

Local Government Act 1995

City of Joondalup

Animals Amendment Local Law 2016

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Local Government Act 1995

City of Joondalup

Animals Amendment Local Law 2016

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Joondalup resolved on 20 September 2016 to make the following local law.

Part 1 - Preliminary

1.1 Citation

This local law may be cited as the *City of Joondalup Animals Amendment Local Law 2016*.

1.2 Commencement

This local law commences 14 days after the day on which it is published in the *Government Gazette*.

1.3 Purpose and effect

- The purpose of this local law is to remove the setting aside of the horse exercise area at Hillarys Beach and remove the ability under the local law to establish dog exercise areas and dog prohibited areas in the district.
- The effect of this local law is to remove the ability for horses to be exercised at Hillarys Beach and remove redundant provisions within the local law relating to dog exercise areas and dog prohibited areas.

1.4 Principal local law amended

The *City of Joondalup Animals Local Law 1999*, as published in the *Government Gazette* on 27 August 1999 and amended on 10 July 2000, 15 January 2002, 28 March 2008 and 18 February 2011, is referred to as the principal local law. The principal local law is amended.

Part 2 - Amendments

2.1 Clause 10 deleted

Delete Clause 10.

2.2 Clause 26 deleted

Delete Clause 26.

2.3 First Schedule amended

Delete penalty items 1, 16, 17 and 18 from the First Schedule.

2.4 Second Schedule deleted

Delete the Second Schedule including Diagram 1.

2.5 Third Schedule deleted

Delete the Third Schedule including Diagram 2.

Dated this _____ day of _____ 2016.

The Common Seal of the City of Joondalup)
was affixed by authority of a resolution)
of the Council in the presence of:)

.....

TROY PICKARD
MAYOR

.....

GARRY HUNT PSM
CHIEF EXECUTIVE OFFICER

**PROPOSED CITY OF JOONDALUP ANIMALS AMENDMENT LOCAL LAW 2016
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 22 AUGUST 2016)**

ATTACHMENT 2

NO.	NAME OF SUBMITTER	SUBMISSION SUMMARY	COMMENT
Department of Local Government and Communities			
Clause 2.1 – City of Joondalup Animals Local Law 1999 amended It is suggested that this clause be redrafted and moved within Part 1 of the local law, in line with common practice for amendment local law. Minor edits: word substitutions, grammar, setting out.			Noted. Amendments made.
Six Submissions in support of the proposed Animals Amendment Local Law 2016			
1	J and D Kennedy – Kallaroo WA	Support Animals Amendment Local Law 2016 <ul style="list-style-type: none"> • Supports the extension of dog beach and removal of the horse exercise area of the beach. • More dog owners than horse owners in the local area. • The animal exercise area is not adequate for both dogs and horses and the extension of the dog beach would benefit more people in the local area. • Interaction between dogs and horses can be dangerous and near tragedies have been observed. • Horses make more mess and disturb the environment more than dogs. • Dog owners are expected to clean up after their dogs and the same is not expected of horse owners. 	Noted. Comment received is in respect of the intent to remove the horse exercise area at Hillarys Beach, rather than the validity of the local law.
2	D Gregson – Hillarys WA		
3	N Hollander – Hillarys WA		
4	J Hayes		
5	M Conway-Bell – Hillarys WA		
6	D Clarke		

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NO.	NAME OF SUBMITTER	SUBMISSION SUMMARY	COMMENT
311 Submissions objecting to the proposed Animals Amendment Local Law 2016			
<p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p>	<p>R Morgan – Oakford WA</p> <p>G Edwards – Mullaloo WA</p> <p>J and J Jackson – Craigie WA</p> <p>J and H Welch – Hillarys WA</p> <p>V Lynch – Hillarys WA</p> <p>A Hansen – Hillarys WA</p> <p>S Funston – Hillarys WA</p> <p>S Healy – Sorrento WA</p> <p>R and R Cook – Mullaloo WA</p> <p>P Irvine – Mullaloo WA</p> <p>T and A Milner – Hillarys WA</p> <p>T Bryan – Mullaloo WA</p> <p>F Gerber – Sorrento WA</p> <p>K Hinton – Craigie WA</p> <p>K Skipworth – Hillarys WA</p> <p>T Ramsay – Watermans Bay WA</p> <p>J Lamb – Hillarys WA</p> <p>P Smith – Mullaloo WA</p> <p>P Eulgum – Kallaroo WA</p> <p>K Eulgum – Kallaroo WA</p> <p>L Griffin – Duncraig WA</p> <p>P Konigsberg - Hillarys WA</p> <p>L Ellis – Greenwood WA</p>	<p>Against Animals Amendment Local Law 2016</p> <ul style="list-style-type: none"> • Supports the horse exercise area at Whitfords Beach remains unchanged. • Time allocations for horses and dogs on the horse exercise area of the beach have been satisfactory under the current “time allocation” system. • As a dog owner has never had a problem with the horses. • A regular user of the animal exercise area, as dog owner and enjoy seeing horses at the beach. • General public continues to support the presence of horses at the animal exercise beach. • Consider our special children with disabilities and how horses are used for the development needs of these special children. • Retain for occupational therapy and the wonderful work with and pleasure for children and adults with disabilities. • The Whitfords horse beach is regularly used as a training tool for horses from the Riding for the Disabled Association. • The horse exercise area at Hillarys Beach 	<p>Noted.</p> <p>Comment received is in respect of the intent to remove the horse exercise area at Hillarys Beach, rather than the validity of the local law.</p>

