AND ZONING.....	5
8.1.4 HILLARYS STRUCTURE PLAN DEVELOPMENT PROVISIONS ASSESSMENT TABLES.....	10
<b>8.2 ANIMALS LOCAL LAW 2025 - ADOPTION (WARD - ALL)</b> .....	<b>20</b>
8.2.1 COMMUNITY CONSULTATION OUTCOMES REPORT 2025.....	20
8.2.2 SCHEDULE OF SUBMISSIONS.....	68
8.2.3 ANIMALS LOCAL LAW 2025 - MARKED UP - FOLLOWING.....	126
8.2.4 ANIMALS LOCAL LAW 2025 - FINAL - FOLLOWING CONSULTATION.....	158
<b>8.3 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES (WARD - ALL)</b> .....	<b>192</b>
8.3.1 2026 CODE OF CONDUCT (TRACKED CHANGES).....	192
8.3.2 2026 CODE OF CONDUCT (CLEAN COPY).....	207
8.3.3 DELEGATION 1 1 8 COMPLAINTS MODEL CODE OF CONDUCT.....	222
8.3.4 2026 COMPLAINT RESOLUTION AND INVESTIGATION COUNCIL POLICY (TRACKED CHANGES).....	224
8.3.5 2026 COMPLAINT RESOLUTION AND INVESTIGATION COUNCIL POLICY (CLEAN COPY).....	232

<b>8.4 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - ELECTED</b>	
<b>MEMBER DINNERS (WARD - ALL).....</b>	<b>239</b>
8.4.1 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY.....	239
8.4.2 VOLUNTEER COUNCIL POLICY.....	258
<b>8.5 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - ELECTED</b>	
<b>MEMBER LOUNGE (WARD - ALL).....</b>	<b>260</b>
8.5.1 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY.....	260
<b>8.6 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - CONTINUING</b>	
<b>PROFESSIONAL DEVELOPMENT (WARD - ALL).....</b>	<b>279</b>
8.6.1 WALGA TEMPLATE CONTINUING PROFESSIONAL DEVELOPMENT POLICY.....	279
8.6.2 FORM CONFERENCE REPORT TEMPLATE.....	292
8.6.3 ELECTED MEMBERS ENTITLEMENTS POLICY CONTINUING PROFESSIONAL DEVELOPMENT - TRACKED CHANGES.....	293
8.6.4 ELECTED MEMBERS ENTITLEMENTS POLICY CONTINUING PROFESSIONAL DEVELOPMENT - FINAL.....	313
<b>8.7 2026 POLICY REVIEW SCHEDULE (WARD - ALL).....</b>	<b>333</b>
8.7.1 SCHEDULE FOR 2026 POLICY COMMITTEE MEETINGS - FINAL.....	333



OFFICIAL

Our Ref: SPN/0839



Chief Executive Officer  
City of Joondalup  
90 Boas Avenue  
JOONDALUP WA 6027

Transmission via electronic mail to:



Dear Sir/Madam

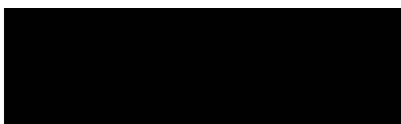
**EXTENSION OF APPROVAL PERIOD - HILLARYS STRUCTURE PLAN NO. 20**  
**WAPC REFERENCE: SPN/0839**

Pursuant to Clause 28 (2), Part 4, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Western Australian Planning Commission on 24 July 2025 resolved to:

- 1) approve a three-year extension to the Hillarys Structure Plan No. 20 to 19 October 2028, which is to enable for the provisions under the structure plan to be reviewed as appropriate, and for the structure plan area to be normalised into the City of Joondalup Local Planning Scheme No. 3; and
- 2) advise the City of Joondalup that although the request for a limited (three-year) extension to the duration of the approval period has been supported, the structure plan provisions are not considered to be contemporary or fully aligned with the current State and local planning framework. In particular, the City is strongly encouraged to review the density coding of the R50 identified sites to provide for higher density and diverse housing product given the locational context of these sites and to provide alignment with the current strategic planning framework along with recent development decision making of the WAPC in the locality.

A copy of the current approved structure plan is attached to this emailed correspondence.

Yours sincerely



Secretary  
Western Australian Planning Commission  
28 July 2025



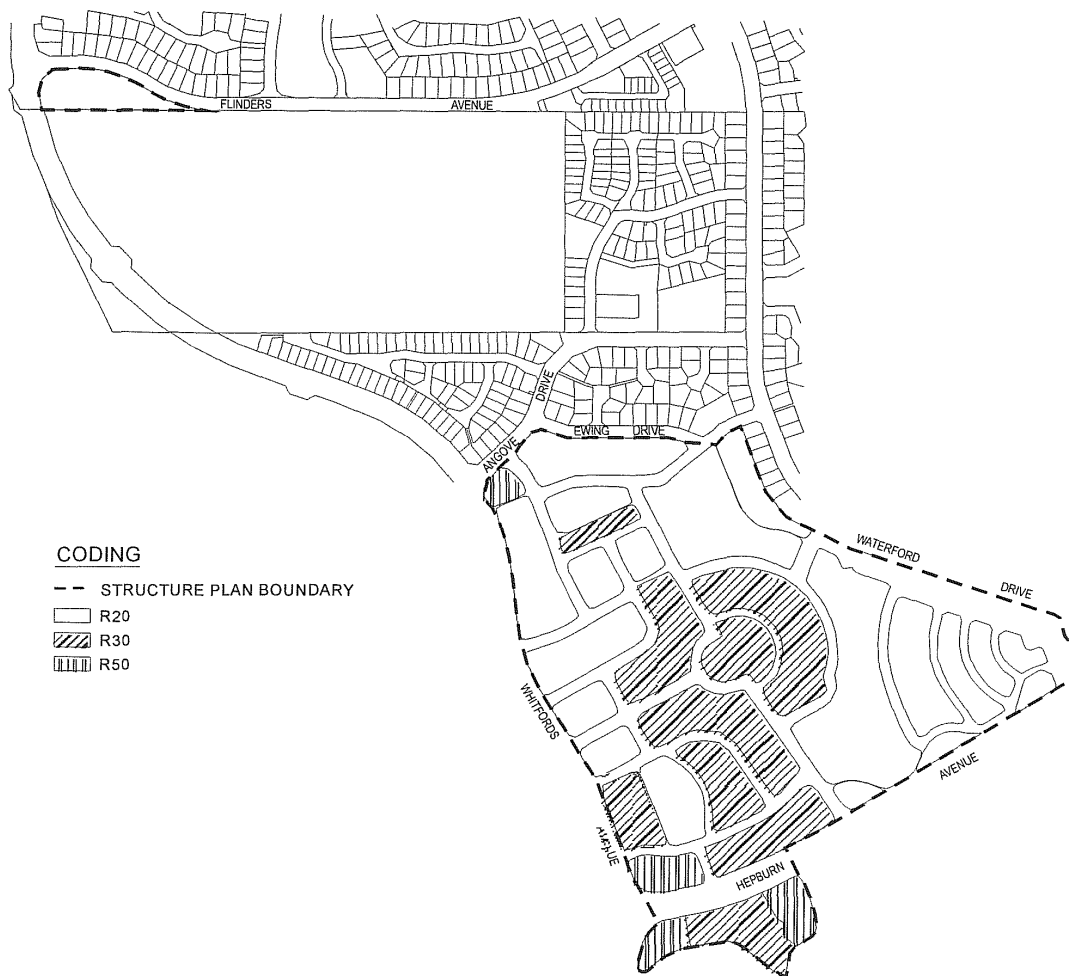
**PLAN 1 : STRUCTURE PLAN MAP**

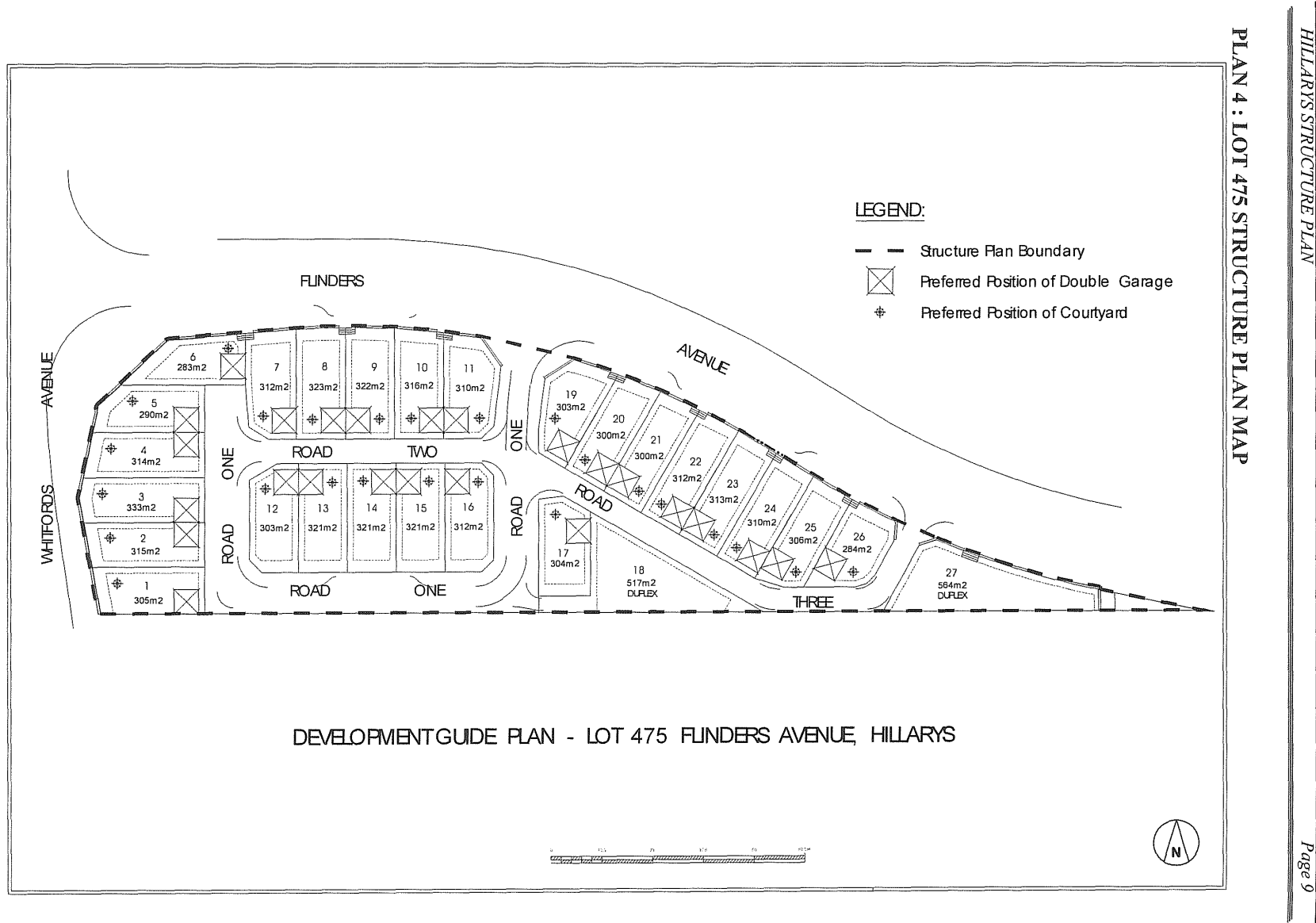


**PLAN 2 : LAND USE MAP**



**PLAN 3 : RESIDENTIAL CODE MAP**






**PLAN 5: GENERAL RESIDENTIAL PRECINCT LOTS PERMITTED NIL SIDE  
SETBACK**



<b>Hillarys Structure Plan – 475 Residential Precinct Development Provisions Comparison to R-Codes Part B/RDLPP (R40)</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>R-Codes/RDLPP requirement</b>
Setbacks	Street setback: Flinders Avenue: 3 metres Lots 1-6 (Quayside Mews): 1.5 metres Lots 12-16: 3 metres Lots 17-18: 1.5 metres	Primary street: 2 metre minimum 4 metre average  Secondary street: 1 metre
	Rear setback: Minimum 3 metre ground floor setback Average 4.5 metre setback  Side lot boundary setback: 1 metre minimum setback for habitable rooms at ground floor level. Otherwise, in accordance with the R-Codes.  Side boundary walls (zero lot lines): Except for lots 1, 18 and 27, boundary walls are only permitted for a garage unless the adjoining owner approves the development in writing. On lots 1, 18 and 27, boundary walls may be permitted on the southern boundary where the wall length does not exceed two-thirds the boundary length.	Street setbacks: As above.  Lot boundary setbacks: In accordance with Table 2a/2b of the R-Codes.  Side boundary walls: Boundary walls may be built subject to the following provisions: <ul style="list-style-type: none"> <li>• Maximum height of 3.5 metres</li> <li>• Maximum length of the greater of 9 metres or one-third the length of the site boundary behind the street setback</li> <li>• Up to two site boundaries.</li> </ul> Boundary walls would be permitted on any lot within the structure plan area, subject to the above requirements.
	Garages: 1.5 metres	4.5 metres to primary street 1.5 metres to secondary street
Car parking and vehicle access	The levels of the ground floor of the main dwelling and the garage shall be maintained within 200 millimetres of the level at the centre point of the appropriate lot boundary.	Car parking spaces and manoeuvring areas designed and provided in accordance with AS2890.1.
	Where a lot is serviced by a rear road or laneway, vehicle access to that lot shall only be permitted from that rear road or laneway with garages setback a minimum of 1.5 metres from the laneway. Except for Lot 27, no direct vehicular access is permitted from a lot to Flinders Avenue.  All garages shall be located in accordance with Plan 4 of the structure plan.	Car parking should be accessed from the lowest order road (rear lanes preferred).  Garages and carports setback 1.5 metres from a rear lane which is a secondary street.

Hillarys Structure Plan – 475 Residential Precinct Development Provisions Comparison to R-Codes Part B/RDLPP (R40)		
Development Requirement	Structure Plan Requirement	R-Codes/RDLPP requirement
	<p>DEVELOPMENT/GUIDE PLAN - LOT 475 FINDERS AVENUE, HILLARYS</p>	
Building height	Two storey maximum with all dwellings to have pitched roofs.	<p>Maximum wall height: 7 metres. Maximum wall height (concealed roof): 8 metres. Maximum pitched roof height: 10 metres</p> <p>There is no restriction on roof form subject to the above height requirements.</p>
Basement	The provision of a cellar or habitable room below the found floor level is permissible.	Development below natural ground level is assessed in accordance with the R-Codes requirements.
Open Space	35%	45%
Courtyards / outdoor living area	<p>At least one courtyard shall have a minimum area of 24 square metres with a minimum dimension of 4 metres and be accessible from a living room.</p> <p>Courtyards should be located where indicated on Plan 4 of the structure plan.</p> <p>DEVELOPMENT/GUIDE PLAN - LOT 475 FINDERS AVENUE, HILLARYS</p>	<p>An outdoor living area is required in accordance with the following:</p> <ul style="list-style-type: none"> <li>• Minimum area of 20 square metres (13.33 square metres uncovered).</li> <li>• Behind the street setback area.</li> <li>• Directly accessible from the primary living space of the dwelling.</li> <li>• Minimum length and width dimension of 4 metres.</li> </ul>
Fencing	<p>Front: Fencing shall not be built forward of the building unless constructed in the same materials and finishes as the dwelling to a maximum height of 1 metre.</p> <p>Side: Shall be built substantially of the same materials as the adjoining</p>	Front: Fencing within the primary street setback area is required to be visually permeable above 1.2 metres with a maximum pillar height of 1.8 metres.

<b>Hillarys Structure Plan – 475 Residential Precinct Development Provisions Comparison to R-Codes Part B/RDLPP (R40)</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>R-Codes/RDLPP requirement</b>
	<p>fences on the same lot to a maximum height of 1.8 metres.</p> <p>Rear: Fencing facing a laneway shall be constructed substantially in the same materials and finishes as the dwelling to a maximum height of 1.8 metres. The fencing should be setback 1.2 metre from laneways for bin pads and provide a 1.5 metre sight line truncation.</p>	<p>There is no height requirement applicable to side and rear fencing, which is considered dividing fencing.</p> <p>There is no requirement for fencing materials and finishes to match the dwelling.</p> <p>Fencing, walls and other structures are to be truncated, reduced in height or visually permeable above 0.75 metres above ground level within 1.5 metres of where a driveway intersects a street/lane.</p>
Waste	<p>Where there is a rear laneway, bin collection will not be undertaken from the road.</p> <p>One bin pad measuring 1.2 x 2.4 metres for rubbish collection shall be provided for each dwelling on the rear lane within the lot and in other location as indicated by Council.</p> <p>A rubbish bin storage area shall be provided within the lot in a position convenient to the dwelling and screened from view from the street or laneway.</p>	<p>Where rubbish bins are not collected from the street immediately adjoining a dwelling, waste collection shall be located:</p> <ul style="list-style-type: none"> <li>• Conveniently located for rubbish and recycling collection.</li> <li>• Accessible to residents.</li> <li>• Adequate in area to store all rubbish bins.</li> <li>• Fully screened from view from the primary or secondary street.</li> </ul>
Storage area	<p>Each dwelling requires a secure covered storage area substantially constructed of the materials as the dwelling and accessible from outside the dwelling.</p> <p>The minimum area for the storage is 4 square metres.</p>	<p>Single houses do not require a storage area.</p> <p>Grouped dwellings each require an enclosed, lockage storage area constructed of materials matching the dwelling where visible from the street and accessible from outside the dwelling.</p> <p>The minimum area for the storage is 4 square metres.</p>

<b>Hillarys Structure Plan – General Residential Precinct and Waterford Residential Precinct Development Provisions Comparison to R-Codes Part B/RLPP (R20)</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>R-Codes/RLPP requirement</b>
Primary street setbacks	Building setback: 3 metres	3 metre minimum 6 metre average
	Garage setback: 4.5 metres  This may be reduced to 1.5 metres for a single storey side loaded garage.	4.5 metres  This may be reduced to 3 metres where the garage is parallel to the street and provided with openings facing the street.
Car parking	Minimum two covered car parking bays for all dwellings.	Minimum of one car parking bay, excluding 2+ bedroom dwellings greater than 250 metres from a high frequency bus route, which require a minimum of two car parking bays.  There is no requirement for the bays to be covered.
Boundary walls (zero lot line development)	Boundary walls are not permitted except where indicated on Plan 5 (below) of the structure plan and in accordance with the following: <ul style="list-style-type: none"> <li>• Boundary wall permitted to one side only.</li> <li>• Overshadowing of the development shall not exceed 50%.</li> <li>• Boundary wall not permitted on a boundary that abuts an adjoining property where a boundary wall is not permitted.</li> </ul> <p><small>PLAN 5: GENERAL RESIDENTIAL PRECINCT LOTS PERMITTED NIL SIDE SETBACK</small></p> 	Boundary walls may be built subject to the following provisions: <ul style="list-style-type: none"> <li>• Maximum height of 3.5 metres</li> <li>• Maximum length of the greater of 9 metres or one-third the length of the site boundary behind the street setback</li> <li>• Up to two site boundaries.</li> </ul> <p>Boundary walls would be permitted on any lot within the structure plan area, subject to the above requirements.</p>

<b>Hillarys Structure Plan – General Residential Precinct and Waterford Residential Precinct Development Provisions Comparison to R-Codes Part B/RDLPP (R20)</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>R-Codes/RDLPP requirement</b>
Frontage	<p>Buildings on corners shall address each street frontage and the corner with equal importance.</p> <p>Buildings shall be designed to have active frontages with no blank facades fronting the street or public open space.</p> <p>Dual frontage lots shall be access from the higher level road.*</p> <p>*Not applicable to the Waterford Residential Precinct.</p>	<p>The primary street elevation of the dwelling to address the street and include the main entry to the dwelling.</p> <p>At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling.</p>
Bin and service areas	To be screened from view from streets and public open spaces.	To be screened from view from the primary street and designed to integrate with the building or located so as not to be visually obtrusive.
Retaining walls	New retaining walls are to be constructed in the same materials as existing estate retaining walls.	No requirement.
Open Space	35%	50%
Building height	<p>Maximum single storey wall height: 3.5 metres</p> <p>Maximum single storey roof ridge height: 6.5 metres</p> <p>Maximum two storey wall height: 6.5 metres</p> <p>Maximum two storey roof ridge height: 9.5 metres</p> <p>Tower elements no greater than 6 metres by 6 metres in dimension may exceed the building height requirements subject to contributing to the landmark quality of the building*</p> <p>* Not applicable to the Waterford Residential Precinct.</p>	<p>Maximum wall height: 7 metres.</p> <p>Maximum wall height (concealed roof): 8 metres.</p> <p>Maximum pitched roof height: 10 metres</p> <p>There is no provision for tower elements.</p>
Roof form	Pitched roofs shall be greater than 25 degrees, excluding minor projections. Curved and flat roofs concealed by parapets are also permitted.	No requirement.
Advertising signage	Not permitted except in conformity with the City of Joondalup Signs Local Law for a residential area.	In accordance with the City's Advertisements Local Planning Policy.

<b>Hillarys Structure Plan – Small Lot Residential and Sorrento Small Lot Residential Precinct Development Provisions Comparison to R-Codes Part B/RDLPP (R30)</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>R-Codes/RDLPP requirement</b>
Primary street setbacks	Dwelling: 1.5 metre minimum 6 metre maximum	2 metre minimum 4 metre average
	Garage setback: 5 metres  This may be reduced to 1.5 metres for a single storey side loaded garage.	4.5 metres  This may be reduced to 3 metres where the garage is parallel to the street and provided with openings facing the street.
Lot boundary setbacks	4 metre minimum setback to a boundary adjoining public open space.	There are no specific setback requirements to lot boundaries adjoining public open space. Setbacks are calculated in accordance with Table 2a/2b of the R-Codes.
	Boundary walls (zero lot lines) are permitted to one side only provided that overshadowing of the development shall not exceed 50%.	Boundary walls may be built subject to the following provisions: <ul style="list-style-type: none"> <li>• Maximum height of 3.5 metres</li> <li>• Maximum length of the greater of 9 metres or one-third the length of the site boundary behind the street setback</li> <li>• Up to two site boundaries.</li> </ul>
Car parking and vehicle access	Minimum two car parking bays for all dwellings with at least one to be covered.	Minimum of one car parking bay, excluding 2+ bedroom dwellings greater than 250 metres from a high frequency bus route, which require a minimum of two car parking bays.  There is no requirement for the bays to be covered.
	Car parking shall be accessed from rear lanes where they are provided.	Car parking should be accessed from the lowest order road (rear lanes preferred).
	Car parking bays are permitted with nil setback to a rear lane where a 1.5 metre sight lines truncation is provided at the side of garage openings.	Garages and carports setback 1.5 metres from a rear lane which is a secondary street.  There is no setback requirement to a rear lane from an uncovered parking bay.  Fencing, walls and other structures are to be truncated, reduced in height or visually permeable above 0.75 metres above ground level within 1.5 metres of where a driveway intersects a street/lane.

<b>Hillarys Structure Plan – Small Lot Residential and Sorrento Small Lot Residential Precinct Development Provisions Comparison to R-Codes Part B/RDLPP (R30)</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>R-Codes/RDLPP requirement</b>
Frontage	Buildings on corners shall address each street frontage and the corner with equal importance.  Buildings shall be designed to have active frontages with no blank facades fronting the street or public open space.	The primary street elevation of the dwelling to address the street and include the main entry to the dwelling.  At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling.
Bin and service areas	To be screened from view from streets and public open spaces.	To be screened from view from the primary street and designed to integrate with the building or located so as not to be visually obtrusive.
Retaining walls	New retaining walls are to be constructed in the same materials as existing estate retaining walls.	No requirement.
Open Space	35%	45%
Building height	Maximum single storey wall height: 3.5 metres Maximum single storey roof ridge height: 6.5 metres  Maximum two storey wall height: 6.5 metres Maximum two storey roof ridge height: 9.5 metres  Tower elements no greater than 3 metres by 3 metres in dimension may exceed the building height requirements subject to contributing to the landmark quality of the building.	Maximum wall height: 7 metres. Maximum wall height (concealed roof): 8 metres. Maximum pitched roof height: 10 metres  There is no provision for tower elements.
Roof form	Pitched roofs shall be greater than 25 degrees, excluding minor projections. Curved and flat roofs concealed by parapets are also permitted.	No requirement.
Advertising signage	Not permitted except in conformity with the City of Joondalup Signs Local Law for a residential area.	In accordance with the City's Advertisements Local Planning Policy.

<b>Hillarys Structure Plan – Mixed Use Precinct Development Provisions Comparison to Commercial, Mixed Use and Service Commercial Zone LPP</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>Commercial, Mixed Use and Service Commercial Zone LPP requirement</b>
Setbacks	Front: Nil. Side: Nil, except where 3 metre vehicle access is required. Rear: 6 metres.	Street: 3.5 metres, or 1.5 metres to an awning. Side/rear: 3 metres Right of way/laneway: Nil.
Building height	Minimum and maximum of two storeys. This may be increased to a maximum of three storeys for 35 Martinique Mews if the site is developed as a quality landmark.  Tower elements are not permitted.	No explicit height requirement for R50. Maximum height requirements are prescribed for R40 and R80 as follows:  R40: Wall height of 7 metres. Concealed roof height of 8 metres. Pitched roof height of 10 metres. Notionally two storeys.  R80: Total building height of 15 metres. Notionally four storeys.
Service yards and external fixtures	Utility areas and services shall be concealed from streets and public areas by an enclosure in the style and material of the building. On sites that adjoin residential properties, such areas shall not adjoin the common boundary.	Service yards must be screened from view, located at the rear of a building and not directly adjoin a Residential zoned lot.  External fixtures must be screened from view from the street through building design and located on the roof, basement or at the rear of a building.
Landscaping	Landscaping shall be in accordance with clause 4.12 of the Scheme.	A minimum of 8% of the area of lot shall be landscaped. The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries.  Shade trees shall be provided and maintained in uncovered car parks at the rate of one tree for every four car parking bays.
Car parking and vehicle access	Car parking requirements for non-residential development shall be in accordance with Table 2 of the Scheme.	Car parking requirements for non-residential development shall be in accordance with the Commercial, Mixed Use and Service Commercial Zone LPP.
	Car parking shall be predominantly located at the rear of lots and accessed from laneways where provided.  Car parking shall not dominate the street and provide good pedestrian movement towards buildings.	Car parking should be consolidated where practicable.  Car parking spaces and manoeuvring areas designed and provided in accordance with AS2890.1.

<b>Hillarys Structure Plan – Mixed Use Precinct Development Provisions Comparison to Commercial, Mixed Use and Service Commercial Zone LPP</b>		
<b>Development Requirement</b>	<b>Structure Plan Requirement</b>	<b>Commercial, Mixed Use and Service Commercial Zone LPP requirement</b>
		The number and location of crossovers should be minimised to reduce the risk of traffic hazards.
Advertising signage	Signage should be in accordance with the City's Signs Local Laws and Council policies. Free standing signage shall be limited to identifying the premises on site. No pylon signage permitted.	In accordance with the City's Advertisements Local Planning Policy.
Commercial uses in public spaces	Commercial uses in public spaces such as alfresco dining and flower/fruit stalls may be permitted at the discretion of Council.	In accordance with the City's Alfresco Spaces Local Planning Policy.
Residential component	All development shall possess a residential component.	No requirement.
Facades	<p>Development shall consist of a number of individual facades however the resultant streetscape should be cohesive.</p> <p>The character of each building should be compatible with neighbouring buildings and public spaces.</p> <p>Buildings shall be designed to have active frontages with no blank facades fronting the street or public open space.</p>	<p>Buildings must be constructed of high quality materials and concrete walls visible from an adjoining property or public realm must be painted and provided with an articulated or detailed finish.</p> <p>Buildings must incorporate design features to enhance appearance, create visual interest and reduce blank walls.</p> <p>Ground floor external tenancies must have an entrance onto the commercial frontage and be outward facing to facilitate activation of the commercial frontage.</p> <p>Building entrances must directly front the street, car park and key pedestrian routes.</p>
Pedestrian shelter	Public frontages should have continuous awnings and/or colonnades to provide pedestrian protection.	Buildings must provide a continuous pedestrian shelter along all commercial frontages to a minimum height of 3 metres and minimum depth of 1.5 metres.

<b>R50 to R80 Key Residential Development Standards Comparison for Multiple Dwellings</b>		
<b>Development Requirement</b>	<b>R50 Requirement (R-Codes Volume 1 Part C/RDLPP)</b>	<b>R80 requirement (R-Codes Volume 2)</b>
Building height	Maximum three storeys. Maximum wall height: 10 metres. Maximum wall height (concealed roof): 11 metres. Maximum pitched roof height: 13 metres.	Maximum four storeys. Indicative overall building height: 15 metres.
Plot ratio/site area per dwelling	Minimum 100m <sup>2</sup> site area per dwelling.  For example, a 1,000m <sup>2</sup> lot could potentially accommodate 10 multiple dwellings.	Maximum plot ratio of 1.0.  This indicates that a 1,000m <sup>2</sup> lot could accommodate 1,000m <sup>2</sup> in total of multiple dwelling floor area.
Setbacks	Primary street: 2 metres. Secondary street: 1 metre. Side and rear setbacks: 1-3 metres dependent on the wall height.	Primary street: 2 metres. Secondary street: 2 metres. Side and rear setbacks: 3 metres.
Boundary wall height	Single storey.	Two storeys.
Overshadowing	Maximum overshadowing dependent on the density coding of the adjoining affected property. R20: 25% R30: 35% R50: 50%	Maximum overshadowing dependent on the density coding of the adjoining affected property. R20: 25% R30: 35% R50: 50%
Car parking	Minimum of 0 or 1 bay per dwelling dependent on the number of bedrooms and proximity to a high frequency bus route.	0.75 to 1.25 bays per dwelling dependent on the number of bedrooms and proximity to a high frequency bus route.
Landscaping	15% soft landscaping requirement for the site.  30% soft landscaping of the primary street setback area.  Tree planting requirement for sites greater than 1,000m <sup>2</sup> : 2 medium trees or large tree and 1 small tree in addition to 1 medium tree per 400m <sup>2</sup> in excess of 1,000m <sup>2</sup> site area.	10% minimum deep soil area for the site (7% if retaining existing tree(s)).  Tree planting requirement for sites greater than 1,000m <sup>2</sup> : 2 medium trees or 1 large tree and small trees to suit area. Additional trees required per 400m <sup>2</sup> site area in excess of 1,000m <sup>2</sup> .



# COMMUNITY CONSULTATION OUTCOMES REPORT

## Proposed Animals Local Law 2025

## CONTENTS

OVERVIEW .....	3
STAKEHOLDERS .....	4
CONSULTATION MATERIALS .....	5
RESPONSE RATE .....	6
DEMOGRAPHICS .....	8
OUTCOMES .....	8
APPENDIX.....	12

## OVERVIEW

The community was invited to provide feedback on the proposed Animals Local Law 2025. The City received a total of 105 submissions during the 50-day consultation period from Thursday 19 June to Friday 8 August 2025. A total of three stakeholders who were engaged directly provided a submission, including:

- Joondalup Community Coast Care Forum Inc
- Friends of North Ocean Reef/Iluka Foreshore
- Friends of Shepherds Bush Reserve.

Common themes that were addressed in the submissions included the following:

- Cats should be confined at all times
- Cats should have a curfew
- Concerned about cat excrement
- Concerned about effect of cats on fauna/flora.

## STAKEHOLDERS

A total of 35 stakeholders were directly engaged by the City of Joondalup. Stakeholders identified included:

- Environmental/friends' groups (18)
  - Joondalup Community Coast Care Forum Inc
  - Friends of Cadogan Park
  - Friends of Carnaby Reserve
  - Friends of Central Park Bushland
  - Friends of Duncraig Library Bushland
  - Friends of Finney Park
  - Friends of Harman Park
  - Friends of Hepburn Bushland
  - Friends of Hillarys and Kallaroo Foreshore
  - Friends of Maritana Bushland
  - Friends of Marmion Primary School Bushland
  - Friends of North Ocean Reef/Iluka Foreshore
  - Friends of Periwinkle Bushland
  - Friends of Robin Park Bush Reserve
  - Friends of Shepherd Bush Reserve
  - Friends of Sorrento Beach and Marmion Foreshore
  - Friends of Warwick Bushland
  - Friends of Yellagonga Regional Park
- Resident/ratepayer groups (17)
  - Beldon Residents Association Inc
  - Burns Beach Residents Association Inc
  - Connolly Residents Association
  - Currambine Residents' Association
  - Edgewater Community Residents' Association
  - Harbour Rise Home Owners Association Inc
  - Heathridge Residents' Association
  - Iluka Homeowners Association
  - Kallaroo Residents' Association
  - Kingsley & Greenwood Residents Association
  - Marmion, Sorrento, Duncraig Progress and Ratepayers Association
  - Mullaloo Beach Community Group\*
  - North Shore Country Club and Residents Association
  - Padbury Residents' Association Inc
  - Warwick Residents' Group
  - Whitford Community, Ratepayers & Recreation Association Inc
  - Woodvale Waters Friends of Beenyup Channel

Additional stakeholders, including interested residents and ratepayers, were indirectly engaged by the City via the consultation materials described overleaf.

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\* Note, in addition to being an environmental/friends group, the Mullaloo Beach Community Group also identifies as a resident/ratepayer group. The City accepts one response per organisation.

## CONSULTATION MATERIALS

Both resident/ratepayer and environmental/friends' groups were sent emails on 20 June 2025, which advised them of the consultation and directed them to the City's website to view the proposed local law and provide feedback using the Online Submission Form. These stakeholders were also encouraged to promote the consultation and the Online Submission Form to their members and networks.

- Email to resident/ratepayer and environmental/friends' groups (see Appendix 1).
- Online submission form (see Appendix 2).

In addition to directly contacting identified stakeholders via post and email, the City advertised the consultation to other community members via the following means:

- Webpage linked through the "Community Consultation" section of the City's website visible from 19 June 2025 to 8 August 2025 (see Appendix 3).
- Public Notice published in *Joondalup Voice* on 26 June 2025 (see Appendix 4).
- Public Notice posters on display at the City's administration building and the City's libraries from 19 June 2025 to 8 August 2025 (see Appendix 5).
- Public Notice item published in the Public Notice eNewsletter emailed to subscribers on 19 June 2025 (see Appendix 6).
- Item published in the Community Consultation eNewsletter emailed to subscribers on 19 June 2025 (see Appendix 7).
- Public Notice post on Facebook through the City's Facebook account on 19 June 2025 (see Appendix 8).

## RESPONSE RATE

The City received a total of 105 submissions during the 50-day consultation period. A total of three stakeholders who were engaged directly provided a submission, including:

- Joondalup Community Coast Care Forum Inc
- Friends of North Ocean Reef/Iluka Foreshore
- Friends of Shepherds Bush Reserve.

This indicates an overall response rate of 8.6% from stakeholders who were engaged directly by the City. This data is shown in the table below.

Note that the submissions from the stakeholders identified above have been extracted and are provided at Appendices 9–11. These submissions are **not** included in the overall outcomes table on page 10 of this report.

	Feedback sought	Feedback received	Response rate
	N	N	%
<b>Submissions received by stakeholder type:</b>			
<b>Environmental/friends' groups</b>	<b>18</b>	<b>3</b>	<b>16.7%</b>
Joondalup Community Coast Care Forum Inc	1	1	100.0%
Friends of Cadogan Park	1	0	0.0%
Friends of Carnaby Reserve	1	0	0.0%
Friends of Central Park Bushland	1	0	0.0%
Friends of Duncraig Library Bushland	1	0	0.0%
Friends of Finney Park	1	0	0.0%
Friends of Harman Park	1	0	0.0%
Friends of Hepburn Bushland	1	0	0.0%
Friends of Hillarys and Kallaroo Foreshore	1	0	0.0%
Friends of Maritana Bushland	1	0	0.0%
Friends of Marmion Primary School Bushland	1	0	0.0%
Friends of North Ocean Reef/Iluka Foreshore	1	1	100.0%
Friends of Periwinkle Bushland	1	0	0.0%
Friends of Robin Park Bush Reserve	1	0	0.0%
Friends of Shepherd Bush Reserve	1	1	100.0%
Friends of Sorrento Beach and Marmion Foreshore	1	0	0.0%
Friends of Warwick Bushland	1	0	0.0%
Friends of Yellagonga Regional Park	1	0	0.0%

	<b>Feedback sought</b>	<b>Feedback received</b>	<b>Response rate</b>
<b>Resident/ratepayer groups</b>	<b>17</b>	<b>0</b>	<b>0.0%</b>
Beldon Residents Association Inc	1	0	0.0%
Burns Beach Residents Association Inc	1	0	0.0%
Connolly Residents Association	1	0	0.0%
Currambine Residents' Association	1	0	0.0%
Edgewater Community Residents' Association	1	0	0.0%
Harbour Rise Home Owners Association Inc	1	0	0.0%
Heathridge Residents' Association	1	0	0.0%
Iluka Homeowners Association	1	0	0.0%
Kallaroo Residents' Association	1	0	0.0%
Kingsley & Greenwood Residents Association	1	0	0.0%
Marmion, Sorrento, Duncraig Progress and Ratepayers Association	1	0	0.0%
Mullaloo Beach Community Group	1	0	0.0%
North Shore Country Club and Residents Association	1	0	0.0%
Padbury Residents' Association Inc	1	0	0.0%
Warwick Residents' Group	1	0	0.0%
Whitford Community, Ratepayers & Recreation Association Inc	1	0	0.0%
Woodvale Waters Friends of Beenyup Channel	1	0	0.0%
<b>Total response rate (engaged directly)</b>	<b>35</b>	<b>3</b>	<b>8.6%</b>
<b>Total submissions (community members)</b>	<b>—</b>	<b>102</b>	<b>—</b>
<b>Total submissions</b>	<b>—</b>	<b>105</b>	<b>—</b>

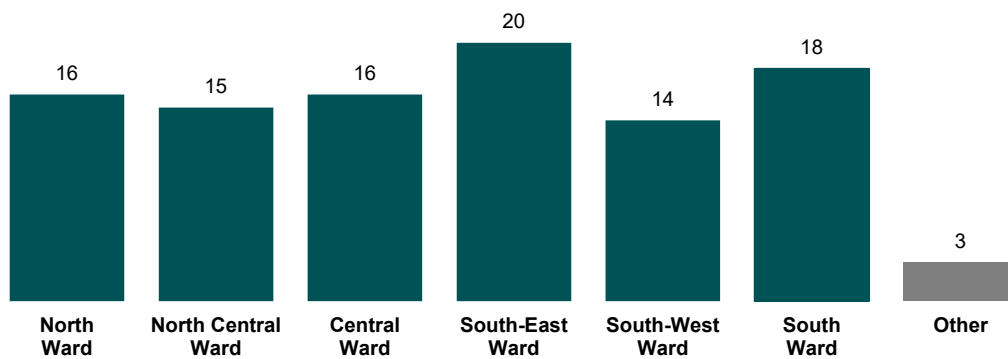
## DEMOGRAPHICS

### Respondent address

Respondents were asked to provide their contact address, and these were reasonably spread across the wards of the City, with three submissions coming from non-residents. This data is shown in the table and chart below.

<b>Responses received by ward and suburb:</b>	<b>N</b>	<b>%</b>
<b>City of Joondalup</b>	<b>99</b>	<b>97.1%</b>
<b>North Ward</b>	<b>16</b>	<b>15.7%</b>
Burns Beach	2	2.0%
Currambine	2	2.0%
Joondalup	7	6.9%
Kinross	5	4.9%
<b>North Central Ward</b>	<b>15</b>	<b>14.7%</b>
Connolly	1	1.0%
Edgewater	6	5.9%
Heathridge	1	1.0%
Iluka	4	3.9%
Ocean Reef	3	2.9%
<b>Central Ward</b>	<b>16</b>	<b>15.7%</b>
Beldon	2	2.0%
Craigie	0	0.0%
Mullaloo	9	8.8%
Woodvale	5	4.9%
<b>South-East Ward</b>	<b>20</b>	<b>19.6%</b>
Greenwood	7	6.9%
Kingsley	10	9.8%
Warwick	3	2.9%
<b>South-West Ward</b>	<b>14</b>	<b>13.7%</b>
Hillarys	5	4.9%
Kallaroo	5	4.9%
Sorrento	4	3.9%
<b>South Ward</b>	<b>18</b>	<b>17.6%</b>
Duncraig	14	13.7%
Marmion	0	0.0%
Padbury	4	3.9%
<b>Other</b>	<b>3</b>	<b>2.9%</b>
<b>Total submissions (community members)</b>	<b>102</b>	<b>100.0%</b>

**Submissions received by ward:**



## OUTCOMES

### QUESTION: “Please provide your feedback on the proposed Animals Local Law 2025”

Respondents were asked to provide their feedback on the proposed Animals Local Law 2025. Comments have been broadly summarised in the table below\*. Common themes include:

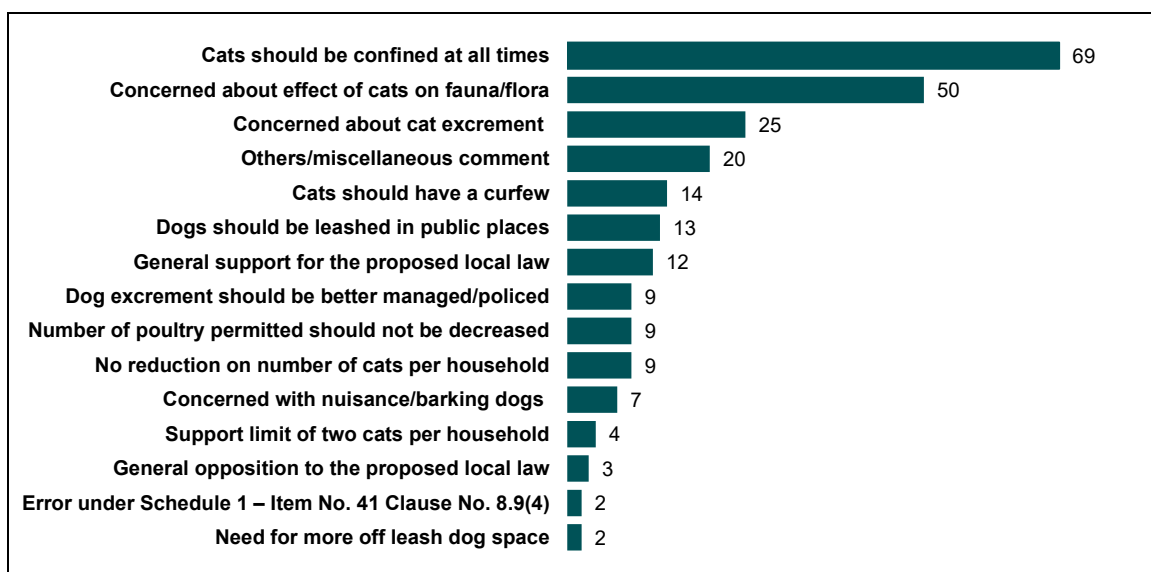
- Cats should be confined at all times
- Cats should have a curfew
- Concerned about cat excrement
- Concerned about effect of cats on fauna/flora.

Verbatim comments have been randomised and are provided in full at Appendix 12.

<b>Please provide your feedback on the proposed <i>Animals Local Law 2025</i>:</b>	<b>N<sup>†</sup></b>	<b>%</b>
General support for the proposed local law	12	12%
General opposition to the proposed local law	3	3%
Cats should be confined at all times	69	68%
Cats should have a curfew	14	14%
Concerned about cat excrement	25	25%
Concerned about effect of cats on fauna/flora.	50	49%
No reduction on number of cats per household	9	9%
Support limit of two cats per household	4	4%
Number of poultry permitted should not be decreased	9	9%
Dogs should be leashed in public places	13	13%
Need for more off leash dog space	2	2%
Dog excrement should be better managed/policed	9	9%
Concerned with nuisance/barking dogs	7	7%
Error under Schedule 1 – Item No. 41 Clause No. 8.9(4)	2	2%
Others/miscellaneous comment	20	20%
<b>Total submissions (community members)</b>	<b>102</b>	<b>—</b>


<sup>†</sup> Numbers may not add up to total, as respondents can address more than one theme.






**Please provide your feedback on the proposed Animals Local Law 2025:**













## APPENDIX 1 — Email to resident/ratepayer and environmental/friends' groups (distributed 20 June 2025)

CM: Community Consultation — Proposed Animals Local Law 2025

 Consultation  
To

 Reply  Reply All  Forward  

Fri 20/06/2025 10:31 AM

Bcc  Friends of Cadogan Park;  Friends of Carnaby Reserve;  Friends of Central Bushland;  Friends of Duncraig Library Bushland;  Friends of Harman Park;  Friends of Hepburn Bushland;  Friends of Maritana Bushland;  Friends of Marmion Primary School Bushland;  Friends of North Ocean Reef/Illuka Foreshore;  Friends of Periwinkle Bushland; **+9 others**

Dear Residents Group

The City of Joondalup is seeking community feedback on the Proposed Animals Local Law 2025. The proposed local law has been re-drafted, following previous community consultations, to include better cat control measures including a list of cat prohibited areas, provisions for nuisance cats, as well as other amendments following feedback received from the community and the Department of Local Government, Sport and Cultural Industries. Once finalised by Council, this local law will replace the existing *City of Joondalup Animals Local Law 1999*.

The **purpose** of the proposed Animals Local Law 2025 is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.

The **effect** of the proposed Animals Local Law 2025 is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

To view the proposed local law and provide feedback please visit the [City of Joondalup website](#).

Individual community members are also welcome to provide submissions; the City would appreciate you sharing the consultation information with your members and networks.


All submissions must be received by **Friday 8 August 2025**. For further information please contact the City on **9400 4000** or via [email](#).






**City of Joondalup**

T: 08 9400 4000  
E: [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au)  
W: [joondalup.wa.gov.au](http://joondalup.wa.gov.au)











(Continues)


CM: Community Consultation — Proposed Animals Local Law 2025

 Consultation  
To

  Reply All  Forward  

Fri 20/06/2025 9:50 AM

Bcc  Beldon Residents Association Inc;  Burns Beach Residents Association Inc;  Connolly Residents Association;  Currabmine Residents' Association;  Edgewater Community Residents' Association;  
 Iluka Homeowners Association;  Harbour Rise Home Owners Association Inc;  Heathridge Residents' Association;  Kallaroo Residents' Association;  Kingsley & Greenwood Residents Association; **+7 others**

 You forwarded this message on 20/06/2025 9:51 AM.

Dear Residents and Ratepayers Association,

The City of Joondalup is seeking community feedback on the Proposed Animals Local Law 2025. The proposed local law has been re-drafted, following previous community consultations, to include better cat control measures including a list of cat prohibited areas, provisions for nuisance cats, as well as other amendments following feedback received from the community and the Department of Local Government, Sport and Cultural Industries. Once finalised by Council, this local law will replace the existing *City of Joondalup Animals Local Law 1999*.

The **purpose** of the proposed Animals Local Law 2025 is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.

The **effect** of the proposed Animals Local Law 2025 is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.


To view the proposed local law and provide feedback please visit the [City of Joondalup website](#).

Individual community members are also welcome to provide submissions; the City would appreciate you sharing the consultation information with your members and networks.

All submissions must be received by **Friday 8 August 2025**. For further information please contact the City on **9400 4000** or via [email](#).

**City of Joondalup**  
T: 08 9400 4000  
E: [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au)  
W: [joondalup.wa.gov.au](http://joondalup.wa.gov.au)

## APPENDIX 2 — Online submission form (page 1)



### Animals Local Law 2025

#### Online Submission Form

The City is seeking community feedback on the proposed Animals Local Law 2025. Once finalised by Council, this local law will replace the existing City of Joondalup *Animals Local Law 1999*.


It is recommended that you review the proposed local law prior to completing a submission.

For further information, please contact the City on 9400 4000 or via [email](#).

**City of Joondalup** | 90 Boas Avenue Joondalup WA 6027 | PO Box 21 Joondalup WA 6919  
T: 9400 4000 | [joondalup.wa.gov.au](http://joondalup.wa.gov.au) | [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au)

[NEXT](#)

(page 2)



## Animals Local Law 2025

### Online Submission Form

**\* Your contact details:**

Please note that for your feedback to be validated, your full contact details must be provided. This information will be treated as confidential and will not be published in any document or report on the outcomes of the consultation.

Only one submission per person (or per organisation) will be accepted.

Full Name:

Residential address (no PO Box):

Suburb:

Postcode:

Phone:

Email:


**Are you providing feedback on behalf of an organisation? (The organisation will be identified in the City's Outcomes Report)**

Organisation:

Role/position:

City of Joondalup | 90 Boas Avenue Joondalup WA 6027 | PO Box 21 Joondalup WA 6919  
T: 9400 4000 | [joondalup.wa.gov.au](http://joondalup.wa.gov.au) | [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au)

(page 3)



## Animals Local Law 2025

### Online Submission Form

**Please provide your feedback on the proposed Animals Local Law 2025 below:**

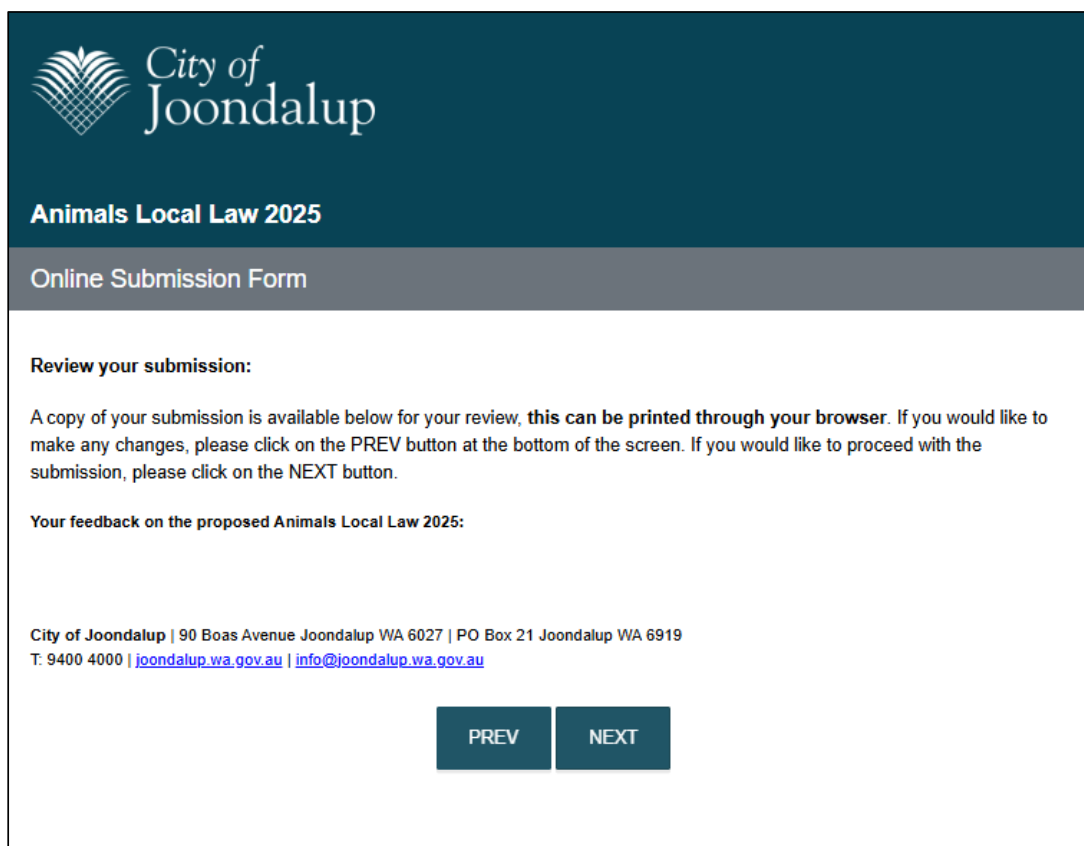
*Note: The City will not edit your comment for grammar or spelling. However, any information that may identify you will be redacted. The City appreciates respectful and constructive comments.*

**Character limit is 20,000**

City of Joondalup | 90 Boas Avenue Joondalup WA 6027 | PO Box 21 Joondalup WA 6919  
T: 9400 4000 | [joondalup.wa.gov.au](http://joondalup.wa.gov.au) | [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au)

PREV NEXT

(page 4)



The screenshot shows the City of Joondalup logo at the top left. Below it, the text "Animals Local Law 2025" is displayed in a dark teal header. Underneath, a grey bar contains the text "Online Submission Form". The main content area is white and contains the following text:

**Review your submission:**


A copy of your submission is available below for your review, **this can be printed through your browser**. If you would like to make any changes, please click on the PREV button at the bottom of the screen. If you would like to proceed with the submission, please click on the NEXT button.

**Your feedback on the proposed Animals Local Law 2025:**

City of Joondalup | 90 Boas Avenue Joondalup WA 6027 | PO Box 21 Joondalup WA 6919  
T: 9400 4000 | [joondalup.wa.gov.au](http://joondalup.wa.gov.au) | [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au)

At the bottom center, there are two dark teal buttons labeled "PREV" and "NEXT".

(page 5)



## Animals Local Law 2025

**Request to be informed:**

Community consultation assists Council in deliberating and then making decisions on certain matters. The analysis from this consultation will be provided to Council to assist them in their decision-making role first at a Briefing Session and then at a Council Meeting. Deputations can be made at Briefing Sessions by appointment and questions and public statements can be presented at Council Meetings.

I would like to be informed via email when this consultation will be presented at a Briefing Session and Council Meeting  
Please ensure your email address is provided below

Email address

**City of Joondalup eNewsletters:**

The Community Consultation eNewsletter is for community members who want to keep up to date on community consultation activities in the City of Joondalup. If you are interested in this or the City's other eNewsletters, [subscribe online now](#).


Thank you for taking the time to complete this Online Submission Form. Please click on the SUBMIT FORM button below to finalise.

City of Joondalup | 90 Boas Avenue Joondalup WA 6027 | PO Box 21 Joondalup WA 6919  
T: 9400 4000 | [joondalup.wa.gov.au](http://joondalup.wa.gov.au) | [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au)

(Page 6)

The screenshot displays the City of Joondalup website. At the top left is the logo and tagline 'A Global City: Bold | Creative | Prosperous'. A navigation menu includes 'Residents', 'Community and Spaces', 'What's On', 'Environment', 'Plan and Build', 'Business and Investment', and 'City and Council'. A search bar and 'Visit myJoondalup Portal' button are on the right. The main content area features a breadcrumb trail 'Home > Community and Spaces > Community Consultation - Thank you' and a large heading 'Community Consultation - Thank you'. Below this, a message states: 'Thank you for participating in this community consultation. Your submission has been received. Back to the [community consultation](#) page.' A 'Print this page' button is located on the right. A footer section contains the City of Joondalup logo, a statement of acknowledgment to Traditional Custodians, and contact details: phone number (+61 8) 9400 4000, email info@joondalup.wa.gov.au, and postal address (90 Boas Avenue, Joondalup WA 6027). Social media icons for Facebook, X, Instagram, YouTube, and LinkedIn are present, along with a 'Subscribe to eNews' button.

## APPENDIX 3 — Community Consultation webpage of the City's website (published 19 June 2025 – 8 August 2025)








City of Joondalup A Global City: Bold | Creative | Prosperous

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### Proposed Animals Local Law 2025

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 <b>Status:</b>	Open	 <b>Type:</b>	City and council
 <b>Open date:</b>	19 June 2025	 <b>Last update date:</b>	14 August 2025
 <b>Closing date:</b>	8 August 2025		

The City is seeking community feedback on the proposed Animals Local Law 2025. The proposed local law has been re-drafted, following previous community consultations, to include better cat control measures including a list of cat prohibited areas, provisions for nuisance cats, as well as other amendments following feedback received from the community and the Department of Local Government, Sport and Cultural Industries. Once finalised by Council, this local law will replace the existing City of Joondalup *Animals Local Law 1999*.

The proposed Animals Local Law 2025 is available for download below. Alternatively, printed copies can be found at all City of Joondalup libraries or the City's Customer Service Centre located at 90 Boas Avenue, Joondalup.

The **purpose** of the proposed Animals Local Law 2025 is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.

The **effect** of the proposed Animals Local Law 2025 is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.


To provide feedback, please complete an Online submission form, or submit written comments either via [email](#) or via post to the address below. All submissions must include your full name and address.

**City of Joondalup**  
PO Box 21  
Joondalup WA 6919

**Submissions accepted: Thursday 19 June 2025–Friday 8 August 2025**

#### Related documents

- [Proposed Animals Local Law 2025](#) (PDF)
- [Proposed Animals Local Law 2025—marked-up with changes](#) (PDF)
- [Minutes of the meeting of Council \(27-May-2025\)](#)



The City of Joondalup acknowledges the Traditional Custodians of this land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging as well as all Aboriginal and Torres Strait Islander peoples.

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© 2025 City of Joondalup

## APPENDIX 4 — Public Notice - Joondalup Voice (26 June 2025)



Joondalup Voice

City of Joondalup

Thursday 26 June 2025



Mayor's column – Hon. Albert Jacob

### Council approves Budget

The Joondalup Council has approved the City's 2025-26 Budget at its June meeting, including a rate in the dollar increase of 3.95 per cent, one of the lowest increases of any local government in Western Australia.

The process of preparing the 2025-26 Budget encompassed detailed budget analysis and preparation, an executive review and Elected Member workshops.

In recent years, through prudent financial management, the City has delivered modest rate increases, whilst being able to provide services and facilities that have consistently met the expectations of residents.

This has resulted in a cumulative rate increase of only 4.7 per cent over the past five years compared to the average rate increase of 13.6 per cent against benchmarked local governments.

(Continues)

Budget highlights include:

- Hepburn Avenue upgrade – Lilburne Avenue to Walter Padbury Boulevard (\$3.6 million)
- Moolanda Boulevard pedestrian footbridge (\$3.5 million)
- Hepburn Avenue/Moolanda Boulevard roundabout construction (\$1.25 million)
- Duncraig Adventure Hub (\$1.2 million)
- Prince Regent Park facility upgrade (\$1.2 million)
- Sorrento Surf Life Saving Club redevelopment (\$1.2 million)
- Coastal and Estuarine Mitigation Program (\$750,000)
- Whitfords West Park pump and jump track design and construction (\$740,000)
- City Centre Place Activation (\$680,000)
- Joondalup City Centre lighting replacement (\$600,000)
- Burns Beach coastal node redevelopment (\$540,000)
- Hillarys Cycle Network Expansion (\$400,000)
- Eddystone Avenue upgrade works – Joondalup Drive to Honeybush Drive (\$268,000).

To receive 2025-26 rates notices and instalment reminders by email rather than by post, ratepayers can sign up to the eRates service at [joondalup.wa.gov.au/erates](http://joondalup.wa.gov.au/erates)

The annual waste guide, greens tipping and shredded green waste (mulch) vouchers will be available to download directly from the City's website from **Tuesday 1 July 2025**.

[View more City of Joondalup news](#)

### Community consultation — Proposed Animals Local Law 2025




The City is seeking community feedback on the proposed *Animals Local Law 2025*.

To view the proposed local law and provide feedback, visit the Community Consultation section of the [City's website](#).

Submissions accepted:  
**Thursday 19 June-Friday 8 August 2025.**

[Learn more](#)

## APPENDIX 5 — Public Notice poster on display at the City's administration building and the City's libraries (19 June 2025 to 8 August 2025)



### Public Notice

## Community consultation — proposed Animals Local Law 2025

The City is seeking community feedback on the proposed *Animals Local Law 2025*. The proposed local law has been re-drafted, following previous community consultations, to include better cat control measures including a list of cat prohibited areas, provisions for nuisance cats, as well as other amendments following feedback received from the community and the Department of Local Government, Sport and Cultural Industries. If approved by Council, this local law will replace the existing *City of Joondalup Animals Local Law 1999*.

To view the proposed local law, please scan the QR code or visit the community consultation section of the City's website at [joondalup.wa.gov.au](http://joondalup.wa.gov.au). Alternatively, printed copies can be found at all City of Joondalup libraries or the City's Customer Service Centre located at **90 Boas Avenue, Joondalup**.

The **purpose** of the proposed *Animals Local Law 2025* is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.


The **effect** of the proposed *Animals Local Law 2025* is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

To provide feedback, please complete an Online Submission Form, or submit written comments either via email to [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au) or via post to the address below. All submissions must include your full name and address.






**City of Joondalup**  
**PO Box 21**  
**Joondalup WA 6919**

Submissions accepted: **Thursday 19 June 2025 – Friday 8 August 2025**

For further information, please contact the City on **9400 4000**, scan the QR code, or email [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au).




**JAMES PEARSON**  
Chief Executive Officer

[joondalup.wa.gov.au](http://joondalup.wa.gov.au)     

## APPENDIX 6 — Public Notice eNewsletter (distributed 19 June 2025)

Proposed Animals Local Law 2025



Public Notice

Thursday 19 June 2025

Dear Resident

View the latest public notice:

**Public Notice — Proposed Animals Local Law 2025**

The City is seeking community feedback on the proposed Animals Local Law 2025. The proposed local law has been re-drafted, following previous community consultations, to include better cat control measures including a list of cat prohibited areas, provisions for nuisance cats, as well as other amendments following feedback received from the community and the Department of Local Government, Sport and Cultural Industries. Once finalised by Council, this local law will replace the existing City of Joondalup *Animals Local Law 1999*.

The **purpose** of the proposed Animals Local Law 2025 is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.

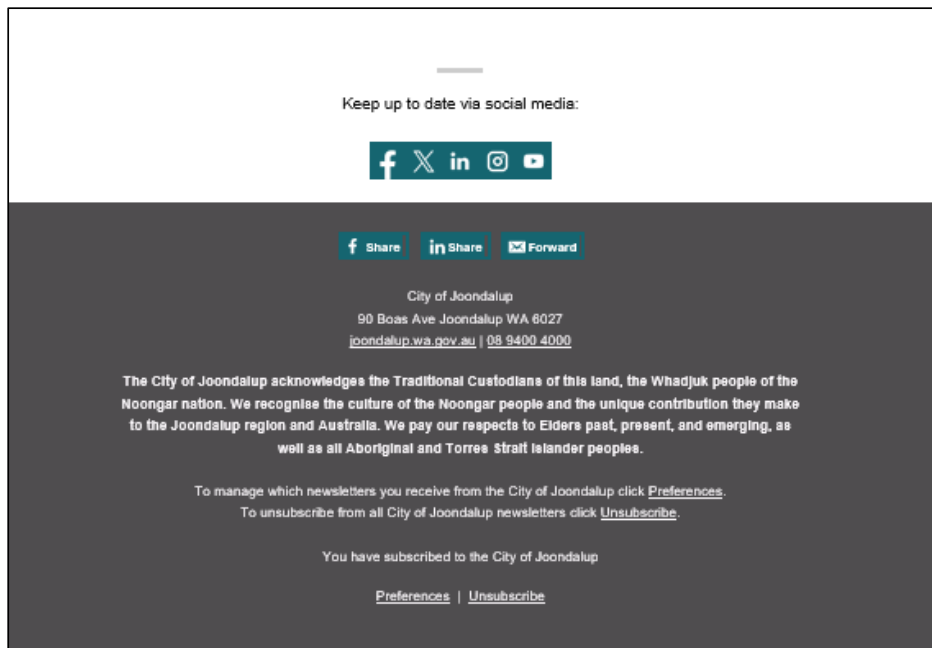
The **effect** of the proposed Animals Local Law 2025 is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

To view the proposed local law and provide feedback, please click 'Find out more'.

Submissions accepted: **Thursday 19 June-Friday 8 August 2025**


[Find out more](#)

(Continues)



## APPENDIX 7 — Community Consultation eNewsletter (distributed 19 June 2025)

No images? [Click here](#)


Community Consultation 

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**Thursday 19 June 2025**

Dear community consultation member,

View the latest community consultation opportunity below:



**Proposed Animals Local Law 2025**

The City is seeking community feedback on the proposed Animals Local Law 2025. The proposed local law has been re-drafted, following previous community consultations, to include better cat control measures including a list of cat prohibited areas, provisions for nuisance cats, as well as other amendments following feedback received from the community and the Department of Local Government, Sport and Cultural Industries. Once finalised by Council, this local law will replace the existing City of Joondalup *Animals Local Law 1999*.

The **purpose** of the proposed Animals Local Law 2025 is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.

The **effect** of the proposed Animals Local Law 2025 is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

(Continues)

To view the proposed local law and provide feedback, please click 'Have your say'.

Submissions accepted: **Thursday 19 June-Friday 8 August 2025**

[Have your say](#)

Keep up to date via social media:

[f](#) [@](#) [X](#) [in](#) [v](#)

[Forward](#)

City of Joondalup  
90 Boas Ave Joondalup WA 6027  
[joondalup.wa.gov.au](http://joondalup.wa.gov.au) | 08 9400 4000

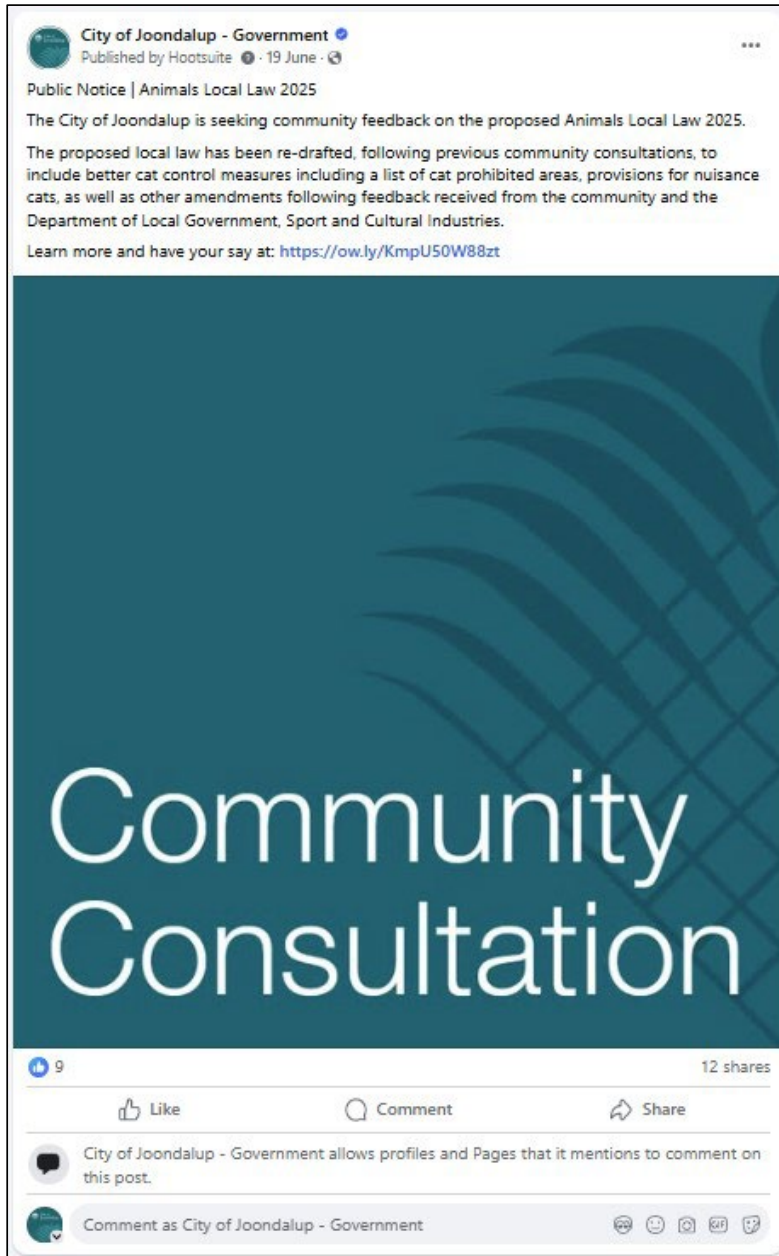
The City of Joondalup acknowledges the Traditional Custodians of this land, the Whadjuk people of the Noongar nation. We recognise the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. We pay our respects to Elders past, present, and emerging, as well as all Aboriginal and Torres Strait Islander peoples.

To manage which newsletters you receive from the City of Joondalup click [Preferences](#).  
To unsubscribe from all City of Joondalup newsletters click [Unsubscribe](#).

You have subscribed to the City of Joondalup.

[Preferences](#) | [Unsubscribe](#)

## APPENDIX 8 — Public notice Facebook post (published 19 June 2025)



## APPENDIX 9 — Submission from Joondalup Community Coast Care Forum Inc (JCCCF)

**Please provide your feedback on the proposed Animals Local Law 2025 (N=1):**

*"Joondalup Community Coast Care Forum Inc. (JCCCF) is generally supportive of the Proposed Animals Local Law 2025. We congratulate the City on its pro-active stance on the control of cats and note its policies go part way to fulfilling the Immediate Actions recommended in the WA Feral Cat Working Group report (2025). However, we see it as having several shortcomings. 1. Cat Prohibited Areas. We strongly oppose the restriction of Prohibited Areas to the City's High Conservation Areas. Cats are a menace to fauna no matter where they roam. Their primary reason for wandering is to seek out food. Their prey is most likely to be in areas of vegetation, particularly bushland. Therefore, all the City's reserves, regardless of conservation value, condition or size, should be classified as Prohibited Areas. The proposed law lists only 13 areas, the smallest being Marmion Foreshore Reserve of approximately 4 ha (40,000 sq m). We note the City of Stirlings Proposed Cat Law lists 43 Prohibited Areas, some of which are less than 1000 sq m in size. The City of Wanneroo has listed 28 Prohibited Areas. The City needs to do more to protect its native fauna. 2. Penalties. We note that all Penalties remain the same as in the 1999 Local Animal Law and do not reflect the decision by Council (11/1) on 26 March 2024, viz: 2.1 The modified penalties listed in Schedule 1 of the proposed City of Joondalup Animals Local Law 2024 be increased to \$250 for all offences. Reason required for departure from Officers recommendation In accordance with Regulation 11(da) of the Local Government (Administration) Regulations 1996, the reasons Council made its decision which was significantly different to what the administration recommended is to take into account inflation and provide an adequate deterrence to offenders. (authors underlining) The RBA inflation Calculator shows \$100 in 1999 was equivalent to \$202.67 in 2024. As costs to respond to breaches of the law have risen significantly since 1999, JCCCF believes all penalties should, as a minimum, reflect these increases and strongly urge the City to uphold the decision made by Council to increase all penalties to \$250 to cover inflation and to act as a deterrent. Please explain why rate payers should be footing the shortfall. 3. Other animals. In JCCCF's deputation to Council and in our previous submission we requested a section on the keeping of rabbits be included in the law. We note this has not been done and request again that it be added. In particular, a law should be included that makes it an offence to release a domestic rabbit into the wild as they can cause as much damage to vegetation as wild rabbits."*

## APPENDIX 10 — Submission from Friends of North Ocean Reef/Iluka Foreshore

**Please provide your feedback on the proposed Animals Local Law 2025 (N=1):**

*FONORIF supports most of the amended draft but strongly urges the City and Councilors to: - increase the Modified Penalty shown in Schedule 1 to \$250. We note the penalty remains the same as in the 1999 Law. All other charges in the City have risen so why are the penalties still being kept at 1999 values? \$100 will not cover the cost of issuing notices and recovering the penalty. Rate payers should not be subsidizing law- breakers misdemeanors. - expand the list of Prohibited Areas in Schedule 4 to all the City's natural areas. By selecting only "high conservation" areas the City is implying that the fauna in other natural areas is not important. If there is no penalty for owners who allow their cats to stray into these areas, then there is no incentive to restrict them wandering off to kill a few birds or reptiles each day. - add a section controlling the keeping and breeding of rabbits and guinea pigs. It is obvious from sightings in natural areas that pet rabbits and guinea pigs have either been released or escaped from captivity.*

## APPENDIX 11 — Submission from Friends of Shepherds Bush Reserve

**Please provide your feedback on the proposed Animals Local Law 2025 (N=1):**

*I am concerned about the number of cats I have observed either in or entering Shepherds Bush Reserve. I walk through the Reserve at least 5 times a week and have done so for the last 5 years, less frequently previously, and have only seen one bobtail goanna in all that time! As Shepherds Bush Reserve is a prohibited cat area I believe that cat owners in Kingsley should have cat runs rather than let their cats roam free to kill wildlife in Shepherds Bush Reserve and also other bush areas. Cats are opportunistic predators and should not be killing our native wildlife. On another issue, dogs are running free off lead in Shepherds Bush reserve, this is cruel to the resident kangaroos. Last week there were 3 dogs off lead at around 5:00PM obviously not expecting to be caught by the Project Officers (Rangers).*

## APPENDIX 12 — Verbatim responses

QUESTION: “Please provide your feedback on the proposed Animals Local Law 2025”

Note: Words that may identify respondents or contain offensive language have been removed and replaced with square brackets, ie [- - -]. No alterations have been made to spelling/grammar.

<b>Verbatim responses — Please provide your feedback on the proposed Animals Local Law 2025 (N = 102):</b>
<i>I recently had two cats which were roaming in our neighbourhood. They were roaming late afternoon and at dusk. They were stalking birds in our garden. I contacted the council and was told there was little they could do apart from collecting the cats if I was able to catch them. The council would not supply traps. I felt there was nothing I could do so far as trapping these cats was concerned. We need a process to address situations like I was facing.</i>
<i>Local government is charged with carrying out the wishes of the rate paying residents of their city NOT to dictate whether or not they are 'allowed to keep chickens 6-12 or any number the resident feels is appropriate for the space on their property that they feel is appropriate for them to care for humanly for the said creatures Local government overreach is on the increase. Stick to your remit of rates, roads and rubbish.</i>
<i>I would like to provide positive feedback on the basis that the number of chickens someone can keep has been returned to 12. I think this is very reasonable providing that people follow all of the recommendations for distancing from other dwellings etc. I think this will help with the ability for people to be more self sufficient and provide for more food security. This is a positive move. Thank you for listening to community feedback.</i>
<i>I wholly agree with the new animal laws. For too long have I seen cats roaming the streets and evidence of dead wildlife.</i>
<i>I live on a corner block in Kingsley, most of the verge is native plants that attract many birds and small reptiles. The local cats use it as a happy hunting ground! I have often flushed cats out of the undergrowth, either shouting and waving my arms or squirting with a hose. I do not own a cat and am very upset about these killing machines on my verge. My next door Neighbour has a cat that uses my front rose garden as its designated toilet. Unfortunately I found this out while weeding the garden without gloves. This has happened several times. I always wear gloves in the garden now. All the skinks disappeared from our garden and my suspicion is that the cat next door is responsible. The cat is getting a bit old so the skinks now seem to be recovering. I still have the poop problem. My opinion is that all cats in residential areas should be confined to the inside of a house or a cat run. Cats should not be allowed to wander freely about the neighborhood.</i>
<i>I think that you are just out making laws and taking away our rights This is not on and I fully support having a minimum of 12 chickens allowed at one residence. They eat organic leftovers and feed our soil and keep it healthy as well as producing one of the best available proteins in eggs. Stop taking away our rights, allow us to live our lives without Government interference.</i>
<i>1) There is no offence for cats who defecate in neighbour's property and gardens. Cat faeces can carry disease (toxoplasmosis) and although cats bury their excrement it still smells and attracts flies, so is a real health risk. I recently raked my back area (garden) which was covered in flies and smelled like urine. We observed cats in our back yard, and we do not keep any animals. I uncovered over 20 desiccated cat faeces in an area planned as a small backyard herb garden. I have since had to pave the area because despite alerting the owner, who politely gave me some cat deterrent powder he bought from Bunnings, as soon as it rained, the powder washed away and the cat returned. I have since been forced to pave the area. The cat has now started using our front garden as a toilet. 2) There appears to be no immediate reaction to barking dog noise. The only action for residents whose peace is disturbed by constant barking is to create a dog barking diary which promotes extra stress on the victim and extends the time of suffering the noise. 3) Please do something about feral foxes, which I realise is not within the scope of this review.</i>

<p><i>Cats should be 100% contained to a persons property. Cat runs used for outside use or cats under effective control outside premises. Council have ability to trap check for chip and fine, repeat offenders increasing fines no cat ownership, animal rehomed. Same rules in public areas as dogs!!! Tired of cleaning cat spray off my property (house,cars,boat) and spending own money to deter cats that continue to return. For example a cats spray my front door that has a security screen and I have a 1 year old baby that stands at the security door and uses his mouth.</i></p>
<p><i>My proposal for change is: All public spaces must be on lead. Any designated off lead areas must be fully fenced. Fines should be increased for dog owners who have their dog off lead in a public space. I have a dog who loved other dogs as a puppy. I socialised her carefully and thoroughly with appropriate dogs since however due to a number of attacks from off lead dogs when we were in on lead areas she became fearful and reactive of unknown dogs who rush up to her. We now only walk in on lead areas however we regularly come across off lead dogs who aren't under effective control and who rush up to her which exacerbates the issue. My dog is always under effective control as she is kept on lead. When I ask owners to recall their off lead dog (in an on lead area) they are unwilling and/or unable to and often become aggressive. Walks with my dog are stressful and I am always concerned about our safety. We have resorted to driving to and walking down busy roads to avoid coming across off lead dogs and hiring a Sniffspace so she can exercise safely without being rushed at by another dog.</i></p>
<p><i>Agree 4.2 2 Cats only per property. Agree 4.9 Cat prohibited areas. + all natural areas/bushlands in City of Joondalup. Nominating only five Bushlands (Hepburn Heights, Craigie, Lilburne, Shepherds Bush, &amp; Warwick) and coastal foreshores is good but this needs to also include all local bushlands/natural areas, like Korella Park Bushland and Periwinkle Park in Mullaloo. These areas are vital for birds and reptiles like goannas and lizards. Cats should be kept by owners within their own property. Therefore, when cats are in natural areas and parks (including bushland parks) and in the properties of other residents,,they should be caught and impounded and owners fined. If the owner/s fail to keep their cat or cats within their property, the cat or cats should be destroyed and the owner fined.</i></p>
<p><i>Cats are not meant to be indoor creatures. They go mental inside all day. I agree they should be inside at night (mine are in between 6pm and 6am) but they are allowed to roam freely in the daytime and I do not want that to change.</i></p>
<p><i>The city is making it more and more difficult to own animals and yet refuses to deal with the fox problem. Cats should be kept indoors, for their safety and for that of wildlife. Dropping the amount of cats allowed is unfair on owners and current registrations should be honoured. However, providing cats are kept indoors, they are not doing any harm and there should not be a limit (hoarding laws should be in place though). Dropping the number of cats allowed per household will reduce the amount of cats adopted, make it more difficult to get cats off the street and make the job of animal rescues even more difficult. Preventing the breeding of dogs and cats without a licence might be more effective in tackling the issue.</i></p>
<p><i>The cat restrictions remain insufficient. I should not have to tolerate cats on the boundary fence aggravating my dog, and they certainly should not be allowed to roam freely through my property or the greater neighbourhood defecating, killing wildlife and fighting other cats. It should not be my responsibility to be raising nuisance reports and trying to identify which of the many roaming cats are causing the issues. Cats, like all pets should be contained to the owners property unless on leash. I understand that the city is restricted by the Cat Act and I ask that Joondalup seek the support of other local governments such as Fremantle to lobby the state government for changes to the act to allow local government to implement cat containment. In my own neighbourhood, local cats have decimated smaller bird life and we are left with an inundation of Australian ravens, this destruction can not be allowed to continue.</i></p>
<p><i>Support amendments on Cat Local Law. Strongly support maximum poultry number to be at least 12 per household. Support the modified penalties listed in Schedule 1 of the proposed City of Joondalup Animals Local Law 2024 be increased to \$250 for all offences carried as per Resolution No: CJ061-03/24.</i></p>
<p><i>It's hard to make out but it appears the new laws about cats wandering have not really changed too much. I believe cats should not be allowed to wander away from their house in the same way dogs are not. The same rules should apply. Roaming cats kill thousands of birds and native animals every year. There are a couple of cats that come to my house and stir my dog up</i></p>

<p><i>causing her to bark to defend her property. This leads to people writing letters to me but no comeback to the cat owners at all.</i></p>
<p><i>Cats should be confined to their own home/backyard just like dogs have to be. So many cats are a total pest to others and wildlife.</i></p>
<p><i>I am in support of keeping cats contained on Properties but not the limit of 2. There are so many cats being dumped and up for adoption. I feel like this would contribute to the issue of cats being dumped. Presuming the new law would not apply to those that already have more than 2 that are currently registered. The Proposal to increase from 6 to 12 chickens would need to come with a lot of regulations as in the size of the block and how far the pens would be located from dividing fences. The smell and noise would be a major contributing factor to Neighbours within close range.</i></p>
<p><i>Under part 4 Cats, there should be sections for: 4.x Offence to excrete 4.x Cats to be confined - Unconfined cats result in many native animals and birds being killed. If you have a cat it should be confined to the house or a cat-run enclosure. At least it should be prevented from roaming at night. Confining cats would mostly eliminate the nuisance and fauna death they cause. Cats regularly excrete anywhere in the neighbourhood spreading disease and causing nuisance, as well as fighting other cats, disturbing dogs resulting in excessive barking. Why is there a difference in control requirements between dogs and cats? 4.9 Cat prohibited areas This should also include Yellagonga regional park. Cadogan park in Kingsley with its extensive natural area should also be a prohibited area. Dogs 2.4 (3) Unfortunately some people do immediately pick up their dog's excreta placing it into the plastic bag then when there is no bin in sight after walking some distance they leave the bag on the path or in the bush for the dog bag fairy (The City of Joondalup or another concerned resident) to eventually pick up. Can you modify the clause to include: Is removed immediately by that person and disposed of in an appropriate garbage receptacle.</i></p>
<p><i>My key principles are: Owners should be encouraged to only have indoor cats. Cats should be kept in at night to protect native fauna. There should be some cat-free areas. Dogs should be kept on leads except in designated lead-free areas. No household should have more than 4 pets. Owners should be personally liable for all damage caused by their pets, including medical &amp; vet bills.</i></p>
<p><i>Council should allow residents to own as many poultry birds as they wish. Communities thrive with abundant local produce. Local Government should intervene as little as possible with its residents endeavours.</i></p>
<p><i>I support the inclusion of strong regulations around responsible dog ownership in the proposed Animal Local Law Act 2025. Measures such as fines for failing to pick up dog waste, requirements to secure yards, and impounding dogs found roaming are necessary and appropriate. However, I am concerned by the lack of equivalent regulations and enforcement relating to cats. A standard fence is no barrier for most cats, and yet there are currently few, if any, consequences for owners whose cats are found wandering onto other properties or into bushland and national parks. As a resident who backs onto Yellagonga Regional Park, I frequently witness cats entering my backyard uninvited, despite doing everything required to ensure my dog complies with the law. More troublingly, I have seen cats preying on native wildlife, wildlife that is already under significant pressure from threats like feral foxes. It is time for cat ownership to be treated with the same level of responsibility as dog ownership. Cats should not be permitted to roam freely. Just as dog owners are required to ensure their pets are securely confined, cat owners must be held to the same standard. If a cat is found roaming, it should be captured and taken to the pound, and owners should be responsible for preventing their pets from leaving their property. For too long, cat-related issues have been overlooked, and this updated law presents a vital opportunity to address the imbalance and protect both community amenity and our under threat native wildlife.</i></p>
<p><i>Section 4.8 addresses cats as a nuisance. However, I do not see any corresponding regulation addressing the nuisance of a dog. For instance, my neighbour has a dog they let out every morning around 5:30 a.m. prior to their heading out to work. The dog clearly has separation anxiety as it doesn't stop barking while outdoors and separated from an owner. I call this a nuisance. I also don't appreciate any dog owner disposing of their dogs excrement in my bin because they don't feel like carrying it home. This creates another nuisance as I often have to</i></p>

<p><i>clean my smelly bin out as a result. Additionally, nowhere did I read that roos may not be kept in yards. I wouldn't think this is in the best interest of the animal nor neighbours.</i></p>
<p><i>Pls make it law that cats are to be kept inside at night, I have cats constantly defecating in my vegetables garden and killing birds in front of my front door. Also, more council rules please regarding constant barking dogs although owners have been told by council rangers. there is no improvement with the constant dog barking. We are looking to move from Joondalup area.</i></p>
<p><i>Please have cats stay in at night. They are constantly roaming my property. I know they are because my security cameras capture them. They also walk over our roof at night, waking us up. They have killed birds, and they have vomited in our pool and pooped in my children's sandpit.</i></p>
<p><i>As a responsible dog owner firstly I believe the penalties are too light and not a deterrent, does the council have rangers policing the entire shire to ensure all residents are adhering to the regulations? Parks in my locality have the appropriate dog waste bins in place but the areas are still dotted with animal droppings. Neighbours surrounding one park just let their dogs out unattended, keeping their gardens clean and saving the effort of disposing of their dog's faeces. How will these amendments change this behaviour, not policed and irrelevant fines?</i></p>
<p><i>I have just skimmed the amendments and think they are okay.</i></p>
<p><i>I am disappointed to see that the proposed changes to the Animals Local Law do not include any obligation on owners to keep cats within the boundaries of their property. Cats have well documented catastrophic effects on native wildlife and their ranging needs to be controlled. Under these laws the onus is on other members of the public to identify a particular cat as a nuisance rather than the owner to take due care to prevent harm. This is in contravention to all harm minimisation principles. Only by all owners being obliged to control cats will the effect on the environment be curbed. I also see that the list of cat prohibited areas lists a small percentage of parks and reserves, only one in my suburb of Duncraig and does not include Yellagonga Regional Park which is a significant oversight given Yellagonga's ecological significance and ongoing challenges with feral pests. I note it is also absent from the co-managing council, City of Wanneroo's cat prohibited list. These changes do not go far enough to control the detrimental effects of cats throughout the City of Joondalup.</i></p>
<p><i>Dogs Can you please consider tougher penalties for nuisance cats that stray into neighbouring gardens and walk on the roofs. Consider it an offence for any pet that is permitted to roam outside of the owners property. Chickens Whilst I understand why people want to keep chickens even the cleanest coop attracts rats and mice. The rat issue in Mullaloo is getting worse and I think the keeping of chickens greatly contributes to this. The keeping of any livestock is not suitable in a suburban setting.</i></p>
<p><i>After reading The Animals Local Law 2025 it is my considered opinion that this law will be ineffective with regards to cats creating a nuisance. Cats, like dogs, should be required to be confined to the keeper's property. The laws around nuisance cats will be ineffective when addressing the following sort of nuisance experienced by myself and other residents: 1. Cats fight outside my window at night causing a disturbance. They wake people up and scare the children. The cats are not seen so identifying them is not possible. 2. Cats spray (urine marks) on my front door entrance. This is despite me using a variety of deterrents. I do not see which cat does this - it happens when the door is closed. 3. Cat vomits on my doormat. I do not see the cat doing this - only the result. 4. Cat defecates in my garden. Again, I do not see which cat this is. I notice it when my newly planted garden bed is dug up and faecal matter is found. 5. Cats lie around in my garden disturbing and preying upon the native wild-life (especially small birds) that I seek to support by providing habitat with my native garden. At times I see a cat actively hunting while other times I just see the feathers of a bird or fledgelings that have been caught. I have no idea who the cat(s) belong to. The proposed new law states "The keeper of a cat must prevent the cat from creating a nuisance. " and then "Where, in the opinion of an Authorised Person, a cat is creating a nuisance, an Authorised Person may give a cat control notice to the keeper of the cat requiring that person to abate the nuisance". The problem with these statements is as follows: - Cat owners who do not enclose their cats thus restricting them to their own property have no idea whether their cat is creating a nuisance. - Nuisance is a very subjective matter here: "in the opinion of an Authorised Person" - Most commonly a cat that does a nuisance act cannot be identified because it is not seen while it is doing the nuisance act and so it is unlikely the keeper can be identified. This law offers nothing regarding dealing with the nuisance when</i></p>

<p><i>the keeper cannot be identified. The proposed law favours cat keepers. The people impacted by nuisance cat behaviour are left with: - The consequences of the nuisance cat behaviour (disturbance, cleaning, loss of wild-life) - The cost of trying various repellents/deterrents which from experience are without success. (This is not surprising as I am yet to find one that has credible scientific evidence at efficacy). - Potential displeasure from neighbours when attempting to find the owner of a nuisance cat (in the rare case it has been seen). What would solve the nuisance problem would be if cats were required to be confined to their keepers property in a similar way that dogs are. For example: The portion of those premises on which the cat is kept to be fully enclosed in a manner capable of confining the cat to that portion. Please draft the Law in such a way to truly protect residents from the nuisance behaviour of cats.</i></p>
<p><i>Stronger laws for roaming cats day and night need to be finalised. Protected areas like Edgewater quarry and the lake need to be covered.</i></p>
<p><i>I support 12 chickens per household. Chickens are fabulous pets and a brilliant source of food. In this time when there is a continuous assault on farmers and our food supply and constant shortages in stores it is vital that we can feed ourselves with pure organic foods. There are many benefits of keeping poultry, reducing organic waste to landfill is an important benefit. As there is a 9 m rule between chookpen and the nearest dwelling, with the increased in housing density, less and less people will be able to keep poultry naturally.</i></p>
<p><i>Fantastic changes simplified and easy to understand. Only shame is it does not clearly state that cats need to be confined to owners premises at all times.</i></p>
<p><i>I am not a City of Joondalup resident, although as I work in the City of Joondalup and Its Natural Areas I hope my personal feedback on the local law is considered. I recommend that: - A definition of "excrete" is added to provide clarity on whether the offence under Schedule 1 Item 1 of the law applies only to fecal waste or for urine also. The City amends the law to include the entire City of Joondalup, except residential properties, as cat prohibited areas to ensure all cats are kept within their owner's property and are unable to cause nuisance and impact the biodiversity of the City's bushlands. Cats are the leading cause of mammal extinction in Australia, and it would be a very positive step for the City to take to preserve its beautiful wildlife valued by much of the community. Cats restricted to a residential property are also much less likely to be injured or contact diseases. Restriction to a residential property would see a reduction in negative health conditions in residents pet cats. The Penalty for Schedule 1 Item 12 is increased as a strong incentive for cat owners to manage the movement of their animals and to prevent further loss of biodiversity from the City's bushlands. The penalty for Schedule 1 Item 14 is increased as a stronger incentive for owners given a control notice to control with the notice Thank you for allowing comments on this Local Law. Sincerely, [---]</i></p>
<p><i>I feel cats should be kept inside of the owners property. When I had a cat it stayed in my yard only. I'm sad about all the dead birds, geckos and lizards I find in my yard, as well as balls of cat fur where my geckos and frogs used to frequent. I should be allowed to enjoy the animals that used to frequent my garden before my next door neighbour got a cat.</i></p>
<p><i>We have 3 cats that are registered with the Council. We have built a cat cage in the backyard so that the cats have an outdoor area to enjoy. I was surprised that there is nothing in your laws that encourages home owners to keep their cats restricted to prevent them from killing wildlife. I noted that we have to have our property inspected and pay a registration fee to keep 3 cats, but there is nothing specifying what that fee is and how long it will be valid for. Is this in addition to the individual cat registration fee?</i></p>
<p><i>4.2 number of cats keep at 3 before making people jump through ridiculous hoops. 4. 5(1) should be able to replace a cat that has been removed or dies. The permit in is to have a particular number of cats. It should not be based on which specific cat it is. Too much red tape that is unnecessary, hard to monitor, increases paperwork and cost for administration for no benefit to any party. 4.10 need to include definition of nuisance in the code and give examples otherwise open for interpretation and too wide. 7.2 keep bee hives. Delete reference to bees. Unrealistic and clearly written by people who don't know enough about nature. Ridiculous to ask a person who has native bees or house bees in a tree to apply for permit. If need have come by themselves the person should not have to either kill them ir apply for permit. Especially since we need bees to pollinate. Poultry Agree that the limit should be changed up to 12. People need to feed themselves and their families. Also, wish city of joondalup publicised their documents for</i></p>

<p><i>public feedback a bit better. I wish to be placed on email list for future public consultations. Thank you.</i></p>
<p><i>Thank you the new changes look like a definite improvement. I would like to see regarding cats, All cats to be enclosed within the boundaries of the owners property. Easily done with a cat enclosure. Safe for the cat, wildlife and prevent nuisance cats roaming, our wildlife more then ever needs the city to make a firm stand to the future of all. With Dogs, all dogs on leashes whenever out except in enclosed dog parks. People are not responsible with their off leash dogs. So many are too busy with being on their phones to know what their dogs are doing. I have been bitten twice while doing my gardening by off leash dogs who for some reason just decided to run over and attack. Might niece was out walking her small dog on lead and was attacked by a bigger dog off lead which could have been prevented so easily if it was on a lead too. Where has all commonsense gone when we allow such behaviour in not making a firm stand with laws. As well as while out walking I have been licked by dogs who happen to think it is a good idea, again off lead. I find this behaviour totally unacceptable and the owners just couldn't care less. If the said dogs were on leads this could be controlled. Another firm stand to be made, dogs on leads at all times.</i></p>
<p><i>I am a responsible cat owner. We have one cat that keeps coming into our courtyard terrorising our cat. I have put photos of this cat on our local FB sites to no avail. I want the owners to know it is not ok to let your cat wander unsupervised.</i></p>
<p><i>People will no doubt wish there to be laws controlling cats for a range of differen reasons, My concern with cats is essentially an environmental one. Cats kill native wildlife. Within the city, cats are implicated particularly with the decline of birdlife. Whilst restricted areas are a significant first step, any of the many green areas (Golf courses, green pocket parks, tree lined sports fields, school grounds etc etc) are potential nesting/living sites for birds. Since most of the killing occurs at night, it is unlikely that many members of the public would either observe or be able to record the details of cat killings in a sufficiently accurate way to be able to identify the ownership of a particular cat so as to declare a nuisance. I support restricted areas of prohibition (24/7), but would like to see the laws also prohibit any cat from being free to roam at night (after dark-declared sunset time). Roaming cats could be captured (by members of the public, wildlife volunteers, or clty officials) without the need to actually witness them killing- and returned to the owners on a cost recovery (fine) basis. This would limit the damage cats inflict and further encourage owners to manage their cats responsibly. The program could be maintained on a cost neutral basis through balancing fines with service provisions. Cat rescue services may well be interested in collaborating on a fee for service basis. A further problem with roaming cats is that they easily move out of their home territory and into wild environments on the edges of the Joondalup city limits. A night-time ban law would provide a more secure framework to allow for cats to be removed from such areas without the need to know about the cats' ownership. In addition, I would like to see the city include provisions for monitoring bird life in the city accurately, so the decline locally could be tracked. This could assist in assessing the level of concern, maintaining appropriate planning for greening the city and the evaluating the continuing impact of cats (both positive and negative). Perhaps a collaboration with Birdlife Australia could be considered as a way of understanding what is happening in the Joondalup area. Quite limited funding could result in good quality data to support on-going intelligent decision making.</i></p>
<p><i>I am very much in support of the new cat laws, for those people who choose to have a cat they should have to take appropriate responsibility for their pet if it is unattended or unsupervised like any other animal. We have a dog and it is registered, kept safe on our property and we take personal responsibility for its behaviour. Cats cause a lot of damage and disruption to the natural environment, killing birds and other native fauna. When we had cats they were always kept inside, but other roaming cats would enter our property and spray and fight with our cats if they could. It was disruptive and an intrusion into our home that we could not stop. Registration, curfews and penalties should apply for roaming cats especially at night.</i></p>
<p><i>My comments relate to cat ownership only. I'm extremely disappointed that the council isn't proposing that cat owners be required to contain their cats on their own property, either inside or in an outside cat run. I've lost count of the number of native birds which have been killed in my backyard by my Neighbour's multiple cats, which are constantly on my property. Adequate fencing is no deterrent to a cat. I'm also very tired of my yard being used as their toilet. Cats by nature are hunting animals and shouldn't be allowed to roam the neighbourhood. In addition, for</i></p>

<p><i>their own safety cats should be contained by their owners to avoid being hit by cars. Please City of Joondalup, don't be weak on this issue, take a strong stand to protect our birds. You don't allow dogs to roam the suburbs, what is the difference?</i></p>
<p><i>We have several cats roaming around our street during the daytime and also on the evening.</i></p>
<p><i>Cats should only be kept indoors or if outdoors in approved cages, or cat runs.</i></p>
<p><i>1. Clause 8.9(4). Keeping of poultry reverted back to 12, however still reads as 6 in the table of fines. 2. Dogs; There appears to be no mechanism to make an application to keep more than two dogs in a home, unlike for cats, within this document. I'm sure dog owners were previously able to do so, by making an application. Is the City now saying that to have three dogs is considered to be a kennel, and a kennel licence is required? If so, that is ridiculous. 3. Kennels vs Cattery, clauses for applying for a kennel licence, but not for running a registered cattery? 4. Cats; I don't believe it's necessary to reduce the number of cats allowed from 3 down to 2, to simply bring it into line with the number of dogs allowed (2). Cats have less of an impact in terms of noise, than the barking of dogs, and with more cat owners keeping their cats indoors only, with absolutely little to no impact on the surrounding environment, then why should they be penalised for doing the right thing and providing a safe home, rather than having cats on the street? I do know people who currently have three cats in their home (indoors only, desexed, rescues), one a childless couple, their cats are their entire world, and a second family, who had an existing cat, took in a stray found at warehouse premises, and then a third cat came into their home when they took in a family member who was going to be homeless. They are not running a cattery, there is no commercial or financial gain to them, they are family pets taken in by people with kind hearts and compassion, yet these are the type of people that you will be disadvantaging. This also has a massive impact on cat rescues, who rely on foster homes, and will decrease their adoption rates. Many foster carers for foster-based cat rescues, have more than two cats in their home. Are you suggesting that they need to make an application to continue fostering? I would be reluctant to volunteer to become a foster carer if I knew I had to make an application to house additional cats in my home. It would also stop me from adopting further. I also think that you will see an increase in cats being abandoned and dumped, with people reluctant to pay a fee on top of cat registration. 5. Cats 4.6 Renewal of Application; The term renewal implies that an application to keep more than two cats has a time restriction. Is this a yearly fee? Is it for the lifetime of the cat? In what circumstance would you renew an application? Clause 4.6(b) - what does this even mean? It is unclear. If yes, to renewal, then I think this is deceptive. and is not clearly stated within this document. 6. 4.7 Transfer of Application; In what circumstance would you transfer an application to keep a third cat? It says that it relates only to the premises specified and only to the applicant specified in the approval, so does that mean, if an application is made by a lady of the house, but she passes away, is her husband, who was not on the original application, is now having to reapply to keep their three cats, when the cats living situation has not changed? In Section 4.5(d), Conditions, it states that you cannot substitute or replace any cat that dies or is permanently removed from premises, so is the application attached to the individual cat, or to the specified premises and the specified applicant? This is not clear. If you have made an application for a third cat, and it dies suddenly, and you decide to replace the cat, then why should a new application need to be made? The number of cats has not increased. This seems like additional, unnecessary administrative red tape for the City. How does the City plan to enforce this, and at what cost? Personally, I see this as just a money grab by the City, and once again the City dictating what can and cannot happen in private homes. Many countries do not place these types of restrictions on the number of dogs and cats that can be reasonably housed by responsible pet owners.</i></p>
<p><i>I often have neighbours cats at my house urinating on my outdoor furniture and front door, they always harass my birds and kill wild birds in my yard. I am very allergic to cats so having them all over my outdoor furniture makes it unusable a lot of the time without constant cleaning. I am in favour of the new law but would also propose that penalties be added for owners who cannot keep their cats indoors, outside on a lead or in an outdoor cat run.</i></p>
<p><i>All cat's should be kept inside a house or a enclosed cat run at all times.</i></p>
<p><i>Your changes to prohibited cat areas are weak. There is no plan or wording as to how this will be managed. There is just as much ecological damage caused by cats in residential areas. The</i></p>

<p><i>changes need to be strict. Cats should not be permitted to access outside areas unless in enclosures. Cats are unable to be detained within normal residential lots with fencing.</i></p>
<p><i>Please be advised that i have been suffering from cat nuisance for years with no responsibility showed by the cat owners. Me and many in our community are looking forward to tighten the rules and impose more restrictions and responsibility on the cat owners. It creates discomfort, i personally have found around 40 of killed birds, rats and even rabbits left by a neighbour cat at my property. Neighbours don't care, have communicated many times. Thanks.</i></p>
<p><i>It's definitely needed too many people think it's ok for their cats to run free but it decimates local wildlife. If we have to keep dogs contained/leashed then the same should be for cats.</i></p>
<p><i>I am a veterinary surgeon with 25 years experience and as we have come to better understand the devastating impact cats have on our native wildlife in Australia, I greatly welcome a review of our existing cat laws. As a vet who has spent her career caring for and treating these beautiful animals and as a cat lover who appreciates the special bond between cat and owner, I do appreciate the complexity of this problem. However, we as responsible citizens have a duty of care to both cats and the environment and we must try to serve and protect them both and current cat laws do this woefully. Cats have a natural instinct to hunt and research has shown the numbers of prey species killed collectively in Australia by our adored and much-loved pet cats is staggering. Analysis in 2020 compiling the results of 66 previous studies into predation rates by owned cats showed that on average a single pet cat kills 186 mammals, birds and reptiles per year. This equates to all of the roaming pet cats in Australia collectively killing 390 million animals per year (Legge 2020). I welcome the change in the law that states a household can only have a maximum of two cats. Not only will this reduce the density of the local cat population and therefore, the stress on the local fauna, but it will also reduce the likelihood that individual cats will suffer from stress and anxiety as a result of living in a multi-cat household. Cats are solitary creatures that do not enjoy sharing their living space. Cats in multi-cat households have a higher incidence of behavioural problems, this incidence increasing as more cats are added to a shared living space. Thus, limiting cat numbers to only two per household will have a positive effect on cat welfare. I also welcome the provision made for cat prohibited areas but it is unclear how this will be policed. Writing it into local laws and implementing it are two different things and we cannot be so naive as to think that because it says it in law, owners will suddenly abide by this. Owners close to these areas will continue to let their cats roam and cats will continue to devastate wildlife in these areas. Unless the local council are prepared to police these thirteen reserves and open spaces with constant cat trapping, I cannot see how writing it into the Cat Act will make any difference to predation by cats in these areas. In addition, even if these reserves are policed, we cannot deceive ourselves into thinking that every cat that enters a reserve will be caught and at a rate of 186 killings per cat per year the numbers will still be unacceptably high. I would also like to point out that native fauna does not only exist in local reserves. There is plenty of local native fauna in backyards and local parks where cats can still roam freely without consequence. Only the other morning as I left my house at 8am for work I was confronted by a neighbour's cat in my back yard chewing into a New Holland Honey Eater bird it had just caught and killed. Quite upsetting but I do not blame the cat. It would seem to me that simply labelling a few specified areas within Joondalup council as 'cat prohibited' is merely paying lip service to the problem and not a serious attempt to protect our native wildlife. Although it may seem paradoxical for a veterinary surgeon to state this, I don't believe the amendments to the cat laws go far enough in terms of limiting all cats ability to roam. In my opinion, I believe cats should not be allowed to roam freely anywhere, not only to protect native fauna but there are also very good cat welfare reasons. A cat that roams is far more likely to become ill or be injured or killed. Cat fight wounds and cat fight abscesses are almost a daily occurrence in the clinic where I work and this will be true for the majority of vets clinics in Perth and across Australia. Many of these cats require general anaesthesia and surgery which is an obvious welfare concern. A cat that roams is also at risk of suffering death or severe injury from road accidents (three legged cats are unfortunately far too common due to traffic accidents), or fatal diseases such as feline leukaemia or FIV. This is heart breaking for owners, pet health care workers such as myself and obviously a massive welfare issue for the individual cats. For this reason, I have found increasing numbers of responsible cat owners are choosing not to allow their cats outside but are confining them to the house or house plus outdoor cat run where they cannot escape into the local area. If our responsible cat owners are happy to confine their cats</i></p>

*should our local councils not reflect these worthy efforts, do the right thing and pass laws that force the less responsible owners to do likewise? As I have already stated I welcome the idea of cat prohibited areas but without some form of cat containment of those cats living close to these areas I do not see how this proposed declaration can be in any way effective. If we are serious about keeping cats out of these environmentally sensitive areas, we need to put adequate laws in place to support these efforts such as enforcing cat containment in households close to cat prohibited zones. In addition, and as already stated, native wildlife is not restricted to cat prohibited areas but exists in backyards and local parks throughout the Joondalup region. For this reason, we need to be working towards containment of all pet cats not just those bordering nature reserves. I would propose following the example of the ACT and taking a grandfathering approach to cat containment in areas not bordering nature reserves. In the ACT, as of the 1st July 2022, all new cats acquired by an owner must be contained. The ACT took this approach rather than a blanket ban on all cats being allowed to roam, to avoid a surge of cats being abandoned, surrendered or euthanised as owners struggle to contain cats that have previously always had access to the outdoors. In areas not close to environmentally sensitive areas this is a reasonable compromise and allows for a gradual approach to complete cat containment in order to avoid an increase in welfare concerns in these pets and allows people to consider the need to contain their cat when considering purchasing or acquiring a new pet cat. We cannot blame cats for the devastating effect they have had and will continue to have on our precious native wildlife. On the contrary, it is our fault if we fail to act and implement laws that will actually be effective. I fear that the changes being put forward have been designed so that something is being seen to be done but in effect they are too weak to have any significant impact on the problem. In my opinion we should be working towards laws that prohibit every pet cat from roaming in order to protect both native fauna and the welfare of the cats themselves. Make no mistake, although beautiful and incredibly endearing and despite the companionship and joy they bring to many of us, cats are the ultimate predator who have already brought about the extinction of over 20 Australian mammals and if we fail to act decisively, they will bring about the certain destruction of many more. 1. Legge at al., We need to worry about Bella and Charlie: the impacts of pet cats on Australian wildlife: CSIRO publishing, Wildlife Research 2020, 47, 523-539*

*Any additional control on free-roaming cats, controls on dog ownership and dog behaviour is greatly appreciated. Overall more control on animal ownership and management is sorely needed. As a cyclist, I regularly encounter excrement on the coastal dual-use path. Also, encounter dogs on leashes that are excessively long and do not allow the owner to properly control the animal. A rule limiting leash length to one to one and half metres would be great. Last suggestion, the City should require cat owners to not allow their cats to roam freely at anytime. My security cameras regularly pickup cats entering my property during the very early morning hours. It should be a requirement that cats must be kept indoors or in an approved outdoor cat-run.*

*Please bring in some sort of registration:license to have a cat in the community. I'm not against cats at all, BUT I've had several come on to my property & destroy birds on my front door mat. It's sad & destructive to our native wildlife. They should not be allowed to roam freely. We're not allowed to have dogs roam freely, same should be for cats. To own a dog you need it to be registered, microchipped & on a lead outside your home. Stronger penalties should apply if a cat is found to be roaming the streets.*

*The keeping of cats as pets should be reviewed due to the damage they cause to native fauna populations.*

*I would firstly like to thank the members of Joondalup council for making further amendments to law proposed last year. In general, I support the proposed act. Specifically in relation to cats, the proposed amendments put some of the onus back on to cat owners to restrict their movement in our suburbs and thus protect our wildlife. Whilst I acknowledge the restrictions of the Cat Act (very frustrating!!), it is disappointing that clause 4.3 suggests that a 'nuisance' cat 'is unlikely to extend to a cat merely entering a property without consent'. Cats don't 'merely' enter a property, but rather kill wildlife such as birds, frogs and lizards that owners have worked hard to provide habitat and food for. The proposed law states that a person in 'authority' has the right to address 'nuisance' cats but what does this mean. Does a home owner need to report 'nuisance' cat to*

<p><i>the ranger? Can home owner trap 'nuisance' cat and then call ranger or take cat to the pound? Thank you for the opportunity to provide feedback</i></p>
<p><i>I have read the changes that have been made to the Animal Local Law 2025. My comments; I am not convinced that being less specific is a good idea, does everyone understand that it includes them? The keeper of the animal! I detest the Americanisation of the language, millimetre to millimeter, NSW use millimetre. On page 6 of the changes it mentions Lilburne Park. I live on Lilburne Road and do not know of Lilburne Park, neither does the map on my phone? Thanks.</i></p>
<p><i>Cats should not be allowed outside of the owners home as they can be carriers of the parasite Toxoplasma gondii, which can be spread into soil when they urinate and contaminate any food grown in that soil. This parasite may cause behavioural and psychological changes in humans and it is not fair that people have to be at risk because of other people have chosen to own a cat. Furthermore, there needs to be actual enforcement of the fines implemented. I regularly see dogs urinating in public areas and owners just letting them. This activity from both cats and dogs is concerning to both human health and the health of native flora and fauna. I disagree with having introduced species such as domestic dogs and cats in Australia allowed outside where they can damage soil, threaten fragile ecological systems, kill native animals, trample native vegetation, etc. It is also unfair that people who choose not to own such pets must face consequences such as potential parasite exposure, potential attacks from dangerous dog breeds, unwanted contact with uncontrolled animals (eg: dog coming to lick you).</i></p>
<p><i>There seems to be nothing in this law regarding Dogs not to be a nuisance. What local law covers dog barking? I think that dogs with uncontrolled barking are absolutely considered a nuisance. Also, what about dogs to be under effective control outside of their own property? Or is this too covered under a different local law? So if there are no other such local laws to abide by for both Dogs not to be a nuisance and Dogs to be under effective control outside of their private property. I feel these need to be addressed and added into this local animal law. Thank you.</i></p>
<p><i>I support the changes and the introduction of cat prohibited areas.</i></p>
<p><i>The update of part 4 is excessive in limiting domestic cat free movement as the culprit of wildlife destruction. This is a one sided agenda pushing the responsibility only on legal cat owner. I would prefer to see the city effectively controlling foxes roaming around rather than trying to catch domestic cats only to fine cat owner.</i></p>
<p><i>With regard to updating the above law, I notice that with regard to the keeping of poultry, clause 8.9 (4) states that 12 poultry may be kept, yet under prescribed offences item 41-8-9 (4) states that keeping more than six is an offence. This needs clarification. I would hope that a resident is still permitted to keep twelve poultry, as reducing this number is government overreach. Additionally, I notice that keeping more than two cats above the age of six months is prohibited. As long as cats, or dogs for that matter, are not creating a nuisance and are looked after properly, I cannot see why residents should be limited to the number they may keep. Again, this is government overreach. Residents should be left to live as they seem fit, without interference from government, unless animals are being neglected and causing problems for the community. Yours faithfully, [---] Woodvale resident.</i></p>
<p><i>Re- maximum number of cats. This change to be maximum 2 cats is ridiculous. Most residents keep their cats inside so not a pest. We foster cats from time to time and recues are often overflowing with cats so require you to take more than one. If a resident have one or 2 cats already then under this change they would not be able to foster the cats that are in desperate need of care. Foster cats are kept inside, desexed and rehomed as soon as they are able. I 100% do not support this change.</i></p>
<p><i>Hi There I am the owner of two cats and two dogs. I firmly believe that ALL dogs and cats should be constrained within their home, so in standard residential areas within their yard, and for properties that are larger within a defined space, so they are not able to roam. This would not only keep the pets and community members safer but would also help a lot in the recovery of many of our threatened native species that are devastated by the impact of feral cats and dogs. I believe that that there should be more proactive work from all of the councils to control and trap stray animals. I also feel that with advocacy from all of the city councils, Western Australia should look to the NSW model where pets have a one-off lifetime registration. This would</i></p>

<p>encourage owners to register their pets and then with the above-mentioned trapping and control, animals can be returned to the owners quickly and for those that are repeat offenders, an escalating fine system put in place with the ultimate removal of their pets if they do not comply with constraining their animals to their own pre-defined boundaries.</p>
<p>I've reviewed the proposed changes to the regulations concerning the management of cats. As a non-cat owner they seem vague about keeping cats on the owner's property and that they should be registered by an owner. An internet search about Joondalup's restricted areas - there are none listed! We live not far from the Earlsferry Reserve and I'm doing my best to grow trees and bushes to encourage birds and reptiles. There are at least three cats that can be seen crossing the local streets during the day. After seeing a programme about cats as pets, released to wander the streets particularly at night, they can travel up to eighteen kms in a week. The local park is not immune to being visited by cats. The safest places for the local bob-tail lizards is in the back yards of residents! A suggestion is that reminders about cat management and dog (excrement on footpaths and in the park) are included with the council rates notices.</p>
<p>Dogs should be on a leash when not in a prescribed area, clearly marked. Regular patrols should cover other areas where dogs and people, particularly mix.</p>
<p>I strongly request that it is the responsibility of cat owners to keep cats on their own property to protect the local wildlife. I regularly see a resident allow her cat to venture out toward the bushlands across the road. I see it then hide in bushes looking like it is ready to pounce on wildlife. Perhaps providing information or photos on the City of Joondalup website about examples of cat enclosures that owners can put on their own property to refer people to.</p>
<p>Reduction to two cats is good. Cat exclusion areas are excellent, but should it not include all parks and reserves in a suburb? Mawson park for example has an abundance of bird life, but you are ok to have cats roam through it!? I would have appreciated if cat owners were forced to keep their cats on their property overnight, rather than getting the dogs in the neighbourhood barking excitedly, when a cat comes wondering through the garden.</p>
<p>The proposed changes to the cat laws are long overdue and could be be more severe. The amount if domesticated cats left to roam, causing havoc with other domestic animals and decimating wildlife is criminal.</p>
<p>I have concerns of changing the limit of cats per household from 3 to 2. We are currently facing a crisis with unwanted cats. The reduction will prevent the adoption of additional rescue cats. Unlike dogs, there is no major change in behaviour from cats in larger groups. It would be far more advantageous to include rules about mandatory desexing of cats past 6 months of age, unless they have a breeding licence. Mandatory desexing, microchipping and vaccinations should be included in this document for all animals that would be considered a pet. 3 cats per household should remain as it serves no benefit to change it. The wording of the 2 cat rule change also has no clause for existing circumstances. It seems unfair that if someone currently has three cats, once the new document comes into affect, they will be committing an offence.</p>
<p>We need more off lead dog areas so dogs can run and chase balls. some more enclosed parks for dogs would be good.</p>
<p>[---] Part 2 Dogs 2.6 Maximum No. of Dogs, 2.6 Maximum number of dogs: A person shall not keep or permit to be kept on any premises more than 2 dogs over the age of 3 months and the young of those dogs under that age unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26(3) of the Dog Act. Wording from the DOG ACT 1976: The Dog Act 1976. Part V " The keeping of dogs 26. Limitation as to numbers (1) The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age. (2) Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt. (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption " (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein; (b) shall not operate to authorise the keeping of</p>

more than 6 dogs on those premises; and (c) may be revoked or varied at any time. According to the Dog Act 1976 (above), the City of Joondalup has the authority to allow an exemption from rules applying to a kennel establishment, to allow for Home Pet Boarding with a limit of 6 dogs at one time on the premises. A dog Kennel denotes an outside establishment of a row of individual wire fenced enclosures, with a concrete floor, [In the proposed Local Law: 3.8 Kennel establishment requirements (h) for each dog kept therein every kennel shall have not less than 1.8m<sup>2</sup> of floor space and every yard not less than 2.5m<sup>2</sup>]; the dog is confined to a small space, cold in winter and hot in summer, for the duration of their stay. They are alone in their cell for up to 15 hours every night. Depending on what the owner pays extra for, exercise is limited (if any) and human interaction is minimal. Dogs can suffer from fear of abandonment, extreme stress, lack of human company and lack of exercise. This is an ARCHAIC AND OUTDATED method of dog boarding for 2025 and beyond. Although a Kennel may be the only option for some dogs, facility standards must be improved, with regards to the presentation and maintenance of the grounds; dogs comfort; and the time that staff spend with the dogs. An Annual check of kennel facilities, by an authorised representative of the City of Joondalup, should be done to ensure compliance. A NEW category of temporary pet boarding should be included in the C.O.J Animals Local Law 2025: PROFESSIONAL HOME PET BOARDING, where reasonable operating standards are documented and met and include: A Police clearance check, initial Council inspection, provider qualifications and/or proof of experience working with dogs and/or other pets. Official approval of a home pet boarding provider, by the City of Joondalup, would give pet owners seeking a more comfortable, less stressful, supervised, home environment care option for their Canine family member(s), an operating standard to trust when seeking a credible professional pet minder to safely care for their pet(s). Part 2 “ Dogs 2.1 Pound The local government may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act or this local law. Most Council Pounds are seriously inadequate with regards to the comfort of dogs in their care. Add: standard operating procedures for pounds: A pound must provide to all dogs in their care: an off-the-ground flat bed suitable to the dogs size, with mattress and blanket which must be cleaned and replaced if soiled, and replaced for each new dog that enters the kennel. Water bowls checked and filled when needed, and at least 3x a day. Vet recommended dog food offered twice daily. The facility must be air conditioned/heated to human comfort standards in accordance with the weather conditions on any given day/night. Each dog must have individual access to an exercise yard, for at least half an hour a day. A dog must not be returned to, or given new ownership to, any human or environment that would put the dog at risk. Where a home has not been found for a dog housed at a pound, all efforts must be taken to contact all possible dog rescue organisations to collect the dog, and provide the dog the opportunity to be rehomed to a suitable home. Part 4 - CATS 4.2 Number of cats that may be kept for the purposes of the definition of standard number of cats in regulation 4(1) of the Cat (Uniform Local Provisions) Regulations 2013, a person who is ordinarily resident at prescribed premises shall not permit more than 2 cats over the age of 6 months to be kept on that property. Add: All cats over the age of 6 months must be sterilised unless registered with a Registered Breeder. REGISTERED BREEDERS. To be granted Registered Breeder status, and maintain Registered Breeder status, stricter rules must apply, and the breeders premises monitored by way of regular council inspections (every 6 months), to ensure compliance with current animal welfare legislation and local council laws. 4.9 Cat prohibited areas (2) (b) Add: all methods available must be used by Council officials to contact the Owner/Carer of the cat, enabling the safe return of the cat to the Owner/Carer, subject to imposed financial penalties being paid. If the Owner/Carer neglects to collect their cat, all possible cat rescue organisations must be contacted for collection of the cat, to enable the cat to be safely rehomed. NOTE: The C.O.J Animal Local Law 2025 must allow for residential outside cat enclosures that allow an owners cat(s) room to move, height to climb, and rest above ground level, sheltered from the direct sun and heat in Summer, and possible flooding in Winter, with no restrictions to proximity to the owners dwelling and not less than .5metres from any perimeter fence. A cat should only have access to the enclosure for a restricted period of time on any day, or otherwise be allowed to roam outside during the day (not in cat prohibited areas), and be kept inside the owners house at night during night curfew. Add category: Transport and Tethering of animals. Add: No animal including a dog is to be transported in the back of a Ute tray within the City of Joondalup, unless a built for purpose enclosed mesh cage is securely fixed to the ute tray

where mesh gaps measure not less than 2cm and not more than 5cm in diameter to allow the dog or other animal, ventilation and to see out. Height of enclosure must allow the dog or other animal to stand freely with an additional 20cm above their head height when standing. Add: No animal is to be left tethered unattended outside a shopping centre. Add: No dog or other animal is to be left tethered unsupervised at any property as a way of containing an animal onto that property. Add: Dogs must be walked on lead when being walked on any roadside, footpath, or alleyway. Part 5 " Livestock 5.4 Horse Exercise Area (3) A person shall not ride, drive, exercise or train a horse on any part of a reserve or foreshore set aside under subsection (1), faster than walking pace or City of Joondalup Animals Local Law 2025 in a manner so as to create a danger or become a nuisance to the public or to any person. (4) A person may only ride, drive or bring a horse onto a designated horse exercise area between the times of midnight and midday, Monday to Saturday. Horse exercise areas are few and far between and should be available to horses and their riders/drivers/trainers all day long Monday to Saturday inclusive. Clear signage needs to be erected by the City of Joondalup at all three entries to each horse beach, stating the hours horses are allowed. (5) A person may exercise a dog on an area of reserve or foreshore set aside as a horse exercise area provided the dog remains under full control on a leash during the times set out in subclause (4). A dog may be exercised within a designated horse exercise area off leash at all other times. Dogs and Horses DO NOT MIX. They are a risk to each other and AT ALL TIMES, DOGS SHOULD NOT BE ALLOWED ONTO A DESIGNATED HORSE EXERCISE AREA AND VICE VERSA. Keep designated beach areas for Dogs, and designated beach areas for Horses, separate. Part 6 " Pigeons. 6.2 Restrictions on pigeon and dove nesting or perching (1) An environmental health officer may order an owner or occupier of premises in or on which pigeons or doves are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so. (2) An owner or occupier must comply with an order made under this clause. DELETE 6.2 (1) and (2). Cats are blamed for destroying wildlife, but the City of Joondalup is doing the same thing by instructing people to destroy Dove nests!! The City of Joondalup or any other body, has NO RIGHT TO ERADICATE A SPECIES JUST BECAUSE IT MAY BE AN INCONVENIENCE TO SOME. Interference by humans, with the balance of nature and the rights of other species, is not acceptable so delete this section entirely from the animal local law 2025. If you have to prevent breeding of one species, make it snakes! They can kill us! and many other protected species of wildlife, while Doves are gentle birds and no threat to anyone! 6.8 Cage, enclosure or loft requirements Specify a minimum enclosure size for each bird, to allow natural freedom of movement. Part 8 " Animals, Birds and Poultry 8.3 Keeping a miniature horse (2) An owner or occupier of a premises shall - (a) not keep more than one miniature horse on land without the written approval of the local government; and (b) not permit a miniature horse within 9 metres of any house. (a) Horses need company of their own kind! Allow at least 2 horses together. (b) A miniature horse should be able to go up to their owners house without the permission of a council body. Add: (c) The land on which the miniature horse is kept, must be fully enclosed with approved fencing and gates for the safe keeping of horses. Add: (d) The enclosed horse fencing must be set back from any main road by (???) (4-5?) Metres). 8.9 Keeping poultry 2(a) no poultry is able to approach within 9 metres of a dwelling or within 1 metre from a boundary of the lot; Within 9 metres of a dwelling is unrealistic. It should be 4 metres. 2(b) x. the sawdust or sand must be kept dry at all times and be changed at least once every 6 months or when directed by an environmental health officer. The sawdust or sand should be changed at least every 3 months. NOTE: Theres no mention of the keeping of Guinea pigs, Rabbits or Rodents. A minimum enclosure/cage size must be specified to allow enough space for the animal to move about freely. Enclosures/cages must not be left on a lawn unsupervised in the heat of direct summer sun, ie above (specify a temperature), or in cold temperatures below (specify a temperature) or in wet conditions, to avoid possible flooding. Cages/enclosures must have an enclosed loft area at least .70metres above ground level with access by a ramp, with the enclosed area being no less than .30metres high, to allow an animal to escape hot, or wet ground. Enclosures must be kept in moderate temperatures with areas of both sunlight and shade to the enclosure/cage, and be kept in a secure area away from predators. Please acknowledge receipt of this submission by return email.