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30	K Cruickshank – Mullaloo WA	<p>is one of the few places you can take your children to view a horse having a swim or just being there in the metropolitan area free of charge.</p> <ul style="list-style-type: none"> • City born children will be deprived of the opportunity this beach provides for horses and their owners. • Beach should be accessible to all and horses offer a unique aspect to the community. • Does not consider that Council has answered the original petition, as not submitted by public that horses should be removed from the beach. • Continual support for the presence of horses on the beach by the general public. • Animals bring many benefits to the lives of people, reducing stress and anxiety. • The presence of horses at Whitfords Beach encourages social interaction among beach goers and education about these animals, making the City of Joondalup a more vibrant place. • Increased traffic of equestrian enthusiasts through the City of Joondalup brings economical benefits to small businesses in the area. • Many people enjoy the presence of horses 	
31	P and M Ryan – Kallaroo WA		
32	M Halid – Hillarys WA		
33	T Finnie – Kallaroo WA		
34	G Alexander – Kallaroo WA		
35	F Hannabuss – Craigie WA		
36	J Catania – Craigie WA		
37	J Klimczak – Hillarys WA		
38	J Lowater – Kallaroo WA		
39	A Shiels – Craigie WA		
40	H and R Payne – Mullaloo WA		
41	C Kerman – Hillarys WA		
42	P Angwin – Hillarys WA		
43	K and C Watters – Sorrento WA		
44	A Trinidad – Hillarys WA		
45	J Abbott Sorrento WA		
46	A Goerling – Padbury WA		
47	B Worrall – Hillarys WA		
48	G and R Meek – Sorrento WA		
49	S Baxter – Kingsley WA		
50	J Battrick – Hillarys WA		
51	C Christopoulos – Hillarys WA		
52	G and I and L Jones – Hillarys WA		
53	K Harper – Craigie WA		
54	B Matera-Stacey – Sorrento WA		

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NO.	NAME OF SUBMITTER	SUBMISSION SUMMARY	COMMENT
55	D Cinquina – Landsdale WA	on the beach; taking photos.	
56	I O'Reilly – Mullaloo WA	<ul style="list-style-type: none"> • Beneficial to the health and well being of the horses for rehabilitation, exercise, training and just to escape the heat of summer. 	
57	M Sideris – Mullaloo WA		
58	R Harrison – Hovea WA		
59	J Langland – Mullaloo WA	<ul style="list-style-type: none"> • Horse owners of the City of Joondalup will have to travel in high heat for long periods of time in summer to reach the next available horse beach. 	
60	L Briscoe – Hillarys WA		
61	M Davey – Kallaroo WA		
62	N Williams – Hillarys WA		
63	W Noone – Bullsbrook WA	<ul style="list-style-type: none"> • Dog owners have a huge variety of parks, tracks, trails and ovals where they can exercise their dogs. A minority of dogs exercising at the beach actually swim and venture far into the water. 	
64	B Hopson – Joondalup WA		
65	A Hurlbatt – Joondalup WA		
66	D Hearn – Hillarys WA		
67	C O'Donnell – Mullaloo WA	<ul style="list-style-type: none"> • Small stretch of coastline is the only access horses and their owners have to the ocean in the northern suburbs. 	
68	M Guest – Sawyers Valley WA		
69	K Acason – Mullaloo WA		
70	G Hunt – Mullaloo WA	<ul style="list-style-type: none"> • Large amount of continuing support to retain the horse exercise area at Hillarys Beach. 	
71	J Bryan – Mullaloo WA		
72	R Repke – Kallaroo WA		
73	G and J McAlpine – Bayswater WA	<ul style="list-style-type: none"> • Beach is public land and should be enjoyed by all. 	
74	C McLaughlin – Hillarys WA		
75	G Leggate – Sorrento WA	<ul style="list-style-type: none"> • Request Council consider <ul style="list-style-type: none"> ○ the unique aspect the horse exercise area at Hillarys Beach offers the City of Joondalup as well as the broader community 	
76	D Boyes – Mullaloo WA		
77	B and L Redpath Sorrento WA		
78	L Ensor – Kallaroo WA		
79	L Taylor – Bakers Hill WA	<ul style="list-style-type: none"> ○ lack of a suitable alternative 	