I write to express my strong support for the improved cat control measures outlined in the proposed Animals Local Law 2025 by the City of Joondalup. One of the most compelling reasons to strengthen cat management is the significant threat domestic and feral cats pose to

<p>Australia's native wildlife. According to research published by the Australian Government's Department of Climate Change, Energy, the Environment and Water: "Cats kill over 1.5 billion native animals in Australia each year" this includes 1 billion reptiles, 316 million birds, and 399 million mammals." Source: Woinarski, J.C.Z. et al. (2017). "How many birds are killed by cats in Australia?" <i>Biological Conservation</i>, and companion research on reptiles and mammals.</p> <p>"Domestic cats (owned cats) alone are responsible for killing approximately 546 million animals annually in Australia, even when they are fed at home." Source: Legge, S. et al. (2020). "The effectiveness of predator control to conserve biodiversity in Australia." <i>Biological Conservation</i>.</p> <p>Studies show that roaming pet cats kill on average 186 reptiles, birds and mammals per year. Source: Australian National University / Threatened Species Recovery Hub. Beyond the direct impact on wildlife, roaming cats can cause significant nuisance in neighbourhoods fouling gardens, fighting with other pets, and breeding uncontrolled. Personally, I have spent many years and a considerable amount of money introducing native plants into our garden to create a safe haven for local wildlife. This effort has brought a beautiful array of native birds and lizards into our yard. Sadly, it has also attracted the attention of roaming neighbourhood cats. It is absolutely heartbreaking to regularly find dead birds in the garden after all the time, care, and commitment that has gone into creating a thriving habitat. The inclusion of cat prohibited areas, provisions for nuisance cats, and broader enforceable measures in the Animals Local Law 2025 is not only appropriate, it is urgently needed. Responsible pet ownership includes recognising the environmental and social impact of allowing cats to roam freely. I urge the Council to finalise and implement the proposed law, and to support strong enforcement mechanisms alongside public education about responsible pet ownership. Thank you for the opportunity to provide input on this important initiative.</p>
<p>All cats should have to be contained to the owners property just like dogs. For too long most cats have been allowed to roam day and night, killing wildlife, fighting, spraying people's houses and breeding unwanted kittens. While some owners are responsible, many are not. I hope that Joondalup council will make this law. Kind regards, [---]</p>
<p>Cat Prohibited Areas Add to clause 4.9: All private property where the owner has not given permission for the cat to roam Add to clause 4.9 or Schedule 4, as appropriate: All parks, all nature reserves and all conservation reserves e.g. Trigonometric Park, Glenbar Park, Poynter Park, Granadalla Park, Galston Park, Percy Doyle Reserve.</p>
<p>New Section 2.7 Dog not to be a nuisance 2.7.1 The keeper of a dog must prevent the dog from creating a nuisance. 2.7.2 Where, in the opinion of an Authorised Person, a dog is creating a nuisance, an Authorised Person may give a dog control notice to the keeper of the dog requiring that person to abate the nuisance. 2.7.3 When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for a period specified on the notice which must not exceed 28 days. 2.7.4 The keeper of a dog given the notice to abate the nuisance must comply with the notice within the period specified in the notice.</p>
<p>the text is written in a much better defined and clearer language than former other texts. Congratulations. I have a problem with "nuisance". We remember the case where neighbours through first hot coffee, then used the garden hoses then went to court.....all for just about nothing.....In case neighbours cannot settle "a problem" we need a prescribed arbitration process, which one neighbour can approach and the other neighbour "HAS" to accept. If that does not work, well then they either drop the case or go to court. I guess the existence of such a procedure would make neighbours think again and maybe.....just forget the "problem". I miss a para about rabbits: they need to be contained giving them the chance to express their natural behaviour, but locked in to the extend that they cannot escape. The reason is that the escaped rabbits breed with feral rabbits, therefore adding to the breeding population...I was not aware that we have large animals in Joondalup....I thought they were homed in Wanneroo...interesting.....It is good that the Horse Beach is included in this Law, many people wonder why we have that beach: the horses are mainly stabled in Wanneroo but the owners in many cases live in Joondalup or Sterling. An overarching public benefit. And almost all dogs behave well and the beachgoers love to see the horse. Under prescribed offences I noticed "other offences". A LAW should be specific, so, unless we know what we have in mind, we better cut "other offences". In wonder about wildlife: rats kill much more wildlife than cats and yes, as pets rats are very social companions. In case we do have rats as pets, and I think we have, is it worthwhile to add a para? Overall: job well done.....</p>

<p><i>Need to provide more off lead dog parks as only 1 in Joondalup which is small (Winton road) with no facilities and only 1 dog beach. Parks need to be clearly identified as to which allow off lead dogs under effective control of owner. Consider training courses attended by dogs and owners to be mandated. Cats to be kept contained in own property.</i></p>
<p><i>I support the new laws I would like to see it be an offence for people who let their cats roam outside and particularly an offence if someone's cat or dog hurt or kills a native animal.</i></p>
<p><i>While you are focused on eradicating cats - which I very rarely see, there has been an increase in rats. Also do something about off-lead dogs and the amount of dog poo around the place.</i></p>
<p><i>I am supportive of the changes and increased restrictions to the movements of pet cats. My neighbour owns two cats and they are allowed to roam the streets 24 hours a day. I have asked her to at least bring them in at night, but this hasn't happened. I am very concerned about the number of birds and reptiles that are killed by domestic cats every year - on average 186 kills per cat, including birds, reptiles and mammals. (Source: <a href="https://invasives.org.au/wp-content/uploads/2023/06/Pet-cat-impacts-June-2023.pdf">https://invasives.org.au/wp-content/uploads/2023/06/Pet-cat-impacts-June-2023.pdf</a>) I am also supportive of the provisions for nuisance cats, as I have had many seeds and seedlings dug up from my neighbour's cats using my gardens (front and back) as a litter box. This is not only frustrating, but potentially a health risk due to exposure to parasites in cat faeces, as I grow edible plants in my garden.</i></p>
<p><i>I currently have no pets, so there are many birds that make homes in the bushes and trees near my property. I often have the unpleasant experience of cleaning up dead and dying birds who were victims of attacks by cats whose careless owners allow them to wonder the neighbourhood. These cats also like to use parts of my garden to defecate in. I appreciate the introduction of stronger cat laws to be more in line with existing dog laws. The same law as 2.4 making it an offence for a dog to excrete should also be applied for cats. The same law as 2.5 regarding dogs being confined should also be applied for cats. Cats should be confined to the owner's property the same way as dogs are required to be. This prevents the killing of local wildlife (not just in parks as prescribed) and this also prevents cats from being a nuisance and defecating in neighbouring properties. The same law as 4.3 defining a process to apply for more than 2 cats, should also apply to dogs. There does not need to be separate sections for Dogs and Cats. These laws should be merged, and Cats and Dogs should be treated the same, and have the same laws applied to them equally.</i></p>
<p><i>I would like to see no changes to the law.</i></p>
<p><i>Cats impact on our environment under the cloak of darkness, wandering outside their home territory to hunt. My current garden is host to many native birds and now that I have security cameras, I have noticed at least five different cats in my yard on a daily basis. Some cats visit our property three time per day and also late into the night AND IT IS IMPOSSIBLE TO CURB THEIR BEHAVIOUR WHEN THEY ARE ROAMING. Two neighbors nearby have also complained to me that their gardens are being used as hunting grounds. One neighbor is losing fish from his pond on a regular basis. Feathers left of the ground, especially in nesting season, are the only indication of a bird kill. As we reside close to the PROHIBITED ZONES for CATS it is quite possible that these and other cats frequent and hunt in this environmentally sensitive area. I have night footage of a FOX stalking in my front yard, so it is also feasible that cats will travel into the designated PROHIBITED ZONES, where I am sure there are many animals that become prey to these urban cats. Whilst urban cats may kill fewer animals on average than a feral cat in the bush, in urban areas the density of cats is much higher. As a result, cats in urban areas may kill many more animals per square kilometre each year than cats in the bush. Cat owners have a responsibility to manage their animal and know where they are at all times. Perhaps a NIGHT CURFEW is required. Enforcing a night curfew and perhaps encouraging cat owners to install a cat run, cat enclosure or cat-proof fencing will ensure cats can roam safely on their owner's property. The current laws regarding cat ownership and regulations are out of step with current environmental practices. A night curfew is a SIMPLE and COST-EFFECTIVE way to ensure that cat lovers can enjoy their pet without the cat causing destruction to the local wildlife. Many other councils have invoked a night curfew with good results to support our native animals.</i></p>
<p><i>Hello, I believe the current system for dogs off leash in parks is working well. This does not need to change. The overwhelming majority of Dog owners are responsible. I would like to see a cat curfew brought in asap. Quite often I see stray cats - not sure who they belong to but obviously neighbors. These cats predate on the birds and small lizards on my property. Regards, [---]</i></p>

<p><i>Please make a law that cats should be contained within their own property. Especially at night! Our Cat is contained in our yard with cat netting and has access to inside our house 100% of the time. We are fed up with cat fights at night cats using our garden as a toilet. Upsetting our dogs and neighbours dogs day and night because they are on everyone's property except their own they set our cameras off at night and disturb our sleep. All Pets should be contained within their properties and be on leashes if dogs and or cats are not within their properties to maintain safety to all. As well as harmony in our suburbs. It isn't fair to disturb our sleep and also end up with poo left on lawn &amp; driveway from Dogs and buried poo from Cats in our gardens. The cat fighting is noisy and distressing to listen to. So please make everyone accountable for our peace and the safety of our native animals as we all know cats can tragically kill many species if they are allowed to roam. Also the cats that get run over it is traumatic for any driver and also makes our roads unsafe when a cat or dog runs out unexpectedly. I don't want cats or dogs put down that's cruel however we do want owners to be responsible and accountable for their pets. We need the shire to make owners accountable. We need the shire to be able to take acceptable enforcement of curfew rules that may be implemented otherwise the issues will continue from the same people who choose to have pets and are not responsible owners.</i></p>
<p><i>Cats should be kept in at night and no more than 2 per household. Cats should not be allowed in natural areas.</i></p>
<p><i>The cat laws don't go far enough. Unless cats are considered livestock there is still no requirement to keep your cat on your own property. The laws for cats should be exactly the same as dogs ie contained, pick up faeces, restrained in public places etc. A cat that is roaming is causing a nuisance, just by being there, to neighbours, drivers, gardeners, responsible cat owners and most importantly fauna that don't know they should stay in designated reserves to stay alive. There should be a restriction on cat ownership within 2km radius of any reserve boundary. Cat laws must be stronger to reflect the damage they do to our rapidly declining and threatened wildlife species in urban and rural areas. All roaming cats should be trapped, scanned and returned to their owners with a fine that reflects the damage they do and a requirement to modify their property to keep the car contained within a reasonable time frame and the requirement followed up with an inspection similar to pool owners. The city should do more to assist those people that have to deal with other people's cats stalking, spraying and defaecating on their unfortunate neighbours property ie supply traps. An owner that allows their cat to roam is irresponsible and should be treated as such just as dog owners are. Thank you[---]</i></p>
<p><i>Limiting the number of cats to 2 is not necessary if the owner keeps the cats contained in their property. There is a cat crisis in Perth and limiting the number of cats that responsible owners can have just means more cats will stay on the streets. There is also no provision that I can see for foster carers who provide an invaluable service to the community and may have multiple foster cats at a time.</i></p>
<p><i>Schedule 4 should not totally replace the clauses under Cat prohibited areas, in particular the first paragraph, (1), primarily because Schedule 4 as it is proposed appears to limit the prohibited areas to only those in the Schedule list. There are likely to be other areas in the City that are also of significant fauna value. For example parks or playgrounds that have small lake or ponds where water birds and frogs, etc, breed or that are otherwise home to native fauna. Two local examples that come to mind are Mawson Park and Broadbeach / Waterston Park. It is recommended that a clause be included that makes clear that from time to time other areas may be designated prohibited. A possible alternative could be to increase the list, to cover all such areas, but which may not be all that practical. Secondly, please note that Stirling proposes in addition to legislate Fauna Protection Buffer Zones (falling within 200 metres of their Cat Prohibited Areas). This approach appears more likely to have the desired effect of limiting the number of cats roaming in the prohibited areas.</i></p>
<p><i>I support 12 chickens per household. It is imperative people should be able to feed themselves with all these constant egg shortages.</i></p>
<p><i>These proposed amendments aren't adequate to improve the situation in relation to cats. Every cat should be licensed - even a single cat at a private home. Same as dogs. Most of the issues in this neighbourhood are caused by single cats at private homes which are allowed to roam freely 24 hours a day. And left 100% unattended when the owners go on holiday. All cats, including single cats, should be contained in an enclosure. A further concern is re enforcement. Currently, although cats are caught and caged, after the fine is paid, they're back roaming the</i></p>

<i>neighbourhood - killing birds, fighting with other cats all night. Cats should not be returned. Clearly fines aren't a sufficient deterrent especially such a low fine.</i>
<i>The updates do not deal with the problem of cats killing birdlife. Dogs have to be restrained / fenced in, but it is uncontrolled cats which do a lot of damage. The same rules should be applied to cats as currently apply to dogs. It is sometimes impossible to locate the irresponsible owners of cats, especially of those cats active at night.</i>
<i>Cats are an invasive species and I support a total ban of them as a pet. I don't accept I should have to regularly clean up cat faeces from my garden when I do not own a cat. They enter my property and agitate my dog. I plant native plants to support bird life not to provide a hunting ground for local cats. Cats found to be allowed to wander freely by their owners should be trapped and euthanised.</i>
<i>Disappointing that there are not more stringent rules preventing cats from being allowed to roam - day or night - and instead simply having free rein to attack birds and other wildlife. At the very least they should HAVE to wear a very large bell around their necks to give wildlife a fighting chance. Awful creatures.</i>
<i>I agree with the changes especially when owners of dog and cats allow their pets to roam freely and they become a nuisance defacating on properties nearby or loudly howling, barking, or stealing food left outside for the pet that lives on the premises.</i>
<i>For the safety and well-being of everyone, cats should be confined to their owner's property. The adjustments included in the proposed Animal Local Law are a step in the right direction. Although we recognise the difficulties in containing cats, we must take action to protect our native animals that are decimated by domestic and feral cats.</i>
<i>I have so many cats in my area coming into my yard damaging my cats and bringing killed wildlife to our doors.</i>
<i>I am very much in favour of allowing 12 chickens per household.</i>
<i>I agree that more needs to be done to reduce the number of cats roaming the streets, especially at night. Registering cats is a good idea. Make owners accountable.</i>
<i>Thank you for sending the proposed revisions to the Animals Local Laws. My main concern is that cats be contained within the owners premises at all times. Unfortunately, I was unable to determine this from the information supplied (as a 77 year old pensioner it is little hard to follow). I would appreciate any additional information you may be able to supply tha could to help my understanding. Than You Best Reagrds.</i>
<i>I think it's good. You're bringing in more laws to control cats and protect native wildlife. Thank you.</i>
<i>As a daily walker in our local parks, I am increasingly frustrated by the sheer number of dogs allowed to roam off-lead in areas not designated for such activity. It's not just inconsiderate it's a safety issue. I've been barked at, jumped on, and harassed by dogs whose owners either can't or won't control them. Enough is enough. If an area is not a fenced dog park, dogs *must* be on leads at all times. Council needs to step up enforcement with meaningful fines that actually deter non-compliance. A token warning or idle signage is not enough. Enforce the rule, raise the penalties, and make public spaces safe and enjoyable for everyone again. As for cats, they should not have free rein over our community. Wandering cats pose a very real threat to native wildlife, especially birds and small mammals, and their nocturnal prowling disrupts both ecosystems and neighbours. The solution is simple: cats should be confined indoors or in secure outdoor enclosures. Any roaming cats found outside should be picked up by rangers, and owners should be required to pay a fine to retrieve them, just like we expect from dog owners. Responsible pet ownership is not optional; it's the bare minimum we owe to each other and to the environment we all share. It's time for the council to treat it with the seriousness it deserves.</i>
<i>Cats should be kept indoors at all times otherwise fines or impoundment. We need to protect our wildlife from them. Too many have died already.</i>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

Submission No.	Organisation	Objection / Support / Comment	Comments	Officer's Comment
1	Department of Local Government	Comment	<p><b>1. Determination device – horse exercise area</b></p> <p>Clause 5.4 provides that the City may at any time set aside or designate an area for horse exercising. The Delegated Legislation Committee has generally found issue with the use of determination devices that allow the local government to change how the local law applies to certain land. While the Committee has tolerated some kinds of determinations, this is generally because the clause allows for public consultation (e.g. local government property local laws) or because it is allowed by legislation (e.g. the Dog Act – which allows for resolutions to set dog prohibited/exercise areas). Accordingly, it is uncertain whether the Committee would allow a clause of this nature in regard to horse exercise areas. As an alternative, the City may wish to consider creating a list of specific horse exercise areas or alternatively, consider adding clauses that set out a process for public advertising, similar to that for determinations in a local government property local law.</p> <p><b>2. Clause 2.5 – Confinement of dangerous dogs</b></p> <p>It is suggested that the following be added to clause 2.5:                      ---                      (3) Notwithstanding the above, the confinement of dangerous dogs is provided in the <i>Dog Act 1976</i>.</p>	<p>Legal advice has been sought with regard to clause 5.4. Should the City wish to retain just the one existing horse exercise area in Hillarys, then it should be sufficient to amend the local law by deleting clause 5.4(1) and 5.4(6), and then replacing 5.4(1) with an amended version as below:</p> <p><i>(1) For the purposes of this local law, those sections of land specified in Schedule 2, are a designated horse exercise area.</i></p> <p>This change is supported</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p>----</p> <p><b>3. Clause 4.10 – Offence based on opinion</b>  It is suggested that the words “in the opinion of” be deleted from Clause 4.10(2).</p> <p>As the clause is currently written, it implies that an offence can still be committed provided that an authorised person is of the opinion that a nuisance existed. However, the Cat Act only allows the punishment of nuisance in cases where an actual nuisance is proven to have existed.</p> <p><b>4. Minor edits</b>  The following minor edits are suggested:</p> <ul style="list-style-type: none"> <li>• <b>Contents page:</b> It is suggested that the page numbers be removed from the gazette version as they may clash with the gazette’s existing page system. The page numbers can be retained in any administrative versions kept on the City’s website.</li> <li>• <b>Clause 1.6(1):</b> The definition of <b>approved fees</b> should include a reference to being made from time to time “under sections 6.16 to 6.19 of the Act”.</li> <li>• The repeal clause can simply refer to repealing the City of Joondalup Animals Local Law 1999 “as published in the Government Gazette on 27 August 1999 and as amended in the Government Gazette on 10 July 2000, 15 January 2002 (etc).”</li> <li>• <b>Clause 5.4(5):</b> contains two sentences. These should be melded together or alternatively split into paragraphs or separate clauses.</li> </ul>	<p>This change is supported.</p> <p>These changes can be supported.</p>
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### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<ul style="list-style-type: none"> <li>• <b>Clause 8.9(2):</b> delete all instances of “thereon”.</li> <li>• The City should also ensure that all references and cross references are accurate, particularly if any further changes are made to the local law.</li> </ul>	
2	Resident	Comment	<p><i>I recently had two cats which were roaming in our neighbourhood. They were roaming late afternoon and at dusk. They were stalking birds in our garden. I contacted the council and was told there was little they could do apart from collecting the cats if I was able to catch them. The council would not supply traps. I felt there was nothing I could do so far as trapping these cats was concerned. We need a process to address situations like I was facing.</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat’s ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as ‘nuisance’ at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
3	Resident	Comment	<p><i>Local government is charged with carrying out the wishes of the rate paying residents of their city NOT to dictate whether or not they are 'allowed to keep chickens 6-12 or any number the resident feels is appropriate for the space on their property that they feel is appropriate for them to care for humanely for the said creatures Local government overreach is on the increase. Stick to your remit of rates, roads and rubbish.</i></p>	<p>The remit of local government extends much farther than the traditional roads, rates and rubbish. Section 3.1 of the <i>Local Government Act 1995</i> provides that <i>the general function of a local government is to provide for the good government of persons in its district</i> and includes things such as the need to <i>promote the economic, social and environmental sustainability of the district; to plan for, and to plan for mitigating, risks associated with climate change; to consider potential long-term consequences and impacts on future generations.</i></p> <p>Section 3.5 of the <i>Local Government Act 1995</i> goes further to provide that <i>a local government may make local laws...that are required or necessary to perform any of its functions.</i></p>
4	Resident	Support	<p><i>I would like to provide positive feedback on the basis that the number of chickens someone can</i></p>	<p>The comments are noted.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>keep has been returned to 12. I think this is very reasonable providing that people follow all of the recommendations for distancing from other dwellings etc. I think this will help with the ability for people to be more self-sufficient and provide for more food security. This is a positive move. Thank you for listening to community feedback.</i>	
5	Resident	Support	<i>I wholly agree with the new animal laws. For too long have I seen cats roaming the streets and evidence of dead wildlife.</i>	The comments are noted.
6	Resident	Comment	<i>I live on a corner block in Kingsley, most of the verge is native plants that attract many birds and small reptiles. The local cats use it as a happy hunting ground! I have often flushed cats out of the undergrowth, either shouting and waving my arms or squirting with a hose. I do not own a cat and am very upset about these killing machines on my verge. My next door Neighbour has a cat that uses my front rose garden as its designated toilet. Unfortunately I found this out while weeding the garden without gloves. This has happened several times. I always wear gloves in the garden now. All the skinks disappeared from our garden and my suspicion is that the cat next door is responsible. The cat is getting a bit old so the skinks now seem to be recovering. I still have the poop problem. My opinion is that all cats in residential areas should be confined to the inside of a house or a cat run. Cats should not be allowed to wander freely about the neighborhood.</i>	<p>The comments are noted.</p> <p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
7	Resident	Comment	<i>I think that you are just out making laws and taking away our rights This is not on and I fully support having a minimum of 12 chickens allowed at one residence. They eat organic leftovers and feed our soil and keep it healthy as well as producing one of the best available proteins in eggs. Stop taking</i>	<p><b>Response to local government responsibilities</b> The remit of local government extends much farther than the traditional roads, rates and rubbish. Section 3.1 of the <i>Local Government Act 1995</i> provides that <i>the general function of a local government is to provide for the good government of persons in its district</i> and includes things such as the need to</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<p><i>away our rights, allow us to live our lives without Government interference.</i></p>	<p><i>promote the economic, social and environmental sustainability of the district; to plan for, and to plan for mitigating, risks associated with climate change; to consider potential long-term consequences and impacts on future generations.</i></p> <p>Section 3.5 of the <i>Local Government Act 1995</i> goes further to provide that <i>a local government may make local laws...that are required or necessary to perform any of its functions.</i></p> <p><b>Response to number of poultry</b> Following community feedback the number of chickens to be kept has returned to 12.</p>
8			<p><i>1) There is no offence for cats who defecate in neighbour's property and gardens. Cat faeces can carry disease (toxoplasmosis) and although cats bury their excrement it still smells and attracts flies, so is a real health risk. I recently raked my back area (garden) which was covered in flies and smelled like urine. We observed cats in our back yard, and we do not keep any animals. I uncovered over 20 desiccated cat faeces in an area planned as a small backyard herb garden. I have since had to pave the area because despite alerting the owner, who politely gave me some cat deterrent powder he bought from Bunnings, as soon as it rained, the powder washed away and the cat returned. I have since been forced to pave the area. The cat has now started using our front garden as a toilet. 2) There appears to be no immediate reaction to barking dog noise. The only action for residents whose peace is disturbed by constant barking is to create a dog barking diary which promotes extra stress on the victim and extends the time of suffering the noise. 3) Please do something about feral foxes, which I realise is not within the scope of this review.</i></p>	<p><b>Response to cat excrement</b></p> <p>The City will be establishing a cat nuisance complaint procedure which is in line with the <i>Cat Act 2011</i> and the proposed Animal local law 2025.</p> <p><b>Response to barking dogs</b></p> <p>The City has established a dog barking complaint procedure which is in line with the <i>Dog Act 1976</i> and standards proposed by DLGSC.</p> <p><b>Response to feral foxes</b></p> <p>Residents are encouraged to participate in national community reporting of foxes and other feral species through the <a href="#">FeralScan website</a> or Refer to DPIRD to Find out about <a href="#">approved fox control measures</a> for the Use a trap other than a cage trap will usually require a <a href="#">Permit to Trap Declared Pests</a> from DPIRD.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

9	Resident	Comment	<p><i>Cats should be 100% contained to a persons property. Cat runs used for outside use or cats under effective control outside premises. Council have ability to trap check for chip and fine, repeat offenders increasing fines no cat ownership, animal rehomed. Same rules in public areas as dogs!!! Tired of cleaning cat spray off my property (house,cars,boat) and spending own money to deter cats that continue to return. For example a cats spray my front door that has a security screen and I have a 1 year old baby that stands at the security door and uses his mouth.</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
10			<p><i>My proposal for change is: All public spaces must be on lead. Any designated off lead areas must be fully fenced. Fines should be increased for dog owners who have their dog off lead in a public space. I have a dog who loved other dogs as a puppy. I socialised her carefully and thoroughly with appropriate dogs since however due to a number of attacks from off lead dogs when we were in on lead areas she became fearful and reactive of unknown dogs who rush up to her. We now only walk in on lead areas however we regularly come across off lead dogs who aren't under effective control and who rush up to her which exacerbates the issue. My dog is always under effective control as she is kept on lead. When I ask owners to recall their off lead dog (in an on lead area) they are unwilling and/or unable to and often become aggressive. Walks with my dog are stressful and I am always concerned about our safety. We have resorted to driving to and walking down busy roads to avoid coming across off lead dogs and hiring a Sniffspace so she can exercise safely without being rushed at by another dog.</i></p>	<p><b>Response to dog exercise areas</b> The City is currently developing a Dog Management plan which will address issues related to dog exercise areas and signage.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

11	Resident	Comment	<p><i>Agree 4.2 2 Cats only per property. Agree 4.9 Cat prohibited areas. + all natural areas/bushlands in City of Joondalup. Nominating only five Bushlands (Hepburn Heights, Craigie, Lilburne, Shepherds Bush, &amp; Warwick) and coastal foreshores is good but this needs to also include all local bushlands/natural areas, like Korella Park Bushland and Periwinkle Park in Mullaloo. These areas are vital for birds and reptiles like goannas and lizards. Cats should be kept by owners within their own property. Therefore, when cats are in natural areas and parks (including bushland parks) and in the properties of other residents, they should be caught and impounded and owners fined. If the owner/s fail to keep their cat or cats within their property, the cat or cats should be destroyed and the owner fined.</i></p>	<p><b>Response to number of permitted cats</b> The number of cats to be permitted has been changed to 2 in line with other neighbouring local councils, as well as the number of permitted dogs to be kept.</p> <p><b>Response to cat prohibited areas</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p> <p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
12	Resident	Comment	<p><i>Cats are not meant to be indoor creatures. They go mental inside all day. I agree they should be inside at night (mine are in between 6pm and 6am) but they are allowed to roam freely in the daytime and I do not want that to change.</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

				<ul style="list-style-type: none"> <li>The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
13	Resident	comment	<p><i>The city is making it more and more difficult to own animals and yet refuses to deal with the fox problem. Cats should be kept indoors, for their safety and for that of wildlife. Dropping the amount of cats allowed is unfair on owners and current registrations should be honoured. However, providing cats are kept indoors, they are not doing any harm and there should not be a limit (hoarding laws should be in place though). Dropping the number of cats allowed per household will reduce the amount of cats adopted, make it more difficult to get cats off the street and make the job of animal rescues even more difficult. Preventing the breeding of dogs and cats without a licence might be more effective in tackling the issue.</i></p>	<p><b>Response to number of permitted cats</b></p> <p>The number of permitted cats from 3 to 2 was changed following community feedback.</p>
14	Resident	Comment	<p><i>The cat restrictions remain insufficient. I should not have to tolerate cats on the boundary fence aggravating my dog, and they certainly should not be allowed to roam freely through my property or the greater neighbourhood defecating, killing wildlife and fighting other cats. It should not be my responsibility to be raising nuisance reports and trying to identify which of the many roaming cats are causing the issues. Cats, like all pets should be contained to the owners property unless on leash. I understand that the city is restricted by the Cat Act and I ask that Joondalup seek the support of other local governments such as Fremantle to lobby the state government for changes to the act to allow local government to implement cat containment. In my own neighbourhood, local cats have decimated smaller bird life and we are left with an inundation</i></p>	<p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p><b>Response to cat prohibited areas :</b></p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<p><i>of Australian ravens, this destruction can not be allowed to continue.</i></p> <p><i>Support amendments on Cat Local Law. Strongly support maximum poultry number to be at least 12 per household. Support the modified penalties listed in Schedule 1 of the proposed City of Joondalup Animals Local Law 2024 be increased to \$250 for all offences carried as per Resolution No: CJ061-03/24.</i></p>	<p>The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council</p>
15	Resident	Comment	<p><i>It's hard to make out but it appears the new laws about cats wandering have not really changed too much. I believe cats should not be allowed to wander away from their house in the same way dogs are not. The same rules should apply. Roaming cats kill thousands of birds and native animals every year. There are a couple of cats that come to my house and stir my dog up causing her to bark to defend her property. This leads to people writing letters to me but no comeback to the cat owners at all.</i></p>	<p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
16	Resident	Comment	<p><i>Cats should be confined to their own home/backyard just like dogs have to be. So many cats are a total pest to others and wildlife.</i></p>	<p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

				to extend to a cat merely entering a property without consent).
17	Resident	Comment	<i>I am in support of keeping cats contained on Properties but not the limit of 2. There are so many cats being dumped and up for adoption. I feel like this would contribute to the issue of cats being dumped. Presuming the new law would not apply to those that already have more than 2 that are currently registered. The Proposal to increase from 6 to 12 chickens would need to come with a lot of regulations as in the size of the block and how far the pens would be located from dividing fences. The smell and noise would be a major contributing factor to Neighbours within close range.</i>	<p><b>Response to number of permitted cats</b></p> <p>The number of permitted cats from 3 to 2 was changed following community feedback.</p> <p><b>Response to number of permitted chickens</b></p> <p>The current Animals Local Law 1999 allows for residents to keep 12 chickens on their property. This was changed to 6 in the proposed Animals Local Law 2024 however, following community feedback it was changed back to 12 chickens in the proposed Animals Local Law 2025.</p>
18	Resident	Comment	<i>Under part 4 Cats, there should be sections for: 4.x Offence to excrete 4.x Cats to be confined - Unconfined cats result in many native animals and birds being killed. If you have a cat it should be confined to the house or a cat-run enclosure. At least it should be prevented from roaming at night. Confining cats would mostly eliminate the nuisance and fauna death they cause. Cats regularly excrete anywhere in the neighbourhood spreading disease and causing nuisance, as well as fighting other cats, disturbing dogs resulting in excessive barking. Why is there a difference in control requirements between dogs and cats? 4.9 Cat prohibited areas This should also include Yellagonga regional park. Cadogan park in Kingsley with its extensive natural area should also be a prohibited area. Dogs 2.4 (3) Unfortunately some people do immediately pick up their dog's excreta placing it into the plastic bag then when there is no bin in sight after walking some distance they leave the bag on the path or in the bush for the dog bag fairy (The City of Joondalup or another concerned resident) to</i>	<p><b>Response to cat excrement</b></p> <p>The City will be establishing a cat nuisance complaint procedure which is in line with the <i>Cat Act 2011</i> and the proposed Animal local law 2025.</p> <p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p><b>Response to cat prohibited areas :</b></p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>eventually pick up. Can you modify the clause to include: Is removed immediately by that person and disposed of in an appropriate garbage receptacle.</i>	<p>The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p> <p><b>Response to dog excrement</b></p> <p>Active patrols can be raised and policed to address this issue. The city encourages our communities to raise awareness with the community safety team.</p>
19	Resident	Comment	<i>My key principles are: Owners should be encouraged to only have indoor cats. Cats should be kept in at night to protect native fauna. There should be some cat-free areas. Dogs should be kept on leads except in designated lead-free areas. No household should have more than 4 pets. Owners should be personally liable for all damage caused by their pets, including medical &amp; vet bills.</i>	The comments are noted.
20	Resident	Comment	<i>Council should allow residents to own as many poultry birds as they wish. Communities thrive with abundant local produce. Local Government should intervene as little as possible with its residents endeavours.</i>	<p><b>Response to number of permitted chickens</b></p> <p>Restrictions for keeping poultry are necessary to mitigate the impacts to health and amenity. A well maintained poultry enclosure can still allow the attraction of vermin, flies or odour.</p> <p>The limitation on the number of poultry, including ducks, considers the increased impact on health and amenity where a greater number of poultry are being kept.</p>
21	Resident	Comment	<i>I support the inclusion of strong regulations around responsible dog ownership in the proposed Animal Local Law Act 2025. Measures such as fines for failing to pick up dog waste, requirements to secure yards, and impounding dogs found roaming are necessary and appropriate. However, I am concerned by the lack of equivalent regulations and enforcement relating to cats. A standard fence is no barrier for most cats, and yet there are currently</i>	<p><b>Response in relation to regulations and enforcement measures for cats</b></p> <p>The proposed Animals Local Law 2025 has been updated to include provisions relating to cat prohibited areas and nuisance cats. Equivalent offences are provided for in Schedule 1 of the local law.</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<p><i>few, if any, consequences for owners whose cats are found wandering onto other properties or into bushland and national parks. As a resident who backs onto Yellagonga Regional Park, I frequently witness cats entering my backyard uninvited, despite doing everything required to ensure my dog complies with the law. More troublingly, I have seen cats preying on native wildlife, wildlife that is already under significant pressure from threats like feral foxes. It is time for cat ownership to be treated with the same level of responsibility as dog ownership. Cats should not be permitted to roam freely. Just as dog owners are required to ensure their pets are securely confined, cat owners must be held to the same standard. If a cat is found roaming, it should be captured and taken to the pound, and owners should be responsible for preventing their pets from leaving their property. For too long, cat-related issues have been overlooked, and this updated law presents a vital opportunity to address the imbalance and protect both community amenity and our under threat native wildlife.</i></p>	<p>There are limits as to how and where cats can be controlled, and this is governed by the State Government’s <i>Cat Act 2011</i>.</p> <p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat’s ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as ‘nuisance’ at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
22	Resident	Comment	<p><i>Section 4.8 addresses cats as a nuisance. However, I do not see any corresponding regulation addressing the nuisance of a dog. For instance, my neighbour has a dog they let out every morning around 5:30 a.m. prior to their heading out to work. The dog clearly has separation anxiety as it doesn’t stop barking while outdoors and separated from an owner. I call this a nuisance. I also don’t appreciate any dog owner disposing of their dogs excrement in my bin because they don’t feel like carrying it home. This creates another nuisance as I often have to clean my smelly bin out as a result. Additionally, nowhere did I read that roos may not be kept in yards. I wouldn’t think this is in the best interest of the animal nor neighbours.</i></p>	<p><b>Response to nuisance dogs</b> The <i>Dog Act 1976</i> covers issues related to nuisance dogs. The City has established procedures to continue to deal with dog nuisance reports.</p> <p><b>Response to dog excrement</b> The <i>Waste Local Law 2017</i> covers issues relating to deposit of waste in receptacles.</p> <ul style="list-style-type: none"> <li>• A person must not deposit waste in a receptacle that has been provided for the use of other premises</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

				without the consent of the owner or occupier of those premises.
23	Resident	Comment	<i>Pls make it law that cats are to be kept inside at night, I have cats constantly defecating in my vegetables garden and killing birds in front of my front door. Also, more council rules please regarding constant barking dogs although owners have been told by council rangers.there is no improvement with the constant dog barking. We are looking to move from Joondalup area.</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p><b>Response to barking dogs</b> The City has established a dog barking complaint procedure which is in line with the <i>Dog Act 1976</i> and standards proposed by DLGSC.</p>
24	Resident	Comment	<i>Please have cats stay in at night. They are constantly roaming my property. I know they are because my security cameras capture them. They also walk over our roof at night, waking us up. They have killed birds, and they have vomited in our pool and pooped in my children's sandpit.</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> </ul> <p>The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

25	Resident	Comment	<i>As a responsible dog owner firstly I believe the penalties are too light and not a deterrent, does the council have rangers policing the entire shire to ensure all residents are adhering to the regulations? Parks in my locality have the appropriate dog waste bins in place but the areas are still dotted with animal droppings. Neighbours surrounding one park just let their dogs out unattended, keeping their gardens clean and saving the effort of disposing of their dog's faeces. How will these amendments change this behaviour, not policed and irrelevant fines?</i>	<p><b>Response in relation to penalties</b> As part of the previous proposed Animals Local Law 2024, Council had requested that modified penalties listed in Schedule 1 be increased to \$250 for all offences.</p> <p><b>Response to dog excrement</b> Active patrols can be raised and policed to address this issue. The city encourages our communities to raise awareness with the community safety team.</p>
26	Resident	Support	<i>I have just skimmed the amendments and think they are okay.</i>	The comments are noted.
27	Resident	Comment	<i>I am disappointed to see that the proposed changes to the Animals Local Law do not include any obligation on owners to keep cats within the boundaries of their property. Cats have well documented catastrophic effects on native wildlife and their ranging needs to be controlled. Under these laws the onus is on other members of the public to identify a particular cat as a nuisance rather than the owner to take due care to prevent harm. This is in contravention to all harm minimisation principles. Only by all owners being obliged to control cats will the effect on the environment be curbed. I also see that the list of cat prohibited areas lists a small percentage of parks and reserves, only one in my suburb of Duncraig and does not include Yellagonga Regional Park which is a significant oversight given Yellagonga's ecological significance and ongoing challenges with feral pests. I note it is also absent from the co-managing council, City of Wanneroo's cat prohibited list. These changes do not go far enough</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p><b>Response to cat prohibited areas</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>to control the detrimental effects of cats throughout the City of Joondalup.</i>	
28			<i>Dogs Can you please consider tougher penalties for nuisance cats that stray into neighbouring gardens and walk on the roofs. Consider it an offence for any pet that is permitted to roam outside of the owners property. Chickens Whilst I understand why people want to keep chickens even the cleanest coop attracts rats and mice. The rat issue in Mullaloo is getting worse and I think the keeping of chickens greatly contributes to this. The keeping of any livestock is not suitable in a suburban setting.</i>	<p><b>Response to nuisance cats</b> A new clause – 4.10 Cat not to be a nuisance – has been included in the proposed Animals Local Law 2025.</p> <p><b>Response to keeping of poultry</b> The limitation on the number of poultry, including ducks, considers the increased impact on health and amenity where a greater number of poultry are being kept.</p>
29	Resident	Comment	<i>After reading The Animals Local Law 2025 it is my considered opinion that this law will be ineffective with regards to cats creating a nuisance. Cats, like dogs, should be required to be confined to the keeper's property. The laws around nuisance cats will be ineffective when addressing the following sort of nuisance experienced by myself and other residents: 1. Cats fight outside my window at night causing a disturbance. They wake people up and scare the children. The cats are not seen so identifying them is not possible. 2. Cats spray (urine marks) on my front door entrance. This is despite me using a variety of deterrents. I do not see which cat does this - it happens when the door is closed. 3. Cat vomits on my doormat. I do not see the cat doing this - only the result. 4. Cat defecates in my garden. Again, I do not see which cat this is. I notice it when my newly planted garden bed is dug up and faecal matter is found. 5. Cats lie around in my garden disturbing and preying upon the native wild-life (especially small birds) that I seek to support by providing habitat with my native garden. At times I see a cat actively hunting while other</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>times I just see the feathers of a bird or fledgelings that have been caught. I have no idea who the cat(s) belong to. The proposed new law states "The keeper of a cat must prevent the cat from creating a nuisance. " and then "Where, in the opinion of an Authorised Person, a cat is creating a nuisance, an Authorised Person may give a cat control notice to the keeper of the cat requiring that person to abate the nuisance". The problem with these statements is as follows: - Cat owners who do not enclose their cats thus restricting them to their own property have no idea whether their cat is creating a nuisance. - Nuisance is a very subjective matter here: "in the opinion of an Authorised Person" - Most commonly a cat that does a nuisance act cannot be identified because it is not seen while it is doing the nuisance act and so it is unlikely the keeper can be identified. This law offers nothing regarding dealing with the nuisance when the keeper cannot be identified. The proposed law favours cat keepers. The people impacted by nuisance cat behaviour are left with: - The consequences of the nuisance cat behaviour (disturbance, cleaning, loss of wild-life) - The cost of trying various repellents/deterrents which from experience are without success. (This is not surprising as I am yet to find one that has credible scientific evidence at efficacy). - Potential displeasure from neighbours when attempting to find the owner of a nuisance cat (in the rare case it has been seen). What would solve the nuisance problem would be if cats were required to be confined to their keepers property in a similar way that dogs are. For example: The portion of those premises on which the cat is kept to be fully enclosed in a manner capable of confining the cat to that portion. Please draft the Law in such a way to truly protect residents from the nuisance behaviour of cats.</i></p>	
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### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

30	Resident	Comment	<i>Stronger laws for roaming cats day and night need to be finalised. Protected areas like Edgewater quarry and the lake need to be covered.</i>	<p><b>Response to cat prohibited areas</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council</p>
31	Resident	Support	<i>I support 12 chickens per household. Chickens are fabulous pets and a brilliant source of food. In this time when there is a continuous assault on farmers and our food supply and constant shortages in stores it is vital that we can feed ourselves with pure organic foods. There are many benefits of keeping poultry, reducing organic waste to landfill is an important benefit. As there is a 9 m rule between chookpen and the nearest dwelling, with the increased in housing density, less and less people will be able to keep poultry naturally.</i>	<p>The comments are noted.</p>
32	Resident	Support	<i>Fantastic changes simplified and easy to understand. Only shame is it does not clearly state that cats need to be confined to owners premises at all times.</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
33	Visitor	Comment	<i>I am not a City of Joondalup resident, although as I work in the City of Joondalup and Its Natural Areas I hope my personal feedback on the local law is considered. I recommend that: - A definition of</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<p><i>"excrete" is added to provide clarity on whether the offence under Schedule 1 Item 1 of the law applies only to fecal waste or for urine also. The City amends the law to include the entire City of Joondalup, except residential properties, as cat prohibited areas to ensure all cats are kept within their owner's property and are unable to cause nuisance and impact the biodiversity of the City's bushlands. Cats are the leading cause of mammal extinction in Australia, and it would be a very positive step for the City to take to preserve its beautiful wildlife valued by much of the community. Cats restricted to a residential property are also much less likely to be injured or contact diseases. Restriction to a residential property would see a reduction in negative health conditions in residents pet cats. The Penalty for Schedule 1 Item 12 is increased as a strong incentive for cat owners to manage the movement of their animals and to prevent further loss of biodiversity from the City's bushlands. The penalty for Schedule 1 Item 14 is increased as a stronger incentive for owners given a control notice to control with the notice Thank you for allowing comments on this Local Law. Sincerely,</i></p>	<p>restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
34	Resident	Comment	<p><i>I feel cats should be kept inside of the owners property. When I had a cat it stayed in my yard only. I'm sad about all the dead birds, geckos and lizards I find in my yard, as well as balls of cat fur where my geckos and frogs used to frequent. I should be allowed to enjoy the animals that used to frequent my garden before my next door neighbour got a cat.</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely</li> </ul>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

				to extend to a cat merely entering a property without consent).
35	Resident	Comment	<i>We have 3 cats that are registered with the Council. We have built a cat cage in the backyard so that the cats have an outdoor area to enjoy. I was surprised that there is nothing in your laws that encourages home owners to keep their cats restricted to prevent them from killing wildlife. I noted that we have to have our property inspected and pay a registration fee to keep 3 cats, but there is nothing specifying what that fee is and how long it will be valid for. Is this in addition to the individual cat registration fee?</i>	<p><b>Response in relation to keeping 3 cats</b></p> <ul style="list-style-type: none"> <li>• The approval for a third cat is valid for the period of the registration purchased.</li> <li>• The fee associated with the application will be determined and published in the 2026 – 2027 fees and charges schedule.</li> </ul>
36			<i>4.2 number of cats keep at 3 before making people jump through ridiculous hoops. 4. 5(1) should be able to replace a cat that has been removed or dies. The permit in is to have a particular number of cats. It should not be based on which specific cat it is. Too much red tape that is unnecessary, hard to monitor, increases paperwork and cost for administration for no benefit to any party. 4.10 need to include definition of nuisance in the code and give examples otherwise open for interpretation and too wide. 7.2 keep bee hives. Delete reference to bees. Unrealistic and clearly written by people who don't know enough about nature. Ridiculous to ask a person who has native bees or house bees in a tree to apply for permit. If need have come by themselves the person should not have to either kill them ir apply for permit. Especially since we need bees to pollinate. Poultry Agree that the limit should be changed up to 12. People need to feed themselves and their families. Also, wish city of joondalup publicised their documents for public feedback a bit better. I wish to be placed on email list for future public consultations. Thank you.</i>	<p><b>Response in relation to keeping 3 cats</b></p> <p>The number of permitted cats from 3 to 2 was changed following community feedback.</p> <p><b>Response in relation to definition of nuisance</b></p> <p>The City will be establishing a cat nuisance complaint procedure which is in line with the Cat Act 2011 and the proposed Animal local law 2025.</p> <p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the Cat Act 2011 provides a general right for cats to roam. As such, a local law cannot restrict a cat’s ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> </ul>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

				<ul style="list-style-type: none"> <li>The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p><b>Response in relation to bees</b>                  The Department of Primary Industries and Regional Development (DPIRD) administer requirements relating to the registration of a beekeeper. DPIRD considerations relate to the protection of native bees, managing disease, requiring the branding of hives to allow tracking, and other obligations under the <i>Biosecurity and Agricultural Management Act 2007</i>.</p> <p>The City's role in regard to the keeping of bee hives do not relate to the matters administered by the DPIRD. The City's local laws allow the consideration of amenity issues including the impact to residents, acknowledging that there are risks associated with persons who have severe allergies to bees that need to also be considered.</p> <p><b>Response in relation to number of poultry</b>                  The number of poultry to be kept has increased to 12 following community feedback from the proposed 2024 Animals Local law.</p>
37	Resident	Comment	<p><i>Thank you the new changes look like a definite improvement. I would like to see regarding cats, All cats to be enclosed within the boundaries of the owners property. Easily done with a cat enclosure. Safe for the cat, wildlife and prevent nuisance cats roaming, our wildlife more then ever needs the city to make a firm stand to the future of all. With Dogs, all dogs on leashes whenever out except in enclosed dog parks. People are not responsible with their off leash dogs. So many are too busy with being on their phones to know what their dogs are doing. I have been bitten twice while doing my gardening by off leash dogs who for some reason just decided to run over and attack. Might niece was out walking her small dog on lead and was</i></p>	<p><b>Response to cat control</b>                  The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p><i>attacked by a bigger dog off lead which could have been prevented so easily if it was on a lead too. Where has all commonsense gone when we allow such behaviour in not making a firm stand with laws. As well as while out walking I have been licked by dogs who happen to think it is a good idea, again off lead. I find this behaviour totally unacceptable and the owners just couldn't care less. If the said dogs were on leads this could be controlled. Another firm stand to be made, dogs on leads at all times.</i></p>	<p>to extend to a cat merely entering a property without consent).</p> <p><b>Response to dog exercise areas</b></p> <p>The City is currently developing a Dog Management plan which will address issues related to dog exercise areas and signage.</p>
38	Resident	Comment	<p><i>I am a responsible cat owner. We have one cat that keeps coming into our courtyard terrorising our cat. I have put photos of this cat on our local FB sites to no avail. I want the owners to know it is not ok to let your cat wander unsupervised.</i></p>	<p>The comments are noted.</p>
39	Resident	Comment	<p><i>People will no doubt wish there to be laws controlling cats for a range of differen reasons, My concern with cats is essentially an environmental one. Cats kill native wildlife. Within the city, cats are implicated particularly with the decline of birdlife. Whilst restricted areas are a significant first step, any of the many green areas (Golf courses, green pocket parks, tree lined sports fields, school grounds etc etc) are potential nesting/living sites for birds. Since most of the killing occurs at night, it is unlikely that many members of the public would either observe or be able to record the details of cat killings in a sufficiently accurate way to be able to identify the ownership of a particular cat so as to declare a nuisance. I support restricted areas of prohibition (24/7), but would like to see the laws also prohibit any cat from being free to roam at night (after dark- declared sunset time). Roaming cats could be captured (by members of the public, wildlife volunteers, or city officials) without the need</i></p>	<p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<p><i>to actually witness them killing- and returned to the owners on a cost recovery (fine) basis. This would limit the damage cats inflict and further encourage owners to manage their cats responsibly. The program could be maintained on a cost neutral basis through balancing fines with service provisions. Cat rescue services may well be interested in collaborating on a fee for service basis. A further problem with roaming cats is that they easily move out of their home territory and into wild environments on the edges of the Joondalup city limits. A night-time ban law would provide a more secure framework to allow for cats to be removed from such areas without the need to know about the cats' ownership. In addition, I would like to see the city include provisions for monitoring bird life in the city accurately, so the decline locally could be tracked. This could assist in assessing the level of concern, maintaining appropriate planning for greening the city and the evaluating the continuing impact of cats (both positive and negative). Perhaps a collaboration with Birdlife Australia could be considered as a way of understanding what is happening in the Joondalup area. Quite limited funding could result in good quality data to support on-going intelligent decision making.</i></p>	
40	Resident	Support	<p><i>I am very much in support of the new cat laws, for those people who choose to have a cat they should have to take appropriate responsibility for their pet if it is unattended or unsupervised like any other animal. We have a dog and it is registered, kept safe on our property and we take personal responsibility for its behaviour. Cats cause a lot of damage and disruption to the natural environment, killing birds and other native fauna. When we had cats they were always kept inside, but other roaming cats would enter our property and spray</i></p>	The comments are noted.

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>and fight with our cats if they could. It was disruptive and an intrusion into our home that we could not stop. Registration, curfews and penalties should apply for roaming cats especially at night.</i>	
41	Resident	Comment	<i>My comments relate to cat ownership only. I'm extremely disappointed that the council isn't proposing that cat owners be required to contain their cats on their own property, either inside or in an outside cat run. I've lost count of the number of native birds which have been killed in my backyard by my Neighbour's multiple cats, which are constantly on my property. Adequate fencing is no deterrent to a cat. I'm also very tired of my yard being used as their toilet. Cats by nature are hunting animals and shouldn't be allowed to roam the neighbourhood. In addition, for their own safety cats should be contained by their owners to avoid being hit by cars. Please City of Joondalup, don't be weak on this issue, take a strong stand to protect our birds. You don't allow dogs to roam the suburbs, what is the difference?</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
42	Resident	Comment	<i>We have several cats roaming around our street during the daytime and also on the evening.</i>	The comments are noted.
43	Resident	Comment	<i>Cats should only be kept indoors or if outdoors in approved cages, or cat runs.</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely</li> </ul>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

				to extend to a cat merely entering a property without consent).
44	Resident	Comment	<p><i>1. Clause 8.9(4). Keeping of poultry reverted back to 12, however still reads as 6 in the table of fines.</i></p> <p><i>2. Dogs; There appears to be no mechanism to make an application to keep more than two dogs in a home, unlike for cats, within this document. I'm sure dog owners were previously able to do so, by making an application. Is the City now saying that to have three dogs is considered to be a kennel, and a kennel licence is required? If so, that is ridiculous.</i></p> <p><i>3. Kennels vs Cattery, clauses for applying for a kennel licence, but not for running a registered cattery?</i></p> <p><i>4. Cats; I don't believe it's necessary to reduce the number of cats allowed from 3 down to 2, to simply bring it into line with the number of dogs allowed (2). Cats have less of an impact in terms of noise, than the barking of dogs, and with more cat owners keeping their cats indoors only, with absolutely little to no impact on the surrounding environment, then why should they be penalised for doing the right thing and providing a safe home, rather than having cats on the street? I do know people who currently have three cats in their home (indoors only, desexed, rescues), one a childless couple, their cats are their entire world, and a second family, who had an existing cat, took in a stray found at warehouse premises, and then a third cat came into their home when they took in a family member who was going to be homeless. They are not running a cattery, there is no commercial or financial gain to them, they are family pets taken in by people with kind hearts and compassion, yet these are the type of people that you will be disadvantaging. This also has a massive impact on cat rescues, who rely on foster homes, and will decrease their adoption rates. Many foster</i></p>	<p><b>Response to keeping of poultry</b> This is correctly referenced in Schedule 1.</p> <p><b>Response in relation to keeping 3 or more dogs</b></p> <p>The Dog Act 1976 – S26(3)</p> <ul style="list-style-type: none"> <li>• Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —             <ul style="list-style-type: none"> <li>(a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and</li> <li>(b) cannot authorise the keeping in or at those premises of —                 <ul style="list-style-type: none"> <li>(i) more than 6 dogs that have reached 3 months of age; or</li> <li>(ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption; and</li> </ul> </li> <li>(c) may be revoked or varied at any time.</li> </ul> </li> </ul> <p><b>Response in relation to number of permitted cats</b> The number of permitted cats from 3 to 2 was changed following community feedback.</p> <p><b>Response to transfer of application for keeping 3 or more cats</b></p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>carers for foster-based cat rescues, have more than two cats in their home. Are you suggesting that they need to make an application to continue fostering? I would be reluctant to volunteer to become a foster carer if I knew I had to make an application to house additional cats in my home. It would also stop me from adopting further. I also think that you will see an increase in cats being abandoned and dumped, with people reluctant to pay a fee on top of cat registration. 5. Cats 4.6 Renewal of Application; The term renewal implies that an application to keep more than two cats has a time restriction. Is this a yearly fee? Is it for the lifetime of the cat? In what circumstance would you renew an application? Clause 4.6(b) - what does this even mean? It is unclear. If yes, to renewal, then I think this is deceptive. and is not clearly stated within this document. 6. 4.7 Transfer of Application; In what circumstance would you transfer an application to keep a third cat? It says that it relates only to the premises specified and only to the applicant specified in the approval, so does that mean, if an application is made by a lady of the house, but she passes away, is her husband, who was not on the original application, is now having to reapply to keep their three cats, when the cats living situation has not changed? In Section 4.5(d), Conditions, it states that you cannot substitute or replace any cat that dies or is permanently removed from premises, so is the application attached to the individual cat, or to the specified premises and the specified applicant? This is not clear. If you have made an application for a third cat, and it dies suddenly, and you decide to replace the cat, then why should a new application need to be made? The number of cats has not increased. This seems like additional, unnecessary administrative red tape for the City. How does the City plan to enforce this, and at what cost? Personally, I see this as just a money grab by</i></p>	<p>The application to transfer circumstances are based on the property and the applicant usually being the current owner of the animal. There are variable circumstances however clause 4.7(2) is the requirement for the determination to be made based on the circumstance in the application.</p>
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### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>the City, and once again the City dictating what can and cannot happen in private homes. Many countries do not place these types of restrictions on the number of dogs and cats that can be reasonably housed by responsible pet owners.</i>	
45	Resident	Comment	<i>I often have neighbours cats at my house urinating on my outdoor furniture and front door, they always harass my birds and kill wild birds in my yard. I am very allergic to cats so having them all over my outdoor furniture makes it unusable a lot of the time without constant cleaning. I am in favour of the new law but would also propose that penalties be added for owners who cannot keep their cats indoors, outside on a lead or in an outdoor cat run.</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
46	Resident	Comment	<i>All cat's should be kept inside a house or a enclosed cat run at all times.</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
47	Resident	Comment	<i>Your changes to prohibited cat areas are weak. There is no plan or wording as to how this will be</i>	<b>Response to cat control</b>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>managed. There is just as much ecological damage caused by cats in residential areas. The changes need to be strict. Cats should not be permitted to access outside areas unless in enclosures. Cats are unable to be detained within normal residential lots with fencing.</i>	<p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
48	Resident	Comment	<i>Please be advised that i have been suffering from cat nuisance for years with no responsibility showed by the cat owners. Me and many in our community are looking forward to tighten the rules and impose more restrictions and responsibility on the cat owners. It creates discomfort, i personally have found around 40 of killed birds, rats and even rabbits left by a neighbour cat at my property. Neighbours don't care, have communicated many times. Thanks.</i>	The comments are noted.
49	Resident	Comment	<i>It's definitely needed too many people think it's ok for their cats to run free but it decimates local wildlife. If we have to keep dogs contained/leashed then the same should be for cats.</i>	The comments are noted.
50	Resident	Comment	<i>I am a veterinary surgeon with 25 years experience and as we have come to better understand the devastating impact cats have on our native wildlife in Australia, I greatly welcome a review of our existing cat laws. As a vet who has spent her career caring for and treating these beautiful animals and as a cat lover who appreciates the special bond between cat and owner, I do</i>	<p><b>Response to policing cat prohibited areas</b></p> <p>Natural areas perform feral animal control programs.</p> <p>Reports from the public raise awareness for the need for trapping of a prohibited area. Any cats captured are scanned for a M/C, if identified the owners of the cat commit an offence</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>appreciate the complexity of this problem. However, we as responsible citizens have a duty of care to both cats and the environment and we must try to serve and protect them both and current cat laws do this woefully. Cats have a natural instinct to hunt and research has shown the numbers of prey species killed collectively in Australia by our adored and much-loved pet cats is staggering. Analysis in 2020 compiling the results of 66 previous studies into predation rates by owned cats showed that on average a single pet cat kills 186 mammals, birds and reptiles per year. This equates to all of the roaming pet cats in Australia collectively killing 390 million animals per year (Legge 2020). I welcome the change in the law that states a household can only have a maximum of two cats. Not only will this reduce the density of the local cat population and therefore, the stress on the local fauna, but it will also reduce the likelihood that individual cats will suffer from stress and anxiety as a result of living in a multi-cat household. Cats are solitary creatures that do not enjoy sharing their living space. Cats in multi-cat households have a higher incidence of behavioural problems, this incidence increasing as more cats are added to a shared living space. Thus, limiting cat numbers to only two per household will have a positive effect on cat welfare. I also welcome the provision made for cat prohibited areas but it is unclear how this will be policed. Writing it into local laws and implementing it are two different things and we cannot be so naive as to think that because it says it in law, owners will suddenly abide by this. Owners close to these areas will continue to let their cats roam and cats will continue to devastate wildlife in these areas. Unless the local council are prepared to police these thirteen reserves and open spaces with constant cat trapping, I cannot see how writing it into the Cat Act will make any difference to</i></p>	<ul style="list-style-type: none"> <li>• (1) A cat must not be in a Cat Prohibited Area specified in Schedule 4 at any time.</li> <li>• (2) If a cat is at any time in a Cat Prohibited Area in contravention of subclause 4.7(1), then the keeper of the cat commits an offence; and an Authorised Person may seize and impound the cat and deal with the cat pursuant to the Cat Act 2011.</li> </ul> <p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p><b>Response to cat prohibited areas</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p>
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>predation by cats in these areas. In addition, even if these reserves are policed, we cannot deceive ourselves into thinking that every cat that enters a reserve will be caught and at a rate of 186 killings per cat per year the numbers will still be unacceptably high. I would also like to point out that native fauna does not only exist in local reserves. There is plenty of local native fauna in backyards and local parks where cats can still roam freely without consequence. Only the other morning as I left my house at 8am for work I was confronted by a neighbours cat in my back yard chewing into a New Holland Honey Eater bird it had just caught and killed. Quite upsetting but I do not blame the cat. It would seem to me that simply labelling a few specified areas within Joondalup council as 'cat prohibited' is merely paying lip service to the problem and not a serious attempt to protect our native wildlife. Although it may seem paradoxical for a veterinary surgeon to state this, I don't believe the amendments to the cat laws go far enough in terms of limiting all cats ability to roam. In my opinion, I believe cats should not be allowed to roam freely anywhere, not only to protect native fauna but there are also very good cat welfare reasons. A cat that roams is far more likely to become ill or be injured or killed. Cat fight wounds and cat fight abscesses are almost a daily occurrence in the clinic where I work and this will be true for the majority of vets clinics in Perth and across Australia. Many of these cats require general anaesthesia and surgery which is an obvious welfare concern. A cat that roams is also at risk of suffering death or severe injury from road accidents (three legged cats are unfortunately far too common due to traffic accidents), or fatal diseases such as feline leukaemia or FIV. This is heart breaking for owners, pet health care workers such as myself and obviously a massive welfare issue for the individual cats. For this reason, I have</i></p>	
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>found increasing numbers of responsible cat owners are choosing not to allow their cats outside but are confining them to the house or house plus outdoor cat run where they cannot escape into the local area. If our responsible cat owners are happy to confine their cats should our local councils not reflect these worthy efforts, do the right thing and pass laws that force the less responsible owners to do likewise? As I have already stated I welcome the idea of cat prohibited areas but without some form of cat containment of those cats living close to these areas I do not see how this proposed declaration can be in any way effective. If we are serious about keeping cats out of these environmentally sensitive areas, we need to put adequate laws in place to support these efforts such as enforcing cat containment in households close to cat prohibited zones. In addition, and as already stated, native wildlife is not restricted to cat prohibited areas but exists in backyards and local parks throughout the Joondalup region. For this reason, we need to be working towards containment of all pet cats not just those bordering nature reserves. I would propose following the example of the ACT and taking a grandfathering approach to cat containment in areas not bordering nature reserves. In the ACT, as of the 1st July 2022, all new cats acquired by an owner must be contained. The ACT took this approach rather than a blanket ban on all cats being allowed to roam, to avoid a surge of cats being abandoned, surrendered or euthanised as owners struggle to contain cats that have previously always had access to the outdoors. In areas not close to environmentally sensitive areas this is a reasonable compromise and allows for a gradual approach to complete cat containment in order to avoid an increase in welfare concerns in these pets and allows people to consider the need to contain</i></p>	
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### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p><i>their cat when considering purchasing or acquiring a new pet cat. We cannot blame cats for the devastating effect they have had and will continue to have on our precious native wildlife. On the contrary, it is our fault if we fail to act and implement laws that will actually be effective. I fear that the changes being put forward have been designed so that something is being seen to be done but in effect they are too weak to have any significant impact on the problem. In my opinion we should be working towards laws that prohibit every pet cat from roaming in order to protect both native fauna and the welfare of the cats themselves. Make no mistake, although beautiful and incredibly endearing and despite the companionship and joy they bring to many of us, cats are the ultimate predator who have already brought about the extinction of over 20 Australian mammals and if we fail to act decisively, they will bring about the certain destruction of many more. 1. Legge at al., We need to worry about Bella and Charlie: the impacts of pet cats on Australian wildlife: CSIRO publishing, Wildlife Research 2020, 47, 523-539</i></p>	
51	Resident	Comment	<p><i>Any additional control on free-roaming cats, controls on dog ownership and dog behaviour is greatly appreciated. Overall more control on animal ownership and management is sorely needed. As a cyclist, I regularly encounter excrement on the coastal dual-use path. Also, encounter dogs on leashes that are excessively long and do not allow the owner to properly control the animal. A rule limiting leash length to one to one and half metres would be great. Last suggestion, the City should require cat owners to not allow their cats to roam freely at anytime. My security cameras regularly pickup cats entering my property during the very early morning hours. It should be a requirement that</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>cats must be kept indoors or in an approved outdoor cat-run.</i>	to extend to a cat merely entering a property without consent).
52	Resident	Comment	<i>Please bring in some sort of registration:license to have a cat in the community. I'm not against cats at all, BUT I've had several come on to my property &amp; destroy birds on my front door mat. It's sad &amp; destructive to our native wildlife. They should not be allowed to roam freely. We're not allowed to have dogs roam freely, same should be for cats. To own a dog you need it to be registered, microchipped &amp; on a lead outside your home. Stronger penalties should apply if a cat is found to be roaming the streets.</i>	<b>Response to cat registration</b> The <i>Cat Act 2011</i> provides a cat over the age of 6 months must be registered with the local government. Penalty: a fine of \$5,000.
53	Resident	Comment	<i>The keeping of cats as pets should be reviewed due to the damage they cause to native fauna populations.</i>	This would be a matter for the State Government to determine under the <i>Cat Act 2011</i> .
54	Resident	Support	<i>I would firstly like to thank the members of Joondalup council for making further amendments to law proposed last year. In general, I support the proposed act. Specifically in relation to cats, the proposed amendments put some of the onus back on to cat owners to restrict their movement in our suburbs and thus protect our wildlife. Whilst I acknowledge the restrictions of the Cat Act (very frustrating!!), it is disappointing that clause 4.3 suggests that a 'nuisance' cat 'is unlikely to extend to a cat merely entering a property without consent'. Cats don't 'merely' enter a property, but rather kill wildlife such as birds, frogs and lizards that owners have worked hard to provide habitat and food for. The proposed law states that a person in 'authority' has the right to address 'nuisance' cats but what does this mean. Does a home owner need to report 'nuisance' cat to</i>	<b>Response to managing nuisance cats</b>  The City will be establishing a cat nuisance complaint procedure which is in line with the <i>Cat Act 2011</i> and the proposed Animal local law 2025.  <ul style="list-style-type: none"> <li>• The property owner will be required to raise the complaint and an authorised officer will investigate and make a determination whether a nuisance or not.</li> <li>• A homeowner may trap a cat on private property and accept and understand their responsibility under the Animal welfare act 2002</li> <li>• The City will facilitate pick up of the trapped cat so long as it's contained in sufficient trap or cat carrier to allow an authorised officer to complete a scan of the</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>the ranger? Can home owner trap 'nuisance' cat and then call ranger or take cat to the pound? Thank you for the opportunity to provide feedback</i>	cat and safe carriage of the animal for transportation purposes.
55	Resident	Comment	<i>I have read the changes that have been made to the Animal Local Law 2025. My comments; I am not convinced that being less specific is a good idea, does everyone understand that it includes them? The keeper of the animal! I detest the Americanisation of the language, millimetre to millimeter, NSW use millimetre. On page 6 of the changes it mentions Lilburne Park. I live on Lilburne Road and do not know of Lilburne Park, neither does the map on my phone? Thanks.</i>	The grammatical errors are noted and can be amended.
56	Resident	Comment	<i>Cats should not be allowed outside of the owners home as they can be carriers of the parasite Toxoplasma gondii, which can be spread into soil when they urinate and contaminate any food grown in that soil. This parasite may cause behavioural and psychological changes in humans and it is not fair that people have to be at risk because of other people have chosen to own a cat. Furthermore, there needs to be actual enforcement of the fines implemented. I regularly see dogs urinating in public areas and owners just letting them. This activity from both cats and dogs is concerning to both human health and the health of native flora and fauna. I disagree with having introduced species such as domestic dogs and cats in Australia allowed outside where they can damage soil, threaten fragile ecological systems, kill native animals, trample native vegetation, etc. It is also unfair that people who choose not to own such pets must face consequences such as potential parasite exposure, potential attacks from dangerous dog</i>	This would be a matter for the State Government to determine under the <i>Cat Act 2011</i> and <i>Dog Act 1976</i> .