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80	J and J Froyland – Hillarys WA	<ul style="list-style-type: none"> ○ enjoyment many people obtain from seeing horses at the beach 	
81	D and V Baikauskas – Mullaloo WA		
82	M Heywood – Duncraig WA	<ul style="list-style-type: none"> • Long travel to the south to another popular horse exercising beach, increases the risk to horses and owners to travel the distance to enjoy what should be available in the north. 	
83	R Farmer – Mullaloo WA		
84	K Farmer – Mullaloo WA		
85	B Cole – Quinns Rock WA		
86	B White – Kingsley	<ul style="list-style-type: none"> • Extremely useful to have a closer exercising area for older horses suffering arthritis and great exposure for young horses. 	
87	S Boulter – Clarkson WA		
88	K McLean – Helena Valley WA		
89	J Adams – Baskerville WA		
90	H Adams – Baskerville WA	<ul style="list-style-type: none"> • Dog owners are very considerate and like to interact with the horses 	
91	G Holmes – Bullsbrook WA		
92	K McDonald – Osborne Park WA	<ul style="list-style-type: none"> • Friends, family and visitors from overseas love to go to the beach and enjoy seeing the horses and dogs. 	
93	J Curran – Osborne Park WA		
94	C Taylor – Karrinyup WA	<ul style="list-style-type: none"> • Overwhelming support in the 2010 community consultation for the horse exercise area at Whitfords Beach. 	
95	P Hall – Chittering WA		
96	D Donovan – Sorrento WA	<ul style="list-style-type: none"> • Therapeutic benefits for wading in salt water for all horses and particularly performance horses. 	
97	K Jones – Kinross WA		
98	J Haman		
99	J Osborne – Riding for the Disabled Association WA Inc.	<ul style="list-style-type: none"> • Horse activities are of heritage value. Attracting tourist, horse owners and local families to see the horses and enjoy the variety of this spectacle. 	
100	D van Ooran - RSPCA	<ul style="list-style-type: none"> • Parking congestion is not a problem associated with horse users, but more often with dog owners. Increased dog usage will 	

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101	J Cameron – WA Horse Council Inc.	increase the parking problem.	
102	P Howell	<ul style="list-style-type: none"> • Horses at the beach represent a unique proposition for the City of Joondalup. 	
103	I Jarman		
104	L Fernandes Lyons	<ul style="list-style-type: none"> • Many horse owners residing within City of Joondalup who agist their horses in nearby local governments. 	
105	M and J Jordan		
106	M Sommes		
107	P Walker – Sorrento WA	<ul style="list-style-type: none"> • As a horse owner and ratepayer of the City of Joondalup, being disadvantaged by the proposed local law amendment. 	
108	T Butler		
109	N Doyle	<ul style="list-style-type: none"> • Current time-sharing arrangements work well. 	
110	L Shirren		
111	S Mashman	<ul style="list-style-type: none"> • Changing horse beach car park configuration will not greatly increase the number of car bays available for dog beach users. 	
112	J Mutch		
113	V Smith		
114	L Howell		
115	P Roses	<ul style="list-style-type: none"> • Proposal is inconsistent with the City of Joondalup 2020 vision “<i>That residents have easy access to a wide variety of recreational and leisure opportunities...</i>”. Horse owners should not be excluded. 	
116	E Utley		
117	J Krause		
118	D Lyons		
119	R Spocter	<ul style="list-style-type: none"> • Parking congestion is a problem at all beaches during hot summer days. However, horse users are there in the cool of the day (early morning) and therefore do not contribute to this congestion. 	
120	V Sauressig		
121	K Ross-Jones		
122	M Thompson		
123	T and E Stumpers	<ul style="list-style-type: none"> • Public love the horses there and many examples of positive interaction. 	
124	W Biletic		
125	T Newbury	<ul style="list-style-type: none"> • No conflict between horses and dogs. 	

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126	E Hood	<ul style="list-style-type: none"> • Extend dog beach south and make better utilisation of the Whitfords Nodes carpark. • Horses at the beach enhances the life of the beach and the subsequent experiences. • A precious resource to the local community, but also for the equestrian community including pony clubs, private horse owners, RDA, WA Mounted Police, racing/pacing horse owners and sporting horse owners. • Proposed change does not accord with the Australian way of life. • Beach has historical ties to 10th Australian Light Horse Regiment. • Provision of a new dog beach would be more pragmatic and gain far greater community satisfaction. 	
127	C Borrie		
128	E Burgess		
129	K Capelli		
130	L and P Dales		
131	K Halley-Wright		
132	C Dixon		
133	R Thompson		
134	B Warner		
135	M Ferguson		
136	B Atcheson		
137	C Rowson		
138	J Clarke – Hillarys WA		
139	P McGee		
140	Y Eloy – Craigie WA		
141	R Rogers		
142	K Prall		
143	L Thornton		
144	R Butt		
145	A Burley		
146	J Irvin – Mullaloo WA		
147	B and D Ryle		
148	S Ibbs		
149	M Ellis – Hillarys WA		
150	M Lancaster		

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151	J Owen		
152	K Green		
153	S Gascoigne		
154	M Gauntlett		
155	M Schutze		
156	F Garnier		
157	S Hughes		
158	M South		
159	J Moore – Sorrento WA		
160	C Stannard		
161	N Dook – Mullaloo WA		
162	C Moylan		
163	P Walker		
164	S Dean		
165	M Halsall		
166	A Moore – Mullaloo WA		
167	M Norville		
168	C Harley		
169	P Thompson		
170	C Ando		
171	J and K Summers – Hillarys WA		
172	A Christopoulos – Hillarys WA		
173	R Newburn		
174	A Kemp – Mullaloo WA		
175	C Wickramasinghe		

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176	M Henderson		
177	M Krueger		
178	L Parkes		
179	D Arnold		
180	C Kershaw		
181	A Smit		
182	D Mezori		
183	R Dee		
184	M Hurlbatt		
185	J Odgaard		
186	L Johnston		
187	P Muller		
188	C Spits		
189	S Hurlbatt		
190	J Joyce		
191	D Bradley		
192	B Toenies		
193	C Lauri		
194	A Pankhurst		
195	R Moar – Hillarys WA		
196	P and J Osborne		
197	M Blatch		
198	E Lorkin		
199	S Carman		
200	R Cutting		

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201	IG and D Dick		
202	S Eccles		
203	U Mueller		
204	D Harrington		
205	R Potter		
206	E Holland		
207	P Dower		
208	D Chairi		
209	Y Wintergreene		
210	S Birnbacher		
211	M West		
212	L Bavin		
213	J O'Sullivan		
214	K Frost		
215	A Parker		
216	C Gibbs		
217	A Burton		
218	Y Siegart		
219	B Mc Ilveen		
220	N Siegart		
221	M Brice		
222	W Ryan		
223	K Morss		
224	P Cowell		
225	C Louthean		

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226	R Dickman		
227	R Freeman		
228	C Headland		
229	J Johnston		
230	S Maloney		
231	J Pavlinovich		
232	C Jane		
233	K Drummond		
234	N Wright		
235	J HoyPoy		
236	S Jones		
237	T Hopkins		
238	N Horrocks		
239	A Robbshaw		
240	D Lee		
241	G Critchlow		
242	L Morey		
243	J Perkins		
244	F Mannino		
245	D Rudd		
246	E Hall		
247	M Cullen		
248	M Henshaw		
249	A Mcbride		
250	M Horsham		

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251	J Steer		
252	S Carroll		
253	D Bejr		
254	S Yakub		
255	C Schelle		
256	A Bullock – Connolly		
257	I Rogers		
258	M King		
259	K Dixon		
260	J Botica		
261	L Witkowski		
262	J Dixon		
263	J Chapman		
264	T Mawhirt		
265	C Ingram		
266	C Stewart - Lyons		
267	G Leigh		
268	S Hicks		
269	C Siegwart		
270	C and P Keogh		
271	C Larson-Robinson		
272	N Beard		
273	A Rodriguez		
274	A Pate		
275	S Jordan		

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276	L Platten		
277	J Oliver		
278	K Morley		
279	B Pickett		
280	A Morel		
281	K Van-Eykelenborg		
282	K Lanceley		
283	J Mcgree		
284	O Mcgree		
285	T Grant		
286	J Hale		
287	J Parry		
288	K Chapman		
289	T Woolcock		
290	L Dall		
291	T de Beaux		
292	R Sunderland		
293	K Klein		
294	M Wild		
295	J Williams		
296	L Atkinson		
297	J Taylor – Padbury WA		
298	L Radzikowska – Joondalup WA		
299	J Nelson – Edgewater WA		
300	S Oma – Henley Brook WA		

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301	K Nelson – Edgewater WA		
302	R Nelson – Edgewater WA		
303	L Gibson – Hillarys WA		
304	S Gibson – Joondalup WA		
305	P O'Mara		
306	R McIlveen – Heathridge WA		
307	M Buswell – Hillarys WA		
308	K Emery – Duncraig WA		
309	H Sitlington – Hillarys WA		
310	E Jasinska – Hillarys WA		
311	C Horvath – Eden Hill WA		
312	V Funston – Hillarys WA		
313	J Hayman – Murdoch WA		
314	P Blyth		
315	H Ross-Jones – Wanneroo WA		
316	J McIlveen – Heathridge WA		
317	S Bevan – Bullsbrook WA		