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>breeds, unwanted contact with uncontrolled animals (eg: dog coming to lick you).</i>	
57	Resident	Comment	<i>There seems to be nothing in this law regarding Dogs not to be a nuisance. What local law covers dog barking? I think that dogs with uncontrolled barking are absolutely considered a nuisance. Also, what about dogs to be under effective control outside of their own property? Or is this too covered under a different local law? So if there are no other such local laws to abide by for both Dogs not to be a nuisance and Dogs to be under effective control outside of their private property. I feel these need to be addressed and added into this local animal law. Thank you.</i>	<p><b>Response to nuisance dogs</b></p> <p>The <i>Dog Act 1976</i> covers issues related to nuisance dogs. The City has established procedures to continue to deal with dog nuisance reports.</p>
58	Resident	Support	<i>I support the changes and the introduction of cat prohibited areas.</i>	The comments are noted.
59	Resident	Comment	<i>The update of part 4 is excessive in limiting domestic cat free movement as the culprit of wildlife destruction. This is a one sided agenda pushing the responsibility only on legal cat owner. I would prefer to see the city effectively controlling foxes roaming around rather than trying to catch domestic cats only to fine cat owner.</i>	<p><b>Response in relation to feral foxes</b></p> <p>Residents are encouraged to participate in national community reporting of foxes and other feral species through the <a href="#">FeralScan website</a> or Refer to DPIRD to Find out about <a href="#">approved fox control measures</a> for the Use a trap other than a cage trap will usually require a <a href="#">Permit to Trap Declared Pests</a> from DPIRD.</p> <p>Natural areas - Perform Feral animal control Programs.</p> <p>Reports from the public raise awareness for the need for trapping of a prohibited area.</p>
60	Resident	Comment	<i>With regard to updating the above law, I notice that with regard to the keeping of poultry, clause 8.9 (4) states that 12 poultry may be kept, yet under prescribed offences item 41-8-9 (4) states that keeping more than six is an offence. This needs clarification. I would hope that a resident is still</i>	<p><b>Response to number of poultry</b></p> <p>The prescribed offences match that what is in clause 8.9(4).</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p>permitted to keep twelve poultry, as reducing this number is government overreach. Additionally, I notice that keeping more than two cats above the age of six months is prohibited. As long as cats, or dogs for that matter, are not creating a nuisance and are looked after properly, I cannot see why residents should be limited to the number they may keep. Again, this is government overreach. Residents should be left to live as they seem fit, without interference from government, unless animals are being neglected and causing problems for the community. Yours faithfully, [---] Woodvale resident.</p>	
61	Resident	Comment	<p>Re- maximum number of cats. This change to be maximum 2 cats is ridiculous. Most residents keep their cats inside so not a pest. We foster cats from time to time and recues are often overflowing with cats so require you to take more than one. If a resident have one or 2 cats already then under this change they would not be able to foster the cats that are in desperate need of care. Foster cats are kept inside, desexed and rehomed as soon as they are able. I 100% do not support this change.</p>	<p><b>Response to permitted number of cats</b></p> <p>The number of permitted cats from 3 to 2 was changed following community feedback.</p>
62	Resident	Comment	<p>Hi There I am the owner of two cats and two dogs. I firmly believe that ALL dogs and cats should be constrained within their home, so in standard residential areas within their yard, and for properties that are larger within a defined space, so they are not able to roam. This would not only keep the pets and community members safer but would also help a lot in the recovery of many of our threatened native species that are devastated by the impact of feral cats and dogs. I believe that that there should be more proactive work from all of the councils to control and trap stray animals. I also feel that with advocacy from all of the city councils,</p>	<p>The comments are noted.</p> <p>The City currently offers life registrations for dogs and cats which is outlined under the <i>Dog Act 1976</i> and <i>Cat Act 2011</i>.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p><i>Western Australia should look to the NSW model where pets have a one-off lifetime registration. This would encourage owners to register their pets and then with the above-mentioned trapping and control, animals can be returned to the owners quickly and for those that are repeat offenders, an escalating fine system put in place with the ultimate removal of their pets if they do not comply with constraining their animals to their own pre-defined boundaries.</i></p>	
63	Resident	Comment	<p><i>I've reviewed the proposed changes to the regulations concerning the management of cats. As a non-cat owner they seem vague about keeping cats on the owner's property and that they should be registered by an owner. An internet search about Joondalup's restricted areas - there are none listed! We live not far from the Earlsferry Reserve and I'm doing my best to grow trees and bushes to encourage birds and reptiles. There are at least three cats that can be seen crossing the local streets during the day. After seeing a programme about cats as pets, released to wander the streets particularly at night, they can travel up to eighteen kms in a week. The local park is not immune to being visited by cats. The safest places for the local bob-tail lizards is in the back yards of residents! A suggestion is that reminders about cat management and dog (excrement on footpaths and in the park) are included with the council rates notices.</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p><b>Response to cat prohibited areas</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council</p>
64	Resident	Comment	<p><i>Dogs should be on a leash when not in a prescribed area, clearly marked. Regular patrols should cover other areas where dogs and people, particularly mix.</i></p>	<p><b>Response to dog exercise areas</b></p> <p>The City is currently developing a Dog Management plan which will address issues related to dog exercise areas and signage.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

				Under the <i>Dog Act 1976</i> a owner dog is required to have effective control of their dog even when the dog is in an off leash dog exercise area. The City will continue to enforce the provisions under <i>Dog Act 1976</i> .
65	Resident	Comment	<i>I strongly request that it is the responsibility of cat owners to keep cats on their own property to protect the local wildlife. I regularly see a resident allow her cat to venture out toward the bushlands across the road. I see it then hide in bushes looking like it is ready to pounce on wildlife. Perhaps providing information or photos on the City of Joondalup website about examples of cat enclosures that owners can put on their own property to refer people to.</i>	<p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
66	Resident	Comment	<i>Reduction to two cats is good. Cat exclusion areas are excellent, but should it not include all parks and reserves in a suburb? Mawson park for example has an abundance of bird life, but you are ok to have cats roam through it!? I would have appreciated if cat owners were forced to keep their cats on their property overnight, rather than getting the dogs in the neighbourhood barking excitedly, when a cat comes wondering through the garden.</i>	<p><b>Response to cat prohibited areas</b></p> <p>The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council</p>
67	Resident	Comment	<i>The proposed changes to the cat laws are long overdue and could be be more severe. The amount if domesticated cats left to roam, causing havoc with other domestic animals and decimating wildlife is criminal.</i>	The comments are noted.
68	Resident	Comment	<i>I have concerns of changing the limit of cats per household from 3 to 2. We are currently facing a</i>	<b>Response to permitted number of cats</b>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p><i>crisis with unwanted cats. The reduction will prevent the adoption of additional rescue cats. Unlike dogs, there is no major change in behaviour from cats in larger groups. It would be far more advantageous to include rules about mandatory desexing of cats past 6 months of age, unless they have a breeding licence. Mandatory desexing, microchipping and vaccinations should be included in this document for all animals that would be considered a pet. 3 cats per household should remain as it serves no benefit to change it. The wording of the 2 cat rule change also has no clause for existing circumstances. It seems unfair that if someone currently has three cats, once the new document comes into affect, they will be committing an offence.</i></p>	<p>The number of permitted cats from 3 to 2 was changed following community feedback.</p> <p>All existing properties that have 3 cats residing at there property will be exempt of the restriction until a cat vacates the property under any circumstance.</p>
69	Resident	Comment	<p><i>We need more off lead dog areas so dogs can run and chase balls. some more enclosed parks for dogs would be good.</i></p>	<p><b>Response to dog exercise areas</b></p> <p>The City is currently developing a Dog Management plan which will address issues related to dog exercise areas and signage.</p> <p>Under the <i>Dog Act 1976</i> a owner dog is required to have effective control of their dog even when the dog is in an off leash dog exercise area. The City will continue to enforce the provisions under <i>Dog Act 1976</i>.</p>
70	Resident	Comment	<p><i>Part 2 Dogs 2.6 Maximum No. of Dogs, 2.6 Maximum number of dogs: A person shall not keep or permit to be kept on any premises more than 2 dogs over the age of 3 months and the young of those dogs under that age unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26(3) of the Dog Act. Wording from the DOG ACT 1976: The Dog Act 1976. Part V ” The keeping of dogs 26. Limitation as to numbers (1) The provisions of this Part shall not operate to prevent</i></p>	<p>The comments are noted.</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age. (2) Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt. (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption ” (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein; (b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and (c) may be revoked or varied at any time. According to the Dog Act 1976 (above), the City of Joondalup has the authority to allow an exemption from rules applying to a kennel establishment, to allow for Home Pet Boarding with a limit of 6 dogs at one time on the premises. A dog Kennel denotes an outside establishment of a row of individual wire fenced enclosures, with a concrete floor, [In the proposed Local Law: 3.8 Kennel establishment requirements (h) for each dog kept therein every kennel shall have not less than 1.8m<sup>2</sup> of floor space and every yard not less than 2.5m<sup>2</sup>]; the dog is confined to a small space, cold in winter and hot in summer, for the duration of their stay. They are alone in their cell for up to 15 hours every night. Depending on what the owner pays extra for,</i></p>	
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>exercise is limited (if any) and human interaction is minimal. Dogs can suffer from fear of abandonment, extreme stress, lack of human company and lack of exercise. This is an ARCHAIC AND OUTDATED method of dog boarding for 2025 and beyond. Although a Kennel may be the only option for some dogs, facility standards must be improved, with regards to the presentation and maintenance of the grounds; dogs comfort; and the time that staff spend with the dogs. An Annual check of kennel facilities, by an authorised representative of the City of Joondalup, should be done to ensure compliance. A NEW category of temporary pet boarding should be included in the C.O.J Animals Local Law 2025: PROFESSIONAL HOME PET BOARDING, where reasonable operating standards are documented and met and include: A Police clearance check, initial Council inspection, provider qualifications and/or proof of experience working with dogs and/or other pets. Official approval of a home pet boarding provider, by the City of Joondalup, would give pet owners seeking a more comfortable, less stressful, supervised, home environment care option for their Canine family member(s), an operating standard to trust when seeking a credible professional pet minder to safely care for their pet(s). Part 2 “ Dogs 2.1 Pound The local government may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act or this local law. Most Council Pounds are seriously inadequate with regards to the comfort of dogs in their care. Add: standard operating procedures for pounds: A pound must provide to all dogs in their care: an off-the-ground flat bed suitable to the dogs size, with mattress and blanket which must be cleaned and replaced if soiled, and replaced for each new dog that enters the kennel. Water bowls checked and filled when needed, and</i></p>	
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>at least 3x a day. Vet recommended dog food offered twice daily. The facility must be air conditioned/heated to human comfort standards in accordance with the weather conditions on any given day/night. Each dog must have individual access to an exercise yard, for at least half an hour a day. A dog must not be returned to, or given new ownership to, any human or environment that would put the dog at risk. Where a home has not been found for a dog housed at a pound, all efforts must be taken to contact all possible dog rescue organisations to collect the dog, and provide the dog the opportunity to be rehomed to a suitable home. Part 4 - CATS 4.2 Number of cats that may be kept for the purposes of the definition of standard number of cats in regulation 4(1) of the Cat (Uniform Local Provisions) Regulations 2013, a person who is ordinarily resident at prescribed premises shall not permit more than 2 cats over the age of 6 months to be kept on that property. Add: All cats over the age of 6 months must be sterilised unless registered with a Registered Breeder. REGISTERED BREEDERS. To be granted Registered Breeder status, and maintain Registered Breeder status, stricter rules must apply, and the breeders premises monitored by way of regular council inspections (every 6 months), to ensure compliance with current animal welfare legislation and local council laws. 4.9 Cat prohibited areas (2) (b) Add: all methods available must be used by Council officials to contact the Owner/Carer of the cat, enabling the safe return of the cat to the Owner/Carer, subject to imposed financial penalties being paid. If the Owner/Carer neglects to collect their cat, all possible cat rescue organisations must be contacted for collection of the cat, to enable the cat to be safely rehomed. NOTE: The C.O.J Animal Local Law 2025 must allow for residential outside cat enclosures that</i></p>	
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>allow an owners cat(s) room to move, height to climb, and rest above ground level, sheltered from the direct sun and heat in Summer, and possible flooding in Winter, with no restrictions to proximity to the owners dwelling and not less than .5metres from any perimeter fence. A cat should only have access to the enclosure for a restricted period of time on any day, or otherwise be allowed to roam outside during the day (not in cat prohibited areas), and be kept inside the owners house at night during night curfew. Add category: Transport and Tethering of animals. Add: No animal including a dog is to be transported in the back of a Ute tray within the City of Joondalup, unless a built for purpose enclosed mesh cage is securely fixed to the ute tray</i></p> <p><i>where mesh gaps measure not less than 2cm and not more than 5cm in diameter to allow the dog or other animal, ventilation and to see out. Height of enclosure must allow the dog or other animal to stand freely with an additional 20cm above their head height when standing. Add: No animal is to be left tethered unattended outside a shopping centre. Add: No dog or other animal is to be left tethered unsupervised at any property as a way of containing an animal onto that property. Add: Dogs must be walked on lead when being walked on any roadside, footpath, or alleyway. Part 5 “ Livestock</i></p> <p><i>5.4 Horse Exercise Area (3) A person shall not ride, drive, exercise or train a horse on any part of a reserve or foreshore set aside under subsection (1), faster than walking pace or City of Joondalup Animals Local Law 2025 in a manner so as to create a danger or become a nuisance to the public or to any person. (4) A person may only ride, drive or bring a horse onto a designated horse exercise area between the times of midnight and midday, Monday to Saturday. Horse exercise areas are few and far between and should be available to horses</i></p>	
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>and their riders/drivers/trainers all day long Monday to Saturday inclusive. Clear signage needs to be erected by the City of Joondalup at all three entries to each horse beach, stating the hours horses are allowed. (5) A person may exercise a dog on an area of reserve or foreshore set aside as a horse exercise area provided the dog remains under full control on a leash during the times set out in subclause (4). A dog may be exercised within a designated horse exercise area off leash at all other times. Dogs and Horses DO NOT MIX. They are a risk to each other and AT ALL TIMES, DOGS SHOULD NOT BE ALLOWED ONTO A DESIGNATED HORSE EXERCISE AREA AND VICE VERSA. Keep designated beach areas for Dogs, and designated beach areas for Horses, separate. Part 6 “ Pigeons. 6.2 Restrictions on pigeon and dove nesting or perching (1) An environmental health officer may order an owner or occupier of premises in or on which pigeons or doves are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so. (2) An owner or occupier must comply with an order made under this clause. DELETE 6.2 (1) and (2). Cats are blamed for destroying wildlife, but the City of Joondalup is doing the same thing by instructing people to destroy Dove nests!! The City of Joondalup or any other body, has NO RIGHT TO ERADICATE A SPECIES JUST BECAUSE IT MAY BE AN INCONVENIENCE TO SOME. Interference by humans, with the balance of nature and the rights of other species, is not acceptable so delete this section entirely from the animal local law 2025. If you have to prevent breeding of one species, make it snakes! They can kill us! and many other protected species of wildlife, while Doves are gentle birds and no threat to anyone! 6.8 Cage, enclosure or loft requirements Specify a minimum enclosure size for each bird, to allow natural freedom of</i></p>	
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

		<p><i>movement. Part 8 “ Animals, Birds and Poultry 8.3 Keeping a miniature horse (2) An owner or occupier of a premises shall - (a) not keep more than one miniature horse on land without the written approval of the local government; and (b) not permit a miniature horse within 9 metres of any house. (a) Horses need company of their own kind! Allow at least 2 horses together. (b) A miniature horse should be able to go up to their owners house without the permission of a council body. Add: (c) The land on which the miniature horse is kept, must be fully enclosed with approved fencing and gates for the safe keeping of horses. Add: (d) The enclosed horse fencing must be set back from any main road by (?? (4-5?) Metres). 8.9 Keeping poultry 2(a) no poultry is able to approach within 9 metres of a dwelling or within 1 metre from a boundary of the lot; Within 9 metres of a dwelling is unrealistic. It should be 4 metres. 2(b) x. the sawdust or sand must be kept dry at all times and be changed at least once every 6 months or when directed by an environmental health officer. The sawdust or sand should be changed at least every 3 months. NOTE: Theres no mention of the keeping of Guinea pigs, Rabbits or Rodents. A minimum enclosure/cage size must be specified to allow enough space for the animal to move about freely. Enclosures/cages must not be left on a lawn unsupervised in the heat of direct summer sun, ie above (specify a temperature), or in cold temperatures below (specify a temperature) or in wet conditions, to avoid possible flooding. Cages/enclosures must have an enclosed loft area at least .70metres above ground level with access by a ramp, with the enclosed area being no less than .30metres high, to allow an animal to escape hot, or wet ground. Enclosures must be kept in moderate temperatures with areas of both sunlight and shade to the enclosure/cage, and be kept in a</i></p>	
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**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			secure area away from predators. Please acknowledge receipt of this submission by return email.	
71	Resident	Support	<p><i>I write to express my strong support for the improved cat control measures outlined in the proposed Animals Local Law 2025 by the City of Joondalup. One of the most compelling reasons to strengthen cat management is the significant threat domestic and feral cats pose to Australia's native wildlife. According to research published by the Australian Government's Department of Climate Change, Energy, the Environment and Water: "Cats kill over 1.5 billion native animals in Australia each year" this includes 1 billion reptiles, 316 million birds, and 399 million mammals." Source: Woinarski, J.C.Z. et al. (2017). "How many birds are killed by cats in Australia?" Biological Conservation, and companion research on reptiles and mammals. "Domestic cats (owned cats) alone are responsible for killing approximately 546 million animals annually in Australia, even when they are fed at home." Source: Legge, S. et al. (2020). "The effectiveness of predator control to conserve biodiversity in Australia." Biological Conservation. Studies show that roaming pet cats kill on average 186 reptiles, birds and mammals per year. Source: Australian National University / Threatened Species Recovery Hub. Beyond the direct impact on wildlife, roaming cats can cause significant nuisance in neighbourhoods fouling gardens, fighting with other pets, and breeding uncontrolled. Personally, I have spent many years and a considerable amount of money introducing native plants into our garden to create a safe haven for local wildlife. This effort has brought a beautiful array of native birds and lizards into our yard. Sadly, it has also attracted the attention of roaming</i></p>	The comments are noted.

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p><i>neighbourhood cats. It is absolutely heartbreaking to regularly find dead birds in the garden after all the time, care, and commitment that has gone into creating a thriving habitat. The inclusion of cat prohibited areas, provisions for nuisance cats, and broader enforceable measures in the Animals Local Law 2025 is not only appropriate, it is urgently needed. Responsible pet ownership includes recognising the environmental and social impact of allowing cats to roam freely. I urge the Council to finalise and implement the proposed law, and to support strong enforcement mechanisms alongside public education about responsible pet ownership. Thank you for the opportunity to provide input on this important initiative.</i></p>	
72	Resident	Comment	<p><i>All cats should have to be contained to the owners property just like dogs. For too long most cats have been allowed to roam day and night, killing wildlife, fighting, spraying people's houses and breeding unwanted kittens. While some owners are responsible, many are not. I hope that Joondalup council will make this law. Kind regards,</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
73	Resident	Comment	<p><i>Cat Prohibited Areas Add to clause 4.9: All private property where the owner has not given permission for the cat to roam Add to clause 4.9 or Schedule 4, as appropriate: All parks, all nature reserves and all conservation reserves e.g. Trigonometric Park, Glenbar Park, Poynter Park, Granadalla Park, Galston Park, Percy Doyle Reserve.</i></p>	<p><b>Response to cat prohibited areas :</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

74	Resident	Comment	<p><i>New Section 2.7 Dog not to be a nuisance 2.7.1 The keeper of a dog must prevent the dog from creating a nuisance. 2.7.2 Where, in the opinion of an Authorised Person, a dog is creating a nuisance, an Authorised Person may give a dog control notice to the keeper of the dog requiring that person to abate the nuisance. 2.7.3 When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for a period specified on the notice which must not exceed 28 days. 2.7.4 The keeper of a dog given the notice to abate the nuisance must comply with the notice within the period specified in the notice.</i></p>	<p><b>Response to nuisance dogs</b></p> <p>The Dog Act 1976 covers issues related to nuisance dogs. The City has established procedures to continue to deal with dog nuisance reports.</p>
75	Resident	Comment	<p><i>the text is written in a much better defined and clearer language than former other texts. Congratulations. I have a problem with "nuisance". We remember the case where neighbours through first hot coffee, then used the garden hoses then went to court.....all for just about nothing.....In case neighbours cannot settle "a problem" we need a prescribed arbitration process, which one neighbour can approach and the other neighbour "HAS" to accept. If that does not work, well then they either drop the case or go to court. I guess the existence of such a procedure would make neighbours think again and maybe.....just forget the "problem". I miss a para about rabbits: they need to be contained giving them the chance to express their natural behaviour, but locked in to the extend that they cannot escape. The reason is that the escaped rabbits breed with feral rabbits, therefore adding to the breeding population...I was not aware that we have large animals in Joondalup....I thought they were homed in Wanneroo...interesting.....It is good that the Horse Beach is included in this Law, many people wonder why we have that beach: the horses</i></p>	<p><b>Response to nuisance dogs</b></p> <p>The Dog Act 1976 covers issues related to nuisance dogs. The City has established procedures to continue to deal with dog nuisance reports.</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p>are mainly stabled in Wanneroo but the owners in many cases live in Joondalup or Sterling. An overarching public benefit. And almost all dogs behave well and the beachgoers love to see the horse. Under prescribed offences I noticed "other offences". A LAW should be specific, so, unless we know what we have in mind, we better cut "other offences". In wonder about wildlife: rats kill much more wildlife than cats and yes, as pets rats are very social companions. In case we do have rats as pets, and I think we have, is it worthwhile to add a para? Overall: job well done.....</p>	
76	Resident	Comment	<p>Need to provide more off lead dog parks as only 1 in Joondalup which is small (Winton road) with no facilities and only 1 dog beach. Parks need to be clearly identified as to which allow off lead dogs under effective control of owner. Consider training courses attended by dogs and owners to be mandated. Cats to be kept contained in own property.</p>	<p><b>Response to dog exercise areas</b></p> <p>The City is currently developing a Dog Management plan which will address issues related to dog exercise areas and signage.</p>
77	Resident	Comment	<p>I support the new laws I would like to see it be an offence for people who let their cats roam outside and particularly an offence if someone's cat or dog hurt or kills a native animal.</p>	<p>The comments are noted.</p>
78	Resident	Comment	<p>While you are focused on eradicating cats - which I very rarely see, there has been an increase in rats. Also do something about off-lead dogs and the amount of dog poo around the place.</p>	<p><b>Response to dog exercise areas</b></p> <p>The City is currently developing a Dog Management plan which will address issues related to dog exercise areas and signage.</p>
79	Resident	Comment	<p>I am supportive of the changes and increased restrictions to the movements of pet cats. My neighbour owns two cats and they are allowed to roam the streets 24 hours a day. I have asked her to at least bring them in at night, but this hasn't</p>	<p>The comments are noted.</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<p><i>happened. I am very concerned about the number of birds and reptiles that are killed by domestic cats every year - on average 186 kills per cat, including birds, reptiles and mammals. (Source: <a href="https://invasives.org.au/wp-content/uploads/2023/06/Pet-cat-impacts-June-2023.pdf">https://invasives.org.au/wp-content/uploads/2023/06/Pet-cat-impacts-June-2023.pdf</a>) I am also supportive of the provisions for nuisance cats, as I have had many seeds and seedlings dug up from my neighbour's cats using my gardens (front and back) as a litter box. This is not only frustrating, but potentially a health risk due to exposure to parasites in cat faeces, as I grow edible plants in my garden.</i></p>	
80	Resident	Comment	<p><i>currently have no pets, so there are many birds that make homes in the bushes and trees near my property. I often have the unpleasant experience of cleaning up dead and dying birds who were victims of attacks by cats whose careless owners allow them to wonder the neighbourhood. These cats also like to use parts of my garden to defecate in. I appreciate the introduction of stronger cat laws to be more in line with existing dog laws. The same law as 2.4 making it an offence for a dog to excrete should also be applied for cats. The same law as 2.5 regarding dogs being confined should also be applied for cats. Cats should be confined to the owner's property the same way as dogs are required to be. This prevents the killing of local wildlife (not just in parks as prescribed) and this also prevents cats from being a nuisance and defecating in neighbouring properties. The same law as 4.3 defining a process to apply for more than 2 cats, should also apply to dogs. There does not need to be separate sections for Dogs and Cats. These laws should be merged, and Cats and Dogs should be treated the same, and have the same laws applied to them equally.</i></p>	<p><b>Response to cat control</b>                  The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul> <p>With regard to combined cat and dog laws – this is a matter for the State Government.</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

81	Resident	Not support	<i>I would like to see no changes to the law.</i>	The comments are noted.
82	Resident	Comment	<p><i>Cats impact on our environment under the cloak of darkness, wandering outside their home territory to hunt. My current garden is host to many native birds and now that I have security cameras, I have noticed at least five different cats in my yard on a daily basis. Some cats visit our property three time per day and also late into the night AND IT IS IMPOSSIBLE TO CURB THEIR BEHAVIOUR WHEN THEY ARE ROAMING. Two neighbors nearby have also complained to me that their gardens are being used as hunting grounds. One neighbor is losing fish from his pond on a regular basis. Feathers left of the ground, especially in nesting season, are the only indication of a bird kill. As we reside close to the PROHIBITED ZONES for CATS it is quite possible that these and other cats frequent and hunt in this environmentally sensitive area. I have night footage of a FOX stalking in my front yard, so it is also feasible that cats will travel into the designated PROHIBITED ZONES, where I am sure there are many animals that become prey to these urban cats. Whilst urban cats may kill fewer animals on average than a feral cat in the bush, in urban areas the density of cats is much higher. As a result, cats in urban areas may kill many more animals per square kilometre each year than cats in the bush. Cat owners have a responsibility to manage their animal and know where they are at all times. Perhaps a NIGHT CURFEW is required. Enforcing a night curfew and perhaps encouraging cat owners to install a cat run, cat enclosure or cat-proof fencing will ensure cats can roam safely on their owner's property. The current laws regarding cat ownership and regulations are out of step with current environmental practices. A night curfew is a SIMPLE and COST-EFFECTIVE way to ensure that</i></p>	<p><b>Response to cat control</b>                  The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat’s ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as ‘nuisance’ at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<i>cat lovers can enjoy their pet without the cat causing destruction to the local wildlife. Many other councils have invoked a night curfew with good results to support our native animals</i>	
83	Resident	Comment	<i>Hello, I believe the current system for dogs off leash in parks is working well. This does not need to change. The overwhelming majority of Dog owners are responsible. I would like to see a cat curfew brought in asap. Quite often I see stray cats - not sure who they belong to but obviously neighbors. These cats predate on the birds and small lizards on my property. Regards,</i>	<p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
84	Resident Comment		<i>Please make a law that cats should be contained within their own property. Especially at night! Our Cat is contained in our yard with cat netting and has access to inside our house 100% of the time. We are fed up with cat fights at night cats using our garden as a toilet. Upsetting our dogs and neighbours dogs day and night because they are on everyone's property except their own they set our cameras off at night and disturb our sleep. All Pets should be contained within their properties and be on leashes if dogs and or cats are not within their properties to maintain safety to all. As well as harmony in our suburbs. It isn't fair to disturb our sleep and also end up with poo left on lawn &amp; driveway from Dogs and buried poo from Cats in our gardens. The cat fighting is noisy and distressing to listen to. So please make everyone</i>	<p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p><i>accountable for our peace and the safety of our native animals as we all know cats can tragically kill many species if they are allowed to roam. Also the cats that get run over it is traumatic for any driver and also makes our roads unsafe when a cat or dog runs out unexpectedly. I don't want cats or dogs put down that's cruel however we do want owners to be responsible and accountable for their pets. We need the shire to make owners accountable. We need the shire to be able to take acceptable enforcement of curfew rules that may be implemented otherwise the issues will continue from the same people who choose to have pets and are not responsible owners.</i></p>	
85	Resident	Comment	<p><i>Cats should be kept in at night and no more than 2 per household. Cats should not be allowed in natural areas.</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
86	Resident	Comment	<p><i>The cat laws don't go far enough. Unless cats are considered livestock there is still no requirement to keep your cat on your own property. The laws for cats should be exactly the same as dogs ie contained, pick up faeces, restrained in public places etc. A cat that is roaming is causing a nuisance, just by being there, to neighbours,</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

			<p><i>drivers, gardeners, responsible cat owners and most importantly fauna that don't know they should stay in designated reserves to stay alive. There should be a restriction on cat ownership within 2km radius of any reserve boundary. Cat laws must be stronger to reflect the damage they do to our rapidly declining and threatened wildlife species in urban and rural areas. All roaming cats should be trapped, scanned and returned to their owners with a fine that reflects the damage they do and a requirement to modify their property to keep the car contained within a reasonable time frame and the requirement followed up with an inspection similar to pool owners. The city should do more to assist those people that have to deal with other people's cats stalking, spraying and defaecating on their unfortunate neighbours property ie supply traps. An owner that allows their cat to roam is irresponsible and should be treated as such just as dog owners are. Thank you</i></p>	<ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
87	Resident	Comment	<p><i>Limiting the number of cats to 2 is not necessary if the owner keeps the cats contained in their property. There is a cat crisis in Perth and limiting the number of cats that responsible owners can have just means more cats will stay on the streets. There is also no provision that I can see for foster carers who provide an invaluable service to the community and may have multiple foster cats at a time.</i></p>	<p><b>Response to permitted number of cats</b></p> <p>The number of permitted cats from 3 to 2 was changed following community feedback.</p>
88	Resident	Comment	<p><i>Schedule 4 should not totally replace the clauses under Cat prohibited areas, in particular the first paragraph, (1), primarily because Schedule 4 as it is proposed appears to limit the prohibited areas to only those in the Schedule list. There are likely to be other areas in the City that are also of significant fauna value. For example parks or playgrounds that</i></p>	<p><b>Response to cat prohibited areas</b></p> <p>The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<p>have small lake or ponds where water birds and frogs, etc, breed or that are otherwise home to native fauna. Two local examples that come to mind are Mawson Park and Broadbeach / Waterston Park. It is recommended that a clause be included that makes clear that from time to time other areas may be designated prohibited. A possible alternative could be to increase the list, to cover all such areas, but which may not be all that practical. Secondly, please note that Stirling proposes in addition to legislate Fauna Protection Buffer Zones (falling within 200 metres of their Cat Prohibited Areas). This approach appears more likely to have the desired effect of limiting the number of cats roaming in the prohibited areas.</p>	
89	Resident	Support	<p>I support 12 chickens per household. It is imperative people should be able to feed themselves with all these constant egg shortages.</p>	<p>The comments are noted.</p>
90	Resident	Comment	<p>These proposed amendments aren't adequate to improve the situation in relation to cats. Every cat should be licensed - even a single cat at a private home. Same as dogs. Most of the issues in this neighbourhood are caused by single cats at private homes which are allowed to roam freely 24 hours a day. And left 100% unattended when the owners go on holiday. All cats, including single cats, should be contained in an enclosure. A further concern is re enforcement. Currently, although cats are caught and caged, after the fine is paid, they're back roaming the neighbourhood - killing birds, fighting with other cats all night. Cats should not be returned. Clearly fines aren't a sufficient deterrent especially such a low fine.</p>	<p><b>Response in relation to registration of cats</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> <li>• The <i>Cat Act 2011</i> provides a cat over the age of 6 moths must be registered with the local government. Penalty: a fine of \$5,000.</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

				<p><b>Response to cat prohibited areas</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p>
91	Resident	Comment	<p><i>The updates do not deal with the problem of cats killing birdlife. Dogs have to be restrained / fenced in, but it is uncontrolled cats which do a lot of damage. The same rules should be applied to cats as currently apply to dogs. It is sometimes impossible to locate the irresponsible owners of cats, especially of those cats active at night.</i></p>	<p><b>Response to cat prohibited areas</b> The <i>Cat Act 2011</i> provides that local laws may be made specifying places where cats are prohibited absolutely. The specific places where cats are to be prohibited, is a matter to be considered by Council.</p>
92	Resident	Comment	<p><i>Cats are an invasive species and I support a total ban of them as a pet. I don't accept I should have to regularly clean up cat faeces from my garden when I do not own a cat. They enter my property and agitate my dog. I plant native plants to support bird life not to provide a hunting ground for local cats. Cats found to be allowed to wander freely by their owners should be trapped and euthanised.</i></p>	<p>The <i>Cat Act 2011</i> establishes the regulations for ownership, registration and management of cats in Western Australia aiming to promote responsible cat ownership and protect local wildlife.</p>
93	Resident	Comment	<p><i>Disappointing that there are not more stringent rules preventing cats from being allowed to roam - day or night - and instead simply having free rein to attack birds and other wildlife. At the very least they should HAVE to wear a very large bell around their necks to give wildlife a fighting chance. Awful creatures</i></p>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>

### City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions

94	Resident	Support	<i>agree with the changes especially when owners of dog and cats allow their pets to roam freely and they become a nuisance defacating on properties nearby or loudly howling, barking, or stealing food left outside for the pet that lives on the premises.</i>	The comments are noted.
95	Resident	Comment	<i>For the safety and well-being of everyone, cats should be confined to their owner's property. The adjustments included in the proposed Animal Local Law are a step in the right direction. Although we recognise the difficulties in containing cats, we must take action to protect our native animals that are decimated by domestic and feral cats.</i>	<p><b>Response to cat control</b> The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
96	Resident	Comment	<i>I have so many cats in my area coming into my yard damaging my cats and bringing killed wildlife to our doors.</i>	The comments are noted.
97	Resident	Support	<i>I am very much in favour of allowing 12 chickens per household.</i>	The comments are noted.
98	Resident	Comment	<i>I agree that more needs to be done to reduce the number of cats roaming the streets, especially at night. Registering cats is a good idea. Make owners accountable.</i>	The comments are noted.
99	Resident	Comment	<i>Thank you for sending the proposed revisions to the Animals Local Laws. My main concern is that cats be contained within the owners premises at all</i>	The comments are noted.

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

			<i>times. Unfortunately, I was unable to determine this from the information supplied (as a 77 year old pensioner it is little hard to follow). I would appreciate any additional information you may be able to supply tha could to help my understanding. Than You Best Reagrds.</i>	
100	Resident	Support	<i>I think it's good. You're bringing in more laws to control cats and protect native wildlife. Thank you.</i>	The comments are noted.
101	Resident	Comment	<i>As a daily walker in our local parks, I am increasingly frustrated by the sheer number of dogs allowed to roam off-lead in areas not designated for such activity. It's not just inconsiderate it's a safety issue. I've been barked at, jumped on, and harassed by dogs whose owners either can't or won't control them. Enough is enough. If an area is not a fenced dog park, dogs *must* be on leads at all times. Council needs to step up enforcement with meaningful fines that actually deter non-compliance. A token warning or idle signage is not enough. Enforce the rule, raise the penalties, and make public spaces safe and enjoyable for everyone again. As for cats, they should not have free rein over our community. Wandering cats pose a very real threat to native wildlife, especially birds and small mammals, and their nocturnal prowling disrupts both ecosystems and neighbours. The solution is simple: cats should be confined indoors or in secure outdoor enclosures. Any roaming cats found outside should be picked up by rangers, and owners should be required to pay a fine to retrieve them, just like we expect from dog owners. Responsible pet ownership is not optional; it's the bare minimum we owe to each other and to the environment we all share. It's time for the council to treat it with the seriousness it deserves.</i>	<p><b>Response to dog exercise areas</b></p> <p>The City is currently developing a Dog Management plan which will address issues related to dog exercise areas and signage.</p> <p><b>Response to cat control</b></p> <p>The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat's ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as 'nuisance' at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>

**City of Joondalup Proposed Animals Local Law 2025 – Schedule of Submissions**

102	Resident	Comment	<p><i>Cats should be kept indoors at all times otherwise fines or impoundment. We need to protect our wildlife from them. Too many have died already.</i></p>	<p><b>Response to cat control</b>                  The Joint Standing Committee on Delegated Legislation (JSCDL) has concluded that the <i>Cat Act 2011</i> provides a general right for cats to roam. As such, a local law cannot restrict a cat’s ability to enter public or private land except in cases where:</p> <ul style="list-style-type: none"> <li>• The property owner has given explicit consent for the local government to remove a specific cat from the premises; or</li> <li>• The cat is carrying out actions which genuinely qualify as ‘nuisance’ at common law (which is unlikely to extend to a cat merely entering a property without consent).</li> </ul>
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City of Joondalup

Animals Local Law 2025

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*Cat Act 2011*

*Dog Act 1976*

*Local Government Act 1995*

City of Joondalup

**Animals Local Law 2025**

City of Joondalup

Animals Local Law 2025

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*Cat Act 2011*

*Dog Act 1976*

*Local Government Act 1995*

City of Joondalup

## **Animals Local Law 2025**

Contents

City of Joondalup

Animals Local Law 2025

*Cat Act 2011*

*Dog Act 1976*

*Local Government Act 1995*

City of Joondalup

## **Animals Local Law 2025**

Under the powers conferred by the *Cat Act 2011*, *Dog Act 1976*, *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Joondalup resolved on [insert] to make the following local law.

### **Part 1 – Preliminary**

#### **1.1 Title**

This local law may be cited as the *City of Joondalup Animals Local Law 2025*.

#### **1.2 Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

#### **1.3 Purpose and intent**

- (1) The purpose of this local law is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.
- (2) The effect of this local law is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

#### **1.4 Repeal**

The following local laws are repealed on the day that this local law comes into operation –

- (1) *City of Joondalup Animals Local Law 1999*, as published in the *Government Gazette* on 27 August 1999 and as amended in the *Government Gazette* on 10 July 2000, 15 January 2002, 28 March 2008, 18 February 2011, 10 January 2017 and 3 August 2018.
- (2) ~~Clauses 7 to 7.7 of the *City of Joondalup Amendment Local Law 2000*, as published in the *Government Gazette* on 10 July 2000.~~

- ~~(3) — Clauses 5 to 5.6 of the City of Joondalup Amendment Local Law 2001, as published in the Government Gazette on 15 January 2002.~~
- ~~(4) — City of Joondalup Animals Amendment Local Law 2008, as published in the Government Gazette on 28 March 2008~~
- ~~(5) — City of Joondalup Animals Amendment Local Law 2010, as published in the Government Gazette on 18 February 2011.~~
- ~~(6) — City of Joondalup Animals Amendment Local Law 2016, as published in the Government Gazette on 10 January 2017.~~
- ~~(7) — City of Joondalup Animals Amendment Local Law 2018, as published in the Government Gazette on 3 August 2018.~~

### 1.5 Application

This local law applies throughout the district.

### 1.6 Interpretation

- (1) In this local law unless the context otherwise requires –

**Act** means the *Local Government Act 1995*;

**animal** includes any living animal, tame or wild, kept by a person;

**application** means the completed form lodged by an applicant as required by this local law;

**applicant** means a person who has lodged an application for an approval, certificate or licence required for any activity by this local law;

**approved fees** means the fees and charges determined by the local government from time to time, under sections 6.16 to 6.19 of the Act, for putting into effect the provisions of this local law;

**assistance dog** has the meaning given to it in the *Dog Act 1976*;

**Authorised Person** means a person authorised under section 9.10 of the Act to perform any of the functions of an Authorised Person under this local law;

**caravan park** has the meaning given to it in the *Caravan Parks and Camping Grounds Act 1995*;

**Cat Act** means the *Cat Act 2011*;

**cattery keeper** means a person registered to keep a cattery;

**certificate of registration** means a certificate of registration to keep pigeons issued pursuant to this local law;

**City** means the City of Joondalup;

**Code of Practice** means the Code of Practice for Pigeon Keeping and Racing in Western Australia as prescribed by the *Animal Welfare Act 2002* and *Animal Welfare (General) Regulations 2003*, as amended from time to time;

**Council** means the council of the City of Joondalup;

**cow** includes an ox, calf or bull;

**district** means the district of the City;

**Dog Act** means the *Dog Act 1976*;

**environmental health officer** means a person appointed as an environmental health officer under section 17 of the *Public Health Act 2016*;

**food premises** means a premises where food is stored, kept, prepared, manufactured, processed, cooked or served or otherwise dealt with for subsequent sale to the public either directly or indirectly;

**grouped dwelling** means a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise;

**horse** includes an ass, mule, donkey, shetland pony or pony;

**keeper** in relation to a cat means each of the following persons –

- (a) the owner of the cat;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in his or her possession for the time being; or
- (e) a person who occupies any premises in which the cat is ordinarily kept or ordinarily permitted to live;

**land** means land in the district and includes houses, buildings, works and structures, in or upon the land;

**large animal** includes a sheep, cow, goat, cattle, horse (excluding a miniature horse), buffalo, camel, llama, deer, alpaca or any other animal so classified by the local government;

**livestock** means any horse, cattle, sheep, goat, pig, buffalo, deer, camel, llama and alpaca;

**local government** means the City of Joondalup;

**local planning scheme** means the local planning scheme, or each of the local planning schemes, made by the local government and in force from time to time under the *Planning and Development Act 2005*;

**lot** has the same meaning given to it in the *Planning and Development Act 2005*;

**miniature horse** means a horse that does not exceed 870 millimetres in height as an adult and is classified as a miniature by the Miniature Horse Association of Australia;

**miniature pig** means a pig that does not exceed 650 millimetres in height as an adult and weighs between 45 - 55 kilograms;

**multiple dwelling** means a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other;

**nuisance** means -

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

**occupier** where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land;

**owner** has the meaning given to it in the Act;

**pigeon** includes homing pigeon and racing pigeon;

**poultry** means any domestic fowl or chicken, bantam, duck, goose, guinea fowl, pheasant, turkey, peahen or peacock;

**pound** means a building or yard established by the local government or Authorised Person for the impounding of dogs or animals for the purposes of this local law;

**public place** means any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes park lands, squares, reserves, beaches, and other lands set apart for the use and enjoyment of the public, including all lands which belong to or which are vested in, or are under the control or management of, the local government;

**reserve** means any land:

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an otherwise unvested facility within section 3.53 of the Act;

**residential area** means any land situated within a residential zone as classified by the town planning scheme and includes land predominately used for residential purposes;

**Schedule** means a schedule to this local law;

**stablehand room** means a room or rooms used for occasional overnight occupation to facilitate husbandry to pregnant or sick animals;

**thoroughfare** has the meaning given to it in the Act;

**vermin** includes rats, mice, flies, fleas, mites, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or likely to cause damage to human food, habitation or possessions;

**young birds** means any pigeon under 24 days of age and, unless the contrary can be shown, a pigeon shall be deemed under this local law to be a young bird if it is without feathers on the flesh under the wings.

- (2) Any other expression used in this local law and not defined shall have the meaning given to it in the *Cat Act 2011*, *Dog Act 1976*, *Local Government Act 1995*, the *Public Health Act 2016* or the *Public Health Regulations 2017*, unless the context requires otherwise.

## Part 2 – Dogs

### 2.1 Pound

The local government may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act or this local law.

### 2.2 Impounding dogs

A dog seized by the Police or by a person authorised by the local government may be placed in a pound.

### 2.3 Pound fees

The fees and charges in relation to the seizure and impounding of a dog and maintenance thereof in a pound payable under section 29(4) of the Dog Act, are those approved by the local government from time to time under sections 6.16 to 6.19 of the Act.

### 2.4 Offence to excrete

- (1) A dog must not excrete on –
- (a) any thoroughfare or other public place; or
  - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

### 2.5 Dogs to be confined

- (1) The owner or occupier of premises within the local government on which a dog is kept must –

- (a) ensure that the portion of those premises on which the dog is kept to be fenced in a manner capable of confining the dog to that portion and in a manner which complies with this clause;
- (b) ensure the fence used to confine a dog and every part of the fence shall be of a type, height and construction which, having regard to the species, age, size and physical condition of the dog, prevents the dog from passing over, under or through the fence;
- (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
- (d) maintain the fence and all gates and doors in the fence in good order and condition; and
- (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.

(2) An owner or occupier who fails to comply with subclause (1) commits an offence.

(2)(3) Notwithstanding the above, the confinement of dangerous dogs is provided in the Dog Act.

## **2.6 Maximum number of dogs**

A person shall not keep or permit to be kept on any premises more than 2 dogs over the age of 3 months and the young of those dogs under that age unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26(3) of the Dog Act.

## **Part 3 – Approved Dog Kennel Establishment**

### **3.1 Approved kennel establishment licence**

A person shall not keep a kennel establishment without having first obtained a licence under this local law and a planning approval under the local planning scheme.

### **3.2 Notice of application for kennel establishment licence**

An applicant for a licence to keep an approved kennel establishment shall:

- (a) publish in a newspaper circulating in the district a notice of their intention to submit an application for a licence, being that of Form 1 of Schedule 3, specifying that any interested person may within 21 days after the date of such publication object to or make representations in respect of the application in writing directly to the local government; and
- (b) forward a notice, being that of Form 1 of Schedule 3 to the owners and occupiers of all land within a radius of 275 metres of the boundaries of the land upon which it is proposed to establish the kennel.

### **3.3 Application for kennel establishment licence**

An application for a licence to keep an approved kennel establishment shall be on Form

2 of Schedule 3 and shall be accompanied by:

- (a) evidence that notice of the proposed use of the land has been given in accordance with clause 3.2 (a) and (b);
- (b) a plan showing the details and specifications of all kennels, adjacent yards and the distances from the kennels to the boundaries of the land the subject of the application and all buildings on the land together with such information as the local government may require; and
- (c) a report of an acoustic consultant verifying that the various plant, machinery and operational noise levels will comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.

### **3.4 Determination of application**

- (1) The local government may refuse an application for a licence:
  - (a) that does not comply with the requirements of clause 3.3;
  - (b) for which the processes required by clause 3.2 have not been completed;
  - (c) after considering any submissions or representations received within the specified period in accordance with clause 3.2 (a);
  - (d) where planning approval for use of the land as an approved dog kennel establishment has not first been obtained under any relevant local planning scheme.
- (2) The local government may, in respect of an application for a licence -
  - (a) refuse the application; or
  - (b) approve the application on such terms and conditions, if any, as it sees fit.

### **3.5 Licence and fees**

A licence to keep an approved kennel establishment shall be that of Form 3 in Schedule 3 and fees payable to the local government on the issue and renewal of such licences shall be as imposed and determined by the local government under sections 6.16 to 6.19 of the Act.

### **3.6 Duties of licence holder**

The holder of a licence to keep an approved kennel establishment shall:

- (a) maintain the establishment in a clean, sanitary and tidy condition;
- (b) dispose of all refuse, faeces and food waste daily in a manner approved by the local government; and
- (c) take all practical measures for the destruction of fleas, flies and other vermin.

### **3.7 Limit on number and breed of dogs**

A person who conducts an approved kennel establishment shall not keep or permit to be kept ~~thereon~~ more than the number of dogs specified in the licence or dogs of a breed different to the breed or breeds (if any) specified in the licence without the written approval of the local government.

### 3.8 Kennel establishment requirements

Dogs in an approved kennel establishment shall be kept in kennels and yards appropriate to the breed or kind in question, be sufficiently secured, sited and maintained to a standard not less than the following:

- (a) each kennel shall have an adjacent yard;
- (b) each kennel and each yard and every part thereof shall be at a distance of not less than 15 metres from the boundaries of the land in the occupation of the occupier;
- (c) each kennel and each yard and every part thereof shall be at a distance of not less than 24 metres from the front road or street;
- (d) each kennel and each yard and every part thereof shall be at a distance of not less than 10 metres from any dwelling house;
- (e) each yard shall be secured with a fence not less than 1.8 metres in height;
- (f) the upper surface of the floor of each kennel shall be set at least 100mm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface and shall have a fall of not less than 1 in 100. The entire yard shall be surrounded by a drain which shall be properly laid, ventilated and trapped. All floor washings shall pass through this drain and shall be disposed of in accordance with the health requirements of the local government;
- (g) the floor of any yard shall be constructed in the same manner as the floor of any kennel and as provided in paragraph (f);
- (h) for each dog kept therein every kennel shall have not less than 1.8m<sup>2</sup> of floor space and every yard not less than 2.5m<sup>2</sup>;
- (i) all kennels and yards and all feeding and drinking vessels shall be maintained in a clean condition and cleaned and disinfected when so ordered by an Authorised Person.

## Part 4 – Cats

### 4.1 Prescribed premises

For the purposes of the definition of **prescribed premises** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, this local law limits the number of cats that may be kept at any premises within the district except –

- (a) a cat management facility operated by a body prescribed as a cat management facility operator under the *Cat Regulations 2012*;
- (b) a cat management facility operated by the local government; or
- (c) a veterinary practice business as defined under section 3 of the *Veterinary Practice Act 2021*, but only in relation to cats kept on those premises for treatment.

### 4.2 Number of cats that may be kept

For the purposes of the definition of **standard number of cats** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, a person who is ordinarily resident at prescribed premises shall not permit more than 2 cats over the age of 6 months to be kept on that property.

#### **4.3 Application for approval**

- (1) An application for approval to keep an additional number of cats at prescribed premises is dealt with in regulation 8 of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (2) An application for approval must be accompanied by the application fee determined by the local government.

#### **4.4 Determining an application**

- (1) For the purpose of determining whether to grant approval for an application to keep an additional number of cats at prescribed premises, the local government must have regard to -
  - (a) the zoning of the land under the local planning scheme;
  - (b) the physical suitability of the premises for the proposed use;
  - (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
  - (d) the structural suitability of any enclosure in which any cat is to be kept;
  - (e) the likelihood of a cat causing a nuisance to an occupier of adjoining land;
  - (f) the likely effect on the amenity of the surrounding area of the proposed use;
  - (g) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the proposed use; and
  - (h) any other factors which the local government considers to be relevant in the circumstances of the application.
- (2) A determination is to be in the form determined by the CEO and is to be issued to the applicant.

#### **4.5 Conditions**

- (1) For the purposes of ensuring that the premises to which an application relates are suitable for the additional number of cats, the local government may impose any condition that it considers to be reasonably necessary for that purpose, including –
  - (a) that the premises must be adequately fenced;
  - (b) that there must be adequate space for the exercise of the cats; and
  - (c) that, in the case of multiple dwellings where there is no suitable dividing fence, each current occupier of the adjoining multiple dwellings must give their written consent to the approval; and
  - (d) that, without the consent of the local government, the approved person must not substitute or replace any cat that dies or is permanently removed from the premises.
- (2) An approved person who does not comply with a condition of the approval commits an offence.

#### **4.6 Renewal of an application**

- (1) An application is to be renewed if –
  - (a) the applicant has not breached the conditions of the approval;
  - (b) the approval would have been granted if a fresh application for approval has been made; and

- (c) the renewal fee, imposed and determined by the local government under sections 6.16 to 6.19 of the Act, is paid to the local government before the expiry of the approval.
- (2) On the renewal of an approval, the conditions of the approval that applied immediately before the renewal continue to have effect.

#### **4.7 Transfer of an approval**

- (1) An approval relates only to the premises specified in the approval, and only to the applicant specified in the approval, and is transferable only in accordance with this clause.
- (2) An application for the transfer of an approval from the applicant to another person must be –
  - (a) made in the form determined by the CEO;
  - (b) made by the proposed transferee;
  - (c) made with the consent of the applicant; and
  - (d) lodged with the local government together with the fee for the application for the transfer of an approval that is imposed and determined by the local government under sections 6.16 to 6.19 of the Act.
- (3) The local government is not to determine an application for the transfer of an approval until the proposed transferee has complied with subclause (2).
- (4) The local government may grant, or refuse to grant an application for the transfer of an approval, and this approval will be subject to such conditions as the local government may impose under Regulation 9(3) of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (5) Where the local government grants an application for the transfer of an approval –
  - (a) It is to issue the transferee an approval in the form determined by the CEO; and
  - (b) On the date of approval, unless otherwise specified in the approval, the transferee becomes the applicant for the purposes of this local law.

#### **4.8 Variation or cancellation of an approval**

- (1) The local government may, at any time, vary the conditions of an approval by giving written notice to the applicant and specifying the date on which the changes will become effective.
- (2) The local government may cancel an approval –
  - (a) on the request of the applicant;
  - (b) if the applicant breaches the *Cat Act 2011*, *Cat Regulations 2012*, *Cat (Uniform Local Provisions) Regulations 2013* or this local law; or
  - (c) if the applicant is not a fit and proper person to provide for the health and welfare of the cats.
- (3) If an approval is cancelled, the fee paid for the approval is not refundable for the term of the approval that has not yet expired.

#### 4.9 Cat prohibited areas

- (1) A cat must not be in a Cat Prohibited Area specified in Schedule 4 at any time.
- (2) If a cat is at any time in a Cat Prohibited Area in contravention of subclause 4.97(1), then –
  - (a) the keeper of the cat commits an offence; and
  - (b) an Authorised Person may seize and impound the cat and deal with the cat pursuant to the *Cat Act 2011*.

#### 4.10 Cat not to be a nuisance

- (1) The keeper of a cat must prevent the cat from creating a nuisance.
- (2) Where, ~~in the opinion of an Authorised Person,~~ a cat is creating a nuisance, an Authorised Person may give a cat control notice to the keeper of the cat requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for a period specified on the notice which must not exceed 28 days.
- (4) The keeper of a cat given the notice to abate the nuisance must comply with the notice within the period specified in the notice.
- (5) A cat control notice under subclause 4.108(2) must be Form 3 of the *Cat Regulations 2012*.

### Part 5 – Livestock

#### 5.1 Livestock not to stray

The owner or person in charge of livestock shall not permit that livestock to stray or to be at large in a street, public place or upon private property without the consent of the property owner.

#### 5.2 Property to be fenced

The owner or occupier of a property on which livestock is kept, shall cause the property or a portion of the property to be fenced in a manner capable of confining the livestock, to that portion where the livestock is kept.

#### 5.3 Livestock may be impounded

- (1) An ~~A~~ authorised ~~P~~ person may impound livestock found straying in contravention of clause 5.1.
- (2) Livestock being impounded shall be placed in:
  - (a) a pound established and maintained by the local government; or
  - (b) a secured portion of private property with the consent of the property owner.

#### 5.4 Horse exercise area

- (1) ~~The local government may set aside a reserve or foreshore or portion of a reserve or foreshore as an area upon which a person may ride or drive a horse or into which a person may bring a horse. For the purposes of this local law,~~

those sections of land specified in Schedule 2, are designated as a horse exercise area.

- (2) A person shall not ride, drive or bring a horse onto any reserve or foreshore or any part thereof that has not been set aside for that purpose.
- (3) A person shall not ride, drive, exercise or train a horse on any part of a reserve or foreshore set aside under subsection (1), faster than walking pace or in a manner so as to create a danger or become a nuisance to the public or to any person.
- (4) A person may only ride, drive or bring a horse onto a designated horse exercise area between the times of midnight and midday, Monday to Saturday.

~~(5)~~ A person may exercise a dog on an area of reserve or foreshore set aside as a horse exercise area provided the dog remains under full control on a leash during the times set out in subclause (4).

~~(5)(6)~~ A dog may be exercised within a designated horse exercise area off leash at all other times.

~~(6)~~ All that section of Foreshore Reserve 47831 as specified in Schedule 2, is a designated horse exercise area.

## Part 6 – Pigeons

### 6.1 Certificate of registration

- (1) A person shall not keep pigeons on any land in the district without having first obtained a certificate of registration from the local government.
- (2) A certificate of registration shall be valid from its date of issue until the next 30 June.

### 6.2 Restrictions on pigeon and dove nesting or perching

- (1) An environmental health officer may order an owner or occupier of premises in or on which pigeons or doves are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so.
- (2) An owner or occupier must comply with an order made under this clause.

### 6.3 Application for certificate of registration

An application for certificate of registration shall be -

- (a) lodged by the applicant on the form approved by the local government from time to time;
- (b) in the case of an initial application or where any variations to the original application are required, lodged with specifications, site and construction plans of proposed cages, enclosure or lofts; and

- (c) lodged with the registration fee ~~set by the local government~~that is imposed and determined by the local government from time to time under sections 6.16 to 6.19 of the Act.

#### **6.4 Adjoining owners to be consulted**

Prior to granting any certificate of registration on an initial application, the City shall seek written opinion of all owners and occupiers whose land is adjacent to the land owned by the applicant.

#### **6.5 Approval limitations**

- (1) Pigeons shall not be kept within a caravan park or on any land on which is situated a group dwelling or multiple dwellings except for land on which 2 grouped dwellings are permitted.
- (2) Unless previously approved by the local government prior to this local law coming into effect, pigeons shall not be kept on any land which has an area of less than 600m<sup>2</sup>.

#### **6.6 Duties of certificate holder**

The holder of a certificate of registration to keep pigeons shall:

- (a) keep all pigeons confined continuously in cages, enclosures and lofts approved by the local government except that homing pigeons and racing pigeons registered in accordance with this local law may be released in accordance with this local law;
- (b) keep all cages, enclosures, lofts and their immediate surrounds clean and maintained in good order and condition at all times and the minimum standard to be adhered to shall be that which is specified in the Code of Practice; and
- (c) dispose of all loft litter by immediate burial or by being bagged and deposited in a household rubbish bin to ensure no nuisance occurs.

#### **6.7 Limit on number of pigeons**

- (1) Subject to subclause (2), the maximum number of pigeons which shall be kept on land the subject of a certificate of registration pursuant to each certificate of registration shall not exceed 20, excluding young birds.
- (2) A person who on or before 30 June each year produces to the local government, satisfactory proof that the person is a current financial member of a recognised incorporated racing pigeon body, or is a registered pigeon fancier, may be permitted by the local government to keep up to 150 pigeons, excluding young birds, in any residential area.

#### **6.8 Cage, enclosure or loft requirements**

- (1) An approved cage, enclosure or loft used to house pigeons shall aesthetically blend with its surrounds, be constructed of new materials and shall be constructed to the following minimum requirements:
  - (a) the base floor of any loft shall be constructed of a suitable impervious material as approved by an environmental health officer;
  - (b) in the case of an elevated loft the suspended floor shall be constructed and maintained in accordance with the requirements in the Code of Practice;
  - (c) cladding of a loft, including the roof shall be of smooth fibro cement sheeting, sheet metal or other smooth material;

- (d) except as provided in paragraph (e), a loft height shall not exceed 2.4 metres at any point when measured from ground level; and
  - (e) where a loft has a gable roof the loft height shall not exceed 3 metres at any point when measured from ground level.
- (2) A cage, enclosure or loft shall not be located nearer than:
- (a) 1.2 metres from the boundary of any land adjacent to the land, the subject of an application;
  - (b) 9 metres from any dwelling house, church, school room, hall, factory, dairy or food premises; or
  - (c) 9 metres from any road reserve or street.

### **6.9 Exercise of pigeons**

- (1) A person who is approved to keep registered homing pigeons or racing pigeons may only release such homing pigeons or racing pigeons for exercise between the hours set out in the Code of Practice, unless otherwise authorised by the local government.
- (2) A person shall not release more than 60 registered homing or racing pigeons may be released for exercise or training at any one time.

### **6.10 Alteration, cancellation or refusal of certificate of registration**

- (1) At any time the local government may amend the conditions contained in or relating to a certificate of registration and without limiting the generality of the same, where any complaint of a nuisance is received, the local government may vary the hours for release of pigeons and impose any other conditions deemed necessary to minimise any nuisance from the keeping of pigeons or any associated activity.
- (2) The local government may cancel, refuse to approve or refuse to renew a certificate of registration for any one or more of the following reasons:
- (a) the land is not maintained in accordance with this local law;
  - (b) the cages, enclosures or loft have fallen into disrepair, are unclean or infested with vectors of disease;
  - (c) the pigeons are being released outside the times permitted in clause 6.9;
  - (d) a condition imposed in accordance with this local law or a certificate of registration has not been complied with in the time limits set out for doing so;
  - (e) the applicant or holder of the certificate of registration as the case may be, has two or more convictions under this local law; or
  - (f) non payment of registration fees.

## **Part 7 – Bees**

### **7.1 Definitions**

In this Part -

**bee** means a bee of the species *Apis mellifera*;

**beehive** means a moveable or fixed structure, container or object, either standing alone or in a group of 2 or more, which contains a bees nest and in which bees are kept;

**beekeeper** has the meaning given in regulation 3 of the *Biosecurity and Agriculture Management Regulations 2013*;

**permit** means a permit issued under this Part and includes the conditions (if any) to which that permit is subject; and

**permit holder** means a person who holds a valid permit.

## 7.2 Limit on bees

A person must not keep, or permit to be kept on any land, bees or a beehive -

- (a) without obtaining a permit from the City; and
- (b) except in accordance with a valid permit issued in relation to that land.

## 7.3 Application for a permit

- (1) An application for a permit must –
  - (a) be in the form determined by the local government;
  - (b) include –
    - (i) a site plan detailing the proposed location of the beehive or beehives and any significant structures, barriers or water sources on the land, and potential flight paths for bees; and
    - (ii) any further information that may be required by the City; and
  - (c) pay any application fee imposed by the local government under sections 6.16 to 6.19 of the Act.
- (2) On an application for a permit under subclause 7.3(1) the local government shall seek written opinion of all owners and occupiers whose land is adjacent to the land owned or occupied by the applicant.

## 7.4 Determining an application

- (1) The local government may refuse to consider an application that does not comply with clause 7.3(1).
- (2) The local government may –
  - (a) approve an application, subject to any conditions that it considers to be appropriate; or
  - (b) refuse an application.
- (3) If the local government approves an application, it is to issue to the applicant a permit in the form determined by the local government.
- (4) The local government may vary a condition to which a permit is subject by giving written notice to the permit holder and the varied condition takes effect 7 days after that notice is given.

- (5) A permit holder must comply with each condition to which the permit is subject including any varied condition under subclause (4).
- (6) A permit is valid from the date of issue until it is cancelled under this local law.
- (7) A permit is personal to the permit holder and applies only to the land described in the permit.

#### **7.5 Cancellation of a permit**

The local government may cancel a permit if –

- (a) the permit holder requests the local government to do so;
- (b) 12 continuous months elapse during which the permit holder has not kept any bees on the land to which the permit applies; or
- (c) the permit holder fails to comply with a notice under clause 7.7 within the time specified in the notice or commits any other offence under this local law.

#### **7.6 General conditions for keeping beehives**

A permit issued under this Part may include, but not limited to, one or more of the following conditions –

- (a) the beehive is to be maintained in a clean and tidy condition;
- (b) the beehive is screened or positioned in such a manner as to ensure, as far as practicable, that the bees do not create a nuisance or threat to people in the locality or the public in general;
- (c) the flight path of any bees entering or exiting the land from the beehive is to be at least 2 metres above natural ground level;
- (d) the continual provision of an adequate water supply on the land for the bees; or
- (e) any maintenance or activities relating to a beehive, including but not limited to the collection of honey, is carried out at such times as to not to create a nuisance.

#### **7.7 Notice to remove**

- (1) If, in the opinion of an environmental health officer, bees on any land (whether or not the subject of a permit) are likely to endanger the safety of any person or create a serious public nuisance, the environmental health officer may give to the owner or occupier of that land a written notice requiring the owner or occupier (as the case may be) to remove the bees before the date specified in the notice.
- (2) If, in the opinion of an environmental health officer, a person has breached a provision of this local law, an environmental health officer may give to that person a written notice requiring him or her to remedy that breach before the date specified in the notice.

## **Part 8 – Animals, Birds and Poultry**

### **8.1 General**

The owner or occupier of a premises where an animal is kept shall -

- (a) keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;

- (b) when so directed by an environmental health officer, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free of flies and when directed by an environmental health officer, spray the premises with a residual insecticide or use any other effective means to kill and repel flies.

## 8.2 Keeping of large animals

An owner or occupier of a premises shall -

- (a) not keep a large animal on any land less than 2000m<sup>2</sup> in area;
- (b) not permit any large animal to approach within 9 metres of a habitable room, shop, church or any premises where food is stored, manufactured or sold.

## 8.3 Keeping a miniature horse

- (1) An owner or occupier of a premises may keep a sterilised miniature horse on land of not less than 1000m<sup>2</sup> in area, provided it is registered with the local government and the approved annual registration fee is paid.
- (2) An owner or occupier of a premises shall -
  - (a) not keep more than one miniature horse on land without the written approval of the local government; and
  - (b) not permit a miniature horse within 9 metres of any house.
- (3) The local government may prohibit the keeping of a miniature horse on any land or may state the conditions under which a miniature horse may be kept.

## 8.4 Keeping of pigs

- (1) Subject to clause 8.4(2) a person shall not keep a pig on any land within the district.

(2) A person may keep 1 miniature pig on land provided

- (a) -it is registered with the local government; and
- (2)(b) any application fee imposed by the local government under sections 6.16 to 6.19 of the Act, the approved annual registration fee is paid.

- (3) On land zoned residential, the occupier of any premises where a miniature pig is kept shall -
  - (a) only keep a sterilised animal and retain written proof of its sterilisation;
  - (b) confine the animal on the property at all times;
  - (c) ensure the animal does not cause a nuisance to any neighbour regarding noise, dust or odour; and
  - (d) maintain documentary evidence that the animal's veterinary treatment against roundworm and tape worm is current.

## 8.5 Stables

- (1) The owner or occupier of any land where a stable is erected shall -
  - (a) not permit a stable within 9 metres of a house or other building;
  - (b) have a floor area of 6m<sup>2</sup> per animal;

- (c) ensure the stable has walls and a roof, constructed of impervious material;
  - (d) have on all sides of the building between the walls and the roof, a clear opening of at least 50 millimetres in height; and
  - (e) provide a floor, which shall have an upper surface:
    - i. at least 75 millimetres above the ground; and
    - ii. be constructed of cement, concrete, compacted limestone or similar approved material.
- (2) The owner or occupier of a premises where a stable is located shall -
- (a) keep all parts of the stable free from flies; and
  - (b) when directed by an environmental health officer, spray the stable, or such parts as may be indicated, with a residual insecticide.

#### **8.6 Stablehand room**

The owner or occupier of a premises shall not permit a habitable room, including a stablehand's room, to open directly into a stable area.

#### **8.7 Manure receptacle**

An owner or occupier of a premises where a large animal, miniature horse or miniature pig is kept shall -

- (a) provide in a convenient position, an impervious receptacle with a tight fitting lid, for storage of manure;
- (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
- (c) cause the receptacle to be emptied at least once a week and more often as necessary to prevent it becoming offensive or a breeding place for flies or other insects; and
- (d) cause all manure produced on the premises to be collected daily and placed in the receptacle.

#### **8.8 Keeping of ostrich or emu**

A person shall not keep an ostrich or emu on any land within the district.

#### **8.9 Keeping poultry**

- (1) A person shall not keep or suffer to remain on any land within the district a rooster, turkey, goose or geese, peacock or a peahen.
- (2) Notwithstanding sub-clause 8.9(1), the owner or occupier of land within the district shall not keep ~~thereon~~ or permit to be kept ~~thereon~~ any poultry otherwise than under the following conditions -
  - (a) no poultry is able to approach within 9 metres of a dwelling or within 1 metre from a boundary of the lot;
  - (b) poultry must be provided a shed or hut designed to permit a deep litter system in accordance with the following specifications:
    - i. the floor shall be concrete, brick paving, compressed limestone or any other suitable impervious surface;
    - ii. frames shall be of timber, steel, brick or other approved material;
    - iii. cladding shall be of sheet metal, brick, weatherboard or other materials approved by an environmental health officer;
    - iv. the roof shall have sufficient slope to shed storm water;

- v. the poultry shed to be constructed in a sound and weatherproof manner and to be between 1.5m to 2.0 m in height;
  - vi. provision must be made for adequate ventilation to the shed during hot weather;
  - vii. the minimum size of any shed must allow for at least 0.3m<sup>2</sup> for each and every bird kept therein;
  - viii. the roof, walls, floor, doors and ventilating panels must be maintained in good order and condition at all times;
  - ix. the floor must be covered with a layer of dry sand or sawdust at least 75 millimetres deep; and
  - x. the sawdust or sand must be kept dry at all times and be changed at least once every 6 months or when directed by an environmental health officer.
- (3) A person shall not permit a poultry shed to be nearer than 1 metre from the boundary of land in other occupation or 9 metres from any dwelling house or street.
- (4) A person shall not keep more than 12 poultry (including a maximum of 2 ducks) in any residential area.

## **Part 9 – Miscellaneous**

### **9.1 False or misleading statement**

A person shall not make a false or misleading statement in connection with any application, requirement or demand under this local law.

### **9.2 Fees and charges**

All fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act.

### **9.3 Limit on liability**

A person, owner, occupier or licensee is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed sub-contractor or other person authorised by the local government, to enter the land and carry out all or part of the works and do all things necessary that the owner, occupier or licensee was required to do to comply with this local law.

### **9.4 Objections and review**

Division 1 of Part 9 of the Act applies to a decision under this local law to –

- (a) refuse an application for a licence;
- (b) impose or vary a condition of a licence; or
- (c) revoke a licence.

## **Part 10 – Enforcement**

### **10.1 Offences**

- (1) Any person who fails to do anything required or directed to be done under this

local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

- (2) An offence against a clause specified in Schedule 1 of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.

#### **10.2 Infringement and infringement withdrawal notices**

For the purposes of this local law:

- (a) the form of the infringement notice referred to in section 9.17 of the Act is Form 2 in the First Schedule of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is Form 3 in the First Schedule of the *Local Government (Functions and General) Regulations 1996*.

#### **10.3 Offences description and modified penalty**

The amount appearing in the final column of Schedule 1 directly opposite an offence described in that Schedule is the modified penalty for that offence.

#### **10.4 Prosecution for offences**

A penalty for an offence against this local law (not being a modified penalty) may be recovered by the local government by taking proceedings against the alleged offender in the relevant Court.

**SCHEDULE 1**

**CITY OF JOONDALUP ANIMALS LOCAL LAW 2025**

**PRESCRIBED OFFENCES**

<b>Item No</b>	<b>Clause No</b>	<b>Nature of Offence</b>	<b>Modified Penalty \$</b>
1	2.4	Permitting a dog to excrete on a street, public place or other land and failing to remove excreta in an approved manner	100
2	2.5(1)	Failing to install and maintain a fence capable of confining a dog to the premises	100
3	2.5(1)	Fence not adequate to confine dog of the species, age, size and physical condition to the premises	100
4	2.6	Keeping more than permitted number of dogs without approval	100
5	3.1	Keeping a kennel establishment without a licence	100
6	3.6(a)	Failing to maintain establishment in a clean, sanitary and tidy condition	100
7	3.6(b)	Failing to dispose of refuse, faeces and food waste daily in approved manner	100
8	3.6(c)	Failing to take practical measures to destroy fleas, flies and other vermin	100
9	3.7	Keeping a greater number or breed of dogs than specified in the licence	100
10	4.2	Keeping more than 2 cats over the age of six months	100
11	4.5	Failure to comply with a condition of an approval	100
12	4. <del>97</del> (1)	Cat in a Cat Prohibited Area.	100
13	4. <del>108</del> (1)	Cat causing a nuisance	100
14	4. <del>108</del> (4)	Failure to comply with a cat control notice.	100
15	5.1	Permitting livestock to stray or be at large in a street, public place or private property without consent	100
16	5.2	Failing to keep property fenced in a manner capable of confining livestock	100
17	5.4(2)	Riding, driving or bringing an animal onto a reserve or foreshore not set aside for the purpose	100
18	5.4(3)	Riding, driving, exercising or training an animal on a reserve or foreshore so as to create a danger or cause a nuisance	100

City of Joondalup

Animals Local Law 2025

19	5.4(4)	Riding, driving or bringing an animal on to a reserve or foreshore set aside for exercise of dogs	100
20	6.1	Keeping of pigeons without approval	100
21	6.2(2)	Failing to comply with an order to prevent the nesting or perching of pigeons or doves	100
22	6.5(1)	Keeping of pigeons within: a caravan park; a grouped dwelling (not being one of only two grouped dwellings)	100 100 100
23	6.6(b)	Failing to keep cages, enclosures and lofts maintained to minimum standard specified in Code of Practice	100
24	6.6(c)	Failing to dispose of loft litter in approved manner to ensure no nuisance occurs	100
25	6.7(1)	Keeping more than 20 pigeons for each Certificate of Registration	100
26	6.7(2)	Keeping more than maximum number of birds approved	100
27	6.9(1)	Releasing registered pigeons outside hours permitted	100
28	6.9(2)	Releasing more than 60 pigeons for exercise or training at any one time	100
29	7.2	Keeping bees or a beehive without a valid permit	100
30	7.6	Failing to comply with a condition of a permit	100
31	7.7(2)	Failing to remedy breach in notice	100
32	8.1(a)	Failing to keep premises free from excrement, filth, food waste and other matter likely to be offensive or injurious to health, attract rats, vermin or insects	100
33	8.1(b)	Failing to clean and disinfect premises when directed by an environmental health officer	100
34	8.1(c)	Failing to keep premise free of flies or when directed, spray premises with residual insecticide to kill or repel flies	100
35	8.2(a)	Keeping a large animal on land less than 2,000m <sup>2</sup> in area	100
36	8.2(b)	Permitting a large animal to approach within 9 metres of habitable room, shop, church, or any premises where food is stored, manufactured or sold	100
37	8.3(1)	Keeping a sterilised miniature horse on land less than 1,000m <sup>2</sup> not registered with local government and registration fee paid	100
38	8.3(2)(a)	Keeping more than one miniature horse on land <del>zoned residential</del> without approval	100
39	8.3(2)(b)	Permitting a miniature horse within 9 metres of a house	100
40	8.4(1)	Keeping a pig on any land throughout the district	100

City of Joondalup

Animals Local Law 2025

41	8.4(2)	Keeping an unregistered miniature pig <del>in residential area</del> and/or not pay <del>ing</del> registration fee	100
	8.4(3)(a)	Keeping an unsterilised miniature pig or failing to retain written proof of its sterilisation	100
	8.4(3)(b)	Failing to confine animal on property at all times	100
	8.4(3)(c)	Failing to ensure animal does not cause a nuisance to any neighbour through noise, dust or odour	100
	8.4(3)(d)	Failing to maintain documentary evidence that an animal's veterinary treatment against roundworm and tapeworm is current	100
	8.5(1)(a)	Permitting a stable within 9 metres of house or other building	100
	8.5(1)(b)	Failing to have stable floor area of 6m <sup>2</sup> per animal	100
	8.5(1)(c)	Failing to have stable floor or roof constructed of impervious material	100
	8.5(1)(d)	Failing to have on all sides of stable building clear opening 50mm in height between all walls and roof	100
	8.5(1)(e)(i)	Failing to have upper surface of stable floor at least 75mm above ground	100
	8.5(1)(e)(ii)	Failing to have upper surface of stable floor constructed of cement, concrete, compacted limestone or approved material	100
	8.5(2)(a)	Failing to keep stable free from flies	100
	8.5(2)(b)	Failing to spray stable with residual insecticide when directed by environmental health officer	100
	8.6	Permitting a habitable room including a stablehand's room to open directly into a stable	100
	8.7(a)	Failing to provide in convenient position, an impervious receptacle with tight fitting lid, for manure	100
	8.7(b)	Failing to keep lid of manure receptacle closed except when manure being deposited or removed	100
	8.7(c)	Failing to empty manure receptacle to prevent it becoming offensive or breeding place for flies	100
	8.7(d)	Failing to collect all manure produced on premises and place in receptacle	100
	8.8	Keeping an ostrich or emu on any land throughout the district	100
	8.9(1)	Keeping a rooster, turkey, goose or geese, peacock or a peahen on any land throughout the district	100
	8.9(2)	Keeping or permitting to be kept poultry, not in accordance with conditions of local law	100
	8.9(3)	Constructing or permitting a poultry shed to be nearer than 1m from boundary of occupied land or 9m from any dwelling or street	100
	8.9(4)	Keeping more than <del>126</del> poultry (including maximum 2 ducks) in any residential area	100
		Other offences not specified	100

City of Joondalup

Animals Local Law 2025

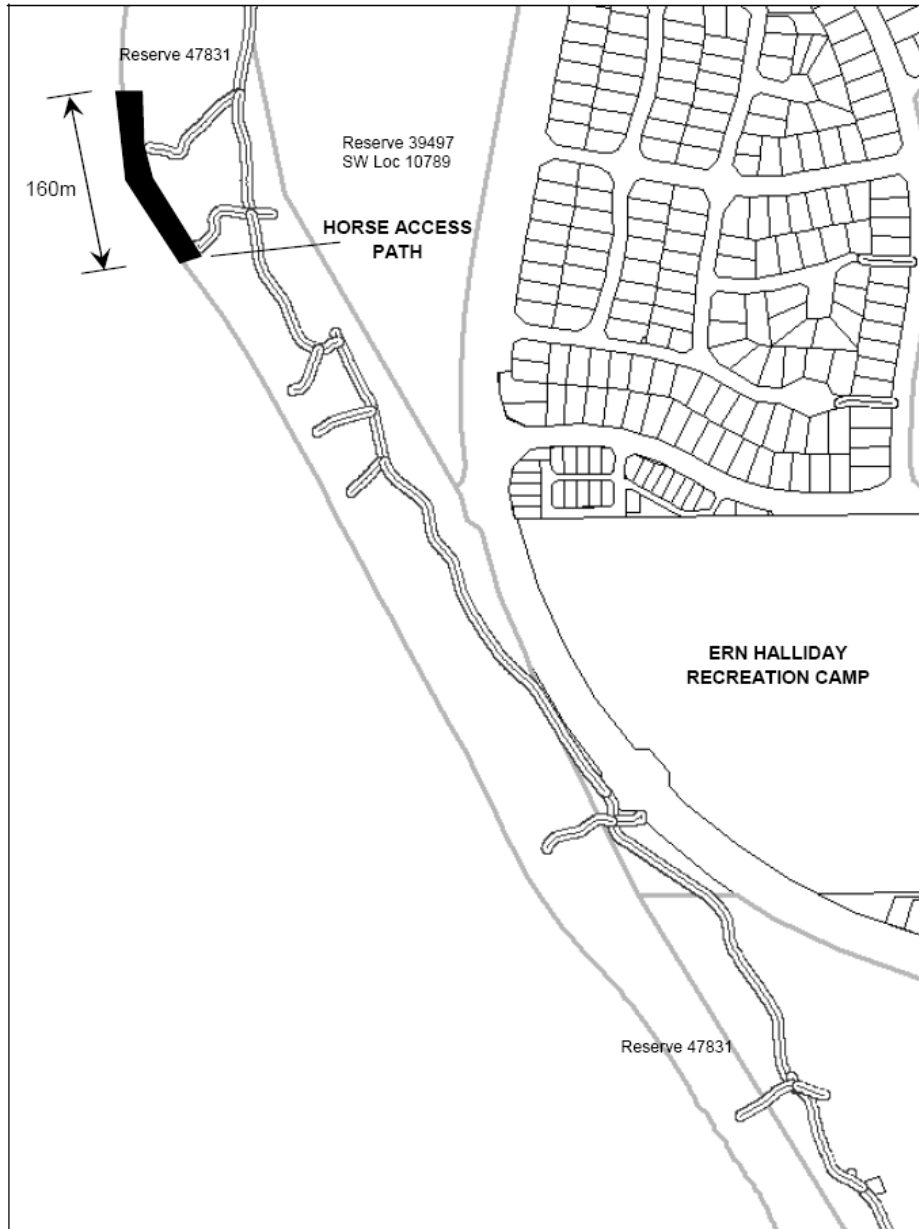
**SCHEDULE 2**

**CITY OF JOONDALUP ANIMALS LOCAL LAW 2025**

**RESTRICTED HORSE AREA**

All that area of the Foreshore Reserve 47831 as shown delineated in black on Diagram 1 - Horse Exercise Area, from the constructed horse access path northwards for a distance of 160 metres as designated by signs.

**DIAGRAM 1 – RESTRICTED HORSE EXERCISE AREA**



**SCHEDULE 3**

**Form 1**

***Dog Act 1976***

**CITY OF JOONDALUP  
ANIMALS LOCAL LAW 2025**

**NOTICE OF INTENTION TO MAKE APPLICATION FOR KENNEL LICENCE**

To Owners and Occupiers of .....

In accordance with Clause 3.2 of the *City of Joondalup Animals Local Law 2025*, I advise my intention to make application to the City for an Approved Kennel Establishment Licence.

The issue of an Approved Kennel Establishment Licence is subject to compliance with the provisions of the abovementioned local law.

The land subject of this application is:

.....  
(insert address of proposed Kennel Establishment)

Please note any interested person may within 21 days of the date of this advice object to or make representations in respect of the application in writing directly to the:

Chief Executive Officer  
City of Joondalup

.....

.....

Name and Signature of Applicant

Date

City of Joondalup

Animals Local Law 2025

**Form 2**  
**Dog Act 1976**

**CITY OF JOONDALUP**  
**ANIMALS LOCAL LAW 2025**

**APPLICATION FOR LICENCE OR RENEWAL OF LICENCE**  
**TO KEEP APPROVED KENNEL ESTABLISHMENT**

In accordance with the *Dog Act 1976*, and the local laws of the City of Joondalup:

I/We (full name) .....

of .....

hereby apply for a licence/the renewal of a licence (strike out whichever is not applicable)  
to keep an approved kennel establishment at:

.....

Attached hereto are:

- (a) a plan of the premises showing the location of the kennels and yards and all other buildings, structures and fences;
- (b) plans and specifications of the kennels;
- (c) evidence that due notice of the proposed use of the premises has been given to persons in the locality;
- (d) particulars of the number and breed of dogs to be kept in the kennels;
- (e) a remittance for the fee of \$.....

Dated the ..... day of .....20.....

Signature of Applicant .....

Note: Items (a), (b), (c) and (d) may be struck out if the application is for the renewal of a licence and if no change has been made since the previous application.

City of Joondalup

Animals Local Law 2025

**Form 3**  
***Dog Act 1976***

**CITY OF JOONDALUP**  
**ANIMALS LOCAL LAW 2025**

**LICENCE TO KEEP AN APPROVED KENNEL ESTABLISHMENT**

..... is/are the holder(s) of a  
licence to keep an approved kennel establishment at .....

..... for ..... dogs  
of ..... breed(s).

This licence has effect for a period of 12 months from the date hereof.

Dated the ..... day of .....20 .....

.....  
Chief Executive Officer

**SCHEDULE 4**

***Cat Act 2011***

**CITY OF JOONDALUP  
ANIMALS LOCAL LAW 2025**

**CAT PROHIBITED AREAS**

<b>ITEM NO.</b>	<b>AREA</b>	<b>RESERVE NO.</b>	<b>SUBURB</b>
1	Hepburn Heights Conservation Area	42987, 32734	Padbury
2	Craigie Open Space	32858	Craigie
3	Lilburne Park	35545	Duncraig
4	Shepherds Bush Reserve	26052, 39941	Kingsley
5	Warwick Open Space	50441, 50442	Warwick
6	Marmion Foreshore Reserve	47831	Marmion
7	Sorrento Foreshore Reserve	47831, 27732	Sorrento
8	Hillarys Foreshore Reserve	47831, 40802, 39497, 23563	Hillarys
9	Kallaroo Foreshore Reserve	47831, 39497	Kallaroo
10	Mullaloo Foreshore Reserve	45136, 47831	Mullaloo
11	Ocean Reef Foreshore Reserve	47831, 45122, 45136	Ocean Reef
12	Iluka Foreshore Reserve	47831, 45122	Iluka
13	Burns Beach Foreshore Reserve	47831, 42219, 48489	Burns Beach

City of Joondalup

Animals Local Law 2025

Dated xxxx of xxxx

The Common Seal of the City of Joondalup )  
was affixed by authority of a resolution )  
of the Council in the presence of )

.....  
~~HON. ALBERT JACOB, JP~~ DANIEL KINGSTON  
MAYOR

.....  
JAMES PEARSONxxxx  
CHIEF EXECUTIVE OFFICER

City of Joondalup

Animals Local Law 2025

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*Cat Act 2011*

*Dog Act 1976*

*Local Government Act 1995*

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## **Animals Local Law 2025**

### Contents

<b>Part 1 – Preliminary .....</b>	<b>5</b>
1.1 Title .....	5
1.2 Commencement.....	5
1.3 Purpose and intent .....	5
1.4 Repeal.....	5
1.5 Application.....	6
1.6 Interpretation .....	6
<b>Part 2 – Dogs .....</b>	<b>9</b>
2.1 Pound.....	9
2.2 Impounding dogs .....	9
2.3 Pound fees.....	9
2.4 Offence to excrete.....	9
2.5 Dogs to be confined .....	9
2.6 Maximum number of dogs .....	10
<b>Part 3 – Approved Dog Kennel Establishment.....</b>	<b>10</b>
3.1 Approved kennel establishment licence .....	10
3.2 Notice of application for kennel establishment licence .....	10
3.3 Application for kennel establishment licence.....	10
3.4 Determination of application .....	11
3.5 Licence and fees .....	11
3.6 Duties of licence holder .....	11
3.7 Limit on number and breed of dogs.....	11

3.8	Kennel establishment requirements .....	12
<b>Part 4 – Cats</b>	.....	<b>12</b>
4.1	Prescribed premises .....	12
4.2	Number of cats that may be kept.....	12
4.3	Application for approval .....	13
4.4	Determining an application .....	13
4.5	Conditions .....	13
4.6	Renewal of an application.....	13
4.7	Transfer of an approval.....	14
4.8	Variation or cancellation of an approval.....	14
4.9	Cat prohibited areas .....	15
4.10	Cat not to be a nuisance .....	15
<b>Part 5 – Livestock</b>	.....	<b>15</b>
5.1	Livestock not to stray .....	15
5.2	Property to be fenced.....	15
5.3	Livestock may be impounded.....	15
5.4	Horse exercise area .....	15
<b>Part 6 – Pigeons</b>	.....	<b>16</b>
6.1	Certificate of registration.....	16
6.2	Restrictions on pigeon and dove nesting or perching.....	16
6.3	Application for certificate of registration.....	16
6.4	Adjoining owners to be consulted .....	17
6.5	Approval limitations .....	17
6.6	Duties of certificate holder .....	17
6.7	Limit on number of pigeons .....	17
6.8	Cage, enclosure or loft requirements .....	17
6.9	Exercise of pigeons .....	18
6.10	Alteration, cancellation or refusal of certificate of registration .....	18
<b>Part 7 – Bees</b>	.....	<b>18</b>
7.1	Definitions .....	18
7.2	Limit on bees.....	19
7.3	Application for a permit .....	19
7.4	Determining an application .....	19
7.5	Cancellation of a permit .....	20
7.6	General conditions for keeping beehives.....	20
7.7	Notice to remove.....	20

City of Joondalup

Animals Local Law 2025

<b>Part 8 – Animals, Birds and Poultry .....</b>	<b>20</b>
8.1 General.....	20
8.2 Keeping of large animals.....	21
8.3 Keeping a miniature horse .....	21
8.4 Keeping of pigs.....	21
8.5 Stables .....	21
8.6 Stablehand room .....	22
8.7 Manure receptacle.....	22
8.8 Keeping of ostrich or emu .....	22
8.9 Keeping poultry .....	22
<b>Part 9 – Miscellaneous .....</b>	<b>23</b>
<b>Part 10 – Enforcement .....</b>	<b>23</b>

City of Joondalup

Animals Local Law 2025

*Cat Act 2011*

*Dog Act 1976*

*Local Government Act 1995*

City of Joondalup

## **Animals Local Law 2025**

Under the powers conferred by the *Cat Act 2011*, *Dog Act 1976*, *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Joondalup resolved on [insert] to make the following local law.

### **Part 1 – Preliminary**

#### **1.1 Title**

This local law may be cited as the *City of Joondalup Animals Local Law 2025*.

#### **1.2 Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

#### **1.3 Purpose and intent**

- (1) The purpose of this local law is to provide for the regulation, control and management of the keeping of animals within the City of Joondalup.
- (2) The effect of this local law is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

#### **1.4 Repeal**

The following local laws are repealed on the day that this local law comes into operation –

- (1) *City of Joondalup Animals Local Law 1999*, as published in the *Government Gazette* on 27 August 1999 and as amended in the *Government Gazette* on 10 July 2000, 15 January 2002, 28 March 2008, 18 February 2011, 10 January 2017 and 3 August 2018.

#### **1.5 Application**

This local law applies throughout the district.

#### **1.6 Interpretation**

- (1) In this local law unless the context otherwise requires –

**Act** means the *Local Government Act 1995*;

**animal** includes any living animal, tame or wild, kept by a person;

**application** means the completed form lodged by an applicant as required by this local law;

**applicant** means a person who has lodged an application for an approval, certificate or licence required for any activity by this local law;

**approved fees** means the fees and charges determined by the local government from time to time, under sections 6.16 to 6.19 of the Act, for putting into effect the provisions of this local law;

**assistance dog** has the meaning given to it in the *Dog Act 1976*;

**Authorised Person** means a person authorised under section 9.10 of the Act to perform any of the functions of an Authorised Person under this local law;

**caravan park** has the meaning given to it in the *Caravan Parks and Camping Grounds Act 1995*;

**Cat Act** means the *Cat Act 2011*;

**cattery keeper** means a person registered to keep a cattery;

**certificate of registration** means a certificate of registration to keep pigeons issued pursuant to this local law;

**City** means the City of Joondalup;

**Code of Practice** means the Code of Practice for Pigeon Keeping and Racing in Western Australia as prescribed by the *Animal Welfare Act 2002* and *Animal Welfare (General) Regulations 2003*, as amended from time to time;

**Council** means the council of the City of Joondalup;

**cow** includes an ox, calf or bull;

**district** means the district of the City;

**Dog Act** means the *Dog Act 1976*;

**environmental health officer** means a person appointed as an environmental health officer under section 17 of the *Public Health Act 2016*;

**food premises** means a premises where food is stored, kept, prepared, manufactured, processed, cooked or served or otherwise dealt with for subsequent sale to the public either directly or indirectly;

**grouped dwelling** means a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically

above another, except where special conditions of landscape or topography dictate otherwise;

**horse** includes an ass, mule, donkey, shetland pony or pony;

**keeper** in relation to a cat means each of the following persons –

- (a) the owner of the cat;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in his or her possession for the time being; or
- (e) a person who occupies any premises in which the cat is ordinarily kept or ordinarily permitted to live;

**land** means land in the district and includes houses, buildings, works and structures, in or upon the land;

**large animal** includes a sheep, cow, goat, cattle, horse (excluding a miniature horse), buffalo, camel, llama, deer, alpaca or any other animal so classified by the local government;

**livestock** means any horse, cattle, sheep, goat, pig, buffalo, deer, camel, llama and alpaca;

**local government** means the City of Joondalup;

**local planning scheme** means the local planning scheme, or each of the local planning schemes, made by the local government and in force from time to time under the *Planning and Development Act 2005*;

**lot** has the same meaning given to it in the *Planning and Development Act 2005*;

**miniature horse** means a horse that does not exceed 870 millimetres in height as an adult and is classified as a miniature by the Miniature Horse Association of Australia;

**miniature pig** means a pig that does not exceed 650 millimetres in height as an adult and weighs between 45 - 55 kilograms;

**multiple dwelling** means a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other;

**nuisance** means -

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

**occupier** where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land;

**owner** has the meaning given to it in the Act;

**pigeon** includes homing pigeon and racing pigeon;

**poultry** means any domestic fowl or chicken, bantam, duck, goose, guinea fowl, pheasant, turkey, peahen or peacock;

**pound** means a building or yard established by the local government or Authorised Person for the impounding of dogs or animals for the purposes of this local law;

**public place** means any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes park lands, squares, reserves, beaches, and other lands set apart for the use and enjoyment of the public, including all lands which belong to or which are vested in, or are under the control or management of, the local government;

**reserve** means any land:

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an otherwise unvested facility within section 3.53 of the Act;

**residential area** means any land situated within a residential zone as classified by the town planning scheme and includes land predominately used for residential purposes;

**Schedule** means a schedule to this local law;

**stablehand room** means a room or rooms used for occasional overnight occupation to facilitate husbandry to pregnant or sick animals;

**thoroughfare** has the meaning given to it in the Act;

**vermin** includes rats, mice, flies, fleas, mites, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or likely to cause damage to human food, habitation or possessions;

**young birds** means any pigeon under 24 days of age and, unless the contrary can be shown, a pigeon shall be deemed under this local law to be a young bird if it is without feathers on the flesh under the wings.

- (2) Any other expression used in this local law and not defined shall have the meaning given to it in the *Cat Act 2011*, *Dog Act 1976*, *Local Government Act 1995*, the *Public Health Act 2016* or the *Public Health Regulations 2017*, unless the context requires otherwise.

## **Part 2 – Dogs**

### **2.1 Pound**

The local government may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act or this local law.

### **2.2 Impounding dogs**

A dog seized by the Police or by a person authorised by the local government may be placed in a pound.

### **2.3 Pound fees**

The fees and charges in relation to the seizure and impounding of a dog and maintenance in a pound payable under section 29(4) of the Dog Act, are those approved by the local government from time to time under sections 6.16 to 6.19 of the Act.

### **2.4 Offence to excrete**

- (1) A dog must not excrete on –
  - (a) any thoroughfare or other public place; or
  - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

### **2.5 Dogs to be confined**

- (1) The owner or occupier of premises within the local government on which a dog is kept must –
  - (a) ensure that the portion of those premises on which the dog is kept to be fenced in a manner capable of confining the dog to that portion and in a manner which complies with this clause;
  - (b) ensure the fence used to confine a dog and every part of the fence shall be of a type, height and construction which, having regard to the species, age, size and physical condition of the dog, prevents the dog from passing over, under or through the fence;
  - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
  - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
  - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) An owner or occupier who fails to comply with subclause (1) commits an offence.

- (3) Notwithstanding the above, the confinement of dangerous dogs is provided in the Dog Act.

### **2.6 Maximum number of dogs**

A person shall not keep or permit to be kept on any premises more than 2 dogs over the age of 3 months and the young of those dogs under that age unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26(3) of the Dog Act.

## **Part 3 – Approved Dog Kennel Establishment**

### **3.1 Approved kennel establishment licence**

A person shall not keep a kennel establishment without having first obtained a licence under this local law and a planning approval under the local planning scheme.

### **3.2 Notice of application for kennel establishment licence**

An applicant for a licence to keep an approved kennel establishment shall:

- (a) publish in a newspaper circulating in the district a notice of their intention to submit an application for a licence, being that of Form 1 of Schedule 3, specifying that any interested person may within 21 days after the date of such publication object to or make representations in respect of the application in writing directly to the local government; and
- (b) forward a notice, being that of Form 1 of Schedule 3 to the owners and occupiers of all land within a radius of 275 metres of the boundaries of the land upon which it is proposed to establish the kennel.

### **3.3 Application for kennel establishment licence**

An application for a licence to keep an approved kennel establishment shall be on Form 2 of Schedule 3 and shall be accompanied by:

- (a) evidence that notice of the proposed use of the land has been given in accordance with clause 3.2 (a) and (b);
- (b) a plan showing the details and specifications of all kennels, adjacent yards and the distances from the kennels to the boundaries of the land the subject of the application and all buildings on the land together with such information as the local government may require; and
- (c) a report of an acoustic consultant verifying that the various plant, machinery and operational noise levels will comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.

### **3.4 Determination of application**

- (1) The local government may refuse an application for a licence:
- (a) that does not comply with the requirements of clause 3.3;
  - (b) for which the processes required by clause 3.2 have not been completed;
  - (c) after considering any submissions or representations received within the

- (d) specified period in accordance with clause 3.2 (a);  
where planning approval for use of the land as an approved dog kennel establishment has not first been obtained under any relevant local planning scheme.
- (2) The local government may, in respect of an application for a licence -
  - (a) refuse the application; or
  - (b) approve the application on such terms and conditions, if any, as it sees fit.

### **3.5 Licence and fees**

A licence to keep an approved kennel establishment shall be that of Form 3 in Schedule 3 and fees payable to the local government on the issue and renewal of such licences shall be as imposed and determined by the local government under sections 6.16 to 6.19 of the Act.

### **3.6 Duties of licence holder**

The holder of a licence to keep an approved kennel establishment shall:

- (a) maintain the establishment in a clean, sanitary and tidy condition;
- (b) dispose of all refuse, faeces and food waste daily in a manner approved by the local government; and
- (c) take all practical measures for the destruction of fleas, flies and other vermin.

### **3.7 Limit on number and breed of dogs**

A person who conducts an approved kennel establishment shall not keep or permit to be kept more than the number of dogs specified in the licence or dogs of a breed different to the breed or breeds (if any) specified in the licence without the written approval of the local government.

### **3.8 Kennel establishment requirements**

Dogs in an approved kennel establishment shall be kept in kennels and yards appropriate to the breed or kind in question, be sufficiently secured, sited and maintained to a standard not less than the following:

- (a) each kennel shall have an adjacent yard;
- (b) each kennel and each yard and every part thereof shall be at a distance of not less than 15 metres from the boundaries of the land in the occupation of the occupier;
- (c) each kennel and each yard and every part thereof shall be at a distance of not less than 24 metres from the front road or street;
- (d) each kennel and each yard and every part thereof shall be at a distance of not less than 10 metres from any dwelling house;
- (e) each yard shall be secured with a fence not less than 1.8 metres in height;
- (f) the upper surface of the floor of each kennel shall be set at least 100mm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface and shall have a fall of not less than 1 in 100. The entire yard shall be surrounded by a drain which shall be properly laid, ventilated and trapped. All floor washings shall pass through this drain and shall be disposed of in accordance with the health requirements of the local government;
- (g) the floor of any yard shall be constructed in the same manner as the floor of any kennel and as provided in paragraph (f);

- (h) for each dog kept therein every kennel shall have not less than 1.8m<sup>2</sup> of floor space and every yard not less than 2.5m<sup>2</sup>;
- (i) all kennels and yards and all feeding and drinking vessels shall be maintained in a clean condition and cleaned and disinfected when so ordered by an Authorised Person.

## Part 4 – Cats

### 4.1 Prescribed premises

For the purposes of the definition of **prescribed premises** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, this local law limits the number of cats that may be kept at any premises within the district except –

- (a) a cat management facility operated by a body prescribed as a cat management facility operator under the *Cat Regulations 2012*;
- (b) a cat management facility operated by the local government; or
- (c) a veterinary practice business as defined under section 3 of the *Veterinary Practice Act 2021*, but only in relation to cats kept on those premises for treatment.

### 4.2 Number of cats that may be kept

For the purposes of the definition of **standard number of cats** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, a person who is ordinarily resident at prescribed premises shall not permit more than 2 cats over the age of 6 months to be kept on that property.

### 4.3 Application for approval

- (1) An application for approval to keep an additional number of cats at prescribed premises is dealt with in regulation 8 of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (2) An application for approval must be accompanied by the application fee determined by the local government.

### 4.4 Determining an application

- (1) For the purpose of determining whether to grant approval for an application to keep an additional number of cats at prescribed premises, the local government must have regard to -
  - (a) the zoning of the land under the local planning scheme;
  - (b) the physical suitability of the premises for the proposed use;
  - (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
  - (d) the structural suitability of any enclosure in which any cat is to be kept;
  - (e) the likelihood of a cat causing a nuisance to an occupier of adjoining land;
  - (f) the likely effect on the amenity of the surrounding area of the proposed use;
  - (g) the likely effect on the local environment including any pollution or other

- (h) environmental damage, which may be caused by the proposed use; and any other factors which the local government considers to be relevant in the circumstances of the application.

- (2) A determination is to be in the form determined by the CEO and is to be issued to the applicant.

#### **4.5 Conditions**

- (1) For the purposes of ensuring that the premises to which an application relates are suitable for the additional number of cats, the local government may impose any condition that it considers to be reasonably necessary for that purpose, including –

- (a) that the premises must be adequately fenced;
- (b) that there must be adequate space for the exercise of the cats; and
- (c) that, in the case of multiple dwellings where there is no suitable dividing fence, each current occupier of the adjoining multiple dwellings must give their written consent to the approval; and
- (d) that, without the consent of the local government, the approved person must not substitute or replace any cat that dies or is permanently removed from the premises.

- (2) An approved person who does not comply with a condition of the approval commits an offence.

#### **4.6 Renewal of an application**

- (1) An application is to be renewed if –

- (a) the applicant has not breached the conditions of the approval;
- (b) the approval would have been granted if a fresh application for approval has been made; and
- (c) the renewal fee, imposed and determined by the local government under sections 6.16 to 6.19 of the Act, is paid to the local government before the expiry of the approval.

- (2) On the renewal of an approval, the conditions of the approval that applied immediately before the renewal continue to have effect.

#### **4.7 Transfer of an approval**

- (1) An approval relates only to the premises specified in the approval, and only to the applicant specified in the approval, and is transferable only in accordance with this clause.

- (2) An application for the transfer of an approval from the applicant to another person must be –

- (a) made in the form determined by the CEO;
- (b) made by the proposed transferee;
- (c) made with the consent of the applicant; and
- (d) lodged with the local government together with the fee for the application for the transfer of an approval that is imposed and determined by the local government under sections 6.16 to 6.19 of the Act.

- (3) The local government is not to determine an application for the transfer of an approval until the proposed transferee has complied with subclause (2).
- (4) The local government may grant, or refuse to grant an application for the transfer of an approval, and this approval will be subject to such conditions as the local government may impose under Regulation 9(3) of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (5) Where the local government grants an application for the transfer of an approval –
  - (a) It is to issue the transferee an approval in the form determined by the CEO; and
  - (b) On the date of approval, unless otherwise specified in the approval, the transferee becomes the applicant for the purposes of this local law.

#### **4.8 Variation or cancellation of an approval**

- (1) The local government may, at any time, vary the conditions of an approval by giving written notice to the applicant and specifying the date on which the changes will become effective.
- (2) The local government may cancel an approval –
  - (a) on the request of the applicant;
  - (b) if the applicant breaches the *Cat Act 2011*, *Cat Regulations 2012*, *Cat (Uniform Local Provisions) Regulations 2013* or this local law; or
  - (c) if the applicant is not a fit and proper person to provide for the health and welfare of the cats.
- (3) If an approval is cancelled, the fee paid for the approval is not refundable for the term of the approval that has not yet expired.

#### **4.9 Cat prohibited areas**

- (1) A cat must not be in a Cat Prohibited Area specified in Schedule 4 at any time.
- (2) If a cat is at any time in a Cat Prohibited Area in contravention of subclause 4.9(1), then –
  - (a) the keeper of the cat commits an offence; and
  - (b) an Authorised Person may seize and impound the cat and deal with the cat pursuant to the *Cat Act 2011*.

#### **4.10 Cat not to be a nuisance**

- (1) The keeper of a cat must prevent the cat from creating a nuisance.
- (2) Where a cat is creating a nuisance, an Authorised Person may give a cat control notice to the keeper of the cat requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for a period specified on the notice which must not exceed 28 days.
- (4) The keeper of a cat given the notice to abate the nuisance must comply with the notice within the period specified in the notice.

- (5) A cat control notice under subclause 4.10(2) must be Form 3 of the *Cat Regulations 2012*.

## **Part 5 – Livestock**

### **5.1 Livestock not to stray**

The owner or person in charge of livestock shall not permit that livestock to stray or to be at large in a street, public place or upon private property without the consent of the property owner.

### **5.2 Property to be fenced**

The owner or occupier of a property on which livestock is kept, shall cause the property or a portion of the property to be fenced in a manner capable of confining the livestock, to that portion where the livestock is kept.

### **5.3 Livestock may be impounded**

- (1) An Authorised Person may impound livestock found straying in contravention of clause 5.1.
- (2) Livestock being impounded shall be placed in:
- (a) a pound established and maintained by the local government; or
  - (b) a secured portion of private property with the consent of the property owner.

### **5.4 Horse exercise area**

- (1) For the purposes of this local law, those sections of land specified in Schedule 2, are designated as a horse exercise area.
- (2) A person shall not ride, drive or bring a horse onto any reserve or foreshore or any part thereof that has not been set aside for that purpose.
- (3) A person shall not ride, drive, exercise or train a horse on any part of a reserve or foreshore set aside under subsection (1), faster than walking pace or in a manner so as to create a danger or become a nuisance to the public or to any person.
- (4) A person may only ride, drive or bring a horse onto a designated horse exercise area between the times of midnight and midday, Monday to Saturday.
- (5) A person may exercise a dog on an area of reserve or foreshore set aside as a horse exercise area provided the dog remains under full control on a leash during the times set out in subclause (4).
- (6) A dog may be exercised within a designated horse exercise area off leash at all other times.

## **Part 6 – Pigeons**

### **6.1 Certificate of registration**

- (1) A person shall not keep pigeons on any land in the district without having first obtained a certificate of registration from the local government.
- (2) A certificate of registration shall be valid from its date of issue until the next 30 June.

### **6.2 Restrictions on pigeon and dove nesting or perching**

- (1) An environmental health officer may order an owner or occupier of premises in or on which pigeons or doves are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so.
- (2) An owner or occupier must comply with an order made under this clause.

### **6.3 Application for certificate of registration**

An application for certificate of registration shall be -

- (a) lodged by the applicant on the form approved by the local government from time to time;
- (b) in the case of an initial application or where any variations to the original application are required, lodged with specifications, site and construction plans of proposed cages, enclosure or lofts; and
- (c) lodged with the registration fee that is imposed and determined by the local government from time to time under sections 6.16 to 6.19 of the Act.

### **6.4 Adjoining owners to be consulted**

Prior to granting any certificate of registration on an initial application, the City shall seek written opinion of all owners and occupiers whose land is adjacent to the land owned by the applicant.

### **6.5 Approval limitations**

- (1) Pigeons shall not be kept within a caravan park or on any land on which is situated a group dwelling or multiple dwellings except for land on which 2 grouped dwellings are permitted.
- (2) Unless previously approved by the local government prior to this local law coming into effect, pigeons shall not be kept on any land which has an area of less than 600m<sup>2</sup>.

### **6.6 Duties of certificate holder**

The holder of a certificate of registration to keep pigeons shall:

- (a) keep all pigeons confined continuously in cages, enclosures and lofts approved by the local government except that homing pigeons and racing pigeons registered in accordance with this local law may be released in accordance with this local law;
- (b) keep all cages, enclosures, lofts and their immediate surrounds clean and maintained in good order and condition at all times and the minimum standard to be adhered to shall be that which is specified in the Code of Practice; and

- (c) dispose of all loft litter by immediate burial or by being bagged and deposited in a household rubbish bin to ensure no nuisance occurs.

#### **6.7 Limit on number of pigeons**

- (1) Subject to subclause (2), the maximum number of pigeons which shall be kept on land the subject of a certificate of registration pursuant to each certificate of registration shall not exceed 20, excluding young birds.
- (2) A person who on or before 30 June each year produces to the local government, satisfactory proof that the person is a current financial member of a recognised incorporated racing pigeon body, or is a registered pigeon fancier, may be permitted by the local government to keep up to 150 pigeons, excluding young birds, in any residential area.

#### **6.8 Cage, enclosure or loft requirements**

- (1) An approved cage, enclosure or loft used to house pigeons shall aesthetically blend with its surrounds, be constructed of new materials and shall be constructed to the following minimum requirements:
  - (a) the base floor of any loft shall be constructed of a suitable impervious material as approved by an environmental health officer;
  - (b) in the case of an elevated loft the suspended floor shall be constructed and maintained in accordance with the requirements in the Code of Practice;
  - (c) cladding of a loft, including the roof shall be of smooth fibro cement sheeting, sheet metal or other smooth material;
  - (d) except as provided in paragraph (e), a loft height shall not exceed 2.4 metres at any point when measured from ground level; and
  - (e) where a loft has a gable roof the loft height shall not exceed 3 metres at any point when measured from ground level.
- (2) A cage, enclosure or loft shall not be located nearer than:
  - (a) 1.2 metres from the boundary of any land adjacent to the land, the subject of an application;
  - (b) 9 metres from any dwelling house, church, school room, hall, factory, dairy or food premises; or
  - (c) 9 metres from any road reserve or street.

#### **6.9 Exercise of pigeons**

- (1) A person who is approved to keep registered homing pigeons or racing pigeons may only release such homing pigeons or racing pigeons for exercise between the hours set out in the Code of Practice, unless otherwise authorised by the local government.
- (2) A person shall not release more than 60 registered homing or racing pigeons may be released for exercise or training at any one time.

#### **6.10 Alteration, cancellation or refusal of certificate of registration**

- (1) At any time the local government may amend the conditions contained in or relating to a certificate of registration and without limiting the generality of the same, where any complaint of a nuisance is received, the local government may vary the hours for release of pigeons and impose any other conditions deemed necessary to minimise any nuisance from the keeping of pigeons or any

associated activity.

- (2) The local government may cancel, refuse to approve or refuse to renew a certificate of registration for any one or more of the following reasons:
- (a) the land is not maintained in accordance with this local law;
  - (b) the cages, enclosures or loft have fallen into disrepair, are unclean or infested with vectors of disease;
  - (c) the pigeons are being released outside the times permitted in clause 6.9;
  - (d) a condition imposed in accordance with this local law or a certificate of registration has not been complied with in the time limits set out for doing so;
  - (e) the applicant or holder of the certificate of registration as the case may be, has two or more convictions under this local law; or
  - (f) non payment of registration fees.

## Part 7 – Bees

### 7.1 Definitions

In this Part -

**bee** means a bee of the species *Apis mellifera*;

**beehive** means a moveable or fixed structure, container or object, either standing alone or in a group of 2 or more, which contains a bees nest and in which bees are kept;

**beekeeper** has the meaning given in regulation 3 of the *Biosecurity and Agriculture Management Regulations 2013*;

**permit** means a permit issued under this Part and includes the conditions (if any) to which that permit is subject; and

**permit holder** means a person who holds a valid permit.

### 7.2 Limit on bees

A person must not keep, or permit to be kept on any land, bees or a beehive -

- (a) without obtaining a permit from the City; and
- (b) except in accordance with a valid permit issued in relation to that land.

### 7.3 Application for a permit

- (1) An application for a permit must –
- (a) be in the form determined by the local government;
  - (b) include –
    - (i) a site plan detailing the proposed location of the beehive or beehives and any significant structures, barriers or water sources on the land, and potential flight paths for bees; and
    - (ii) any further information that may be required by the City; and

- (c) pay any application fee imposed by the local government under sections 6.16 to 6.19 of the Act.
- (2) On an application for a permit under subclause 7.3(1) the local government shall seek written opinion of all owners and occupiers whose land is adjacent to the land owned or occupied by the applicant.

#### **7.4 Determining an application**

- (1) The local government may refuse to consider an application that does not comply with clause 7.3(1).
- (2) The local government may –
  - (a) approve an application, subject to any conditions that it considers to be appropriate; or
  - (b) refuse an application.
- (3) If the local government approves an application, it is to issue to the applicant a permit in the form determined by the local government.
- (4) The local government may vary a condition to which a permit is subject by giving written notice to the permit holder and the varied condition takes effect 7 days after that notice is given.
- (5) A permit holder must comply with each condition to which the permit is subject including any varied condition under subclause (4).
- (6) A permit is valid from the date of issue until it is cancelled under this local law.
- (7) A permit is personal to the permit holder and applies only to the land described in the permit.

#### **7.5 Cancellation of a permit**

The local government may cancel a permit if –

- (a) the permit holder requests the local government to do so;
- (b) 12 continuous months elapse during which the permit holder has not kept any bees on the land to which the permit applies; or
- (c) the permit holder fails to comply with a notice under clause 7.7 within the time specified in the notice or commits any other offence under this local law.

#### **7.6 General conditions for keeping beehives**

A permit issued under this Part may include, but not limited to, one or more of the following conditions –

- (a) the beehive is to be maintained in a clean and tidy condition;
- (b) the beehive is screened or positioned in such a manner as to ensure, as far as practicable, that the bees do not create a nuisance or threat to people in the locality or the public in general;
- (c) the flight path of any bees entering or exiting the land from the beehive is to be at least 2 metres above natural ground level;
- (d) the continual provision of an adequate water supply on the land for the bees; or

- (e) any maintenance or activities relating to a beehive, including but not limited to the collection of honey, is carried out at such times as to not create a nuisance.

#### **7.7 Notice to remove**

- (1) If, in the opinion of an environmental health officer, bees on any land (whether or not the subject of a permit) are likely to endanger the safety of any person or create a serious public nuisance, the environmental health officer may give to the owner or occupier of that land a written notice requiring the owner or occupier (as the case may be) to remove the bees before the date specified in the notice.
- (2) If, in the opinion of an environmental health officer, a person has breached a provision of this local law, an environmental health officer may give to that person a written notice requiring him or her to remedy that breach before the date specified in the notice.

## **Part 8 – Animals, Birds and Poultry**

### **8.1 General**

The owner or occupier of a premises where an animal is kept shall -

- (a) keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;
- (b) when so directed by an environmental health officer, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free of flies and when directed by an environmental health officer, spray the premises with a residual insecticide or use any other effective means to kill and repel flies.

### **8.2 Keeping of large animals**

An owner or occupier of a premises shall -

- (a) not keep a large animal on any land less than 2000m<sup>2</sup> in area;
- (b) not permit any large animal to approach within 9 metres of a habitable room, shop, church or any premises where food is stored, manufactured or sold.

### **8.3 Keeping a miniature horse**

- (1) An owner or occupier of a premises may keep a sterilised miniature horse on land of not less than 1000m<sup>2</sup> in area, provided it is registered with the local government and the approved annual registration fee is paid.
- (2) An owner or occupier of a premises shall -
  - (a) not keep more than one miniature horse on land without the written approval of the local government; and
  - (b) not permit a miniature horse within 9 metres of any house.
- (3) The local government may prohibit the keeping of a miniature horse on any land or may state the conditions under which a miniature horse may be kept.

### **8.4 Keeping of pigs**

- (1) Subject to clause 8.4(2) a person shall not keep a pig on any land within the district.

- (2) A person may keep 1 miniature pig on land provided
- (a) it is registered with the local government; and
  - (b) any application fee imposed by the local government under sections 6.16 to 6.19 of the Act, is paid.
- (3) On land zoned residential, the occupier of any premises where a miniature pig is kept shall -
- (a) only keep a sterilised animal and retain written proof of its sterilisation;
  - (b) confine the animal on the property at all times;
  - (c) ensure the animal does not cause a nuisance to any neighbour regarding noise, dust or odour; and
  - (d) maintain documentary evidence that the animal's veterinary treatment against roundworm and tape worm is current.

### 8.5 Stables

- (1) The owner or occupier of any land where a stable is erected shall -
- (a) not permit a stable within 9 metres of a house or other building;
  - (b) have a floor area of 6m<sup>2</sup> per animal;
  - (c) ensure the stable has walls and a roof, constructed of impervious material;
  - (d) have on all sides of the building between the walls and the roof, a clear opening of at least 50 millimetres in height; and
  - (e) provide a floor, which shall have an upper surface:
    - i. at least 75 millimetres above the ground; and
    - ii. be constructed of cement, concrete, compacted limestone or similar approved material.
- (2) The owner or occupier of a premises where a stable is located shall -
- (a) keep all parts of the stable free from flies; and
  - (b) when directed by an environmental health officer, spray the stable, or such parts as may be indicated, with a residual insecticide.

### 8.6 Stablehand room

The owner or occupier of a premises shall not permit a habitable room, including a stablehand's room, to open directly into a stable area.

### 8.7 Manure receptacle

An owner or occupier of a premises where a large animal, miniature horse or miniature pig is kept shall -

- (a) provide in a convenient position, an impervious receptacle with a tight fitting lid, for storage of manure;
- (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
- (c) cause the receptacle to be emptied at least once a week and more often as necessary to prevent it becoming offensive or a breeding place for flies or other insects; and
- (d) cause all manure produced on the premises to be collected daily and placed

in the receptacle.

#### **8.8 Keeping of ostrich or emu**

A person shall not keep an ostrich or emu on any land within the district.

#### **8.9 Keeping poultry**

- (1) A person shall not keep or suffer to remain on any land within the district a rooster, turkey, goose or geese, peacock or a peahen.
- (2) Notwithstanding sub-clause 8.9(1), the owner or occupier of land within the district shall not keep or permit to be kept any poultry otherwise than under the following conditions -
  - (a) no poultry is able to approach within 9 metres of a dwelling or within 1 metre from a boundary of the lot;
  - (b) poultry must be provided a shed or hut designed to permit a deep litter system in accordance with the following specifications:
    - i. the floor shall be concrete, brick paving, compressed limestone or any other suitable impervious surface;
    - ii. frames shall be of timber, steel, brick or other approved material;
    - iii. cladding shall be of sheet metal, brick, weatherboard or other materials approved by an environmental health officer;
    - iv. the roof shall have sufficient slope to shed storm water;
    - v. the poultry shed to be constructed in a sound and weatherproof manner and to be between 1.5m to 2.0 m in height;
    - vi. provision must be made for adequate ventilation to the shed during hot weather;
    - vii. the minimum size of any shed must allow for at least 0.3m<sup>2</sup> for each and every bird kept therein;
    - viii. the roof, walls, floor, doors and ventilating panels must be maintained in good order and condition at all times;
    - ix. the floor must be covered with a layer of dry sand or sawdust at least 75 millimetres deep; and
    - x. the sawdust or sand must be kept dry at all times and be changed at least once every 6 months or when directed by an environmental health officer.
- (3) A person shall not permit a poultry shed to be nearer than 1 metre from the boundary of land in other occupation or 9 metres from any dwelling house or street.
- (4) A person shall not keep more than 12 poultry (including a maximum of 2 ducks) in any residential area.

### **Part 9 – Miscellaneous**

#### **9.1 False or misleading statement**

A person shall not make a false or misleading statement in connection with any application, requirement or demand under this local law.

#### **9.2 Fees and charges**

All fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act.

### **9.3 Limit on liability**

A person, owner, occupier or licensee is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed sub-contractor or other person authorised by the local government, to enter the land and carry out all or part of the works and do all things necessary that the owner, occupier or licensee was required to do to comply with this local law.

### **9.4 Objections and review**

Division 1 of Part 9 of the Act applies to a decision under this local law to –

- (a) refuse an application for a licence;
- (b) impose or vary a condition of a licence; or
- (c) revoke a licence.

## **Part 10 – Enforcement**

### **10.1 Offences**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) An offence against a clause specified in Schedule 1 of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.

### **10.2 Infringement and infringement withdrawal notices**

For the purposes of this local law:

- (a) the form of the infringement notice referred to in section 9.17 of the Act is Form 2 in the First Schedule of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is Form 3 in the First Schedule of the *Local Government (Functions and General) Regulations 1996*.

### **10.3 Offences description and modified penalty**

The amount appearing in the final column of Schedule 1 directly opposite an offence described in that Schedule is the modified penalty for that offence.

### **10.4 Prosecution for offences**

A penalty for an offence against this local law (not being a modified penalty) may be

City of Joondalup

Animals Local Law 2025

recovered by the local government by taking proceedings against the alleged offender  
in the relevant Court.

**SCHEDULE 1**

**CITY OF JOONDALUP ANIMALS LOCAL LAW 2025**

**PRESCRIBED OFFENCES**

<b>Item No</b>	<b>Clause No</b>	<b>Nature of Offence</b>	<b>Modified Penalty \$</b>
1	2.4	Permitting a dog to excrete on a street, public place or other land and failing to remove excreta in an approved manner	100
2	2.5(1)	Failing to install and maintain a fence capable of confining a dog to the premises	100
3	2.5(1)	Fence not adequate to confine dog of the species, age, size and physical condition to the premises	100
4	2.6	Keeping more than permitted number of dogs without approval	100
5	3.1	Keeping a kennel establishment without a licence	100
6	3.6(a)	Failing to maintain establishment in a clean, sanitary and tidy condition	100
7	3.6(b)	Failing to dispose of refuse, faeces and food waste daily in approved manner	100
8	3.6(c)	Failing to take practical measures to destroy fleas, flies and other vermin	100
9	3.7	Keeping a greater number or breed of dogs than specified in the licence	100
10	4.2	Keeping more than 2 cats over the age of six months	100
11	4.5	Failure to comply with a condition of an approval	100
12	4.9(1)	Cat in a Cat Prohibited Area.	100
13	4.10(1)	Cat causing a nuisance	100
14	4.10(4)	Failure to comply with a cat control notice.	100
15	5.1	Permitting livestock to stray or be at large in a street, public place or private property without consent	100
16	5.2	Failing to keep property fenced in a manner capable of confining livestock	100
17	5.4(2)	Riding, driving or bringing an animal onto a reserve or foreshore not set aside for the purpose	100
18	5.4(3)	Riding, driving, exercising or training an animal on a reserve or foreshore so as to create a danger or cause a nuisance	100

City of Joondalup

Animals Local Law 2025

19	5.4(4)	Riding, driving or bringing an animal on to a reserve or foreshore set aside for exercise of dogs	100
20	6.1	Keeping of pigeons without approval	100
21	6.2(2)	Failing to comply with an order to prevent the nesting or perching of pigeons or doves	100
22	6.5(1)	Keeping of pigeons within: a caravan park; a grouped dwelling (not being one of only two grouped dwellings)	100 100 100
23	6.6(b)	Failing to keep cages, enclosures and lofts maintained to minimum standard specified in Code of Practice	100
24	6.6(c)	Failing to dispose of loft litter in approved manner to ensure no nuisance occurs	100
25	6.7(1)	Keeping more than 20 pigeons for each Certificate of Registration	100
26	6.7(2)	Keeping more than maximum number of birds approved	100
27	6.9(1)	Releasing registered pigeons outside hours permitted	100
28	6.9(2)	Releasing more than 60 pigeons for exercise or training at any one time	100
29	7.2	Keeping bees or a beehive without a valid permit	100
30	7.6	Failing to comply with a condition of a permit	100
31	7.7(2)	Failing to remedy breach in notice	100
32	8.1(a)	Failing to keep premises free from excrement, filth, food waste and other matter likely to be offensive or injurious to health, attract rats, vermin or insects	100
33	8.1(b)	Failing to clean and disinfect premises when directed by an environmental health officer	100
34	8.1(c)	Failing to keep premise free of flies or when directed, spray premises with residual insecticide to kill or repel flies	100
35	8.2(a)	Keeping a large animal on land less than 2,000m <sup>2</sup> in area	100
36	8.2(b)	Permitting a large animal to approach within 9 metres of habitable room, shop, church, or any premises where food is stored, manufactured or sold	100
37	8.3(1)	Keeping a sterilised miniature horse on land less than 1,000m <sup>2</sup> not registered with local government and registration fee paid	100
38	8.3(2)(a)	Keeping more than one miniature horse on land without approval	100
39	8.3(2)(b)	Permitting a miniature horse within 9 metres of a house	100
40	8.4(1)	Keeping a pig on any land throughout the district	100

City of Joondalup

Animals Local Law 2025

41	8.4(2)	Keeping an unregistered miniature pig and/or not paying registration fee	100
	8.4(3)(a)	Keeping an unsterilised miniature pig or failing to retain written proof of its sterilisation	100
	8.4(3)(b)	Failing to confine animal on property at all times	100
	8.4(3)(c)	Failing to ensure animal does not cause a nuisance to any neighbour through noise, dust or odour	100
	8.4(3)(d)	Failing to maintain documentary evidence that an animal's veterinary treatment against roundworm and tapeworm is current	100
	8.5(1)(a)	Permitting a stable within 9 metres of house or other building	100
	8.5(1)(b)	Failing to have stable floor area of 6m <sup>2</sup> per animal	100
	8.5(1)(c)	Failing to have stable floor or roof constructed of impervious material	100
	8.5(1)(d)	Failing to have on all sides of stable building clear opening 50mm in height between all walls and roof	100
	8.5(1)(e)(i)	Failing to have upper surface of stable floor at least 75mm above ground	100
	8.5(1)(e)(ii)	Failing to have upper surface of stable floor constructed of cement, concrete, compacted limestone or approved material	100
	8.5(2)(a)	Failing to keep stable free from flies	100
	8.5(2)(b)	Failing to spray stable with residual insecticide when directed by environmental health officer	100
	8.6	Permitting a habitable room including a stablehand's room to open directly into a stable	100
	8.7(a)	Failing to provide in convenient position, an impervious receptacle with tight fitting lid, for manure	100
	8.7(b)	Failing to keep lid of manure receptacle closed except when manure being deposited or removed	100
	8.7(c)	Failing to empty manure receptacle to prevent it becoming offensive or breeding place for flies	100
	8.7(d)	Failing to collect all manure produced on premises and place in receptacle	100
	8.8	Keeping an ostrich or emu on any land throughout the district	100
	8.9(1)	Keeping a rooster, turkey, goose or geese, peacock or a peahen on any land throughout the district	100
	8.9(2)	Keeping or permitting to be kept poultry, not in accordance with conditions of local law	100
	8.9(3)	Constructing or permitting a poultry shed to be nearer than 1m from boundary of occupied land or 9m from any dwelling or street	100
	8.9(4)	Keeping more than 12 poultry (including maximum 2 ducks) in any residential area	100
		Other offences not specified	100

City of Joondalup

Animals Local Law 2025

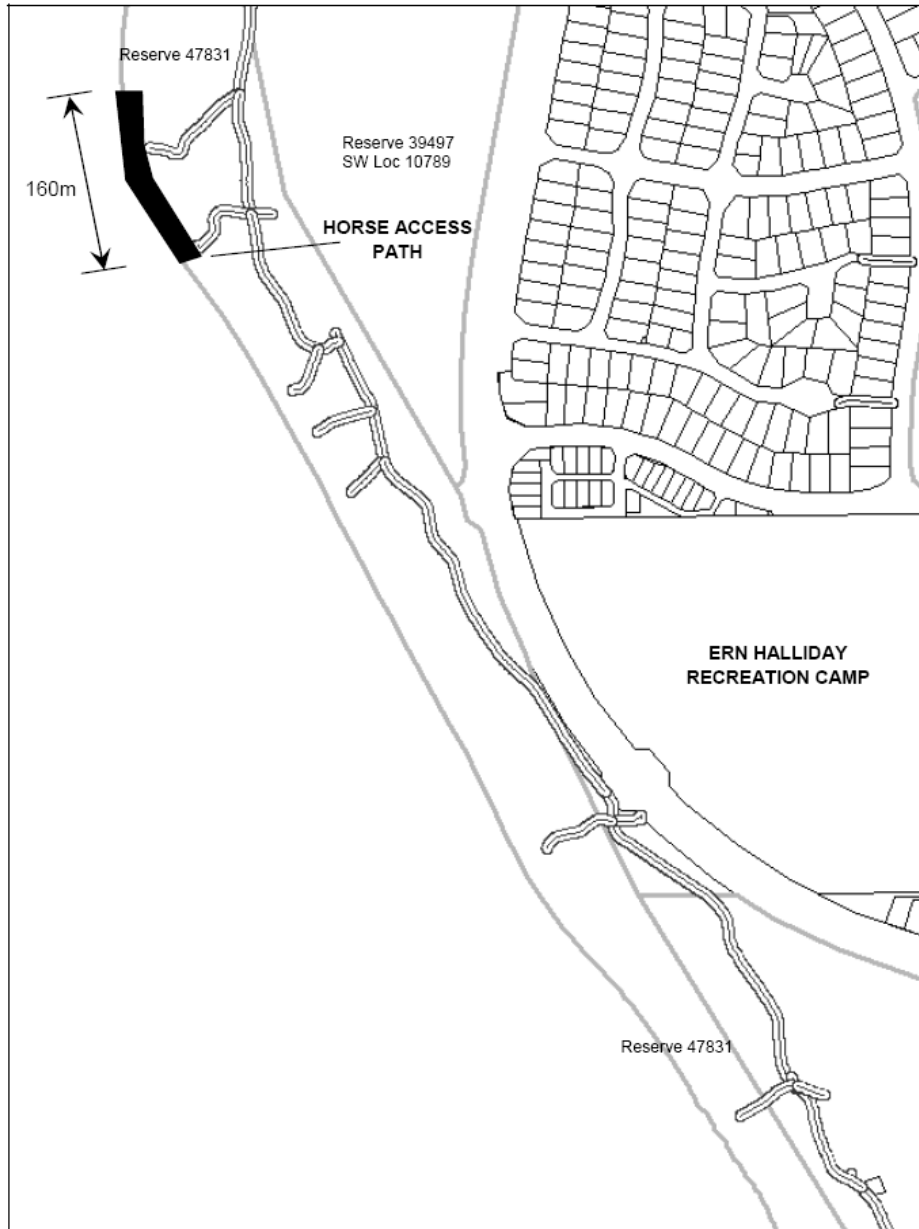
**SCHEDULE 2**

**CITY OF JOONDALUP ANIMALS LOCAL LAW 2025**

**RESTRICTED HORSE AREA**

All that area of the Foreshore Reserve 47831 as shown delineated in black on Diagram 1 - Horse Exercise Area, from the constructed horse access path northwards for a distance of 160 metres as designated by signs.

**DIAGRAM 1 – RESTRICTED HORSE EXERCISE AREA**



City of Joondalup

Animals Local Law 2025

**SCHEDULE 3**

**Form 1**

***Dog Act 1976***

**CITY OF JOONDALUP  
ANIMALS LOCAL LAW 2025**

**NOTICE OF INTENTION TO MAKE APPLICATION FOR KENNEL LICENCE**

To Owners and Occupiers of .....

In accordance with Clause 3.2 of the *City of Joondalup Animals Local Law 2025*, I advise my intention to make application to the City for an Approved Kennel Establishment Licence.

The issue of an Approved Kennel Establishment Licence is subject to compliance with the provisions of the abovementioned local law.

The land subject of this application is:

.....  
(insert address of proposed Kennel Establishment)

Please note any interested person may within 21 days of the date of this advice object to or make representations in respect of the application in writing directly to the:

Chief Executive Officer  
City of Joondalup

.....  
Name and Signature of Applicant

.....  
Date

City of Joondalup

Animals Local Law 2025

**Form 2**  
**Dog Act 1976**

**CITY OF JOONDALUP**  
**ANIMALS LOCAL LAW 2025**

**APPLICATION FOR LICENCE OR RENEWAL OF LICENCE**  
**TO KEEP APPROVED KENNEL ESTABLISHMENT**

In accordance with the *Dog Act 1976*, and the local laws of the City of Joondalup:

I/We (full name) .....

of .....

hereby apply for a licence/the renewal of a licence (strike out whichever is not applicable)  
to keep an approved kennel establishment at:

.....

Attached hereto are:

- (a) a plan of the premises showing the location of the kennels and yards and all other buildings, structures and fences;
- (b) plans and specifications of the kennels;
- (c) evidence that due notice of the proposed use of the premises has been given to persons in the locality;
- (d) particulars of the number and breed of dogs to be kept in the kennels;
- (e) a remittance for the fee of \$.....

Dated the ..... day of .....20.....

Signature of Applicant .....

Note: Items (a), (b), (c) and (d) may be struck out if the application is for the renewal of a licence and if no change has been made since the previous application.

City of Joondalup

Animals Local Law 2025

**Form 3**  
***Dog Act 1976***

**CITY OF JOONDALUP**  
**ANIMALS LOCAL LAW 2025**

**LICENCE TO KEEP AN APPROVED KENNEL ESTABLISHMENT**

..... is/are the holder(s) of a  
licence to keep an approved kennel establishment at .....

..... for ..... dogs  
of ..... breed(s).

This licence has effect for a period of 12 months from the date hereof.

Dated the ..... day of .....20 .....

.....  
Chief Executive Officer

**SCHEDULE 4**

***Cat Act 2011***

**CITY OF JOONDALUP  
ANIMALS LOCAL LAW 2025**

**CAT PROHIBITED AREAS**

<b>ITEM NO.</b>	<b>AREA</b>	<b>RESERVE NO.</b>	<b>SUBURB</b>
1	Hepburn Heights Conservation Area	42987, 32734	Padbury
2	Craigie Open Space	32858	Craigie
3	Lilburne Park	35545	Duncraig
4	Shepherds Bush Reserve	26052, 39941	Kingsley
5	Warwick Open Space	50441, 50442	Warwick
6	Marmion Foreshore Reserve	47831	Marmion
7	Sorrento Foreshore Reserve	47831, 27732	Sorrento
8	Hillarys Foreshore Reserve	47831, 40802, 39497, 23563	Hillarys
9	Kallaroo Foreshore Reserve	47831, 39497	Kallaroo
10	Mullaloo Foreshore Reserve	45136, 47831	Mullaloo
11	Ocean Reef Foreshore Reserve	47831, 45122, 45136	Ocean Reef
12	Iluka Foreshore Reserve	47831, 45122	Iluka
13	Burns Beach Foreshore Reserve	47831, 42219, 48489	Burns Beach

City of Joondalup

Animals Local Law 2025

Dated xxxx of xxxx

The Common Seal of the City of Joondalup        )  
was affixed by authority of a resolution        )  
of the Council in the presence of                )

.....

DANIEL KINGSTON  
MAYOR

.....

xxxx  
CHIEF EXECUTIVE OFFICER

**Code of Conduct**  
**for**  
**Council Members,**  
**Committee Members**  
**and**  
**Candidates**

## Table of Contents

<b>Introduction</b> .....	3
<b>Values</b> .....	4
<b>Division 1 - Preliminary provisions</b> .....	5
1. Citation .....	5
2. Terms used .....	5
<b>Division 2 - General principles</b> .....	5
3. Overview of Division .....	5
4. Personal Integrity .....	5
5. Relationship with others .....	6
6. Accountability .....	6
<b>Division 3 - Behaviour</b> .....	6
7. Overview of Division .....	6
8. Personal integrity .....	6
9. Relationship with others .....	7
10. Council or committee meetings .....	7
11. Complaint about alleged breach .....	7
12. Dealing with complaint .....	7
13. Dismissal of complaint .....	8
14. Withdrawal of complaint .....	9
15. Other provisions about complaints .....	9
<b>Division 4 - Rules of conduct</b> .....	9
16. Overview of Division .....	9
17. Misuse of City resources .....	9
18. Securing personal advantage or disadvantaging others .....	10
19. Prohibition against involvement in administration .....	10
20. Relationship with City employees .....	10
21. Disclosure of information .....	11
22. Disclosure of interests .....	11
23. Compliance with plan requirement .....	12

## Introduction

In accordance with section 5.104 of the *Local Government Act 1995* every Western Australian local government is to adopt a code of conduct to be observed by council members, committee members and local government election candidates (candidates). A local government's code of conduct is to reflect the model code of conduct prescribed by section 5.103(1) of the *Local Government Act 1995* which includes:

- general principles to guide behaviour
- requirements relating to behaviour
- provisions specified to be rules of conduct.

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## Values

The City's *10 Year Strategic Community Plan* (Joondalup 2032) articulates the City's vision as being '*A global City: bold, creative and prosperous*'.

In alignment with this vision, the City believes the following primary values should be inherent within any well-functioning and community-driven organisation:

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#### 3. Overview of Division

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Updated: January 2026

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- (a) requirements relating to the behaviour of council members, committee members and candidates; and
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- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made -
  - (a) in writing in the form approved by the CEO; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The Council must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

(4) A complaint must be dealt with under clauses 12 to 15 unless –

- (a) the complaint is referred to the Inspector in accordance with subclause (5); and
- (b) the Inspector refers the complaint to be dealt with under Part 8A Division 5 of the Act.

Updated: January 2026

Note for this subclause: See section 5.105(1) of the Act.

(5) If the *Local Government (Model Code of Conduct) Regulations 2021* regulation 3A applies to a complaint, a person authorised under subclause (3) must refer the complaint to the Inspector under section 5.105(3) of the Act.

(6) A complaint must also be dealt with under clauses 12 to 15 if the Inspector refers the complaint to the local government under the *Local Government (Local Government Inspector) Regulations 2025* regulation 6.

## 12. Dealing with complaint

(1) After considering a complaint, the **CouncilCEO** must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.

Note for this subclause: See also clause 14A in relation to the appointment of a monitor to assist the local government to deal with matters raised by a complaint.

(2) Before the **CouncilCEO** makes a finding in relation to the complaint under subclause (12)(1), the **CouncilCEO** must give the person to whom the complaint relates a reasonable opportunity to be heard.

(3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

(4) If the **CouncilCEO** makes a finding that the alleged breach has occurred, the **CouncilCEO** may -

- (a) take no further action; or
- (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

(5) When preparing a plan under subclause (4)(b), the **CouncilCEO** must consult with the person to whom the complaint relates.

(6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following -

- (a) engage in mediation;
- (b) undertake counselling;
- (c) undertake training;
- (d) take other action the **CouncilCEO** considers appropriate.

(7) If the **CouncilCEO** makes a finding in relation to the complaint, the **CouncilCEO** must give the complainant, and the person to whom the complaint relates, written notice of -

- (a) the **CouncilCEO**'s finding and the reasons for its finding; and
- (b) if the **CouncilCEO**'s finding is that the alleged breach has occurred, its decision under subclause (4).

### 13. Dismissal of complaint

- | (1) The CouncilCEO must dismiss a complaint if it is satisfied that -
  - (a) the behaviour to which the complaint relates occurred at a Council or Committee meeting, Briefing Session or Strategy Session; and
  - (b) either -
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the City that deals with meeting procedures, or any other procedures adopted by Council in relation to meetings.
  
- | (2) If the CouncilCEO dismisses a complaint, the CouncilCEO must give the complainant, and the person to whom the complaint relates, written notice of their decision and the reasons for its decision.

#### 14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the Council~~CEO~~ makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be -
  - (a) in writing; and
  - (b) given to a person authorised under clause 11(3).

#### 14A. Appointment of monitor

- (1) The Inspector may appoint a monitor for the local government to assist the local government to deal with matters raised by a complaint.
- (2) If the Inspector appoints a monitor –
  - (a) the Inspector may direct the local government to defer further dealing with the complaint until the monitor reports to the Inspector on the outcome of the monitoring assignment; and
  - (b) the local government must comply with the direction.

#### 14B. Performance of local government's functions under cl. 12 and 13

- (1) The local government's functions under clauses 12 and 13 must be performed by the council.
- (2) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a committee of the council comprising council members only to perform a function for and on behalf of the local government.
- (3) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a person who is none of the following to perform a function for and on behalf of the local government –
  - (a) a member of the council of any local government;
  - (b) a member of the governing body of any regional subsidiary;
  - (c) an employee of any local government or regional subsidiary;
  - (d) an employee of WALGA or the Local Government Professionals Australia (WA);
  - (e) a member of the governing body of, or an employee of, a body corporate the activities of which are, wholly or partly, advocating or otherwise acting for, or on behalf of, 1 or more of the following –
    - i. local governments;
    - ii. members of councils;
    - iii. employees of local governments.
- (4) A resolution made under subclause (3) must include the following –
  - (a) a statement to the effect that the council is satisfied that the person being

- authorised is suitably qualified and experienced to perform the function;  
(b) an explanation as to why the council is satisfied as referred to in paragraph (a);  
(c) a statement to the effect that the council is satisfied that the person being authorised is impartial and has no close association with any member of the council or any employee of the local government.

- (5) Nothing in this clause prevents an employee of the local government from providing, in relation to the performance of a function, any advice or other assistance to the council, a committee authorised under subclause (2) or a person authorised under subclause (3).

#### 15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the CouncilCEO unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the CouncilCEO to the extent that it is not provided for in this Division.
- (3) Clauses 14A and 14B do not apply in relation to a complaint made before 1 January 2026.

Note for this clause: See also section 5.105(4) and (5) of the Act for restrictions on the activities of a person who makes a complaint or who is alleged to have breached a requirement set out in this Division.

### Division 4 - Rules of conduct

#### Notes for this Division:

- Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate. Under section 8A. 3(1) of the Act, a council member commits a conduct breach if the council member contravenes a rule of conduct. Section 8A. 3(2) of the Act extends this to the contravention of a rule of conduct that occurred when the council member was a candidate.
- A minor breach is dealt with by a standards panel under section 5.110 of the Act. A conduct breach is dealt with under Part 8A Division 5 of the Act.

#### 16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

Updated: January 2026

**17. Misuse of City resources**

- (1) In this clause -  
**electoral purpose** means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;  
**resources of the City** includes -
  - (a) City property; and
  - (b) services provided, or paid for, by the City.
- (2) A council member must not, directly or indirectly, use the resources of the City for an electoral purpose or other purpose unless authorised under the Act, or by the Council or the CEO, to use the resources for that purpose.

**18. Securing personal advantage or disadvantaging others**

- (1) A council member must not make improper use of their office -
  - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
  - (b) to cause detriment to the City or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

**19. Prohibition against involvement in administration**

- (1) A council member must not undertake a task that contributes to the administration of the City unless authorised by the Council or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a Council or Committee meeting.

**20. Relationship with City employees**

- (1) In this clause -  
**City employee** means a person -
  - (a) employed by the City under section 5.36(1) of the Act; or
  - (b) engaged by the City under a contract for services.
- (2) A council member or candidate must not -
  - (a) direct or attempt to direct a City employee to do or not to do anything in their capacity as a City employee; or
  - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a City employee in their capacity as a City employee; or
  - (c) act in an abusive or threatening manner towards a City employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a Council or Committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a Council or Committee meeting or other organised event (for example,

a briefing or workshop), the council member or candidate must not orally, in writing or by any other means -

- (a) make a statement that a City employee is incompetent or dishonest; or
  - (b) use an offensive or objectionable expression when referring to a City employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

## 21. Disclosure of information

(1) In this clause -

~~**closed meeting** - means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;~~

(a) means a part of a council or committee meeting that is closed to members of the public under section 5.23(2), (3) or (4) of the Act; and

(b) includes a council or committee meeting held before 1 January 2026, or a part of a council or committee meeting held before 1 January 2026, that was closed to members of the public under section 5.23(2) of the Act as in force before 1 January 2026;

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

**document** includes a part of a document;

**non-confidential document** means a document that is not a confidential document.

(2) A council member must not disclose information that the council member -

(a) derived from a confidential document; or

(b) acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subclause (2) does not prevent a council member from disclosing information -

(a) at a closed meeting; or

(b) to the extent specified by the Council and subject to such other conditions as the Council determines; or

(c) that is already in the public domain; or

(d) to an officer of the Department; or

(e) to the Minister; or

(f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

## 22. Disclosure of interests

(1) In this clause -

**Interest** -

(a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and

(b) includes an interest arising from kinship, friendship or membership of an association.

(2) A council member who has an interest in any matter to be discussed at a Council or Committee meeting attended by the council member must disclose the nature of the interest -

(a) in a written notice given to the CEO before the meeting; or

- (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know -
  - (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then -
  - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if -
  - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

**23. Compliance with plan requirement**

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

**Code of Conduct**  
**for**  
**Council Members,**  
**Committee Members**  
**and**  
**Candidates**

## Table of Contents

<b>Introduction</b> .....	3
<b>Values</b> .....	4
<b>Division 1 - Preliminary provisions</b> .....	5
1. Citation .....	5
2. Terms used .....	5
<b>Division 2 - General principles</b> .....	5
3. Overview of Division .....	5
4. Personal Integrity .....	5
5. Relationship with others .....	6
6. Accountability .....	6
<b>Division 3 - Behaviour</b> .....	6
7. Overview of Division .....	6
8. Personal integrity .....	6
9. Relationship with others .....	7
10. Council or committee meetings .....	7
11. Complaint about alleged breach .....	7
12. Dealing with complaint .....	7
13. Dismissal of complaint .....	8
14. Withdrawal of complaint .....	9
15. Other provisions about complaints .....	9
<b>Division 4 - Rules of conduct</b> .....	9
16. Overview of Division .....	9
17. Misuse of City resources .....	9
18. Securing personal advantage or disadvantaging others .....	10
19. Prohibition against involvement in administration .....	10
20. Relationship with City employees .....	10
21. Disclosure of information .....	11
22. Disclosure of interests .....	11
23. Compliance with plan requirement .....	12

### Introduction

In accordance with section 5.104 of the *Local Government Act 1995* every Western Australian local government is to adopt a code of conduct to be observed by council members, committee members and local government election candidates (candidates). A local government's code of conduct is to reflect the model code of conduct prescribed by section 5.103(1) of the *Local Government Act 1995* which includes:

- general principles to guide behaviour
- requirements relating to behaviour
- provisions specified to be rules of conduct.

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- (d) must comply with any requirements of a local law of the City relating to the procedures and conduct of Council or Committee meetings, or any other procedures adopted by Council in relation to meetings; and
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- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
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(4) A complaint must be dealt with under clauses 12 to 15 unless –

- (a) the complaint is referred to the Inspector in accordance with subclause (5); and
- (b) the Inspector refers the complaint to be dealt with under Part 8A Division 5 of the Act.

Updated: January 2026

Note for this subclause: See section 5.105(1) of the Act.

(5) If the *Local Government (Model Code of Conduct) Regulations 2021* regulation 3A applies to a complaint, a person authorised under subclause (3) must refer the complaint to the Inspector under section 5.105(3) of the Act.

(6) A complaint must also be dealt with under clauses 12 to 15 if the Inspector refers the complaint to the local government under the *Local Government (Local Government Inspector) Regulations 2025* regulation 6.

## 12. Dealing with complaint

(1) After considering a complaint, the **CouncilCEO** must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.

Note for this subclause: See also clause 14A in relation to the appointment of a monitor to assist the local government to deal with matters raised by a complaint.

(2) Before the **CouncilCEO** makes a finding in relation to the complaint under subclause (12)(1), the **CouncilCEO** must give the person to whom the complaint relates a reasonable opportunity to be heard.

(3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

(4) If the **CouncilCEO** makes a finding that the alleged breach has occurred, the **CouncilCEO** may -

- (a) take no further action; or
- (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

(5) When preparing a plan under subclause (4)(b), the **CouncilCEO** must consult with the person to whom the complaint relates.

(6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following -

- (a) engage in mediation;
- (b) undertake counselling;
- (c) undertake training;
- (d) take other action the **CouncilCEO** considers appropriate.

(7) If the **CouncilCEO** makes a finding in relation to the complaint, the **CouncilCEO** must give the complainant, and the person to whom the complaint relates, written notice of -

- (a) the **CouncilCEO**'s finding and the reasons for its finding; and
- (b) if the **CouncilCEO**'s finding is that the alleged breach has occurred, its decision under subclause (4).

### 13. Dismissal of complaint

- | (1) The CouncilCEO must dismiss a complaint if it is satisfied that -
  - (a) the behaviour to which the complaint relates occurred at a Council or Committee meeting, Briefing Session or Strategy Session; and
  - (b) either -
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the City that deals with meeting procedures, or any other procedures adopted by Council in relation to meetings.
  
- | (2) If the CouncilCEO dismisses a complaint, the CouncilCEO must give the complainant, and the person to whom the complaint relates, written notice of their decision and the reasons for its decision.

#### 14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the Council~~CEO~~ makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be -
  - (a) in writing; and
  - (b) given to a person authorised under clause 11(3).

#### 14A. Appointment of monitor

- (1) The Inspector may appoint a monitor for the local government to assist the local government to deal with matters raised by a complaint.
- (2) If the Inspector appoints a monitor –
  - (a) the Inspector may direct the local government to defer further dealing with the complaint until the monitor reports to the Inspector on the outcome of the monitoring assignment; and
  - (b) the local government must comply with the direction.

#### 14B. Performance of local government's functions under cl. 12 and 13

- (1) The local government's functions under clauses 12 and 13 must be performed by the council.
- (2) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a committee of the council comprising council members only to perform a function for and on behalf of the local government.
- (3) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a person who is none of the following to perform a function for and on behalf of the local government –
  - (a) a member of the council of any local government;
  - (b) a member of the governing body of any regional subsidiary;
  - (c) an employee of any local government or regional subsidiary;
  - (d) an employee of WALGA or the Local Government Professionals Australia (WA);
  - (e) a member of the governing body of, or an employee of, a body corporate the activities of which are, wholly or partly, advocating or otherwise acting for, or on behalf of, 1 or more of the following –
    - i. local governments;
    - ii. members of councils;
    - iii. employees of local governments.
- (4) A resolution made under subclause (3) must include the following –
  - (a) a statement to the effect that the council is satisfied that the person being

- authorised is suitably qualified and experienced to perform the function;  
(b) an explanation as to why the council is satisfied as referred to in paragraph (a);  
(c) a statement to the effect that the council is satisfied that the person being authorised is impartial and has no close association with any member of the council or any employee of the local government.

- (5) Nothing in this clause prevents an employee of the local government from providing, in relation to the performance of a function, any advice or other assistance to the council, a committee authorised under subclause (2) or a person authorised under subclause (3).

#### 15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the CouncilCEO unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the CouncilCEO to the extent that it is not provided for in this Division.
- (3) Clauses 14A and 14B do not apply in relation to a complaint made before 1 January 2026.

Note for this clause: See also section 5.105(4) and (5) of the Act for restrictions on the activities of a person who makes a complaint or who is alleged to have breached a requirement set out in this Division.

### Division 4 - Rules of conduct

#### Notes for this Division:

- Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate. Under section 8A. 3(1) of the Act, a council member commits a conduct breach if the council member contravenes a rule of conduct. Section 8A. 3(2) of the Act extends this to the contravention of a rule of conduct that occurred when the council member was a candidate.
- A minor breach is dealt with by a standards panel under section 5.110 of the Act. A conduct breach is dealt with under Part 8A Division 5 of the Act.

#### 16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

Updated: January 2026

**17. Misuse of City resources**

- (1) In this clause -  
**electoral purpose** means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;  
**resources of the City** includes -
  - (a) City property; and
  - (b) services provided, or paid for, by the City.
- (2) A council member must not, directly or indirectly, use the resources of the City for an electoral purpose or other purpose unless authorised under the Act, or by the Council or the CEO, to use the resources for that purpose.

**18. Securing personal advantage or disadvantaging others**

- (1) A council member must not make improper use of their office -
  - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
  - (b) to cause detriment to the City or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

**19. Prohibition against involvement in administration**

- (1) A council member must not undertake a task that contributes to the administration of the City unless authorised by the Council or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a Council or Committee meeting.

**20. Relationship with City employees**

- (1) In this clause -  
**City employee** means a person -
  - (a) employed by the City under section 5.36(1) of the Act; or
  - (b) engaged by the City under a contract for services.
- (2) A council member or candidate must not -
  - (a) direct or attempt to direct a City employee to do or not to do anything in their capacity as a City employee; or
  - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a City employee in their capacity as a City employee; or
  - (c) act in an abusive or threatening manner towards a City employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a Council or Committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a Council or Committee meeting or other organised event (for example,

a briefing or workshop), the council member or candidate must not orally, in writing or by any other means -

- (a) make a statement that a City employee is incompetent or dishonest; or
  - (b) use an offensive or objectionable expression when referring to a City employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

## 21. Disclosure of information

(1) In this clause -

~~**closed meeting** - means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;~~

~~(a) means a part of a council or committee meeting that is closed to members of the public under section 5.23(2), (3) or (4) of the Act; and~~

~~(b) includes a council or committee meeting held before 1 January 2026, or a part of a council or committee meeting held before 1 January 2026, that was closed to members of the public under section 5.23(2) of the Act as in force before 1 January 2026;~~

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

**document** includes a part of a document;

**non-confidential document** means a document that is not a confidential document.

(2) A council member must not disclose information that the council member -

(a) derived from a confidential document; or

(b) acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subclause (2) does not prevent a council member from disclosing information -

(a) at a closed meeting; or

(b) to the extent specified by the Council and subject to such other conditions as the Council determines; or

(c) that is already in the public domain; or

(d) to an officer of the Department; or

(e) to the Minister; or

(f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

## 22. Disclosure of interests

(1) In this clause -

**Interest** -

(a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and

(b) includes an interest arising from kinship, friendship or membership of an association.

(2) A council member who has an interest in any matter to be discussed at a Council or Committee meeting attended by the council member must disclose the nature of the interest -

(a) in a written notice given to the CEO before the meeting; or

- (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know -
  - (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then -
  - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if -
  - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

**23. Compliance with plan requirement**

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.



## Delegation of authority

<b>Delegation</b>	<b>1.1.8 COMPLAINTS - MODEL CODE OF CONDUCT</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 5.104 Adoption of model code of conduct.  <i>Local Government (Model Code of Conduct) Regulations 2021:</i> <del>Clause 12 Dealing with a complaint.</del> <del>Clause 13 Dismissal of complaint.</del> <del>Schedule 1 – Model Code of Conduct – Clause 14B(5)</del>
<b>Function</b>	Authority to:  1 <del>deal with a provide advice or any other assistance to the council, a committee authorised under clause 14B(2) or a person authorised under clause 14B(3) [cl. 14B(5)].</del> <del>complaint;</del> <del>2 refer complaints to the Inspector [cl.11 (5)]</del> <del>2 3 dismiss a complaint; and</del> <del>3 24 establish procedures for dealing with complaints; appoint an external investigator to deal with a complaint [cl. 14B(5)].</del>  <del>under clauses 12, 13 and 15(2) of Schedule 1 of the Local Government (Model Code of Conduct) Regulations 2021.</del>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	1. Authority includes the relevant powers and duties within the same clauses specified in the <i>Code of Conduct for the Council Members, Committee Members and Candidates</i> adopted by Council in accordance with section 5.104(1) of the <i>Local Government Act 1995</i> .  2. <del>Appointment of an external investigator must be in accordance with a resolution of council authorising that person to perform the function of dealing with a complaint.</del>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Governance and Strategy (00648) <del>General Counsel (00640)</del> Integrity Officer (01580) Manager Governance (00010) <del>Manager Audit and Risk Services (01193)</del> <del>Coordinator Executive Services (00002)</del>
<b>Subdelegate conditions</b>	1. Authority includes the relevant powers and duties within the same clauses specified in the <i>Code of Conduct for the Council Members, Committee Members and Candidates</i> adopted by Council in accordance with section 5.104(1) of the <i>Local Government Act 1995</i> .  2. Authority only extends to complaints lodged by the Chief Executive Officer.



## Delegation of authority

	<u>2.3. Appointment of an external investigator must be in accordance with a resolution of council authorising that person to perform the function of dealing with a complaint.</u>
<b>Policy</b>	<a href="#">Complaints Investigation Council Policy.</a>
<b>Date adopted</b>	18 May 2021

<b>Adoption references</b>	CJ071-05/21
<b>Last reviewed</b>	27 May 2025

Amendments			
Date	Type	Amendment	References
18 May 2021	New delegation	Insertion of new delegation to the Chief Executive Officer with the authority to; deal with a complaint; dismiss a complaint; and establish procedures for dealing with complaints under the model Code of Conduct.	CJ071-05/21
28 Jun 2021	Amended delegation	Sub-delegation afforded to Director Governance and Strategy (00648), authority only extends to complaints lodged by the Chief Executive Officer.	INT21/27953
28 Jun 2022	Amended delegation	Change in delegation numbering from 1.11 to 1.10.	CJ092-06/22
21 Mar 2023	Amended delegation	Inclusion sub-delegation positions; Principal Legal Officer (00640) and Integrity Officer (01580).	INT23/14226
27 Jun 2023	Amended delegation	Change in delegation numbering from 1.10 to 1.1.8 - Complaints - Model Code of Conduct. Hyperlink applied to policy reference.	CJ096-06/23
15 Feb 2024	Amended delegation	Change in subdelegate position title from Principle Legal Officer (00640) to General Council (00640).	INT24/9867
6 Mar 2024	Amended delegation	Add a new subdelegate position – Manager Governance (00010).	INT24/10677
27 May 2025	Amended delegation	Change in Policy name from Complaints Investigation Policy to Complaints Investigation Council Policy.	CJ113-05/25



## Complaint Resolution and Investigation Council Policy

### Responsible directorate: Office of the CEO

**Objective:** To establish the additional complaint resolution and investigation procedures to support the City's Code of Conduct for Council Members, Committee Members and Candidates.

#### 1. Application:

This policy applies to council members, committee members and candidates where a complaint has been received by the City, or referred to the City by the Local Government Inspector, under the City's *Code of Conduct of Council Members, Committee Members and Candidates*.

This policy does not apply to the investigation of complaints involving allegations of serious improper conduct, corruption, fraud, misconduct or other criminal conduct which must be referred to the appropriate authority.

#### 2. Definitions:

"Act" means the Local Government Act 1995.

"Approved Investigator" means a person appointed as an Investigator under clause 14B of the Code with prior Council endorsement.

"Authorised officer" means the CEO and any employee authorised by Council in accordance with clause 11(3) of the Code.

"candidate" means a candidate for election as a council member.

"City" means the City of Joondalup, being a local government established as a body corporate under section 2.5 of the Act.

"CEO" means the Chief Executive Officer of the City.

"Code" means the City's Code of Conduct for Council Members, Committee Members and Candidates.

"committee member" includes any council member, the CEO, employee or unelected member of the community in any of those cases, who has been appointed by Council to be a member of a committee.

“**complaint**” means a complaint made under clause 11(1) of the Code.

“**complainant**” means a person complaining of a breach by a council member, committee member or candidate under clause 11(1) of the Code.

“**Council**” means the Council of the City.

“**Council member**” means the City’s elected Mayor or an elected Councillor.

“**employee**” means a person:

(a) employed by the City under section 5.36(1) of the Act; or

(b) engaged by the City under a contract for services.

“**Local Government Inspector**” means the person holding the office of Local Government Inspector established by section 8B.1 of the Act.

“**Respondent**” means the person whom the complaint relates to.

### 3. **Statement:**

In accordance with section 5.104 of the ~~Local Government Act 1995~~ every Western Australian local government is to adopt a code of conduct to be observed by council members, committee members and candidates. A local government’s code of conduct is to reflect the model code of conduct prescribed by section 5.103(12) of the ~~Local Government Act 1995~~ which includes:

- general principles to guide behaviour
- requirements relating to behaviour
- provisions specified to be rules of conduct.

The City’s Code has been adopted for this purpose and ensures the roles and responsibilities of council members, committee members and candidates are understood and respected. This enables professional relationships to be established and maintained in the interests of providing good governance, overall integrity and good government for the community.

The Code sets out principles and standards of behaviour council members, committee members and candidates must observe and is intended to promote accountable and ethical decision-making and conduct.

The purpose of this policy is to detail the high-level complaint resolution and investigation considerations in support of the mechanisms for dealing with complaints detailed in the Code. It is intended to:

- contribute to fairness, integrity and good governance
- provide guidance on the key matters to be considered in the preparation, and in the course of an investigation in relation to breaches of the Code.

### 4. **Authorised persons to receive complaints and withdrawals:**

4.1. In accordance with clause 11(3) of the Code:

- (a) the CEO is authorised to receive complaints and withdrawal of complaints under the Code; or
- (b) where the complainant is the CEO, the Director Governance and Strategy is authorised to receive complaints and withdrawal of complaints under the Code.

**5. Assessment of complaint:**

~~5.1. In dealing with a complaint under the Code, one or all of following factors will be taken into account in assessing a complaint:~~

- ~~(a) Whether an alternative and satisfactory means of redress is available.~~
- ~~(b) Whether the complaint is trivial, frivolous or vexatious.~~
- ~~(c) Whether the complaint is made within one month after the occurrence of the alleged breach.~~
- ~~(d) How serious the complaint is and the significance it has for the complainant and the City.~~
- ~~(e) Whether it indicates the existence of a systemic or widespread problem throughout the Council.~~
- ~~(f) Whether it is one of a series of complaints about the same Council member, indicating a pattern of conduct or a continuous problem.~~

**5. Dismissal of complaint:**

~~5.1. In accordance with clause 13 of the Code, Council must dismiss a complaint where:~~

- ~~(a) the behaviour occurred at a council or committee meeting and the behaviour was dealt with at that meeting; and~~
- ~~(b) either:~~
  - ~~(i) the behaviour was dealt with by the person presiding at the meeting; or~~
  - ~~(ii) the person responsible for the behaviour has taken remedial action in accordance with the City's Meeting Procedures Local Law 2013.~~

**6. Withdrawal of complaint:**

~~6.1. In accordance with clause 12 of the Code, a complainant may withdraw their complaint any time before it is considered by Council.~~

~~6.2. The withdrawal of a complaint must be:~~

- ~~(a) in writing; and~~
- ~~(b) given to an Authorised Officer.~~

#### 6-7. Nature of investigation:

6-1-7.1. ~~In accordance with clause 14B of the Code, An an investigation into a complaint, may must be conducted by an employee or other external person, engaged under a contract for service, with prior Council endorsement, depending upon:~~

- ~~(a) — the nature of the complaint~~
- ~~(b) — the resources needed to conduct an investigation~~
- ~~(c) — whether any additional authorisations from Council are required; or~~
- ~~(d) — the nature of the possible outcome.~~

7.2. ~~Subject to the matters detailed in clause 6.1, additional resources are authorised by Council, to investigate a complaint including the referral of the complaint to a third party. A person appointed as an Approved Investigator must be suitability qualified and experienced to perform the function to review and consider the complaint of a breach made under the Code.~~

7.3. ~~A person appointed as an Approved Investigator of a complaint must be impartial and have no close association with any member of Council or any employee of the City.~~

6-2-7.4. ~~All investigations must be conducted without bias and in an impartial and objective manner without any actual or perceived conflict of interest. Any conflict of interest will deem the external person ineligible to be appointed.~~

#### 7-8. Powers of investigation:

7-1-8.1. ~~The employees person or persons appointed under detailed in clause 4.1 may be assisted by any employee of the City, in relation to the performance of a function, any advice or other assistance (in accordance with clause 14B(5) of the Code), are authorised to commence an investigation and given the necessary powers and authority to oversee an investigation process under the Code and in line with this policy and other supporting complaint resolution and investigation internal protocols policies.~~

7-2-8.2. Any ~~employee or other~~ external person appointed to perform an investigation into a complaint under the Code has the necessary powers to:

- (a) inquire with all parties relevant to a complaint to provide any evidence or statements relevant to the matter the subject of the complaint
- (b) obtain any information from other parties in relation to policies, procedures and practices including access to relevant records or witness statements.

#### 8-9. Evidence:

8-1-9.1. For the purposes of an investigation into a complaint, evidence can take the form of:

- (a) oral or written evidence (recollections)
- (b) documentary evidence (records)
- (c) expert evidence (technical advice)

- (d) site inspections.

8.2.9.2. The person or persons appointed under clause 4.1 are to maintain a central investigation file detailing any documentary evidence or records obtained, and that file is to be maintained in the City's record-keeping system with restricted access to ensure confidentiality.

8.3.9.3. If legal proceedings might arise at some future stage, evidence should be gathered in accordance with the rules of evidence.

**9.10. Appropriate standard of proof:**

9.1.10.1. In any investigation into a complaint, all allegations must be proved "on the balance of probabilities" that is it must be more probable than not that the allegations the subject of the complaint are made out.

**10.11. Procedural fairness:**

10.1.11.1. All investigations of a complaint are to observe due process and procedural fairness.

10.2.11.2. Procedural fairness for an investigation shall include:

- (a) ability for a person or persons the subject of a complaint an opportunity to respond
- (b) all parties given a reasonable opportunity to put their case, whether in writing, in person, or otherwise
- (c) the careful consideration of all evidence obtained during the course of the investigation
- (d) reasonable inquiries or an investigation being made before the making of a decision
- (e) taking into account all relevant factors and not irrelevant factors
- (f) ensuring any conflicts of interest are managed appropriately
- (g) acting fairly and without bias
- (h) conducting the investigation without undue delay.

**11.12. Investigation report:**

11.1.12.1. At the conclusion of the investigation a confidential report is to be prepared detailing:

- (a) an executive summary of the investigation.
- (b) details of the complaint and the names of the complainant and the person the subject of the complaint.
- (c) action taken to investigate the matter.

- (d) information revealed and relevant facts and evidence established, including statements from the complainant, respondent and any witness(es).
  - (e) any mitigating circumstances revealed.
  - (f) summary or conclusions as to whether the complaint on the alleged breach is substantiated on the evidence obtained in relation to the complaint.
  - (g) any other general issues raised by the investigation that might also be addressed, including any recommendations for systems improvements or the introduction or alternation of policies or protocols.
  - (h) a recommendation on the question whether or not a breach has been determined to have occurred.
  - (i) a recommendation as to whether any, and if so what, further action is required as detailed in any associated action plan.
  - (j) if further action is required, a recommendation must be provided to Council on an action plan to address the behaviour of the person to whom the complaint relates.
  - (k) a declaration that the Approved Investigator has no close association with any member of Council or any employee of the City.
- (a) ~~the substance of the complaint~~
  - (b) ~~the nature and extent of the investigation into the complaint~~
  - (c) ~~the evidence obtained during the investigation into the complaint~~
  - (d) ~~the recommended finding in relation to the complaint~~
  - (e) ~~any recommended plan prepared to address the behaviour of the person to whom the complaint relates.~~

### **13. Findings**

- 13.1 A finding of Council that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- 13.2 Based on the Approved Investigator's report, the evidence and any further comments or submissions by the parties, Council may decide to:
  - (a) dismiss the complaint in accordance with clause 13 of the Code; or
  - (b) find that the alleged breach has occurred; or
  - (c) find that the alleged breach has not occurred and take no further action.
- 13.3 If the decision under clause 12.2(b) is that a breach has occurred, Council may decide:
  - (a) that no further action is required; or

(b) that further action is required and consider the adoption of an action plan as recommended by the Approved Investigator with or without modifications.

13.4 In accordance with section 5.65 of the Act, the person to whom the complaint relates, must disclose the nature of the interest, and as such, in accordance with section 5.67 of the Act must not participate in, or be present during, any discussion or decision making procedure relating to the matter.

13.5 In accordance with section 5.65 of the Act, if the complainant is a council member, they must disclose the nature of the interest, and as such, in accordance with section 5.67 of the Act must not participate in, or be present during, any discussion or decision making procedure relating to the matter.

13.6 If the complainant is an employee who is required to attend the Council meeting as part of their normal work responsibilities, they cannot attend the part of the Council meeting where the report is being considered.

#### **12.14. Management of actions:**

12.1.14.1. All findings made in contravention of the Code, and any associated actions, will be monitored and managed by persons detailed in clause 4.1 of this policy and clause 11(3) of the Code.

#### **13.15. Reporting:**

13.1.15.1. The City will maintain a register of **substantiated** complaints lodged with those persons authorised under clause 4.1 **or referred to the City by the Local Government Inspector**, and dealt with under the Code. The register will be available on the City's website for public inspection.

15.2. ~~Details-The number~~ of **substantiated** complaints received during a financial year, and **a reference to the register on the City's website how they were dealt with under the Code**, are to be reported annually in the City's Annual Report ~~and provided to Council members from time to time.~~

#### **16. Confidentiality of complaints:**

15.1 Under section 8A.36 of the Act, individuals involved in a complaint process must not disclose or use any information about the existence or details of a complaint unless authorised.

This includes:

- complainants.
- the person who is the subject of a complaint.
- anyone dealing with a complaint.
- a person who, as a result of necessary process, becomes aware of any relevant detail of a complaint.

Exceptions apply where disclosure is:

- required by law.
- necessary for legal advice or proceedings.
- directed by the Local Government Inspector in the public interest.

- related to a sanction or outcome already made public.
- statistical or anonymised information that cannot identify individuals.

These provisions are designed to protect the integrity of investigations and the privacy of all parties involved. Complainants are expected to maintain confidentiality until the complaint is dealt with.

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**Creation date:** May 2021 (CJ071-05/21)

**Formerly:**

**Amendments:**

**Last reviewed:** May 2021 (CJ071-05/21)

**Related documentation:**

- ~~Local Government Act 1995~~
- ~~Local Government (Model Code of Conduct) Regulations 2021~~
- City of Joondalup Code of Conduct for Council Members, Committee Members and Candidates
- Complaint Resolution and Investigation Internal Policy
- Local Government Act 1995
- Local Government (Model Code of Conduct) Regulations 2021

**File reference:** 109560



## Complaint Resolution and Investigation Council Policy

### Responsible directorate: Office of the CEO

**Objective:** To establish the additional complaint resolution and investigation procedures to support the City's Code of Conduct for Council Members, Committee Members and Candidates.

#### 1. Application:

This policy applies to council members, committee members and candidates where a complaint has been received by the City, or referred to the City by the Local Government Inspector, under the City's *Code of Conduct of Council Members, Committee Members and Candidates*.

This policy does not apply to the investigation of complaints involving allegations of serious improper conduct, corruption, fraud, misconduct or other criminal conduct which must be referred to the appropriate authority.

#### 2. Definitions:

**"Act"** means the *Local Government Act 1995*.

**"Approved Investigator"** means a person appointed as an Investigator under clause 14B of the Code with prior Council endorsement.

**"Authorised officer"** means the CEO and any employee authorised by Council in accordance with clause 11(3) of the Code.

**"candidate"** means a candidate for election as a council member.

**"City"** means the City of Joondalup, being a local government established as a body corporate under section 2.5 of the Act.

**"CEO"** means the Chief Executive Officer of the City.

**"Code"** means the City's Code of Conduct for Council Members, Committee Members and Candidates.

**"committee member"** includes any council member, the CEO, employee or unelected member of the community in any of those cases, who has been appointed by Council to be a member of a committee.

“**complaint**” means a complaint made under clause 11(1) of the Code.

“**complainant**” means a person complaining of a breach by a council member, committee member or candidate under clause 11(1) of the Code.

“**Council**” means the Council of the City.

“**Council member**” means the City’s elected Mayor or an elected Councillor.

“**employee**” means a person:

- (a) employed by the City under section 5.36(1) of the Act; or
- (b) engaged by the City under a contract for services.

“**Local Government Inspector**” means the person holding the office of Local Government Inspector established by section 8B.1 of the Act.

“**Respondent**” means the person whom the complaint relates to.

### 3. **Statement:**

In accordance with section 5.104 of the Act every Western Australian local government is to adopt a code of conduct to be observed by council members, committee members and candidates. A local government’s code of conduct is to reflect the model code of conduct prescribed by section 5.103(2) of the Act which includes:

- general principles to guide behaviour
- requirements relating to behaviour
- provisions specified to be rules of conduct.

The City’s Code has been adopted for this purpose and ensures the roles and responsibilities of council members, committee members and candidates are understood and respected. This enables professional relationships to be established and maintained in the interests of providing good governance, overall integrity and good government for the community.

The Code sets out principles and standards of behaviour council members, committee members and candidates must observe and is intended to promote accountable and ethical decision-making and conduct.

The purpose of this policy is to detail the high-level complaint resolution and investigation considerations in support of the mechanisms for dealing with complaints detailed in the Code. It is intended to:

- contribute to fairness, integrity and good governance
- provide guidance on the key matters to be considered in the preparation, and in the course of an investigation in relation to breaches of the Code.

### 4. **Authorised persons to receive complaints and withdrawals:**

4.1. In accordance with clause 11(3) of the Code:

- (a) the CEO is authorised to receive complaints and withdrawal of complaints under the Code; or
- (b) where the complainant is the CEO, the Director Governance and Strategy is authorised to receive complaints and withdrawal of complaints under the Code.

**5. Dismissal of complaint:**

5.1. In accordance with clause 13 of the Code, Council must dismiss a complaint where:

- (a) the behaviour occurred at a council or committee meeting and the behaviour was dealt with at that meeting; and
- (b) either:
  - (i) the behaviour was dealt with by the person presiding at the meeting; or
  - (ii) the person responsible for the behaviour has taken remedial action in accordance with the City's *Meeting Procedures Local Law 2013*.

**6. Withdrawal of complaint:**

6.1. In accordance with clause 12 of the Code, a complainant may withdraw their complaint any time before it is considered by Council.

6.2. The withdrawal of a complaint must be:

- (a) in writing; and
- (b) given to an Authorised Officer.

**7. Nature of investigation:**

7.1. In accordance with clause 14B of the Code, an investigation into a complaint must be conducted by an external person, engaged under a contract for service, with prior Council endorsement.

7.2. A person appointed as an Approved Investigator must be suitably qualified and experienced to perform the function to review and consider the complaint of a breach made under the Code.

7.3. A person appointed as an Approved Investigator of a complaint must be impartial and have no close association with any member of Council or any employee of the City.

7.4. All investigations must be conducted without bias and in an impartial and objective manner without any actual or perceived conflict of interest. Any conflict of interest will deem the external person ineligible to be appointed.

**8. Powers of investigation:**

8.1. The person or persons appointed under clause 4.1 may be assisted by any employee of the City, in relation to the performance of a function, any advice or other assistance (in

accordance with clause 14B(5) of the Code), to oversee an investigation process under the Code and in line with this policy and other supporting complaint resolution and investigation internal policies.

- 8.2. Any external person appointed to perform an investigation into a complaint under the Code has the necessary powers to:
- (a) inquire with all parties relevant to a complaint to provide any evidence or statements relevant to the matter the subject of the complaint
  - (b) obtain any information from other parties in relation to policies, procedures and practices including access to relevant records or witness statements.

**9. Evidence:**

- 9.1. For the purposes of an investigation into a complaint, evidence can take the form of:
- (a) oral or written evidence (recollections)
  - (b) documentary evidence (records)
  - (c) expert evidence (technical advice)
  - (d) site inspections.
- 9.2. The person or persons appointed under clause 4.1 are to maintain a central investigation file detailing any documentary evidence or records obtained, and that file is to be maintained in the City's record-keeping system with restricted access to ensure confidentiality.
- 9.3. If legal proceedings might arise at some future stage, evidence should be gathered in accordance with the rules of evidence.

**10. Appropriate standard of proof:**

- 10.1. In any investigation into a complaint, all allegations must be proved "on the balance of probabilities" that is it must be more probable than not that the allegations the subject of the complaint are made out.

**11. Procedural fairness:**

- 11.1. All investigations of a complaint are to observe due process and procedural fairness.
- 11.2. Procedural fairness for an investigation shall include:
- (a) ability for a person or persons the subject of a complaint an opportunity to respond
  - (b) all parties given a reasonable opportunity to put their case, whether in writing, in person, or otherwise
  - (c) the careful consideration of all evidence obtained during the course of the investigation

- (d) reasonable inquiries or an investigation being made before the making of a decision
- (e) taking into account all relevant factors and not irrelevant factors
- (f) ensuring any conflicts of interest are managed appropriately
- (g) acting fairly and without bias
- (h) conducting the investigation without undue delay.

## **12. Investigation report:**

12.1. At the conclusion of the investigation a confidential report is to be prepared detailing:

- (a) an executive summary of the investigation.
- (b) details of the complaint and the names of the complainant and the person the subject of the complaint.
- (c) action taken to investigate the matter.
- (d) information revealed and relevant facts and evidence established, including statements from the complainant, respondent and any witness(es).
- (e) any mitigating circumstances revealed.
- (f) summary or conclusions as to whether the complaint on the alleged breach is substantiated on the evidence obtained in relation to the complaint.
- (g) any other general issues raised by the investigation that might also be addressed, including any recommendations for systems improvements or the introduction or alternation of policies or protocols.
- (h) a recommendation on the question whether or not a breach has been determined to have occurred.
- (i) a recommendation as to whether any, and if so what, further action is required as detailed in any associated action plan.
- (j) if further action is required, a recommendation must be provided to Council on an action plan to address the behaviour of the person to whom the complaint relates.
- (k) a declaration that the Approved Investigator has no close association with any member of Council or any employee of the City.

## **13. Findings**

- 13.1 A finding of Council that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- 13.2 Based on the Approved Investigator's report, the evidence and any further comments or submissions by the parties, Council may decide to:

- (a) dismiss the complaint in accordance with clause 13 of the Code; or
  - (b) find that the alleged breach has occurred; or
  - (c) find that the alleged breach has not occurred and take no further action.
- 13.3 If the decision under clause 12.2(b) is that a breach has occurred, Council may decide:
- (a) that no further action is required; or
  - (b) that further action is required and consider the adoption of an action plan as recommended by the Approved Investigator with or without modifications.
- 13.4 In accordance with section 5.65 of the Act, the person to whom the complaint relates, must disclose the nature of the interest, and as such, in accordance with section 5.67 of the Act must not participate in, or be present during, any discussion or decision making procedure relating to the matter.
- 13.5 In accordance with section 5.65 of the Act, if the complainant is a council member, they must disclose the nature of the interest, and as such, in accordance with section 5.67 of the Act must not participate in, or be present during, any discussion or decision making procedure relating to the matter.
- 13.6 If the complainant is an employee who is required to attend the Council meeting as part of their normal work responsibilities, they cannot attend the part of the Council meeting where the report is being considered.

**14. Management of actions:**

- 14.1. All findings made in contravention of the Code, and any associated actions, will be monitored and managed by persons detailed in clause 4.1 of this policy and clause 11(3) of the Code.

**15. Reporting:**

- 15.1. The City will maintain a register of substantiated complaints lodged with those persons authorised under clause 4.1 or referred to the City by the Local Government Inspector, and dealt with under the Code. The register will be available on the City's website for public inspection.
- 15.2. The number of substantiated complaints received during a financial year, and a reference to the register on the City's website are to be reported annually in the City's Annual Report.

**16. Confidentiality of complaints:**

- 15.1 Under section 8A.36 of the Act, individuals involved in a complaint process must not disclose or use any information about the existence or details of a complaint unless authorised.

This includes:

- complainants.
- the person who is the subject of a complaint.
- anyone dealing with a complaint.

- a person who, as a result of necessary process, becomes aware of any relevant detail of a complaint.

Exceptions apply where disclosure is:

- required by law.
- necessary for legal advice or proceedings.
- directed by the Local Government Inspector in the public interest.
- related to a sanction or outcome already made public.
- statistical or anonymised information that cannot identify individuals.

These provisions are designed to protect the integrity of investigations and the privacy of all parties involved. Complainants are expected to maintain confidentiality until the complaint is dealt with.

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<b>Creation date:</b>	May 2021 (CJ071-05/21)
<b>Formerly:</b>	
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<b>Last reviewed:</b>	May 2021 (CJ071-05/21)
<b>Related documentation:</b>	<ul style="list-style-type: none"><li>• City of Joondalup Code of Conduct for Council Members, Committee Members and Candidates</li><li>• Complaint Resolution and Investigation Internal Policy</li><li>• Local Government Act 1995</li><li>• Local Government (Model Code of Conduct) Regulations 2021</li></ul>
<b>File reference:</b>	109560



## Elected Members' Entitlements Council Policy

### Responsible directorate: Governance and Strategy

**Objective:** To set out the support and allowances available to the City's Elected Members.

<b>1. Definitions:</b> .....	<b>3</b>
<b>2. Statement:</b> .....	<b>3</b>
<b>3. Provision of support:</b> .....	<b>3</b>
3.1. Objective: .....	3
3.2. Mayor: .....	3
3.3. Deputy Mayor and Councillors:.....	4
<b>4. Issue and return of Council equipment:</b> .....	<b>5</b>
4.1. Objective: .....	5
4.2. Equipment: .....	5
4.3. Other items:.....	5
4.4. Return of equipment issued: .....	6
<b>5. Payment of fees and allowances:</b> .....	<b>6</b>
5.1. Objective: .....	6
5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:.....	6
5.3. Annual local government allowances — Mayor and Deputy Mayor:.....	7
5.4. Annual allowance for ICT expenses: .....	7
5.5. Conditions of payment:.....	7
<b>6. Mandatory Elected Member Training:</b> .....	<b>8</b>
<b>7. Continuing Professional Development within Australia:</b> .....	<b>8</b>
7.1. Objective: .....	8
7.2. Statement:.....	8

7.3. Annual conference and training expense allocation: .....	8
7.4. Approval: .....	9
7.5. Conferences and training that may be attended: .....	9
7.6. Payment of conference and training expenses: .....	9
7.7. Elected Member / delegate accompanying person: .....	12
7.8. Guidelines for conference and training attendance: .....	13
<b>8. Attendance at overseas conferences: .....</b>	<b>13</b>
<b>9. Report: .....</b>	<b>14</b>
<b>10. Reimbursement of expenses: .....</b>	<b>14</b>
10.1. Objective: .....	14
10.2. Child care: .....	14
10.3. Travel: .....	15
10.4. Other specified expenses: .....	15
10.5. Time limit on claims and approval process: .....	16
10.6. Allowances and limits are exclusive of G.S.T:.....	16
10.7. Supporting documentation:.....	16
<b>11. Other entitlements:.....</b>	<b>16</b>
11.1. Elected Member dinners:.....	16
11.2. Acknowledgement of service: .....	17

**1. Definitions:**

“**annual period**” means the third Saturday in October to the third Saturday in October in the following year.

“**conferences and training**” means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions and events related to the industry of local government and held within Australia.

“**fair value**” means the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (AASB 13).

“**ICT expenses**” means:

- a. rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; or
- b. any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

**2. Statement:**

This policy has been prepared to comply with the provisions relevant to Elected Members' entitlements under the *Local Government Act 1995* and supporting Regulations.

**3. Provision of support:**

**3.1. Objective:**

To provide Elected Members with appropriate facilities, equipment, material and information to support them in performing their duties of Office.

**3.2. Mayor:**

- a. The Mayor shall, in carrying out the duties and responsibilities of that Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
  - i. The provision of a luxury sedan type motor vehicle with unrestricted use for all official and civic duties connected to the Office of Mayor and for personal private use. This vehicle will be changed over in accordance with the City's general management of its light vehicles fleet. The Mayor may elect to have City of Joondalup vehicle licence number plates fitted to the vehicle at the City's expense for their term of Office (i.e. COJ 1, COJ 001, COJ 001 etc.).
  - ii. Where the Mayor is provided with a vehicle as detailed in 3.2(a)(i) above, the costs associated with the Mayor's private use of the vehicle are to be reimbursed by the Mayor.

The calculation of the reimbursement for the private use is by way of a Log Book in accordance with the requirements of the Australian Taxation Office.

- iii. Membership of the Qantas Club.
  - iv. The registration cost or ticket cost for the Mayor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy, provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Mayor's accompanying person (such as a spouse, family member or relative) to an event, where the Mayor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
  - vi. Suitable contemporary office accommodation within the Civic Centre.
  - vii. Administrative support associated with the role of Mayor in accordance with the provisions of the *Local Government Act 1995*.
  - viii. Access to the Elected Member Lounge and refreshments.
- b. All equipment and facilities subject of this policy are provided to the Mayor on the absolute understanding that they will not be used for any election purposes.

**3.3. Deputy Mayor and Councillors:**

- a. The Deputy Mayor and Councillors shall, in carrying out the duties and responsibilities of their Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
- i. Access to the Elected Member Lounge and refreshments.
  - ii. Access to suitably equipped shared office accommodation, reading room, ward meeting and conference rooms within the Civic Centre with photocopying, printing, facsimile, internet and telephone facilities.
  - iii. Some secretarial support as resources allow, including limited word processing, photocopying, and postage.
  - iv. The registration cost or ticket cost for the Deputy Mayor or Councillor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Deputy Mayor's or Councillor's accompanying person (such as a spouse, family member or relative) to an event, where the Deputy Mayor or Councillor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
- b. All equipment and facilities subject of this policy are provided to the Deputy Mayor and Councillors on the absolute understanding that they will not be used for any election purposes.

#### **4. Issue and return of Council equipment:**

##### **4.1. Objective:**

To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

##### **4.2. Equipment:**

The following equipment, documents, stationery and other items will be issued to Elected Members:

- a. Either a Macbook Air, Macbook Pro or an iMac (or similar Microsoft Windows based device); an Apple iPhone; an Apple iPad; and all-in-one printer.
- b. A file backup device and a Wi-Fi capable broadband modem (such as a Time Capsule device for Mac, or an external USB device and a Wi-Fi modem for non-Mac).
- c. Elected Member Lounge key.
- d. Security card/building access card.
- e. Satchel or briefcase (optional).

Computer equipment supplied (if required) will be issued new and replaced following each local government election where the Elected Member is elected (that is every four years). Apple iPhones will be issued new and replaced following each local government election (that is every two years). Notwithstanding, equipment issued under 4.2(a) and 4.2(b) will be replaced on failure if this occurs prior to its scheduled replacement.

At the end of each two and four year period (for mobile phones and computer equipment respectively), Elected Members will have the option to either return or purchase the devices provided by the City, at fair value. The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.

The specification of the equipment supplied under 4.2(a) and 4.2(b) shall be the highest specification for the model proposed. Elected Members will be consulted prior to the provision of the equipment and have the opportunity to make requests for changes to the equipment supplied.

##### **4.3. Other items:**

- a. The following items will be issued to Elected Members:
  - i. Two name badges, and one name badge for their partner.
  - ii. Business cards.
  - iii. City of Joondalup Elected Members' letterhead.
  - iv. Christmas cards or a Christmas e-card.
  - v. Elected Member uniform (optional) (one jacket, two trousers/skirts and three shirts/blouses) and two casual City of Joondalup polo-shirts (or similar).

- b. Each Elected Member is entitled to be reimbursed to a maximum amount of \$1,610 (**July 2025**) following their inaugural election and every second ordinary election thereafter in which they are elected, or where an Elected Member is elected as a result of an extraordinary election, for the purchase of relevant home office furniture/equipment to assist them to perform their role as an Elected Member and to be used for Council-related purposes.

The amount allocated for reimbursement will be inflated annually as from 1 July based on the Consumer Price Index (All Groups Perth) Rate, rounded to the nearest \$10.

#### **4.4. Return of equipment issued:**

- a. An Elected Member must return the following equipment to the City within 14 days of ceasing to be an Elected Member:
  - i. Any mobile phone or computer equipment issued by the City (unless otherwise negotiated to purchase, at fair value). The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.
  - ii. All equipment leased by the City and provided to the Elected Member.
  - iii. Security card/building access card.
  - iv. Elected Member Lounge key.
  - v. City of Joondalup vehicle licence number plates (to be returned and exchanged at the Department of Transport Licensing Centre at the cost of the City).
- b. The value of any equipment retained by an Elected Member on retirement cannot be more than the limits set under regulation 34AC of the *Local Government (Administration) Regulations 1996*. This value will also be deducted from the value of any retirement gift given by the City under 11.2 of this policy.

#### **5. Payment of fees and allowances:**

##### **5.1. Objective:**

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

##### **5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:**

- a. In lieu of paying the Mayor and Councillors a meeting attendance fee for each prescribed meeting, the City will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid annually for meeting attendance fees for the Mayor and Councillors (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.3. Annual local government allowances — Mayor and Deputy Mayor:**

- a. The City will pay the maximum annual local government allowance within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to the Mayor and Deputy Mayor (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.4. Annual allowance for ICT expenses:**

- a. The City will pay all Elected Members the maximum annual allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to Elected Members (see Item CJ128-07/13). Additional to the annual allowance for ICT expenses, a mobile telephone is provided to Elected Members under 4.2 of this policy.
- b. Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT expenses detailed in 5.4(a) above are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.
- c. Subject to 5.4(d) full payment of the annual allowance for ICT expenses will be made in advance at the commencement of the financial year.
- d. Where an Elected Member's term of Office ceases at a local government election in a financial year, the Elected Member will be paid the annual allowance for ICT expenses on a pro-rata basis up until the local government election day. Should that Elected Member be re-elected at the local government election the remainder of the annual allowance for ICT expenses will be paid following the local government election day.
- e. Where an Elected Member commences their term of Office at a local government election, the annual allowance for ICT expenses will be paid on a pro-rata basis following the local government elections (end of October) and for the period between the local government election day and the end of the financial year in which the local government election occurred.

**5.5. Conditions of payment:**

- a. All allowances and fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer, in writing, that he/she does not want to claim any or part of those fees and allowances.
- b. If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back paid but accrue from the date of the Chief Executive Officer receiving such a request.
- c. The taxation liability arising from these payments is the individual responsibility of each Elected Member.

**6. Mandatory Elected Member Training:**

Elected Members are required to complete the Council Member Essentials Course within 12 months from the day on which they are elected, unless exempt under regulation 36 of the *Local Government (Administration) Regulations 1996*. Elected Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

All costs associated with mandatory Elected Member training will be paid for by the City. The Annual Budget will include an allocation for Council as a whole, to be used for this purpose.

The City of Joondalup will provide new Elected Members with information on training options from which the Elected Member may select according to their preferred delivery mode and availability. The City will make the necessary arrangements for enrolment.

**7. Continuing Professional Development within Australia:**

**7.1. Objective:**

To enable Elected Members to develop and maintain skills and knowledge relevant to either their role as an Elected Member or the Council's role as defined under the Act.

**7.2. Statement:**

Elected Members are encouraged to attend conferences and training relating to the business of the City and to enable them to be more informed and better able to fulfil their duties of Office. In accordance with regulation 37(2) of the *Local Government (Administration) Regulations 1996*, Continuing Professional Development must be relevant to the Elected Member's role as defined under the Act, or the Council's role as defined under the Act.

**7.3. Annual conference and training expense allocation:**

- a. The following conference and training expense allocation shall be made available to Elected Members during an annual period:
  - i. The Mayor shall be entitled to \$19,800 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
  - ii. All Councillors shall be entitled to \$9,000 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
- b. In addition to the conference and training expense allocation detailed in 7.3(a) above, the Mayor shall be entitled to attend the following conferences, at the City's cost:
  - i. Annual Western Australian Local Government Association.
  - ii. Annual National Australian Local Government Association.
  - iii. Annual National Congress of the Local Government Professionals Australia.

- c. In addition to the conference and training expense allocation detailed in 7.3(a) above, Councillors shall be entitled to attend the Annual Western Australian Local Government Association conference, at the City's cost.

#### **7.4. Approval:**

Subject to section 8 of this policy for overseas travel, Elected Members may attend conferences and training:

- a. following approval by the Council where such approval is required; and
- b. by informing the Chief Executive Officer in advance of attendance.

In accordance with regulation 37(3) of the *Local Government (Administration) Regulations 1996*, approval will not be granted for training or continuing professional development that is scheduled to occur within the last three (3) months of an Elected Member's term of office or upon delivery of a notice of resignation to the Chief Executive Officer.

#### **7.5. Conferences and training that may be attended:**

The conferences and training to which this policy applies shall generally be limited to the following:

- a. Western Australian Local Government Association and Australian Local Government Association conferences.
- b. Special 'one off' conferences called for or sponsored by the Western Australian Local Government Association and/or Australian Local Government Association on important issues.
- c. Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- d. Australian Sister Cities conferences.
- e. Western Australian Local Government Association Elected Members' training and development.
- f. Training relating to the role of Elected Members.
- g. Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

#### **7.6. Payment of conference and training expenses:**

##### **7.6.1. Payment from conference and training expense allocation:**

The City will pay conference or training expenses where the Elected Member has been authorised to attend and there are sufficient funds remaining within the Elected Member's annual conference and training expense allocation. Should sufficient funds be unavailable, the Elected Member may meet the difference between the actual cost and their remaining conference and training expense allocation themselves.

#### **7.6.2.Booking arrangements:**

Registration, travel and accommodation for Elected Members will normally be arranged by the City, with the appropriate City discount for travel and accommodation being provided. In general, all costs including airfares, registration fees and accommodation will be paid direct by the City. Alternatively, Elected Members may make their own booking arrangements.

#### **7.6.3.Support activities:**

The City will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

#### **7.6.4.Accommodation:**

- a. The City will pay reasonable accommodation costs for Elected Members including the night before and/or after the conference and training event where this is necessary because of travel and/or the conference and training event timetables which make it unreasonable to arrive at or return home in normal working hours.
- b. Accommodation shall normally be booked at the conference and training venue or, where unavailable, at a similar-rated accommodation in the vicinity of the conference and training venue.
- c. Only accommodation costs for hotels, motels or accommodation of a similar type will be paid utilising an Elected Member's annual conference and training expense allocation. Accommodation provided by relatives or friends at a private address will not be reimbursed by the City although a meal and refreshment costs can be offered in return to the hosts under 7.6.6(e).

#### **7.6.5.Travel:**

- a. Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the conference and training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the City.
- b. Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements.
- c. All air travel within Australia shall be by Economy Class.
- d. If accommodation is at the conference or training venue, or in close proximity, taxis (or similar type service) should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares (or similar type service), vehicle hire and parking, which are reasonable, required and incurred in attending conferences and training, will be reimbursed by the City.
- e. Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

**7.6.6. Extent of expenses to be reimbursed:**

- a. An Elected Member attending a conference and training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:
  - i. meals and refreshments for the Elected Member (that are not covered by the conference and training registration costs);
  - ii. dry-cleaning and laundry expenses; and
  - iii. reasonable telephone, internet and facsimile charges.
- b. Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.
- c. Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:
  - i. for the days of the conference and training event only; and
  - ii. for the cost of travel to and from the airport to the accommodation to be used for the conference and training.
- d. Where a visit is extended, as discussed in 7.6.6(c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the conference and training event. In such situations, the reimbursement of taxi fares (or similar type service) will be to the estimated cost of travel between the conference and training event's accommodation and the airport. The Elected Member will be required to pay any greater amount.
- e. Where an Elected Member does not require paid accommodation for a conference and training event because the Elected Member is able to source accommodation from another party (the hosts), the Elected Member is entitled to be reimbursed for meal and refreshment costs provided to the hosts up to the amount that would have been incurred had paid accommodation been used.
- f. Where an Elected Member attends two conference and training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than three days, only three days reimbursement can be claimed.

**7.6.7. Payment of expense reimbursements:**

- a. The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is as set by the Salaries and Allowances Tribunal through a determination published from time to time.

- b. Nothing prevents an Elected Member from being reimbursed expenses for intrastate and interstate travel and accommodation costs above the levels set in 7.6.7(a) where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

**7.6.8. Cash advances associated with interstate and overseas travel:**

- a. A cash advance of \$170 per day (**July 2025**) for interstate travel and \$270 per day (**July 2025**) for overseas travel shall be made available to Elected Members for each day the Elected Member is travelling. The cash advances per day will be inflated annually from 1 July based on the Consumer Price Index (All Groups Perth) Rate and rounded to the nearest \$10.
- b. Payments will be made by Electronic Funds Transfer into the Elected Member's nominated bank account. Any other administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer.
- c. The cash advance shall be paid to cover all reasonable incidental expenses associated with attending conference and training events attendance such as:
  - i. hotel/motel charges other than accommodation, such as dry-cleaning and laundry expenses;
  - ii. reasonable telephone, or facsimile or internet use;
  - iii. meals and refreshments for the Elected Member that are not covered by the conference and training registration cost; and
  - iv. any optional activity in a conference and training program.
- d. Documentary evidence, in the form of original invoices and receipts, must be provided for the acquittal of all cash advances. All cash advances must be acquitted within two weeks of the Elected Member returning to Perth. Amounts not acquitted shall be refunded to the City or, where agreed by the Elected Member, deducted from their annual attendance meeting fee.

**7.7. Elected Member / delegate accompanying person:**

- a. Subject to 7.7(d) where an Elected Member is accompanied at a conference and training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/accompanying person and not by the City. The exception to the above being the cost of attending any official conference and training event dinner where partners would normally attend as well as accommodation costs associated with a shared room with the Elected Member where such costs are not above a room rate for the Elected Member alone.
- b. An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The City will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the City in advance for the accompanying person.
- c. Where the City meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the

City by the Elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the conference and training event.

- d. Where an Elected Member is attending a conference and training event and has a 'disability' as defined in the *Disability Services Act 1993*, the City will meet the travel, accommodation, and registration costs for a carer (as defined by section 3A of the *Disability Services Act 1993*) to accompany that Elected Member where that carer is a person who provides ongoing care or assistance. Costs paid by the City will not be deducted from the relevant Elected Member's annual conference and training expense allocation.

#### **7.8. Guidelines for conference and training attendance:**

Subject to the provisions of 7.3 of this policy the guidelines detailed in this section shall apply to all conference and training under this policy:

- a. An Elected Member is only entitled to attend up to two interstate conference and training events per financial year.
- b. Generally, no more than two Elected Members may attend a particular conference or training event outside Western Australia at the same time. The Chief Executive Officer or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.
- c. All unspent funds within an Elected Member's conference and training expense allocation shall be carried forward at the completion of each annual period.
- d. Following each ordinary local government election, Elected Members will forfeit any unspent funds, and commence their annual Elected Member's conference and training expense allocation as detailed in 7.3 of this policy.
- e. Elected Members will only be registered for conference and training events itemised in this policy if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs.
- f. The cost of training that is specifically arranged for attendance by all Elected Members (e.g. team-building) shall be paid from a separate allocation for the purpose and not considered as part of, and debited to, the individual Elected Member's conference and training expense allocation referred to in this policy.

#### **8. Attendance at overseas conferences:**

- a. An Elected Member may, with Council approval, attend an overseas conference. The Council report must include details of the anticipated benefits to the City and the Elected Member in attending the requested overseas conference. The specific Council resolution must state the authorised travel period that would include sufficient time to travel to and from the conference location (including a reasonable acclimatisation period) and attendance at the conference; and
- b. An Elected Member may attend an overseas conference if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet the cost of the registered overseas conference or training in the Elected Member's conference and training expense allocation, Council approval must be obtained before costs are incurred in keeping with 7.8(d) above or the Elected Member agrees to meet the additional costs personally.

- c. Air travel overseas may be by Business Class, except where an Elected Member chooses to travel at a cheaper rate. If Business Class is not available, Economy Class is to be used.
- d. Cash advances are payable for overseas conferences (see 7.6.8).

**9. Report:**

Upon return from any interstate or overseas conference and training event as detailed within this policy, where registration and other associated costs are met by the City of Joondalup, the attending Elected Member is required to:

- a. prepare a detailed written report on their attendance and benefits to them and the City, to be circulated to all Elected Members within one month; or
- b. present a verbal report on their attendance and benefits to them and the City, at the next available Strategy Session.

**10. Reimbursement of expenses:**

**10.1. Objective:**

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their Office.

**10.2. Child care:**

- a. In accordance with regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time for an Elected Member's attendance at a Council meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.
- b. Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.
- c. Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.
- d. Child care costs will not be paid for where the care is provided by a relative living in the same premises as the Elected Member. For this purpose "relative" means a spouse, de facto partner, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, cousin, lineal descendant of the Elected Member or a relative of the Elected Member's spouse or de facto partner.
- e. Child care costs shall be debited to a separate account in the budget and not be debited to or form part of an Elected Member's annual expense reimbursement limit as referred to in 10.4 of this policy.

### 10.3. Travel:

- a. The payment of travel costs is covered under regulations 31 and 32 of the *Local Government (Administration) Regulations 1996*.
- b. Travel costs incurred and paid by Elected Members will be reimbursed for the following:
  - i. Travel and parking expenses incurred by an Elected Member using a private motor vehicle or bicycle to, from and attending:
    - meetings of the Council or a committee of the Council and civic or Council-related functions;
    - as a delegate of the Council to statutory and other boards and committees, community organisations, conferences, local government association or industry groups or committees of them;
    - a specific request or instruction of the Council and/or including inspection, ratepayer/electors' requests or other Council duty; and
    - social functions where the Elected Member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity.
  - ii. The amount payable in respect of travelling expenses shall be paid from when a Councillor-Elect makes their declaration of Office.
  - iii. Travel expenses claimed for motor vehicles under this policy are to be calculated in accordance with the rate set by the Salaries and Allowances Tribunal through a determination published from time to time.
  - iv. Travel expenses claimed for bicycles under this policy are to be calculated in accordance with the rate of \$0.10 per kilometre.
  - v. A claim for reimbursement of expenses form indicating the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total travelled in kilometres, is to be completed by members to ensure that the transport expense can be verified.
- c. Where an Elected Member deems it is more appropriate to attend a Council-related commitment without a motor vehicle or bicycle, a taxi or similar type service may be used and the costs incurred reimbursed.
- d. Should an Elected Member travel by a motor vehicle or bicycle which is not his or her own, the reimbursement will be calculated in accordance with 10.3(b) above.

### 10.4. Other specified expenses:

Outside of child care and travel costs an annual reimbursement limit of \$1,470 (**July 2025**) shall be available to Elected Members during an annual period for reimbursement of costs incurred as a result of performing their duties as an Elected Member. Other specified expenses include:

- a. business attire, including footwear;

- b. dry-cleaning;
- c. stationery; and
- d. paid tickets to events where the Elected Member has been invited and attendance is approved under the City's Attendance at Events Council Policy, including costs of tickets for accompanying persons to events under 3.2(a)(v) and 3.3(a)(v) of this policy.

The amount allocated for reimbursement of other specified expenses will be inflated annually from 1 July, based on the Consumer Price Index (All Groups Perth) Rate, and rounded to the nearest \$10.

Costs incurred and paid by Elected Members will be reimbursed by the City up to the reimbursement limit in each annual period. When an Elected Member reaches the limit, all claims for reimbursement shall be referred to the Council for approval. All expenses claimed must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.

#### **10.5. Time limit on claims and approval process:**

Members electing to receive reimbursement of expenses in accordance with the provisions of this policy should submit the appropriate claim form to the Chief Executive Officer, together with supporting documentation, within two calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the City's annual financial statements.

#### **10.6. Allowances and limits are exclusive of G.S.T:**

Unless otherwise specified in this policy, all allowances and limits set out in this policy are exclusive of G.S.T.

Where an Elected Member does not provide appropriate documentary evidence to enable G.S.T to be claimed, the full amount of the expense incurred by the City, inclusive of G.S.T, will be applied to the relevant allocation.

#### **10.7. Supporting documentation:**

Documentary evidence is required for all expenses claimed. Original tax invoices and receipts are required for audit purposes and to enable G.S.T to be claimed.

### **11. Other entitlements:**

#### **11.1. Elected Member dinners:**

- a. To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.
- b. The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.
- c. Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected

Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.

**11.2. Acknowledgement of service:**

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate memento, which will take the form of an engraved plate (or plaque) commemorating the Elected Member's service and a suitable gift.

The value of any gift provided to a retiring Elected Member plus the residual value of any furniture and/or office equipment retained by a retiring Elected Member is limited to the prescribed amount (excluding GST) as set out in regulation 34AC of the *Local Government (Administration) Regulations 1996*.

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<b>Creation date:</b>	June 2002 (CJ121-06/02)
<b>Formerly:</b>	<ul style="list-style-type: none"><li>• Elected Member — Allowances</li><li>• Elected Member Training</li><li>• Elected Members' Attendance Fees</li><li>• Issue and Return of Council Related Equipment to Elected Members</li><li>• Members of Council — Reimbursement of Expenses</li><li>• Travel/Accommodation — Elected Members and Staff</li></ul>
<b>Amendments:</b>	CJ121-06/02, CJ206-10/05, CJ007-02/07, CJ052-04/08, CJ007-02/09, CJ094-06/10, CJ174-10/10, CJ041-03/11, CJ032-03/12, CJ185-09/13, CJ050-03/15, CJ051-04/17, CJ072-05/21, CJ077-05/22, CJ067-05/23, CJ058-03/24.
<b>Last reviewed:</b>	March 2024 (CJ058-03/24)
<b>Related documentation:</b>	<ul style="list-style-type: none"><li>• Annual Budget</li><li>• Attendance at Events Council Policy</li><li>• Code of Conduct for Employees, Elected Members and Committee Members</li><li>• Information Technology Service Agreement for Elected Members</li><li>• Local Government Act 1995</li><li>• Local Government (Administration) Regulations 1996</li><li>• Public Service Officers Award</li><li>• Register of Delegation of Authority</li><li>• Salaries and Allowances Tribunal Determination for Local Government Chief Executive Officers and Elected Members</li></ul>
<b>File reference:</b>	101269

2022-2023 CPI (6.2%)	Existing (July 2022)	New (July 2023)	Rounded (July 2023)
<b>Office Equipment</b>	\$1,411.77	\$1,499.29	\$1,500
<b>Conference</b>	(Mayor) \$17,337.58 (Councillors) \$7,925.73	\$18,412.50 \$8,417.12	\$18,400 \$8,400
<b>Cash Advance</b>	(Interstate) \$148.56 (International) \$235.30	\$157.77 \$249.88	\$160 \$250
<b>Other Specified Exp.</b>	\$1,287.92	\$1,367.77	\$1,370

2023-2024 CPI (4.3%)	Existing (July 2023)	New (July 2024)	Rounded (July 2024)
<b>Office Equipment</b>	\$1,499.29	\$1,563.75	\$1,560
<b>Conference</b>	(Mayor) \$18,412.50 (Councillors) \$8,417.12	\$19,204.23 \$8,779.05	\$19,200 \$8,800
<b>Cash Advance</b>	(Interstate) \$157.77 (International) \$249.88	\$164.55 \$260.62	\$160 \$260
<b>Other Specified Exp.</b>	\$1,367.77	\$1,426.58	\$1,430

2024-2025 CPI (3.0%)	Existing (July 2024)	New (July 2025)	Rounded (July 2025)
<b>Office Equipment</b>	\$1,563.75	\$1,610.66	\$1610
<b>Conference</b>	(Mayor) \$19,204.23 (Councillors) \$8,779.05	\$19,780.35 \$9,042.42	\$19,800 \$9,000
<b>Cash Advance</b>	(Interstate) \$164.55 (International) \$260.62	\$169.48 \$268.43	\$170 \$270
<b>Other Specified Exp.</b>	\$1,426.58	\$1,469.37	\$1,470



## Volunteer Council Policy

### **Responsible directorate:** Planning and Community Development

**Objective:** To support the City's role in managing and recognising the significant and invaluable efforts of volunteers within the community.

#### **1. Definitions:**

**"volunteer"** means a person who freely and willingly gives time for the common good without financial gain.

**"volunteer group"**, also known as a Voluntary Association, means a group entirely made of volunteers.

#### **2. Statement:**

Volunteers provide an invaluable contribution to the City of Joondalup community. The City remains committed to effectively managing and recognising the needs of volunteers by applying best practice standards in an innovative and flexible manner.

#### **3. Details:**

The City of Joondalup recognises that volunteers and volunteer groups enhance and extend the City's services through valuable contributions of time and skills for the community's benefit. The efforts of these individuals and groups increase social cohesion and community participation.

##### **3.1. Management of volunteers:**

The National Standards for Volunteer Involvement endorsed by Volunteering Australia will guide the City and provide a framework to consider the roles and responsibilities of volunteers.

The City will also utilise the foundations of best practice set out by Volunteering Australia to increase the impact of volunteer involvement, achieve strategic goals and ensure consistency of work practices.

### 3.2. Recognition of volunteers:

In order to recognise the significant efforts of volunteers within the community, the City will:

- conduct volunteer functions where possible, in alignment with best practice recognition events, as well as other local opportunities.

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<b>Creation date:</b>	February 2007 (CJ007-02/07)
<b>Formerly:</b>	Recognition of Volunteers Policy
<b>Amendments:</b>	CJ207-10/07, CJ052-04/17
<b>Last reviewed:</b>	August 2023 (CJ148-08/23)
<b>Related documentation:</b>	<ul style="list-style-type: none"><li>• Community Development Plan</li><li>• National Standards for Volunteer Involvement</li><li>• Liability Act 2002 (WA)</li><li>• Occupational Health and Safety Act 1984 (WA)</li><li>• Code of Conduct</li><li>• Volunteers (Protection from Liability) Act 2002</li><li>• Equal Opportunity Act 1984 (WA)</li></ul>
<b>File reference:</b>	102666



## Elected Members' Entitlements Council Policy

### Responsible directorate: Governance and Strategy

**Objective:** To set out the support and allowances available to the City's Elected Members.

<b>1. Definitions:</b> .....	<b>3</b>
<b>2. Statement:</b> .....	<b>3</b>
<b>3. Provision of support:</b> .....	<b>3</b>
3.1. Objective: .....	3
3.2. Mayor: .....	3
3.3. Deputy Mayor and Councillors:.....	4
<b>4. Issue and return of Council equipment:</b> .....	<b>5</b>
4.1. Objective: .....	5
4.2. Equipment: .....	5
4.3. Other items:.....	5
4.4. Return of equipment issued: .....	6
<b>5. Payment of fees and allowances:</b> .....	<b>6</b>
5.1. Objective: .....	6
5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:.....	6
5.3. Annual local government allowances — Mayor and Deputy Mayor:.....	7
5.4. Annual allowance for ICT expenses: .....	7
5.5. Conditions of payment:.....	7
<b>6. Mandatory Elected Member Training:</b> .....	<b>8</b>
<b>7. Continuing Professional Development within Australia:</b> .....	<b>8</b>
7.1. Objective: .....	8
7.2. Statement:.....	8

7.3. Annual conference and training expense allocation: .....	8
7.4. Approval: .....	9
7.5. Conferences and training that may be attended: .....	9
7.6. Payment of conference and training expenses: .....	9
7.7. Elected Member / delegate accompanying person: .....	12
7.8. Guidelines for conference and training attendance: .....	13
<b>8. Attendance at overseas conferences: .....</b>	<b>13</b>
<b>9. Report: .....</b>	<b>14</b>
<b>10. Reimbursement of expenses: .....</b>	<b>14</b>
10.1. Objective: .....	14
10.2. Child care: .....	14
10.3. Travel: .....	15
10.4. Other specified expenses: .....	15
10.5. Time limit on claims and approval process: .....	16
10.6. Allowances and limits are exclusive of G.S.T:.....	16
10.7. Supporting documentation:.....	16
<b>11. Other entitlements:.....</b>	<b>16</b>
11.1. Elected Member dinners:.....	16
11.2. Acknowledgement of service: .....	17

**1. Definitions:**

“**annual period**” means the third Saturday in October to the third Saturday in October in the following year.

“**conferences and training**” means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions and events related to the industry of local government and held within Australia.

“**fair value**” means the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (AASB 13).

“**ICT expenses**” means:

- a. rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; or
- b. any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

**2. Statement:**

This policy has been prepared to comply with the provisions relevant to Elected Members' entitlements under the *Local Government Act 1995* and supporting Regulations.

**3. Provision of support:**

**3.1. Objective:**

To provide Elected Members with appropriate facilities, equipment, material and information to support them in performing their duties of Office.

**3.2. Mayor:**

- a. The Mayor shall, in carrying out the duties and responsibilities of that Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
  - i. The provision of a luxury sedan type motor vehicle with unrestricted use for all official and civic duties connected to the Office of Mayor and for personal private use. This vehicle will be changed over in accordance with the City's general management of its light vehicles fleet. The Mayor may elect to have City of Joondalup vehicle licence number plates fitted to the vehicle at the City's expense for their term of Office (i.e. COJ 1, COJ 001, COJ 001 etc.).
  - ii. Where the Mayor is provided with a vehicle as detailed in 3.2(a)(i) above, the costs associated with the Mayor's private use of the vehicle are to be reimbursed by the Mayor.

The calculation of the reimbursement for the private use is by way of a Log Book in accordance with the requirements of the Australian Taxation Office.

- iii. Membership of the Qantas Club.
  - iv. The registration cost or ticket cost for the Mayor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy, provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Mayor's accompanying person (such as a spouse, family member or relative) to an event, where the Mayor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
  - vi. Suitable contemporary office accommodation within the Civic Centre.
  - vii. Administrative support associated with the role of Mayor in accordance with the provisions of the *Local Government Act 1995*.
  - viii. Access to the Elected Member Lounge and refreshments.
- b. All equipment and facilities subject of this policy are provided to the Mayor on the absolute understanding that they will not be used for any election purposes.

### **3.3. Deputy Mayor and Councillors:**

- a. The Deputy Mayor and Councillors shall, in carrying out the duties and responsibilities of their Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
- i. Access to the Elected Member Lounge and refreshments.
  - ii. Access to suitably equipped shared office accommodation, reading room, ward meeting and conference rooms within the Civic Centre with photocopying, printing, facsimile, internet and telephone facilities.
  - iii. Some secretarial support as resources allow, including limited word processing, photocopying, and postage.
  - iv. The registration cost or ticket cost for the Deputy Mayor or Councillor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Deputy Mayor's or Councillor's accompanying person (such as a spouse, family member or relative) to an event, where the Deputy Mayor or Councillor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
- b. All equipment and facilities subject of this policy are provided to the Deputy Mayor and Councillors on the absolute understanding that they will not be used for any election purposes.

#### **4. Issue and return of Council equipment:**

##### **4.1. Objective:**

To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

##### **4.2. Equipment:**

The following equipment, documents, stationery and other items will be issued to Elected Members:

- a. Either a Macbook Air, Macbook Pro or an iMac (or similar Microsoft Windows based device); an Apple iPhone; an Apple iPad; and all-in-one printer.
- b. A file backup device and a Wi-Fi capable broadband modem (such as a Time Capsule device for Mac, or an external USB device and a Wi-Fi modem for non-Mac).
- c. Elected Member Lounge key.
- d. Security card/building access card.
- e. Satchel or briefcase (optional).

Computer equipment supplied (if required) will be issued new and replaced following each local government election where the Elected Member is elected (that is every four years). Apple iPhones will be issued new and replaced following each local government election (that is every two years). Notwithstanding, equipment issued under 4.2(a) and 4.2(b) will be replaced on failure if this occurs prior to its scheduled replacement.

At the end of each two and four year period (for mobile phones and computer equipment respectively), Elected Members will have the option to either return or purchase the devices provided by the City, at fair value. The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.

The specification of the equipment supplied under 4.2(a) and 4.2(b) shall be the highest specification for the model proposed. Elected Members will be consulted prior to the provision of the equipment and have the opportunity to make requests for changes to the equipment supplied.

##### **4.3. Other items:**

- a. The following items will be issued to Elected Members:
  - i. Two name badges, and one name badge for their partner.
  - ii. Business cards.
  - iii. City of Joondalup Elected Members' letterhead.
  - iv. Christmas cards or a Christmas e-card.
  - v. Elected Member uniform (optional) (one jacket, two trousers/skirts and three shirts/blouses) and two casual City of Joondalup polo-shirts (or similar).

- b. Each Elected Member is entitled to be reimbursed to a maximum amount of \$1,610 (**July 2025**) following their inaugural election and every second ordinary election thereafter in which they are elected, or where an Elected Member is elected as a result of an extraordinary election, for the purchase of relevant home office furniture/equipment to assist them to perform their role as an Elected Member and to be used for Council-related purposes.

The amount allocated for reimbursement will be inflated annually as from 1 July based on the Consumer Price Index (All Groups Perth) Rate, rounded to the nearest \$10.

#### **4.4. Return of equipment issued:**

- a. An Elected Member must return the following equipment to the City within 14 days of ceasing to be an Elected Member:
  - i. Any mobile phone or computer equipment issued by the City (unless otherwise negotiated to purchase, at fair value). The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.
  - ii. All equipment leased by the City and provided to the Elected Member.
  - iii. Security card/building access card.
  - iv. Elected Member Lounge key.
  - v. City of Joondalup vehicle licence number plates (to be returned and exchanged at the Department of Transport Licensing Centre at the cost of the City).
- b. The value of any equipment retained by an Elected Member on retirement cannot be more than the limits set under regulation 34AC of the *Local Government (Administration) Regulations 1996*. This value will also be deducted from the value of any retirement gift given by the City under 11.2 of this policy.

#### **5. Payment of fees and allowances:**

##### **5.1. Objective:**

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

##### **5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:**

- a. In lieu of paying the Mayor and Councillors a meeting attendance fee for each prescribed meeting, the City will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid annually for meeting attendance fees for the Mayor and Councillors (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.3. Annual local government allowances — Mayor and Deputy Mayor:**

- a. The City will pay the maximum annual local government allowance within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to the Mayor and Deputy Mayor (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.4. Annual allowance for ICT expenses:**

- a. The City will pay all Elected Members the maximum annual allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to Elected Members (see Item CJ128-07/13). Additional to the annual allowance for ICT expenses, a mobile telephone is provided to Elected Members under 4.2 of this policy.
- b. Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT expenses detailed in 5.4(a) above are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.
- c. Subject to 5.4(d) full payment of the annual allowance for ICT expenses will be made in advance at the commencement of the financial year.
- d. Where an Elected Member's term of Office ceases at a local government election in a financial year, the Elected Member will be paid the annual allowance for ICT expenses on a pro-rata basis up until the local government election day. Should that Elected Member be re-elected at the local government election the remainder of the annual allowance for ICT expenses will be paid following the local government election day.
- e. Where an Elected Member commences their term of Office at a local government election, the annual allowance for ICT expenses will be paid on a pro-rata basis following the local government elections (end of October) and for the period between the local government election day and the end of the financial year in which the local government election occurred.

**5.5. Conditions of payment:**

- a. All allowances and fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer, in writing, that he/she does not want to claim any or part of those fees and allowances.
- b. If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back paid but accrue from the date of the Chief Executive Officer receiving such a request.
- c. The taxation liability arising from these payments is the individual responsibility of each Elected Member.

**6. Mandatory Elected Member Training:**

Elected Members are required to complete the Council Member Essentials Course within 12 months from the day on which they are elected, unless exempt under regulation 36 of the *Local Government (Administration) Regulations 1996*. Elected Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

All costs associated with mandatory Elected Member training will be paid for by the City. The Annual Budget will include an allocation for Council as a whole, to be used for this purpose.

The City of Joondalup will provide new Elected Members with information on training options from which the Elected Member may select according to their preferred delivery mode and availability. The City will make the necessary arrangements for enrolment.

**7. Continuing Professional Development within Australia:**

**7.1. Objective:**

To enable Elected Members to develop and maintain skills and knowledge relevant to either their role as an Elected Member or the Council's role as defined under the Act.

**7.2. Statement:**

Elected Members are encouraged to attend conferences and training relating to the business of the City and to enable them to be more informed and better able to fulfil their duties of Office. In accordance with regulation 37(2) of the *Local Government (Administration) Regulations 1996*, Continuing Professional Development must be relevant to the Elected Member's role as defined under the Act, or the Council's role as defined under the Act.

**7.3. Annual conference and training expense allocation:**

- a. The following conference and training expense allocation shall be made available to Elected Members during an annual period:
  - i. The Mayor shall be entitled to \$19,800 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
  - ii. All Councillors shall be entitled to \$9,000 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
- b. In addition to the conference and training expense allocation detailed in 7.3(a) above, the Mayor shall be entitled to attend the following conferences, at the City's cost:
  - i. Annual Western Australian Local Government Association.
  - ii. Annual National Australian Local Government Association.
  - iii. Annual National Congress of the Local Government Professionals Australia.

- c. In addition to the conference and training expense allocation detailed in 7.3(a) above, Councillors shall be entitled to attend the Annual Western Australian Local Government Association conference, at the City's cost.

#### **7.4. Approval:**

Subject to section 8 of this policy for overseas travel, Elected Members may attend conferences and training:

- a. following approval by the Council where such approval is required; and
- b. by informing the Chief Executive Officer in advance of attendance.

In accordance with regulation 37(3) of the *Local Government (Administration) Regulations 1996*, approval will not be granted for training or continuing professional development that is scheduled to occur within the last three (3) months of an Elected Member's term of office or upon delivery of a notice of resignation to the Chief Executive Officer.

#### **7.5. Conferences and training that may be attended:**

The conferences and training to which this policy applies shall generally be limited to the following:

- a. Western Australian Local Government Association and Australian Local Government Association conferences.
- b. Special 'one off' conferences called for or sponsored by the Western Australian Local Government Association and/or Australian Local Government Association on important issues.
- c. Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- d. Australian Sister Cities conferences.
- e. Western Australian Local Government Association Elected Members' training and development.
- f. Training relating to the role of Elected Members.
- g. Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

#### **7.6. Payment of conference and training expenses:**

##### **7.6.1. Payment from conference and training expense allocation:**

The City will pay conference or training expenses where the Elected Member has been authorised to attend and there are sufficient funds remaining within the Elected Member's annual conference and training expense allocation. Should sufficient funds be unavailable, the Elected Member may meet the difference between the actual cost and their remaining conference and training expense allocation themselves.

#### **7.6.2. Booking arrangements:**

Registration, travel and accommodation for Elected Members will normally be arranged by the City, with the appropriate City discount for travel and accommodation being provided. In general, all costs including airfares, registration fees and accommodation will be paid direct by the City. Alternatively, Elected Members may make their own booking arrangements.

#### **7.6.3. Support activities:**

The City will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

#### **7.6.4. Accommodation:**

- a. The City will pay reasonable accommodation costs for Elected Members including the night before and/or after the conference and training event where this is necessary because of travel and/or the conference and training event timetables which make it unreasonable to arrive at or return home in normal working hours.
- b. Accommodation shall normally be booked at the conference and training venue or, where unavailable, at a similar-rated accommodation in the vicinity of the conference and training venue.
- c. Only accommodation costs for hotels, motels or accommodation of a similar type will be paid utilising an Elected Member's annual conference and training expense allocation. Accommodation provided by relatives or friends at a private address will not be reimbursed by the City although a meal and refreshment costs can be offered in return to the hosts under 7.6.6(e).

#### **7.6.5. Travel:**

- a. Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the conference and training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the City.
- b. Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements.
- c. All air travel within Australia shall be by Economy Class.
- d. If accommodation is at the conference or training venue, or in close proximity, taxis (or similar type service) should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares (or similar type service), vehicle hire and parking, which are reasonable, required and incurred in attending conferences and training, will be reimbursed by the City.
- e. Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

**7.6.6. Extent of expenses to be reimbursed:**

- a. An Elected Member attending a conference and training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:
  - i. meals and refreshments for the Elected Member (that are not covered by the conference and training registration costs);
  - ii. dry-cleaning and laundry expenses; and
  - iii. reasonable telephone, internet and facsimile charges.
- b. Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.
- c. Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:
  - i. for the days of the conference and training event only; and
  - ii. for the cost of travel to and from the airport to the accommodation to be used for the conference and training.
- d. Where a visit is extended, as discussed in 7.6.6(c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the conference and training event. In such situations, the reimbursement of taxi fares (or similar type service) will be to the estimated cost of travel between the conference and training event's accommodation and the airport. The Elected Member will be required to pay any greater amount.
- e. Where an Elected Member does not require paid accommodation for a conference and training event because the Elected Member is able to source accommodation from another party (the hosts), the Elected Member is entitled to be reimbursed for meal and refreshment costs provided to the hosts up to the amount that would have been incurred had paid accommodation been used.
- f. Where an Elected Member attends two conference and training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than three days, only three days reimbursement can be claimed.

**7.6.7. Payment of expense reimbursements:**

- a. The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is as set by the Salaries and Allowances Tribunal through a determination published from time to time.

- b. Nothing prevents an Elected Member from being reimbursed expenses for intrastate and interstate travel and accommodation costs above the levels set in 7.6.7(a) where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

**7.6.8. Cash advances associated with interstate and overseas travel:**

- a. A cash advance of \$170 per day (**July 2025**) for interstate travel and \$270 per day (**July 2025**) for overseas travel shall be made available to Elected Members for each day the Elected Member is travelling. The cash advances per day will be inflated annually from 1 July based on the Consumer Price Index (All Groups Perth) Rate and rounded to the nearest \$10.
- b. Payments will be made by Electronic Funds Transfer into the Elected Member's nominated bank account. Any other administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer.
- c. The cash advance shall be paid to cover all reasonable incidental expenses associated with attending conference and training events attendance such as:
  - i. hotel/motel charges other than accommodation, such as dry-cleaning and laundry expenses;
  - ii. reasonable telephone, or facsimile or internet use;
  - iii. meals and refreshments for the Elected Member that are not covered by the conference and training registration cost; and
  - iv. any optional activity in a conference and training program.
- d. Documentary evidence, in the form of original invoices and receipts, must be provided for the acquittal of all cash advances. All cash advances must be acquitted within two weeks of the Elected Member returning to Perth. Amounts not acquitted shall be refunded to the City or, where agreed by the Elected Member, deducted from their annual attendance meeting fee.

**7.7. Elected Member / delegate accompanying person:**

- a. Subject to 7.7(d) where an Elected Member is accompanied at a conference and training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/accompanying person and not by the City. The exception to the above being the cost of attending any official conference and training event dinner where partners would normally attend as well as accommodation costs associated with a shared room with the Elected Member where such costs are not above a room rate for the Elected Member alone.
- b. An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The City will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the City in advance for the accompanying person.
- c. Where the City meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the

City by the Elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the conference and training event.

- d. Where an Elected Member is attending a conference and training event and has a 'disability' as defined in the *Disability Services Act 1993*, the City will meet the travel, accommodation, and registration costs for a carer (as defined by section 3A of the *Disability Services Act 1993*) to accompany that Elected Member where that carer is a person who provides ongoing care or assistance. Costs paid by the City will not be deducted from the relevant Elected Member's annual conference and training expense allocation.

#### **7.8. Guidelines for conference and training attendance:**

Subject to the provisions of 7.3 of this policy the guidelines detailed in this section shall apply to all conference and training under this policy:

- a. An Elected Member is only entitled to attend up to two interstate conference and training events per financial year.
- b. Generally, no more than two Elected Members may attend a particular conference or training event outside Western Australia at the same time. The Chief Executive Officer or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.
- c. All unspent funds within an Elected Member's conference and training expense allocation shall be carried forward at the completion of each annual period.
- d. Following each ordinary local government election, Elected Members will forfeit any unspent funds, and commence their annual Elected Member's conference and training expense allocation as detailed in 7.3 of this policy.
- e. Elected Members will only be registered for conference and training events itemised in this policy if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs.
- f. The cost of training that is specifically arranged for attendance by all Elected Members (e.g. team-building) shall be paid from a separate allocation for the purpose and not considered as part of, and debited to, the individual Elected Member's conference and training expense allocation referred to in this policy.

#### **8. Attendance at overseas conferences:**

- a. An Elected Member may, with Council approval, attend an overseas conference. The Council report must include details of the anticipated benefits to the City and the Elected Member in attending the requested overseas conference. The specific Council resolution must state the authorised travel period that would include sufficient time to travel to and from the conference location (including a reasonable acclimatisation period) and attendance at the conference; and
- b. An Elected Member may attend an overseas conference if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet the cost of the registered overseas conference or training in the Elected Member's conference and training expense allocation, Council approval must be obtained before costs are incurred in keeping with 7.8(d) above or the Elected Member agrees to meet the additional costs personally.

- c. Air travel overseas may be by Business Class, except where an Elected Member chooses to travel at a cheaper rate. If Business Class is not available, Economy Class is to be used.
- d. Cash advances are payable for overseas conferences (see 7.6.8).

**9. Report:**

Upon return from any interstate or overseas conference and training event as detailed within this policy, where registration and other associated costs are met by the City of Joondalup, the attending Elected Member is required to:

- a. prepare a detailed written report on their attendance and benefits to them and the City, to be circulated to all Elected Members within one month; or
- b. present a verbal report on their attendance and benefits to them and the City, at the next available Strategy Session.

**10. Reimbursement of expenses:**

**10.1. Objective:**

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their Office.

**10.2. Child care:**

- a. In accordance with regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time for an Elected Member's attendance at a Council meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.
- b. Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.
- c. Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.
- d. Child care costs will not be paid for where the care is provided by a relative living in the same premises as the Elected Member. For this purpose "relative" means a spouse, de facto partner, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, cousin, lineal descendant of the Elected Member or a relative of the Elected Member's spouse or de facto partner.
- e. Child care costs shall be debited to a separate account in the budget and not be debited to or form part of an Elected Member's annual expense reimbursement limit as referred to in 10.4 of this policy.

### 10.3. Travel:

- a. The payment of travel costs is covered under regulations 31 and 32 of the *Local Government (Administration) Regulations 1996*.
- b. Travel costs incurred and paid by Elected Members will be reimbursed for the following:
  - i. Travel and parking expenses incurred by an Elected Member using a private motor vehicle or bicycle to, from and attending:
    - meetings of the Council or a committee of the Council and civic or Council-related functions;
    - as a delegate of the Council to statutory and other boards and committees, community organisations, conferences, local government association or industry groups or committees of them;
    - a specific request or instruction of the Council and/or including inspection, ratepayer/electors' requests or other Council duty; and
    - social functions where the Elected Member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity.
  - ii. The amount payable in respect of travelling expenses shall be paid from when a Councillor-Elect makes their declaration of Office.
  - iii. Travel expenses claimed for motor vehicles under this policy are to be calculated in accordance with the rate set by the Salaries and Allowances Tribunal through a determination published from time to time.
  - iv. Travel expenses claimed for bicycles under this policy are to be calculated in accordance with the rate of \$0.10 per kilometre.
  - v. A claim for reimbursement of expenses form indicating the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total travelled in kilometres, is to be completed by members to ensure that the transport expense can be verified.
- c. Where an Elected Member deems it is more appropriate to attend a Council-related commitment without a motor vehicle or bicycle, a taxi or similar type service may be used and the costs incurred reimbursed.
- d. Should an Elected Member travel by a motor vehicle or bicycle which is not his or her own, the reimbursement will be calculated in accordance with 10.3(b) above.

### 10.4. Other specified expenses:

Outside of child care and travel costs an annual reimbursement limit of \$1,470 (**July 2025**) shall be available to Elected Members during an annual period for reimbursement of costs incurred as a result of performing their duties as an Elected Member. Other specified expenses include:

- a. business attire, including footwear;

- b. dry-cleaning;
- c. stationery; and
- d. paid tickets to events where the Elected Member has been invited and attendance is approved under the City's Attendance at Events Council Policy, including costs of tickets for accompanying persons to events under 3.2(a)(v) and 3.3(a)(v) of this policy.

The amount allocated for reimbursement of other specified expenses will be inflated annually from 1 July, based on the Consumer Price Index (All Groups Perth) Rate, and rounded to the nearest \$10.

Costs incurred and paid by Elected Members will be reimbursed by the City up to the reimbursement limit in each annual period. When an Elected Member reaches the limit, all claims for reimbursement shall be referred to the Council for approval. All expenses claimed must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.

**10.5. Time limit on claims and approval process:**

Members electing to receive reimbursement of expenses in accordance with the provisions of this policy should submit the appropriate claim form to the Chief Executive Officer, together with supporting documentation, within two calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the City's annual financial statements.

**10.6. Allowances and limits are exclusive of G.S.T:**

Unless otherwise specified in this policy, all allowances and limits set out in this policy are exclusive of G.S.T.

Where an Elected Member does not provide appropriate documentary evidence to enable G.S.T to be claimed, the full amount of the expense incurred by the City, inclusive of G.S.T, will be applied to the relevant allocation.

**10.7. Supporting documentation:**

Documentary evidence is required for all expenses claimed. Original tax invoices and receipts are required for audit purposes and to enable G.S.T to be claimed.

**11. Other entitlements:**

**11.1. Elected Member dinners:**

- a. To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.
- b. The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.
- c. Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected

Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.

**11.2. Acknowledgement of service:**

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate memento, which will take the form of an engraved plate (or plaque) commemorating the Elected Member's service and a suitable gift.

The value of any gift provided to a retiring Elected Member plus the residual value of any furniture and/or office equipment retained by a retiring Elected Member is limited to the prescribed amount (excluding GST) as set out in regulation 34AC of the *Local Government (Administration) Regulations 1996*.

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<b>Creation date:</b>	June 2002 (CJ121-06/02)
<b>Formerly:</b>	<ul style="list-style-type: none"><li>• Elected Member — Allowances</li><li>• Elected Member Training</li><li>• Elected Members' Attendance Fees</li><li>• Issue and Return of Council Related Equipment to Elected Members</li><li>• Members of Council — Reimbursement of Expenses</li><li>• Travel/Accommodation — Elected Members and Staff</li></ul>
<b>Amendments:</b>	CJ121-06/02, CJ206-10/05, CJ007-02/07, CJ052-04/08, CJ007-02/09, CJ094-06/10, CJ174-10/10, CJ041-03/11, CJ032-03/12, CJ185-09/13, CJ050-03/15, CJ051-04/17, CJ072-05/21, CJ077-05/22, CJ067-05/23, CJ058-03/24.
<b>Last reviewed:</b>	March 2024 (CJ058-03/24)
<b>Related documentation:</b>	<ul style="list-style-type: none"><li>• Annual Budget</li><li>• Attendance at Events Council Policy</li><li>• Code of Conduct for Employees, Elected Members and Committee Members</li><li>• Information Technology Service Agreement for Elected Members</li><li>• Local Government Act 1995</li><li>• Local Government (Administration) Regulations 1996</li><li>• Public Service Officers Award</li><li>• Register of Delegation of Authority</li><li>• Salaries and Allowances Tribunal Determination for Local Government Chief Executive Officers and Elected Members</li></ul>
<b>File reference:</b>	101269

2022-2023 CPI (6.2%)	Existing (July 2022)	New (July 2023)	Rounded (July 2023)
<b>Office Equipment</b>	\$1,411.77	\$1,499.29	\$1,500
<b>Conference</b>	(Mayor) \$17,337.58 (Councillors) \$7,925.73	\$18,412.50 \$8,417.12	\$18,400 \$8,400
<b>Cash Advance</b>	(Interstate) \$148.56 (International) \$235.30	\$157.77 \$249.88	\$160 \$250
<b>Other Specified Exp.</b>	\$1,287.92	\$1,367.77	\$1,370

2023-2024 CPI (4.3%)	Existing (July 2023)	New (July 2024)	Rounded (July 2024)
<b>Office Equipment</b>	\$1,499.29	\$1,563.75	\$1,560
<b>Conference</b>	(Mayor) \$18,412.50 (Councillors) \$8,417.12	\$19,204.23 \$8,779.05	\$19,200 \$8,800
<b>Cash Advance</b>	(Interstate) \$157.77 (International) \$249.88	\$164.55 \$260.62	\$160 \$260
<b>Other Specified Exp.</b>	\$1,367.77	\$1,426.58	\$1,430

2024-2025 CPI (3.0%)	Existing (July 2024)	New (July 2025)	Rounded (July 2025)
<b>Office Equipment</b>	\$1,563.75	\$1,610.66	\$1610
<b>Conference</b>	(Mayor) \$19,204.23 (Councillors) \$8,779.05	\$19,780.35 \$9,042.42	\$19,800 \$9,000
<b>Cash Advance</b>	(Interstate) \$164.55 (International) \$260.62	\$169.48 \$268.43	\$170 \$270
<b>Other Specified Exp.</b>	\$1,426.58	\$1,469.37	\$1,470



# WALGA Template

## Council Member

## Continuing Professional

## Development Policy

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**WALGA Note:**

*WALGA provides this template policy as a **guide** for Local Governments. It includes suggested components and wording only. Local Governments should review this policy content and consider, develop and implement policy suitable to their operational requirements. Detailed commentary is provided to outline possible options, and should be deleted before policy adoption.*

**Remember:**

*Policy implementation is given effect through appropriate induction, ongoing training and operational procedures that evidence Council Members and Employees have been made aware of and are accountable for their obligations and responsibilities.*

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## Template Policy Commentary

As there is scope for a range of approaches to Continuing Professional Development, the following comments outline the approach taken in this Template Policy, and discusses matters for further consideration by Local Governments.

### **Part 1 - Budget Allocations**

Local Governments should consider how the budget for Continuing Professional Development will be structured. This Template Policy proposes an allocation for Council as a whole, as well as individual allocations for each Council Member. This ensures that each Council Member has equitable access to funding, and that the expenditure of funds on individual Continuing Professional Development is not to the detriment of Council Member Induction and Council Capacity Building. Local Governments may wish to consider whether to specify the allocation \$value amounts in the policy (subject to CPI increments annually).

This Template Policy is drafted on the basis that Mandatory Training will be funded from the group allocation, rather than from an individual Council Member's allocation. Local Governments may choose to take a different approach.

### **Part 2 – Council Member Induction**

The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced an [Elected Member Induction Operational Guideline](#) that outlines the types of information that should be included in a Council Member induction program. Local Governments may wish to include further details of their induction program in this policy.

During the induction, Council Members could be informed of the Mandatory Council Member Training requirements and the options available for their participation in and completion of the training and assessments. Council Members could also be introduced to the Continuing Professional Development Policy, advised of the budgeted allocation, and invited to begin identifying their collective and individual development priorities.

An induction follow up session could be an opportunity for Council Members to provide feedback on the induction program, and identify collective priorities for further training, which can be addressed through Council Capacity Building. Local Governments may also wish to invite all Council Members to undertake a self-assessment to identify priorities for their individual Continuing Professional Development.

### **Part 3 - Mandatory Council Member Training**

This Template Policy is drafted to allow for two different approaches to Mandatory Council Member Training, and Local Governments should review and delete as applicable.

Local Governments may choose to conduct a procurement process to identify the most suitable/best value training provider and direct Council Members to nominate a delivery mode and time/date that is suitable. Local Governments may wish to arrange onsite delivery where a sufficient number of Council Members wish to complete training face to face. If considered relevant to Council as a whole, this could form part of the Council Capacity Building program.

Alternatively, Local Governments may allow Council Members to select their preferred training provider from the Department's approved providers.

#### **Part 4 - Council Capacity Building**

This Template Policy uses the term Council Capacity Building to refer to training and development completed by Council as a group. While each Council Member will have individual development needs and priorities, much training and development may be relevant to all Council Members. Training completed as a group allows Council Members to discuss and apply learning as they go, have a shared point of reference and build communication and relationships. In addition, it may be more cost effective and efficient for training to be delivered to Council as a whole.

WALGA recommends that Council Capacity Building becomes part of the regular informal meetings of Council held by many Local Governments. Depending on the resources and priorities of the Local Government, this could take the form of a presentation by a Planning Officer, a team building session delivered by an external facilitator, or a workshop on meeting procedures.

This Template Policy proposes that a Council workshop is held to develop a Capacity Building program, the delivery of which will be facilitated by the CEO. This workshop is an opportunity for Council to consider their collective strengths and weaknesses, and prioritise the areas for improvement in order to better function as a governing body, and better serve the community. This workshop may also be an opportunity to commence policy review (see Part 9 of this Template Policy), in order to ensure that it is fit for purpose, and aligns with the professional development needs and priorities of the Council.

#### **Part 5 – Continuing Professional Development**

This section of the Template Policy provides example generic criteria to define eligible continuing professional development. Based on their own resources and priorities, Local Governments may wish to modify these criteria, or include a list of specific topics or types of training that will be eligible.

##### *5.1 – Application and Approval*

A two tier system of approvals is provided in this section. Local Governments may wish to modify the circumstances in which a request may be approved by Council or the CEO. For example, Local Governments may wish to remove the reference New Zealand, so that any request to attend training outside of Australia is referred to Council for approval. Local Governments may also choose to address non-attendance or non-completion of Continuing Professional Development in this section. For example, by specifying that approval may be granted by resolution of Council where the Council Member has not completed requirements for previously approved Continuing Professional Development, or has failed to do so within a reasonable period.

##### *5.2 – Sharing of knowledge*

This Template Policy includes a requirement that Council Members who attend individual training or continuing professional development provide a report on their attendance. This allows insights and benefits gained through the training to be shared with all Council Members. In addition, the process of reviewing the training and considering its application to the Council Member role may

be helpful for the Council Member who attended the training. Local Governments may wish to specify the format and timing for the provision of attendee reports.

#### **Part 6 – Registration, Travel and Expenses**

##### *Expenses*

This Template Policy provides a possible approach to expenses. Local Governments may wish to revise with reference to their resources and any existing policies or processes dealing with travel, expenses and reimbursement.

The current WA Salaries and Allowances Tribunal Determination for Local Government CEOs and Elected Members can be accessed via the Tribunal [website](#). The 2020 Determination prescribes the application of the [Local Government Officers' \(Western Australia\) Interim Award 2011](#) in relation to reimbursement for use of a private vehicle, and the [Public Service Award 1992](#) in relation to other travel costs and accommodation expenses.

##### *Insurance*

This Template Policy includes a section based on generic information from LGIS regarding the standard inclusions of Local Government Corporate Travel Protection. Local Governments should contact LGIS to confirm the conditions of their protection policy, and for specific advice. In addition, as specified in the Template Policy, Council Members should ensure they are familiar with the conditions of the policy before travelling.

#### **Part 7 – Report on Training**

This section of the Template Policy is based on the requirements specified in s.5.127 of the *Local Government Act 1995*, as well as advice from DLGSC on the format and content of this report. If Local Governments choose to modify this section, they should confirm that the minimum requirements of s.5.127 are met.

#### **Part 8 – Council Member Commitment**

The Council Member Commitment is intended to emphasise the positive approach to Continuing Professional Development, and commit Council Members to ensuring that they and the Local Government get the best possible value from all training. This section also addresses communication of availability and cancellation.

Local Governments may wish to give further consideration to the way in which Council Members are supported to complete Continuing Professional Development, and management of situations where completion is not achieved within a reasonable period. This is also discussed in relation to 5.1 – Application and Approval, above.

#### **Part 9 – Policy Review**

As this Policy must be reviewed following each election, Council has the opportunity to ensure it reflects the needs, priorities, strengths and weaknesses of the current Council and the strategic direction of the Local Government.

While the policy should retain sufficient flexibility to deal with changing circumstances, it may be helpful to modify Part 6 to include particular examples of training or professional development that would be considered eligible.

# Council Member Continuing Professional Development Policy

## Policy Objective

To give effect to the <<Shire/ Town / City>>'s commitment to facilitate continuing professional development of Council Members, which enhances their knowledge and develops their skills, thus augmenting Council's capacity for well-informed decision-making and the provision of good government for our community.

This policy provides a framework to assist Council Members to identify and access relevant training and defines the expenses that will be paid by the <<Shire/ Town / City>>.

This policy supports compliance with sections 5.127 and 5.128 of the *Local Government Act 1995* (the Act), which require Local Governments to prepare and adopt a policy in relation to the continuing professional development of Council Members, and to provide annual reports on training.

## Policy Scope

This policy applies to Council Member training and continuing professional development, including mandatory training required under s.5.126 of the Act.

## Policy Statement

### 1. Budget Allocations

The <<Shire/ Town / City of XXXX>>Annual Budget will include:

#### a. Whole of Council Training and Development

An allocation for Council as a whole, to be used for:

- Council Member Induction, dealt with under Part 2 of this Policy;
- Mandatory Council Member Training, dealt with under Part 3 of this Policy, and
- Council Capacity Building, dealt with under Part 4 of this Policy.

#### b. Council Member Professional Development

An allocation for each Council Member to be used for individual Continuing Professional Development, as specified under Part 5 of this Policy. Council Members may select training and professional development to be funded from this allocation, subject to approval in accordance with this Policy.

Unexpended allocations at the end of a financial year will not be carried forward to the next financial year.

Any professional development proposal that exceeds an individual Council Member's allocation will be referred for Council decision. Alternatively, the Council Member

may choose to privately fund any shortfall. This will not be eligible for reimbursement from a future budget allocation.

## 2. Council Member Induction

Following each election, the <<Shire/ Town / City of XXXX>> will conduct a comprehensive induction program, providing newly elected Council Members with information that will support them to understand Council Member roles and responsibilities; legislative obligations; personal responsibilities; and strategic direction of the Local Government. Continuing/previously elected Council Members are encouraged to participate in nominated elements of the induction program, to assist in fostering a team culture and to refresh their understanding.

## 3. Mandatory Council Member Training

Council Members are required to complete the Council Member Essentials Course within 12-months from the day on which they are elected, unless exempt under Regulation 36 of the *Local Government (Administration) Regulations 1996*. Council Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

The <<Shire/ Town / City of XXX>>'s preferred provider is [specify provider], and course delivery is available [delivery modes, options]. Council Members will be provided with enrolment options and the <<Shire/ Town / City>> will coordinate bookings and arrangements to implement their selection.

[OR

The <<Shire/ Town / City >> will provide newly elected Council Members with information on training options from which the Council Member may select according to their preferred delivery mode and availability. The <<Shire/ Town / City>> will make the necessary arrangements for enrolment. ]

Where a majority of Council Members would prefer face to face training, the <<Shire/ Town / City>> may arrange on-site delivery and may coordinate this in cooperation with neighbouring Local Governments to achieve cost savings.

Council Members who are not yet required to complete the Mandatory Training may still choose to participate, with associated costs attributed to the Whole of Council Training and Development budget allocation.

## 4. Council Capacity Building

Within [a reasonable period/3 months/6 months] after an election, a Council Workshop will be convened to enable Council Members to collaboratively develop a program of Council Capacity Building.

The program developed at the workshop will form the basis for regular training provided to all Council Members as a group, to encourage Council to focus on continuous improvement in its function as a governing body and to address the outcomes set out in Part 6 of this policy.

The CEO will coordinate training in accordance with the agreed program, with details of dates and delivery modes to be determined in consultation with Council Members.

## 5. Continuing Professional Development

### Formats

Eligible Continuing Professional Development formats include, but are not limited to:

- Short courses;
- Training courses;
- Workshops;
- Seminars;
- Conferences;
- Formal qualifications, or individual units or modules as components of formal qualifications; and
- Membership of professional development organisation, where the membership incorporates access to Continuing Professional Development.

### Providers

Continuing Professional Development should be delivered by industry recognised training providers, peak bodies or professional organisations.

### Outcomes

In order to be eligible for approval under this policy, Continuing Professional Development must be relevant to the role of a Council Member, and offer demonstrable benefit to the Council as a governing body, the <<Shire/ Town / City >> as an organisation, and the broader community.

This includes Continuing Professional Development that:

- Enhances the understanding of Council Member roles and responsibilities, and/or the role and function of Local Government;
- Assists Council Members to develop knowledge and skills in relation to the strategic objectives of the <<Shire/ Town / City >>;
- Enables Council Members to further develop personal and professional skills necessary for excellence in performance of the Council Member role; or
- Supports Council Members in developing and maintaining positive and healthy communication, team culture and relationships, to facilitate excellent teamwork to achieve outcomes that deliver good government for the <<Shire/ Town / City >> community.

Eligible Continuing Professional Development activities include:

- WA Local Government Association Council (WALGA) and Australian Local Government Association (ALGA) conferences.
- Special 'one off' conferences called for or sponsored by WALGA and/or ALGA on important Local Government issues.
- Annual conferences of the major professions in Local Government and other institutions of relevance to Local Government activities.
- Other Local Government-specific training courses, workshops and forums, relating to the outcomes listed above.
- Training relevant to the outcomes listed above offered by accredited organisations.
- Conferences, training, workshops or seminars that address the initiatives and projects identified in the <<Shire/ Town / City >>'s Strategic Community Plan, Corporate Business Plan or other strategic documents.

Council Members are encouraged to identify and share relevant Continuing Professional Development opportunities with Council and the CEO. The CEO will also identify and inform Council Members of relevant opportunities.

### 5.1 Application and Approval

#### Request for approval

Council Members who wish to attend training or professional development may make application by providing the following details to the CEO in writing:

- a) Course or event title, provider or organiser name, location and date;
- b) Copy of, or link to program, course outline or other summary of content;
- c) An outline of the anticipated benefits of attendance, with reference to the eligibility criteria in this policy; and
- d) Total estimated costs including accommodation, travel and sundry expenses.

Applications, including all required details, are to be submitted in reasonable time for registration. Where possible, the <<Shire/ Town / City >> will seek to take advantage of reduced prices for early registration.

#### Approval

Approval for Council Member attendance may be granted by:

- (a) the Chief Executive Officer where the:
  - (i) application complies with this policy;
  - (ii) event is to be held within Australia or New Zealand; and
  - (iii) the Council Member has sufficient funds available in their professional development allocation to meet all costs of attendance.
- (b) resolution of Council where the:
  - (i) application has been refused by the Chief Executive Officer;
  - (ii) application does not comply with this policy;
  - (iii) estimated costs of attendance exceed the available balance of the Council Member's annual professional development allocation; or
  - (iv) event is to be held outside of Australia or New Zealand.

### **Limitations**

Training and continuing professional development is for the purpose of enhancing a Council Member's performance of their role. Therefore, in some instances, approval may not be granted where attendance conflicts with scheduled Council or Committee meetings (i.e. a meeting where important strategic decisions are required or where the meeting may lack a quorum), unless Council has otherwise resolved.

Where attendance at a particular training or professional development event would require an extended absence, no more than two Council Members may attend, unless Council has otherwise resolved.

Approval will not be granted for training or continuing professional development that is scheduled to occur in the last six months of a Council Member's term of office.

### **5.2 Sharing of knowledge**

In order to realise the maximum benefit for the <<Shire/ Town / City >>, Council Members will provide a report on their attendance, key features and benefits of the training or professional development within [one month/a reasonable period] after completion. Council Members may include ideas and innovations identified through the professional development for discussion at future Council Member workshops, where the matter relates to the <<Shire/ Town / City >>'s strategic objectives.

Knowledge sharing may be provided as a presentation or verbal update to an informal Council workshop, or a written report provided to the Chief Executive Officer and circulated to all Council Members. Where relevant, copies of resources obtained at the event may also be provided to the Chief Executive Officer for circulation to all Council Members.

## **6. Registration, travel and expenses**

The <<Shire/ Town / City >> will be responsible for the costs associated with training or professional development approved in accordance with this policy, as detailed in this section.

### **Event Registration and Bookings**

Travel, registration fees and accommodation are to be arranged directly by the <<Shire/ Town / City >> administration.

Council Members are not to pay such costs and seek reimbursement, except in the case of an emergency or unique circumstances and subject to the Chief Executive Officer's prior approval.

### **Travel**

Where travel is involved, the actual costs of travel to and from the event venue are to be met by the <<Shire/ Town / City >> in accordance with the current WA Salaries and Allowances

Tribunal Determination for Local Government CEOs and Elected Members (the Determination).

Travel arrangements are to be by the most cost effective and reasonably convenient mode.

Air travel is to be by Economy Class at a time that is convenient to the Council Member. As far as is practicable, tickets will be purchased well in advance, and take advantage of available discount fares.

A Council Member may seek approval to travel within Western Australia by private motor vehicle and be reimbursed for vehicle costs in accordance with the Determination. Approval may only be granted where the cost is approximately equivalent to the most cost effective mode of travel.

A Council Member may choose to upgrade the mode of travel, however additional costs incurred are to be paid to the <<Shire/ Town / City >> by the Council Member before the <<Shire/ Town / City >> confirms the booking/s.

#### **Registration**

Registration fees may include, where applicable, event registration, conference program dinners, technical tours and accompanying workshops identified within the event program.

#### **Accommodation**

Reasonable accommodation will be booked for the Council Member for a room at or in close proximity to the event venue and within the expenditure limitations prescribed in the Determination.

If it is not reasonable to expect travel to occur on the day of the event, the booking may allow for arrival the day prior to commencement, and departure the day following the close of the event.

A Council Member may choose to upgrade their accommodation standard or extend their visit for personal reasons, however additional costs are to be paid to the <<Shire/ Town / City >> by the Council Member (including any additional associated or travel costs) prior to the <<Shire/ Town / City >> confirming the booking.

#### **Loyalty Program and Reward Points**

Council Members are not to obtain personal benefit from expenditure of <<Shire/ Town / City >> funds and must not claim personal frequent flyer or accommodation loyalty points for air travel or accommodation paid for by the <<Shire/ Town / City >>.

#### **Meals and Incidental Expenses**

Funding for meals and incidental expenses is to be provided in accordance with the Determination.

Meal expenses are to be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch and dinner where these meals are not provided at the event or in travel. When meals are included and have been paid for as part of the registration fee or accommodation costs, claims for alternative meals at venues other than the event will not to be paid by the <<Shire/ Town / City >>.

Incidental taxi, economy ride share or public transport modes of transport (i.e. to / from airport, event venue) may be claimed for reimbursement on submission of receipts.

In lieu of reimbursement, Council Members may request a cash advance prior to departure. This is conditional upon the Council Member providing a written acquittal and supporting receipts to the CEO within 7 days of return from travel. If a Council Member fails to provide a reasonable and satisfactory acquittal inclusive of unspent funds, the value of the un-acquitted funds will be incurred as a debt invoiced to the Council Member.

#### **Travel Insurance – Intrastate, Interstate and International**

Subject to policy wording and conditions, Council Members are covered by the <<Shire/ Town / City >>'s corporate travel protection for the duration of their travel relevant to attendance at the approved event, including any incidental private travel taken either side or during the event.

Council Members should review the conditions of the <<Shire/ Town / City >>'s corporate travel protection policy and member certificate to determine whether it is adequate for their personal needs and circumstances, and so that the <<Shire/ Town / City >> and/or the Council Member can make any necessary alternative arrangements.

#### **Accompanying persons/entertainment costs**

Council Members are responsible and will be required to pay all costs associated with an accompanying person attending an event (including conference dinners and functions).

The <<Shire/ Town / City >> may coordinate accompanying person bookings and registrations for travel, accommodation and the event / function, with costs incurred to be paid to the <<Shire/ Town / City >> by the Council Member prior to the <<Shire/ Town / City >> confirming the booking/s.

#### **Booking Change / Modification Costs**

Costs incurred for changing or modifying a booking for travel or accommodation, where the change or modification is:

- a. At the request of the Council Member, are to be paid by the Council Member; or
- b. A requirement or for the convenience of the <<Shire/ Town / City >>, are to be paid by the <<Shire/ Town / City >>.

#### **Cancellations**

Costs incurred for cancellation of registration, travel or accommodation, where the cancellation is:

- a. At the request of the Council Member, are to be attributed to the Council Member's individual allocation; or
- b. A requirement or for the convenience of the <<Shire/ Town / City >>, are to be paid by the <<Shire/ Town / City >>.

## 7. Report on training

The <<Shire/ Town / City>> is required to produce a report detailing the training completed by Council Members during each financial year, in accordance with s.5.127 of the Act.

The report will include the following details of both mandatory training and continuing professional development completed by Council Members:

- Name of Council Member;
- Date of election;
- Whether the Council Member is required to complete Mandatory Training, and if applicable, the due date for completion and date of completion;
- Title of each training course or module completed or event/conference attended;
- The date attended or completed;
- The training provider or event/conference organiser;
- The cost of attendance; and
- Location of the training or event.

The report will be provided to Council Members for their information, before being published on the <<Shire/ Town / City>>'s website within one month of the end of the financial year.

## 8. Council Member Commitment

Council Members are committed to:

- a. Take a positive approach to identifying opportunities for improvement and professional development.
- b. Prepare for, participate in and complete professional development and training approved/booked under this policy.
- c. Apply the benefits of professional development to fulfilling their Council Member role, including by sharing their knowledge with other Council Members.
- d. Make reasonable efforts to confirm their availability, or otherwise, to the CEO before booking deadlines.
- e. When requested, advise the CEO of alternative dates / times that they would be available to facilitate their participation in training.
- f. Advise the CEO, at the earliest opportunity, if they are unable to attend planned / booked training. Where training costs are unable to be refunded, applicable costs will be debited to the individual Council Member's allocation.

## 9. Policy Review

In accordance with s.5.128 of the Act, this policy will be provided for Council's review following each ordinary election. The <<Shire/ Town / City>> will ensure the policy review occurs within the first 12-months following each ordinary election.

Document Control Box							
<b>Document Responsibilities:</b>							
<b>Owner:</b>	[insert Position Title]			<b>Owner Business Unit:</b>	[insert Unit Title]		
<b>Reviewer:</b>	[insert Position Title]			<b>Decision Maker:</b>	Council		
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	Sections 5.126, 5.127 and 5.128, <a href="#">Local Government Act 1995</a> Regulation 36, <a href="#">Local Government (Administration) Regulations 1996</a> .						
<b>Other:</b>							
<b>Organisational:</b>							
<b>Document Management:</b>							
<b>Risk Rating:</b>		<b>Review Frequency:</b>	[Biennial-following election]	<b>Next Due:</b>	[20##]	<b>Records Ref:</b>	[CP####]
<b>Version #</b>	<b>Decision Reference:</b>		<b>Synopsis:</b>				
1.	[decision date / TRIM Ref]		[brief description of the adoption / changes approved]				
2.							



## Conference Report

Name of Attending Elected Member(s)/Employee(s):

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Conference Name: \_\_\_\_\_

Conference Objective(s): \_\_\_\_\_

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Relevant Speakers Key Messages: \_\_\_\_\_

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## Elected Members' Entitlements Council Policy

### Responsible directorate: Governance and Strategy

**Objective:** To set out the support and allowances available to the City's Elected Members.

<b>1. Definitions:</b>	<b>3</b>
<b>2. Statement:</b>	<b>3</b>
<b>3. Provision of support:</b>	<b>3</b>
3.1. Objective:	3
3.2. Mayor:	3
3.3. Deputy Mayor and Councillors:	4
<b>4. Issue and return of Council equipment:</b>	<b>5</b>
4.1. Objective:	5
4.2. Equipment:	5
4.3. Other items:	5
4.4. Return of equipment issued:	6
<b>5. Payment of fees and allowances:</b>	<b>6</b>
5.1. Objective:	6
5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:	6
5.3. Annual local government allowances — Mayor and Deputy Mayor:	7
5.4. Annual allowance for ICT expenses:	7
5.5. Conditions of payment:	7
<b>6. Mandatory Elected Member Training:</b>	<b>8</b>
<b>7. Continuing Professional Development within Australia:</b>	<b>8</b>
7.1. Objective:	8
7.2. Statement:	8

7.3. Annual conference and training expense allocation:.....	8
7.4. Approval: .....	9
7.5. Conferences and training that may be attended: .....	9
7.6. Payment of conference and training expenses: .....	9
7.7. Elected Member / delegate accompanying person: .....	12
7.8. Guidelines for conference and training attendance:.....	13
<b>8. Attendance at overseas conferences:.....</b>	<b>13</b>
<b>9. Report:.....</b>	<b>14</b>
<b>10. Reimbursement of expenses: .....</b>	<b>14</b>
10.1. Objective: .....	14
10.2. Child care: .....	14
10.3. Travel: .....	15
10.4. Other specified expenses:.....	15
10.5. Time limit on claims and approval process: .....	16
10.6. Allowances and limits are exclusive of G.S.T: .....	16
10.7. Supporting documentation: .....	16
<b>11. Other entitlements:.....</b>	<b>16</b>
11.1. Elected Member dinners: .....	16
11.2. Acknowledgement of service: .....	17

**1. Definitions:**

“**annual period**” means the third Saturday in October to the third Saturday in October in the following year.

“**conferences and training**” means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions and events related to the industry of local government and held within Australia.

“**fair value**” means the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (AASB 13).

“**ICT expenses**” means:

- a. rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; or
- b. any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

**2. Statement:**

This policy has been prepared to comply with the provisions relevant to Elected Members' entitlements under the *Local Government Act 1995* and supporting Regulations.

**3. Provision of support:**

**3.1. Objective:**

To provide Elected Members with appropriate facilities, equipment, material and information to support them in performing their duties of Office.

**3.2. Mayor:**

- a. The Mayor shall, in carrying out the duties and responsibilities of that Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
  - i. The provision of a luxury sedan type motor vehicle with unrestricted use for all official and civic duties connected to the Office of Mayor and for personal private use. This vehicle will be changed over in accordance with the City's general management of its light vehicles fleet. The Mayor may elect to have City of Joondalup vehicle licence number plates fitted to the vehicle at the City's expense for their term of Office (i.e. COJ 1, COJ 001, COJ 001 etc.).
  - ii. Where the Mayor is provided with a vehicle as detailed in 3.2(a)(i) above, the costs associated with the Mayor's private use of the vehicle are to be reimbursed by the Mayor.

The calculation of the reimbursement for the private use is by way of a Log Book in accordance with the requirements of the Australian Taxation Office.

- iii. Membership of the Qantas Club.
  - iv. The registration cost or ticket cost for the Mayor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy, provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Mayor's accompanying person (such as a spouse, family member or relative) to an event, where the Mayor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
  - vi. Suitable contemporary office accommodation within the Civic Centre.
  - vii. Administrative support associated with the role of Mayor in accordance with the provisions of the *Local Government Act 1995*.
  - viii. Access to the Elected Member Lounge and refreshments.
- b. All equipment and facilities subject of this policy are provided to the Mayor on the absolute understanding that they will not be used for any election purposes.

### **3.3. Deputy Mayor and Councillors:**

- a. The Deputy Mayor and Councillors shall, in carrying out the duties and responsibilities of their Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
- i. Access to the Elected Member Lounge and refreshments.
  - ii. Access to suitably equipped shared office accommodation, reading room, ward meeting and conference rooms within the Civic Centre with photocopying, printing, facsimile, internet and telephone facilities.
  - iii. Some secretarial support as resources allow, including limited word processing, photocopying, and postage.
  - iv. The registration cost or ticket cost for the Deputy Mayor or Councillor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Deputy Mayor's or Councillor's accompanying person (such as a spouse, family member or relative) to an event, where the Deputy Mayor or Councillor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
- b. All equipment and facilities subject of this policy are provided to the Deputy Mayor and Councillors on the absolute understanding that they will not be used for any election purposes.

#### **4. Issue and return of Council equipment:**

##### **4.1. Objective:**

To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

##### **4.2. Equipment:**

The following equipment, documents, stationery and other items will be issued to Elected Members:

- a. Either a Macbook Air, Macbook Pro or an iMac (or similar Microsoft Windows based device); an Apple iPhone; an Apple iPad; and all-in-one printer.
- b. A file backup device and a Wi-Fi capable broadband modem (such as a Time Capsule device for Mac, or an external USB device and a Wi-Fi modem for non-Mac).
- c. Elected Member Lounge key.
- d. Security card/building access card.
- e. Satchel or briefcase (optional).

Computer equipment supplied (if required) will be issued new and replaced following each local government election where the Elected Member is elected (that is every four years). Apple iPhones will be issued new and replaced following each local government election (that is every two years). Notwithstanding, equipment issued under 4.2(a) and 4.2(b) will be replaced on failure if this occurs prior to its scheduled replacement.

At the end of each two and four year period (for mobile phones and computer equipment respectively), Elected Members will have the option to either return or purchase the devices provided by the City, at fair value. The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.

The specification of the equipment supplied under 4.2(a) and 4.2(b) shall be the highest specification for the model proposed. Elected Members will be consulted prior to the provision of the equipment and have the opportunity to make requests for changes to the equipment supplied.

##### **4.3. Other items:**

- a. The following items will be issued to Elected Members:
  - i. Two name badges, and one name badge for their partner.
  - ii. Business cards.
  - iii. City of Joondalup Elected Members' letterhead.
  - iv. Christmas cards or a Christmas e-card.
  - v. Elected Member uniform (optional) (one jacket, two trousers/skirts and three shirts/blouses) and two casual City of Joondalup polo-shirts (or similar).

- b. Each Elected Member is entitled to be reimbursed to a maximum amount of \$1,610 (**July 2025**) following their inaugural election and every second ordinary election thereafter in which they are elected, or where an Elected Member is elected as a result of an extraordinary election, for the purchase of relevant home office furniture/equipment to assist them to perform their role as an Elected Member and to be used for Council-related purposes.

The amount allocated for reimbursement will be inflated annually as from 1 July based on the Consumer Price Index (All Groups Perth) Rate, rounded to the nearest \$10.

#### **4.4. Return of equipment issued:**

- a. An Elected Member must return the following equipment to the City within 14 days of ceasing to be an Elected Member:
  - i. Any mobile phone or computer equipment issued by the City (unless otherwise negotiated to purchase, at fair value). The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.
  - ii. All equipment leased by the City and provided to the Elected Member.
  - iii. Security card/building access card.
  - iv. Elected Member Lounge key.
  - v. City of Joondalup vehicle licence number plates (to be returned and exchanged at the Department of Transport Licensing Centre at the cost of the City).
- b. The value of any equipment retained by an Elected Member on retirement cannot be more than the limits set under regulation 34AC of the *Local Government (Administration) Regulations 1996*. This value will also be deducted from the value of any retirement gift given by the City under 11.2 of this policy.

#### **5. Payment of fees and allowances:**

##### **5.1. Objective:**

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

##### **5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:**

- a. In lieu of paying the Mayor and Councillors a meeting attendance fee for each prescribed meeting, the City will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid annually for meeting attendance fees for the Mayor and Councillors (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.3. Annual local government allowances — Mayor and Deputy Mayor:**

- a. The City will pay the maximum annual local government allowance within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to the Mayor and Deputy Mayor (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.4. Annual allowance for ICT expenses:**

- a. The City will pay all Elected Members the maximum annual allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to Elected Members (see Item CJ128-07/13). Additional to the annual allowance for ICT expenses, a mobile telephone is provided to Elected Members under 4.2 of this policy.
- b. Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT expenses detailed in 5.4(a) above are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.
- c. Subject to 5.4(d) full payment of the annual allowance for ICT expenses will be made in advance at the commencement of the financial year.
- d. Where an Elected Member's term of Office ceases at a local government election in a financial year, the Elected Member will be paid the annual allowance for ICT expenses on a pro-rata basis up until the local government election day. Should that Elected Member be re-elected at the local government election the remainder of the annual allowance for ICT expenses will be paid following the local government election day.
- e. Where an Elected Member commences their term of Office at a local government election, the annual allowance for ICT expenses will be paid on a pro-rata basis following the local government elections (end of October) and for the period between the local government election day and the end of the financial year in which the local government election occurred.

**5.5. Conditions of payment:**

- a. All allowances and fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer, in writing, that he/she does not want to claim any or part of those fees and allowances.
- b. If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back paid but accrue from the date of the Chief Executive Officer receiving such a request.
- c. The taxation liability arising from these payments is the individual responsibility of each Elected Member.

**6. Mandatory Elected Member Training:**

Elected Members are required to complete the Council Member Essentials Course within 12 months from the day on which they are elected, unless exempt under regulation 36 of the *Local Government (Administration) Regulations 1996*. Elected Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

All costs associated with mandatory Elected Member training will be paid for by the City. The Annual Budget will include an allocation for Council as a whole, to be used for this purpose.

The City of Joondalup will provide new Elected Members with information on training options from which the Elected Member may select according to their preferred delivery mode and availability. The City will make the necessary arrangements for enrolment.

**7. Continuing Professional Development within Australia:**

**7.1. Objective:**

To enable Elected Members to develop and maintain skills and knowledge relevant to either their role as an Elected Member or the Council's role as defined under the Act.

**7.2. Statement:**

Elected Members are encouraged to attend conferences and training relating to the business of the City and to enable them to be more informed and better able to fulfil their duties of Office. In accordance with regulation 37(2) of the *Local Government (Administration) Regulations 1996*, Continuing Professional Development must be relevant to the Elected Member's role as defined under the Act, or the Council's role as defined under the Act.

**7.3. Annual conference and training expense allocation:**

- a. The following conference and training expense allocation shall be made available to Elected Members during an annual period:
  - i. The Mayor shall be entitled to \$19,800 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
  - ii. All Councillors shall be entitled to \$9,000 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
- b. In addition to the conference and training expense allocation detailed in 7.3(a) above, the Mayor shall be entitled to attend the following conferences, at the City's cost:
  - i. Annual Western Australian Local Government Association.
  - ii. Annual National Australian Local Government Association.
  - iii. Annual National Congress of the Local Government Professionals Australia.

- c. In addition to the conference and training expense allocation detailed in 7.3(a) above, Councillors shall be entitled to attend the Annual Western Australian Local Government Association conference, at the City's cost.

#### **7.4. Request for Approval:**

Subject to section 8 of this policy for overseas travel, Elected Members ~~may attend conferences and training; who wish to attend training or professional development may make application by providing the following details to the CEO in writing:~~

- a. ~~Course or event title, provider or organiser name, location and date;~~
- b. ~~Copy of, or link to program, course outline or other summary of content;~~
- c. ~~An outline of the anticipated benefits of attendance, with reference to the eligibility criteria in this policy; and~~
- d. ~~Total estimated costs including accommodation, travel and sundry expenses.~~

a. ~~following approval by the Council where such approval is required; and~~

b. ~~by informing the Chief Executive Officer in advance of attendance.~~

~~Applications, including all required details, are to be submitted in reasonable time for registration. Where possible, the City will seek to take advantage of reduced prices for early registration.~~

In accordance with regulation 37(3) of the *Local Government (Administration) Regulations 1996*, approval will not be granted for training or continuing professional development that is scheduled to occur within the last three (3) months of an Elected Member's term of office or upon delivery of a notice of resignation to the Chief Executive Officer.

#### **7.5. Approval**

~~Approval for elected member attendance may be granted by:~~

- a. ~~the Chief Executive Officer where:
  - i. ~~the application complies with this policy;~~
  - ii. ~~the event is to be held within Australia; and~~
  - iii. ~~the elected member has sufficient funds available in their annual conference and training expense allocation to meet all costs of attendance.~~~~
- b. ~~resolution of the Council where:
  - i. ~~the application has been refused by the Chief Executive Officer;~~
  - ii. ~~the application does not comply with this policy;~~
  - iii. ~~the estimated costs of attendance exceed the available balance of the elected member's annual conference and training expense allocation; or~~
  - iv. ~~the event is to be held outside of Australia.~~~~

#### **7.5.7.6. Conferences and training that may be attended:**

The conferences and training to which this policy applies shall generally be limited to the following:

- a. Western Australian Local Government Association (WALGA) and Australian Local Government Association (ALGA) conferences.

- b. Special 'one off' conferences called for or sponsored by ~~the Western Australian Local Government Association WALGA~~ and/or ~~Australian Local Government Association ALGA~~ on important local government issues.
- c. Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- d. Australian Sister Cities conferences.
- e. Western Australian Local Government Association Elected Members' training and development.
- f. Training relating to the role of Elected Members.
- g. Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

**7.6.7.7. Payment of conference and training expenses:**

**7.6.1.7.7.1. Payment from conference and training expense allocation:**

The City will pay conference or training expenses where the Elected Member has been authorised to attend and there are sufficient funds remaining within the Elected Member's annual conference and training expense allocation. Should sufficient funds be unavailable, the Elected Member may meet the difference between the actual cost and their remaining conference and training expense allocation themselves.

**7.6.2.7.7.2. Booking arrangements:**

Registration, travel and accommodation for Elected Members will ~~normally~~ be arranged directly by the City, with the appropriate City discount for travel and accommodation being provided. ~~In general, all costs including airfares, registration fees and accommodation will be paid direct by the City. Alternatively, Elected Members may make their own booking arrangements.~~

**7.6.3.7.7.3. Support activities:**

The City will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

**7.6.4.7.7.4. Accommodation:**

- a. The City will pay reasonable accommodation costs for Elected Members including the night before and/or after the conference and training event where this is necessary because of travel and/or the conference and training event timetables which make it unreasonable to arrive at or return home in normal working hours.
- b. Accommodation shall normally be booked at the conference and training venue or, where unavailable, at a similar-rated accommodation in the vicinity of the conference and training venue.
- c. Only accommodation costs for hotels, motels or accommodation of a similar type will be paid utilising an Elected Member's annual conference and training expense allocation. Accommodation provided by relatives or friends at a private address will not be reimbursed by the City although a meal and refreshment costs can be offered in return to the hosts under 7.6.6(e).

**7.6.5.7.7.5. Travel:**

- a. Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the conference and training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the City.
- b. Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements.
- c. All air travel within Australia shall be by Economy Class.
- d. If accommodation is at the conference or training venue, or in close proximity, taxis (or similar type service) should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares (or similar type service), vehicle hire and parking, which are reasonable, required and incurred in attending conferences and training, will be reimbursed by the City.
- e. Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

**7.6.6.7.7.6. Extent of expenses to be reimbursed:**

- a. An Elected Member attending a conference and training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:
  - i. meals and refreshments for the Elected Member (that are not covered by the conference and training registration costs);
  - ii. dry-cleaning and laundry expenses; and
  - iii. reasonable telephone, internet and facsimile charges.
- b. Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.
- c. Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:
  - i. for the days of the conference and training event only; and
  - ii. for the cost of travel to and from the airport to the accommodation to be used for the conference and training.
- d. Where a visit is extended, as discussed in 7.6.6(c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the conference and training event. In such situations, the reimbursement of taxi fares (or similar type service) will be to the estimated cost of travel between the conference and training event's accommodation and the airport. The Elected Member will be required to pay any greater amount.
- e. Where an Elected Member does not require paid accommodation for a conference and training event because the Elected Member is able to source accommodation from another party (the hosts), the Elected Member is entitled to be reimbursed for meal and refreshment costs provided to the hosts up to the amount that would have been incurred had paid accommodation been used.
- f. Where an Elected Member attends two conference and training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than three days, only three days reimbursement can be claimed.

**7.6.7.7.7.7. Payment of expense reimbursements:**

- a. The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is as set by the Salaries and Allowances Tribunal through a determination published from time to time.

- b. Nothing prevents an Elected Member from being reimbursed expenses for intrastate and interstate travel and accommodation costs above the levels set in 7.6.7(a) where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

**7.6.8.7.7.8. Cash advances associated with interstate and overseas travel:**

- a. A cash advance of \$170 per day (**July 2025**) for interstate travel and \$270 per day (**July 2025**) for overseas travel shall be made available to Elected Members for each day the Elected Member is travelling. The cash advances per day will be inflated annually from 1 July based on the Consumer Price Index (All Groups Perth) Rate and rounded to the nearest \$10.
- b. Payments will be made by Electronic Funds Transfer into the Elected Member's nominated bank account. Any other administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer.
- c. The cash advance shall be paid to cover all reasonable incidental expenses associated with attending conference and training events attendance such as:
  - i. hotel/motel charges other than accommodation, such as dry-cleaning and laundry expenses;
  - ii. reasonable telephone, or facsimile or internet use;
  - iii. meals and refreshments for the Elected Member that are not covered by the conference and training registration cost; and
  - iv. any optional activity in a conference and training program.
- d. Documentary evidence, in the form of original invoices and receipts, must be provided for the acquittal of all cash advances. All cash advances must be acquitted within two weeks of the Elected Member returning to Perth. Amounts not acquitted shall be refunded to the City or, where agreed by the Elected Member, deducted from their annual attendance meeting fee.

**7.7.7.8. Elected Member / delegate accompanying person:**

- a. Subject to 7.7(d) where an Elected Member is accompanied at a conference and training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/accompanying person and not by the City. The exception to the above being the cost of attending any official conference and training event dinner where partners would normally attend as well as accommodation costs associated with a shared room with the Elected Member where such costs are not above a room rate for the Elected Member alone.
- b. An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The City will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the City in advance for the accompanying person.
- c. Where the City meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the

City by the Elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the conference and training event.

- d. Where an Elected Member is attending a conference and training event and has a 'disability' as defined in the *Disability Services Act 1993*, the City will meet the travel, accommodation, and registration costs for a carer (as defined by section 3A of the *Disability Services Act 1993*) to accompany that Elected Member where that carer is a person who provides ongoing care or assistance. Costs paid by the City will not be deducted from the relevant Elected Member's annual conference and training expense allocation.

#### **7.8.7.9. Guidelines for conference and training attendance:**

Subject to the provisions of 7.3 of this policy the guidelines detailed in this section shall apply to all conference and training under this policy:

- a. An Elected Member is only entitled to attend up to two interstate conference and training events per financial year.
- b. Generally, no more than two Elected Members may attend a particular conference or training event outside Western Australia at the same time. The Chief Executive Officer or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.
- c. All unspent funds within an Elected Member's conference and training expense allocation shall be carried forward at the completion of each annual period.
- d. Following each ordinary local government election, Elected Members will forfeit any unspent funds, and commence their annual Elected Member's conference and training expense allocation as detailed in 7.3 of this policy.
- e. Elected Members will only be registered for conference and training events itemised in this policy if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs.
- f. The cost of training that is specifically arranged for attendance by all Elected Members (e.g. team-building) shall be paid from a separate allocation for the purpose and not considered as part of, and debited to, the individual Elected Member's conference and training expense allocation referred to in this policy.

#### **8. Attendance at overseas conferences:**

- a. An Elected Member may, with Council approval, attend an overseas conference. The Council report must include details of the anticipated benefits to the City and the Elected Member in attending the requested overseas conference. The specific Council resolution must state the authorised travel period that would include sufficient time to travel to and from the conference location (including a reasonable acclimatisation period) and attendance at the conference; and
- b. An Elected Member may attend an overseas conference if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet the cost of the registered overseas conference or training in the Elected Member's conference and training expense allocation, Council approval must be obtained before costs are incurred in keeping with 7.8(d) above or the Elected Member agrees to meet the additional costs personally.

- c. Air travel overseas may be by Business Class, except where an Elected Member chooses to travel at a cheaper rate. If Business Class is not available, Economy Class is to be used.
- d. Cash advances are payable for overseas conferences (see 7.6.8).

**9. Report:**

Upon return from any interstate or overseas conference and training event as detailed within this policy, where registration and other associated costs are met by the City of Joondalup, the attending Elected Member is required to:

- a. prepare a detailed written report on their attendance and benefits to them and the City, to be circulated to all Elected Members within one month; or
- b. present a verbal report on their attendance and benefits to them and the City, at the next available Strategy Session.

**10. Reimbursement of expenses:**

**10.1. Objective:**

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their Office.

**10.2. Child care:**

- a. In accordance with regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time for an Elected Member's attendance at a Council meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.
- b. Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.
- c. Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.
- d. Child care costs will not be paid for where the care is provided by a relative living in the same premises as the Elected Member. For this purpose "relative" means a spouse, de facto partner, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, cousin, lineal descendant of the Elected Member or a relative of the Elected Member's spouse or de facto partner.
- e. Child care costs shall be debited to a separate account in the budget and not be debited to or form part of an Elected Member's annual expense reimbursement limit as referred to in 10.4 of this policy.

### 10.3. Travel:

- a. The payment of travel costs is covered under regulations 31 and 32 of the *Local Government (Administration) Regulations 1996*.
- b. Travel costs incurred and paid by Elected Members will be reimbursed for the following:
  - i. Travel and parking expenses incurred by an Elected Member using a private motor vehicle or bicycle to, from and attending:
    - meetings of the Council or a committee of the Council and civic or Council-related functions;
    - as a delegate of the Council to statutory and other boards and committees, community organisations, conferences, local government association or industry groups or committees of them;
    - a specific request or instruction of the Council and/or including inspection, ratepayer/electors' requests or other Council duty; and
    - social functions where the Elected Member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity.
  - ii. The amount payable in respect of travelling expenses shall be paid from when a Councillor-Elect makes their declaration of Office.
  - iii. Travel expenses claimed for motor vehicles under this policy are to be calculated in accordance with the rate set by the Salaries and Allowances Tribunal through a determination published from time to time.
  - iv. Travel expenses claimed for bicycles under this policy are to be calculated in accordance with the rate of \$0.10 per kilometre.
  - v. A claim for reimbursement of expenses form indicating the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total travelled in kilometres, is to be completed by members to ensure that the transport expense can be verified.
- c. Where an Elected Member deems it is more appropriate to attend a Council-related commitment without a motor vehicle or bicycle, a taxi or similar type service may be used and the costs incurred reimbursed.
- d. Should an Elected Member travel by a motor vehicle or bicycle which is not his or her own, the reimbursement will be calculated in accordance with 10.3(b) above.

### 10.4. Other specified expenses:

Outside of child care and travel costs an annual reimbursement limit of \$1,470 (**July 2025**) shall be available to Elected Members during an annual period for reimbursement of costs incurred as a result of performing their duties as an Elected Member. Other specified expenses include:

- a. business attire, including footwear;

- b. dry-cleaning;
- c. stationery; and
- d. paid tickets to events where the Elected Member has been invited and attendance is approved under the City's Attendance at Events Council Policy, including costs of tickets for accompanying persons to events under 3.2(a)(v) and 3.3(a)(v) of this policy.

The amount allocated for reimbursement of other specified expenses will be inflated annually from 1 July, based on the Consumer Price Index (All Groups Perth) Rate, and rounded to the nearest \$10.

Costs incurred and paid by Elected Members will be reimbursed by the City up to the reimbursement limit in each annual period. When an Elected Member reaches the limit, all claims for reimbursement shall be referred to the Council for approval. All expenses claimed must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.

**10.5. Time limit on claims and approval process:**

Members electing to receive reimbursement of expenses in accordance with the provisions of this policy should submit the appropriate claim form to the Chief Executive Officer, together with supporting documentation, within two calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the City's annual financial statements.

**10.6. Allowances and limits are exclusive of G.S.T:**

Unless otherwise specified in this policy, all allowances and limits set out in this policy are exclusive of G.S.T.

Where an Elected Member does not provide appropriate documentary evidence to enable G.S.T to be claimed, the full amount of the expense incurred by the City, inclusive of G.S.T, will be applied to the relevant allocation.

**10.7. Supporting documentation:**

Documentary evidence is required for all expenses claimed. Original tax invoices and receipts are required for audit purposes and to enable G.S.T to be claimed.

**11. Other entitlements:**

**11.1. Elected Member dinners:**

- a. To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.
- b. The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.
- c. Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected

Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.

**11.2. Acknowledgement of service:**

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate memento, which will take the form of an engraved plate (or plaque) commemorating the Elected Member's service and a suitable gift.

The value of any gift provided to a retiring Elected Member plus the residual value of any furniture and/or office equipment retained by a retiring Elected Member is limited to the prescribed amount (excluding GST) as set out in regulation 34AC of the *Local Government (Administration) Regulations 1996*.

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<b>Creation date:</b>	June 2002 (CJ121-06/02)
<b>Formerly:</b>	<ul style="list-style-type: none"><li>• Elected Member — Allowances</li><li>• Elected Member Training</li><li>• Elected Members' Attendance Fees</li><li>• Issue and Return of Council Related Equipment to Elected Members</li><li>• Members of Council — Reimbursement of Expenses</li><li>• Travel/Accommodation — Elected Members and Staff</li></ul>
<b>Amendments:</b>	CJ121-06/02, CJ206-10/05, CJ007-02/07, CJ052-04/08, CJ007-02/09, CJ094-06/10, CJ174-10/10, CJ041-03/11, CJ032-03/12, CJ185-09/13, CJ050-03/15, CJ051-04/17, CJ072-05/21, CJ077-05/22, CJ067-05/23, CJ058-03/24.
<b>Last reviewed:</b>	March 2024 (CJ058-03/24)
<b>Related documentation:</b>	<ul style="list-style-type: none"><li>• Annual Budget</li><li>• Attendance at Events Council Policy</li><li>• Code of Conduct for Employees, Elected Members and Committee Members</li><li>• Information Technology Service Agreement for Elected Members</li><li>• Local Government Act 1995</li><li>• Local Government (Administration) Regulations 1996</li><li>• Public Service Officers Award</li><li>• Register of Delegation of Authority</li><li>• Salaries and Allowances Tribunal Determination for Local Government Chief Executive Officers and Elected Members</li></ul>
<b>File reference:</b>	101269

2022-2023 CPI (6.2%)	Existing (July 2022)	New (July 2023)	Rounded (July 2023)
<b>Office Equipment</b>	\$1,411.77	\$1,499.29	\$1,500
<b>Conference</b>	(Mayor) \$17,337.58 (Councillors) \$7,925.73	\$18,412.50 \$8,417.12	\$18,400 \$8,400
<b>Cash Advance</b>	(Interstate) \$148.56 (International) \$235.30	\$157.77 \$249.88	\$160 \$250
<b>Other Specified Exp.</b>	\$1,287.92	\$1,367.77	\$1,370

2023-2024 CPI (4.3%)	Existing (July 2023)	New (July 2024)	Rounded (July 2024)
<b>Office Equipment</b>	\$1,499.29	\$1,563.75	\$1,560
<b>Conference</b>	(Mayor) \$18,412.50 (Councillors) \$8,417.12	\$19,204.23 \$8,779.05	\$19,200 \$8,800
<b>Cash Advance</b>	(Interstate) \$157.77 (International) \$249.88	\$164.55 \$260.62	\$160 \$260
<b>Other Specified Exp.</b>	\$1,367.77	\$1,426.58	\$1,430

2024-2025 CPI (3.0%)	Existing (July 2024)	New (July 2025)	Rounded (July 2025)
<b>Office Equipment</b>	\$1,563.75	\$1,610.66	\$1610
<b>Conference</b>	(Mayor) \$19,204.23 (Councillors) \$8,779.05	\$19,780.35 \$9,042.42	\$19,800 \$9,000
<b>Cash Advance</b>	(Interstate) \$164.55 (International) \$260.62	\$169.48 \$268.43	\$170 \$270
<b>Other Specified Exp.</b>	\$1,426.58	\$1,469.37	\$1,470



## Elected Members' Entitlements Council Policy

### Responsible directorate: Governance and Strategy

**Objective:** To set out the support and allowances available to the City's Elected Members.  
Responsible directorate: Governance and Strategy .....1

**1. Definitions:**.....3

**2. Statement:** .....3

**3. Provision of support:** .....3

    3.1. Objective: .....3

    3.2. Mayor: .....3

    3.3. Deputy Mayor and Councillors: .....4

**4. Issue and return of Council equipment:**.....5

    4.1. Objective: .....5

    4.2. Equipment: .....5

    4.3. Other items:.....5

    4.4. Return of equipment issued: .....6

**5. Payment of fees and allowances:** .....6

    5.1. Objective: .....6

    5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:.....6

    5.3. Annual local government allowances — Mayor and Deputy Mayor:.....7

    5.4. Annual allowance for ICT expenses:.....7

    5.5. Conditions of payment: .....7

**6. Mandatory Elected Member Training:** .....8

**7. Continuing Professional Development within Australia:** .....8

    7.1. Objective: .....8

    7.2. Statement:.....8

7.3. Annual conference and training expense allocation:.....	8
7.4. Request for Approval: .....	9
7.5. Approval .....	9
7.6. Conferences and training that may be attended: .....	9
7.7. Payment of conference and training expenses:.....	10
7.8. Elected Member / delegate accompanying person: .....	13
7.9. Guidelines for conference and training attendance:.....	14
<b>8. Attendance at overseas conferences:.....</b>	<b>14</b>
<b>9. Report:.....</b>	<b>15</b>
<b>10. Reimbursement of expenses: .....</b>	<b>15</b>
10.1. Objective: .....	15
10.2. Child care: .....	15
10.3. Travel: .....	16
10.4. Other specified expenses:.....	16
10.5. Time limit on claims and approval process: .....	17
10.6. Allowances and limits are exclusive of G.S.T: .....	17
10.7. Supporting documentation: .....	17
<b>11. Other entitlements:.....</b>	<b>17</b>
11.1. Elected Member dinners: .....	17
11.2. Acknowledgement of service: .....	18

**1. Definitions:**

“**annual period**” means the third Saturday in October to the third Saturday in October in the following year.

“**conferences and training**” means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions and events related to the industry of local government and held within Australia.

“**fair value**” means the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (AASB 13).

“**ICT expenses**” means:

- a. rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; or
- b. any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

**2. Statement:**

This policy has been prepared to comply with the provisions relevant to Elected Members' entitlements under the *Local Government Act 1995* and supporting Regulations.

**3. Provision of support:**

**3.1. Objective:**

To provide Elected Members with appropriate facilities, equipment, material and information to support them in performing their duties of Office.

**3.2. Mayor:**

- a. The Mayor shall, in carrying out the duties and responsibilities of that Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
  - i. The provision of a luxury sedan type motor vehicle with unrestricted use for all official and civic duties connected to the Office of Mayor and for personal private use. This vehicle will be changed over in accordance with the City's general management of its light vehicles fleet. The Mayor may elect to have City of Joondalup vehicle licence number plates fitted to the vehicle at the City's expense for their term of Office (i.e. COJ 1, COJ 001, COJ 001 etc.).
  - ii. Where the Mayor is provided with a vehicle as detailed in 3.2(a)(i) above, the costs associated with the Mayor's private use of the vehicle are to be reimbursed by the Mayor.

The calculation of the reimbursement for the private use is by way of a Log Book in accordance with the requirements of the Australian Taxation Office.

- iii. Membership of the Qantas Club.
  - iv. The registration cost or ticket cost for the Mayor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy, provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Mayor's accompanying person (such as a spouse, family member or relative) to an event, where the Mayor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
  - vi. Suitable contemporary office accommodation within the Civic Centre.
  - vii. Administrative support associated with the role of Mayor in accordance with the provisions of the *Local Government Act 1995*.
  - viii. Access to the Elected Member Lounge and refreshments.
- b. All equipment and facilities subject of this policy are provided to the Mayor on the absolute understanding that they will not be used for any election purposes.

### **3.3. Deputy Mayor and Councillors:**

- a. The Deputy Mayor and Councillors shall, in carrying out the duties and responsibilities of their Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
- i. Access to the Elected Member Lounge and refreshments.
  - ii. Access to suitably equipped shared office accommodation, reading room, ward meeting and conference rooms within the Civic Centre with photocopying, printing, facsimile, internet and telephone facilities.
  - iii. Some secretarial support as resources allow, including limited word processing, photocopying, and postage.
  - iv. The registration cost or ticket cost for the Deputy Mayor or Councillor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
  - v. The registration cost or ticket cost of the Deputy Mayor's or Councillor's accompanying person (such as a spouse, family member or relative) to an event, where the Deputy Mayor or Councillor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
- b. All equipment and facilities subject of this policy are provided to the Deputy Mayor and Councillors on the absolute understanding that they will not be used for any election purposes.

#### **4. Issue and return of Council equipment:**

##### **4.1. Objective:**

To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

##### **4.2. Equipment:**

The following equipment, documents, stationery and other items will be issued to Elected Members:

- a. Either a Macbook Air, Macbook Pro or an iMac (or similar Microsoft Windows based device); an Apple iPhone; an Apple iPad; and all-in-one printer.
- b. A file backup device and a Wi-Fi capable broadband modem (such as a Time Capsule device for Mac, or an external USB device and a Wi-Fi modem for non-Mac).
- c. Elected Member Lounge key.
- d. Security card/building access card.
- e. Satchel or briefcase (optional).

Computer equipment supplied (if required) will be issued new and replaced following each local government election where the Elected Member is elected (that is every four years). Apple iPhones will be issued new and replaced following each local government election (that is every two years). Notwithstanding, equipment issued under 4.2(a) and 4.2(b) will be replaced on failure if this occurs prior to its scheduled replacement.

At the end of each two and four year period (for mobile phones and computer equipment respectively), Elected Members will have the option to either return or purchase the devices provided by the City, at fair value. The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.

The specification of the equipment supplied under 4.2(a) and 4.2(b) shall be the highest specification for the model proposed. Elected Members will be consulted prior to the provision of the equipment and have the opportunity to make requests for changes to the equipment supplied.

##### **4.3. Other items:**

- a. The following items will be issued to Elected Members:
  - i. Two name badges, and one name badge for their partner.
  - ii. Business cards.
  - iii. City of Joondalup Elected Members' letterhead.
  - iv. Christmas cards or a Christmas e-card.
  - v. Elected Member uniform (optional) (one jacket, two trousers/skirts and three shirts/blouses) and two casual City of Joondalup polo-shirts (or similar).

- b. Each Elected Member is entitled to be reimbursed to a maximum amount of \$1,610 (**July 2025**) following their inaugural election and every second ordinary election thereafter in which they are elected, or where an Elected Member is elected as a result of an extraordinary election, for the purchase of relevant home office furniture/equipment to assist them to perform their role as an Elected Member and to be used for Council-related purposes.

The amount allocated for reimbursement will be inflated annually as from 1 July based on the Consumer Price Index (All Groups Perth) Rate, rounded to the nearest \$10.

#### **4.4. Return of equipment issued:**

- a. An Elected Member must return the following equipment to the City within 14 days of ceasing to be an Elected Member:
  - i. Any mobile phone or computer equipment issued by the City (unless otherwise negotiated to purchase, at fair value). The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.
  - ii. All equipment leased by the City and provided to the Elected Member.
  - iii. Security card/building access card.
  - iv. Elected Member Lounge key.
  - v. City of Joondalup vehicle licence number plates (to be returned and exchanged at the Department of Transport Licensing Centre at the cost of the City).
- b. The value of any equipment retained by an Elected Member on retirement cannot be more than the limits set under regulation 34AC of the *Local Government (Administration) Regulations 1996*. This value will also be deducted from the value of any retirement gift given by the City under 11.2 of this policy.

#### **5. Payment of fees and allowances:**

##### **5.1. Objective:**

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

##### **5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:**

- a. In lieu of paying the Mayor and Councillors a meeting attendance fee for each prescribed meeting, the City will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid annually for meeting attendance fees for the Mayor and Councillors (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.3. Annual local government allowances — Mayor and Deputy Mayor:**

- a. The City will pay the maximum annual local government allowance within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to the Mayor and Deputy Mayor (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

**5.4. Annual allowance for ICT expenses:**

- a. The City will pay all Elected Members the maximum annual allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to Elected Members (see Item CJ128-07/13). Additional to the annual allowance for ICT expenses, a mobile telephone is provided to Elected Members under 4.2 of this policy.
- b. Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT expenses detailed in 5.4(a) above are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.
- c. Subject to 5.4(d) full payment of the annual allowance for ICT expenses will be made in advance at the commencement of the financial year.
- d. Where an Elected Member's term of Office ceases at a local government election in a financial year, the Elected Member will be paid the annual allowance for ICT expenses on a pro-rata basis up until the local government election day. Should that Elected Member be re-elected at the local government election the remainder of the annual allowance for ICT expenses will be paid following the local government election day.
- e. Where an Elected Member commences their term of Office at a local government election, the annual allowance for ICT expenses will be paid on a pro-rata basis following the local government elections (end of October) and for the period between the local government election day and the end of the financial year in which the local government election occurred.

**5.5. Conditions of payment:**

- a. All allowances and fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer, in writing, that he/she does not want to claim any or part of those fees and allowances.
- b. If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back paid but accrue from the date of the Chief Executive Officer receiving such a request.
- c. The taxation liability arising from these payments is the individual responsibility of each Elected Member.

**6. Mandatory Elected Member Training:**

Elected Members are required to complete the Council Member Essentials Course within 12 months from the day on which they are elected, unless exempt under regulation 36 of the *Local Government (Administration) Regulations 1996*. Elected Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

All costs associated with mandatory Elected Member training will be paid for by the City. The Annual Budget will include an allocation for Council as a whole, to be used for this purpose.

The City of Joondalup will provide new Elected Members with information on training options from which the Elected Member may select according to their preferred delivery mode and availability. The City will make the necessary arrangements for enrolment.

**7. Continuing Professional Development within Australia:**

**7.1. Objective:**

To enable Elected Members to develop and maintain skills and knowledge relevant to either their role as an Elected Member or the Council's role as defined under the Act.

**7.2. Statement:**

Elected Members are encouraged to attend conferences and training relating to the business of the City and to enable them to be more informed and better able to fulfil their duties of Office. In accordance with regulation 37(2) of the *Local Government (Administration) Regulations 1996*, Continuing Professional Development must be relevant to the Elected Member's role as defined under the Act, or the Council's role as defined under the Act.

**7.3. Annual conference and training expense allocation:**

- a. The following conference and training expense allocation shall be made available to Elected Members during an annual period:
  - i. The Mayor shall be entitled to \$19,800 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
  - ii. All Councillors shall be entitled to \$9,000 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
- b. In addition to the conference and training expense allocation detailed in 7.3(a) above, the Mayor shall be entitled to attend the following conferences, at the City's cost:
  - i. Annual Western Australian Local Government Association.
  - ii. Annual National Australian Local Government Association.
  - iii. Annual National Congress of the Local Government Professionals Australia.

- c. In addition to the conference and training expense allocation detailed in 7.3(a) above, Councillors shall be entitled to attend the Annual Western Australian Local Government Association conference, at the City's cost.

#### **7.4. Request for Approval:**

Subject to section 8 of this policy for overseas travel, Elected Members who wish to attend training or professional development may make application by providing the following details to the CEO in writing:

- a. Course or event title, provider or organiser name, location and date;
- b. Copy of, or link to program, course outline or other summary of content;
- c. An outline of the anticipated benefits of attendance, with reference to the eligibility criteria in this policy; and
- d. Total estimated costs including accommodation, travel and sundry expenses.

Applications, including all required details, are to be submitted in reasonable time for registration. Where possible, the City will seek to take advantage of reduced prices for early registration.

In accordance with regulation 37(3) of the *Local Government (Administration) Regulations 1996*, approval will not be granted for training or continuing professional development that is scheduled to occur within the last three (3) months of an Elected Member's term of office or upon delivery of a notice of resignation to the Chief Executive Officer.

#### **7.5. Approval**

Approval for elected member attendance may be granted by:

- a. the Chief Executive Officer where:
  - i. the application complies with this policy;
  - ii. the event is to be held within Australia; and
  - iii. the elected member has sufficient funds available in their annual conference and training expense allocation to meet all costs of attendance.
- b. resolution of the Council where:
  - i. the application has been refused by the Chief Executive Officer;
  - ii. the application does not comply with this policy;
  - iii. the estimated costs of attendance exceed the available balance of the elected member's annual conference and training expense allocation; or
  - iv. the event is to be held outside of Australia.

#### **7.6. Conferences and training that may be attended:**

The conferences and training to which this policy applies shall generally be limited to the following:

- a. Western Australian Local Government Association (WALGA) and Australian Local Government Association (ALGA) conferences.
- b. Special 'one off' conferences called for or sponsored by WALGA and/or ALGA on important local government issues.
- c. Annual conferences of the major professions in local government and other institutions of relevance to local government activities.

- d. Australian Sister Cities conferences.
- e. Western Australian Local Government Association Elected Members' training and development.
- f. Training relating to the role of Elected Members.
- g. Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

**7.7. Payment of conference and training expenses:**

**7.7.1. Payment from conference and training expense allocation:**

The City will pay conference or training expenses where the Elected Member has been authorised to attend and there are sufficient funds remaining within the Elected Member's annual conference and training expense allocation. Should sufficient funds be unavailable, the Elected Member may meet the difference between the actual cost and their remaining conference and training expense allocation themselves.

**7.7.2.Booking arrangements:**

Registration, travel and accommodation for Elected Members will be arranged directly by the City, with the appropriate City discount for travel and accommodation being provided.

**7.7.3.Support activities:**

The City will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

**7.7.4.Accommodation:**

- a. The City will pay reasonable accommodation costs for Elected Members including the night before and/or after the conference and training event where this is necessary because of travel and/or the conference and training event timetables which make it unreasonable to arrive at or return home in normal working hours.
- b. Accommodation shall normally be booked at the conference and training venue or, where unavailable, at a similar-rated accommodation in the vicinity of the conference and training venue.
- c. Only accommodation costs for hotels, motels or accommodation of a similar type will be paid utilising an Elected Member's annual conference and training expense allocation. Accommodation provided by relatives or friends at a private address will not be reimbursed by the City although a meal and refreshment costs can be offered in return to the hosts under 7.6.6(e).

**7.7.5.Travel:**

- a. Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the conference and training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the City.
- b. Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements.
- c. All air travel within Australia shall be by Economy Class.
- d. If accommodation is at the conference or training venue, or in close proximity, taxis (or similar type service) should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares (or similar type service), vehicle hire and parking, which are reasonable, required and incurred in attending conferences and training, will be reimbursed by the City.
- e. Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

**7.7.6.Extent of expenses to be reimbursed:**

- a. An Elected Member attending a conference and training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:
  - i. meals and refreshments for the Elected Member (that are not covered by the conference and training registration costs);
  - ii. dry-cleaning and laundry expenses; and
  - iii. reasonable telephone, internet and facsimile charges.
- b. Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.
- c. Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:
  - i. for the days of the conference and training event only; and
  - ii. for the cost of travel to and from the airport to the accommodation to be used for the conference and training.
- d. Where a visit is extended, as discussed in 7.6.6(c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the conference and training event. In such situations, the reimbursement of taxi fares (or similar type service) will be to the estimated cost of travel between the conference and training event's accommodation and the airport. The Elected Member will be required to pay any greater amount.
- e. Where an Elected Member does not require paid accommodation for a conference and training event because the Elected Member is able to source accommodation from another party (the hosts), the Elected Member is entitled to be reimbursed for meal and refreshment costs provided to the hosts up to the amount that would have been incurred had paid accommodation been used.
- f. Where an Elected Member attends two conference and training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than three days, only three days reimbursement can be claimed.

**7.7.7. Payment of expense reimbursements:**

- a. The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is as set by the Salaries and Allowances Tribunal through a determination published from time to time.

- b. Nothing prevents an Elected Member from being reimbursed expenses for intrastate and interstate travel and accommodation costs above the levels set in 7.6.7(a) where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

**7.7.8. Cash advances associated with interstate and overseas travel:**

- a. A cash advance of \$170 per day (**July 2025**) for interstate travel and \$270 per day (**July 2025**) for overseas travel shall be made available to Elected Members for each day the Elected Member is travelling. The cash advances per day will be inflated annually from 1 July based on the Consumer Price Index (All Groups Perth) Rate and rounded to the nearest \$10.
- b. Payments will be made by Electronic Funds Transfer into the Elected Member's nominated bank account. Any other administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer.
- c. The cash advance shall be paid to cover all reasonable incidental expenses associated with attending conference and training events attendance such as:
  - i. hotel/motel charges other than accommodation, such as dry-cleaning and laundry expenses;
  - ii. reasonable telephone, or facsimile or internet use;
  - iii. meals and refreshments for the Elected Member that are not covered by the conference and training registration cost; and
  - iv. any optional activity in a conference and training program.
- d. Documentary evidence, in the form of original invoices and receipts, must be provided for the acquittal of all cash advances. All cash advances must be acquitted within two weeks of the Elected Member returning to Perth. Amounts not acquitted shall be refunded to the City or, where agreed by the Elected Member, deducted from their annual attendance meeting fee.

**7.8. Elected Member / delegate accompanying person:**

- a. Subject to 7.7(d) where an Elected Member is accompanied at a conference and training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/accompanying person and not by the City. The exception to the above being the cost of attending any official conference and training event dinner where partners would normally attend as well as accommodation costs associated with a shared room with the Elected Member where such costs are not above a room rate for the Elected Member alone.
- b. An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The City will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the City in advance for the accompanying person.
- c. Where the City meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the

City by the Elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the conference and training event.

- d. Where an Elected Member is attending a conference and training event and has a 'disability' as defined in the *Disability Services Act 1993*, the City will meet the travel, accommodation, and registration costs for a carer (as defined by section 3A of the *Disability Services Act 1993*) to accompany that Elected Member where that carer is a person who provides ongoing care or assistance. Costs paid by the City will not be deducted from the relevant Elected Member's annual conference and training expense allocation.

#### **7.9. Guidelines for conference and training attendance:**

Subject to the provisions of 7.3 of this policy the guidelines detailed in this section shall apply to all conference and training under this policy:

- a. An Elected Member is only entitled to attend up to two interstate conference and training events per financial year.
- b. Generally, no more than two Elected Members may attend a particular conference or training event outside Western Australia at the same time. The Chief Executive Officer or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.
- c. All unspent funds within an Elected Member's conference and training expense allocation shall be carried forward at the completion of each annual period.
- d. Following each ordinary local government election, Elected Members will forfeit any unspent funds, and commence their annual Elected Member's conference and training expense allocation as detailed in 7.3 of this policy.
- e. Elected Members will only be registered for conference and training events itemised in this policy if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs.
- f. The cost of training that is specifically arranged for attendance by all Elected Members (e.g. team-building) shall be paid from a separate allocation for the purpose and not considered as part of, and debited to, the individual Elected Member's conference and training expense allocation referred to in this policy.

#### **8. Attendance at overseas conferences:**

- a. An Elected Member may, with Council approval, attend an overseas conference. The Council report must include details of the anticipated benefits to the City and the Elected Member in attending the requested overseas conference. The specific Council resolution must state the authorised travel period that would include sufficient time to travel to and from the conference location (including a reasonable acclimatisation period) and attendance at the conference; and
- b. An Elected Member may attend an overseas conference if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet the cost of the registered overseas conference or training in the Elected Member's conference and training expense allocation, Council approval must be obtained before costs are incurred in keeping with 7.8(d) above or the Elected Member agrees to meet the additional costs personally.

- c. Air travel overseas may be by Business Class, except where an Elected Member chooses to travel at a cheaper rate. If Business Class is not available, Economy Class is to be used.
- d. Cash advances are payable for overseas conferences (see 7.6.8).

**9. Report:**

Upon return from any interstate or overseas conference and training event as detailed within this policy, where registration and other associated costs are met by the City of Joondalup, the attending Elected Member is required to:

- a. prepare a detailed written report on their attendance and benefits to them and the City, to be circulated to all Elected Members within one month; or
- b. present a verbal report on their attendance and benefits to them and the City, at the next available Strategy Session.

**10. Reimbursement of expenses:**

**10.1. Objective:**

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their Office.

**10.2. Child care:**

- a. In accordance with regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time for an Elected Member's attendance at a Council meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.
- b. Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.
- c. Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.
- d. Child care costs will not be paid for where the care is provided by a relative living in the same premises as the Elected Member. For this purpose "relative" means a spouse, de facto partner, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, cousin, lineal descendant of the Elected Member or a relative of the Elected Member's spouse or de facto partner.
- e. Child care costs shall be debited to a separate account in the budget and not be debited to or form part of an Elected Member's annual expense reimbursement limit as referred to in 10.4 of this policy.

### 10.3. Travel:

- a. The payment of travel costs is covered under regulations 31 and 32 of the *Local Government (Administration) Regulations 1996*.
- b. Travel costs incurred and paid by Elected Members will be reimbursed for the following:
  - i. Travel and parking expenses incurred by an Elected Member using a private motor vehicle or bicycle to, from and attending:
    - meetings of the Council or a committee of the Council and civic or Council-related functions;
    - as a delegate of the Council to statutory and other boards and committees, community organisations, conferences, local government association or industry groups or committees of them;
    - a specific request or instruction of the Council and/or including inspection, ratepayer/electors' requests or other Council duty; and
    - social functions where the Elected Member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity.
  - ii. The amount payable in respect of travelling expenses shall be paid from when a Councillor-Elect makes their declaration of Office.
  - iii. Travel expenses claimed for motor vehicles under this policy are to be calculated in accordance with the rate set by the Salaries and Allowances Tribunal through a determination published from time to time.
  - iv. Travel expenses claimed for bicycles under this policy are to be calculated in accordance with the rate of \$0.10 per kilometre.
  - v. A claim for reimbursement of expenses form indicating the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total travelled in kilometres, is to be completed by members to ensure that the transport expense can be verified.
- c. Where an Elected Member deems it is more appropriate to attend a Council-related commitment without a motor vehicle or bicycle, a taxi or similar type service may be used and the costs incurred reimbursed.
- d. Should an Elected Member travel by a motor vehicle or bicycle which is not his or her own, the reimbursement will be calculated in accordance with 10.3(b) above.

### 10.4. Other specified expenses:

Outside of child care and travel costs an annual reimbursement limit of \$1,470 (**July 2025**) shall be available to Elected Members during an annual period for reimbursement of costs incurred as a result of performing their duties as an Elected Member. Other specified expenses include:

- a. business attire, including footwear;

- b. dry-cleaning;
- c. stationery; and
- d. paid tickets to events where the Elected Member has been invited and attendance is approved under the City's Attendance at Events Council Policy, including costs of tickets for accompanying persons to events under 3.2(a)(v) and 3.3(a)(v) of this policy.

The amount allocated for reimbursement of other specified expenses will be inflated annually from 1 July, based on the Consumer Price Index (All Groups Perth) Rate, and rounded to the nearest \$10.

Costs incurred and paid by Elected Members will be reimbursed by the City up to the reimbursement limit in each annual period. When an Elected Member reaches the limit, all claims for reimbursement shall be referred to the Council for approval. All expenses claimed must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.

**10.5. Time limit on claims and approval process:**

Members electing to receive reimbursement of expenses in accordance with the provisions of this policy should submit the appropriate claim form to the Chief Executive Officer, together with supporting documentation, within two calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the City's annual financial statements.

**10.6. Allowances and limits are exclusive of G.S.T:**

Unless otherwise specified in this policy, all allowances and limits set out in this policy are exclusive of G.S.T.

Where an Elected Member does not provide appropriate documentary evidence to enable G.S.T to be claimed, the full amount of the expense incurred by the City, inclusive of G.S.T, will be applied to the relevant allocation.

**10.7. Supporting documentation:**

Documentary evidence is required for all expenses claimed. Original tax invoices and receipts are required for audit purposes and to enable G.S.T to be claimed.

**11. Other entitlements:**

**11.1. Elected Member dinners:**

- a. To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.
- b. The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.
- c. Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected

Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.

**11.2. Acknowledgement of service:**

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate memento, which will take the form of an engraved plate (or plaque) commemorating the Elected Member's service and a suitable gift.

The value of any gift provided to a retiring Elected Member plus the residual value of any furniture and/or office equipment retained by a retiring Elected Member is limited to the prescribed amount (excluding GST) as set out in regulation 34AC of the *Local Government (Administration) Regulations 1996*.

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<b>Creation date:</b>	June 2002 (CJ121-06/02)
<b>Formerly:</b>	<ul style="list-style-type: none"><li>• Elected Member — Allowances</li><li>• Elected Member Training</li><li>• Elected Members' Attendance Fees</li><li>• Issue and Return of Council Related Equipment to Elected Members</li><li>• Members of Council — Reimbursement of Expenses</li><li>• Travel/Accommodation — Elected Members and Staff</li></ul>
<b>Amendments:</b>	CJ121-06/02, CJ206-10/05, CJ007-02/07, CJ052-04/08, CJ007-02/09, CJ094-06/10, CJ174-10/10, CJ041-03/11, CJ032-03/12, CJ185-09/13, CJ050-03/15, CJ051-04/17, CJ072-05/21, CJ077-05/22, CJ067-05/23, CJ058-03/24.
<b>Last reviewed:</b>	March 2024 (CJ058-03/24)
<b>Related documentation:</b>	<ul style="list-style-type: none"><li>• Annual Budget</li><li>• Attendance at Events Council Policy</li><li>• Code of Conduct for Employees, Elected Members and Committee Members</li><li>• Information Technology Service Agreement for Elected Members</li><li>• Local Government Act 1995</li><li>• Local Government (Administration) Regulations 1996</li><li>• Public Service Officers Award</li><li>• Register of Delegation of Authority</li><li>• Salaries and Allowances Tribunal Determination for Local Government Chief Executive Officers and Elected Members</li></ul>
<b>File reference:</b>	101269

2022-2023 CPI (6.2%)	Existing (July 2022)	New (July 2023)	Rounded (July 2023)
<b>Office Equipment</b>	\$1,411.77	\$1,499.29	\$1,500
<b>Conference</b>	(Mayor) \$17,337.58 (Councillors) \$7,925.73	\$18,412.50 \$8,417.12	\$18,400 \$8,400
<b>Cash Advance</b>	(Interstate) \$148.56 (International) \$235.30	\$157.77 \$249.88	\$160 \$250
<b>Other Specified Exp.</b>	\$1,287.92	\$1,367.77	\$1,370

2023-2024 CPI (4.3%)	Existing (July 2023)	New (July 2024)	Rounded (July 2024)
<b>Office Equipment</b>	\$1,499.29	\$1,563.75	\$1,560
<b>Conference</b>	(Mayor) \$18,412.50 (Councillors) \$8,417.12	\$19,204.23 \$8,779.05	\$19,200 \$8,800
<b>Cash Advance</b>	(Interstate) \$157.77 (International) \$249.88	\$164.55 \$260.62	\$160 \$260
<b>Other Specified Exp.</b>	\$1,367.77	\$1,426.58	\$1,430

2024-2025 CPI (3.0%)	Existing (July 2024)	New (July 2025)	Rounded (July 2025)
<b>Office Equipment</b>	\$1,563.75	\$1,610.66	\$1610
<b>Conference</b>	(Mayor) \$19,204.23 (Councillors) \$8,779.05	\$19,780.35 \$9,042.42	\$19,800 \$9,000
<b>Cash Advance</b>	(Interstate) \$164.55 (International) \$260.62	\$169.48 \$268.43	\$170 \$270
<b>Other Specified Exp.</b>	\$1,426.58	\$1,469.37	\$1,470

## 2026 Policy Review Schedule

### February 2026 meeting:

Policy name	Policy type	Last reviewed	Scheduled review	Planned review

### May 2026 meeting:

Policy name	Policy type	Last reviewed	Scheduled review	Planned review
Arts Development Scheme Council Policy	Council	Aug-21	Aug-26	May-26
Civic Centre Council Policy	Council	Mar-12	Mar-17	May-26
Closure of Pedestrian Accessways Local Planning Policy (post advertising)	Planning	Aug-20	Aug-25	May-26
Consulting Rooms Local Planning Policy (post advertising)	Planning	Mar-20	Mar-25	May-26
Elected Members' Communications Council Policy	Council	Aug-21	Aug-26	May-26
Non-residential Development in the Residential Zone Local Planning Policy (post advertising)	Planning	Mar-20	Mar-25	May-26
Purchasing Council Policy	Council	Aug-25	Aug-30	May-26
Telecommunications Infrastructure Local Planning Policy (post advertising)	Planning	Mar-20	Mar-25	May-26

### August 2026 meeting:

Policy name	Policy type	Last reviewed	Scheduled review	Planned review
Complaint Investigation Council Policy	Council	May-21	May-26	Aug-26
Naming of Public Facilities Council Policy	Council	Feb-18	Feb-23	Aug-26
Payment of Rates and Charges Council Policy	Council	May-21	May-26	Aug-26
Rate Setting Council Policy <b>NEW</b>	Council	NA	NA	Aug-26

### October 2026 meeting:

Policy name	Policy type	Last reviewed	Scheduled review	Planned review
Advertisements Local Planning Policy	Planning	Mar-21	Mar-26	Oct-26
City of Joondalup Standards for CEO Recruitment Performance and Termination Council Policy	Council	Apr-21	Apr-26	Oct-26
Environmentally Sustainable Design for City Buildings Council Policy	Council	Aug-12	Aug-17	Oct-26
Information Breach Council Policy <b>NEW</b>	Council	NA	NA	Oct-26
Venue Hire Fees and Charges Council Policy (Progress Report only)	Council	Mar-25	Mar-30	Oct-26