

Date: 20 September 2017

Your Ref:

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Enquiries: John Byrne

Our Ref: 21067

OUT17/16978



Hon. Matthew Swinbourn MLC
Presiding Member
Standing Committee on Environment and Public Affairs
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Swinbourn

CITY OF JOONDALUP COMMENT IN RELATION TO PETITION OBJECTING
TO THE CITY OF JOONDALUP ANIMALS AMENDMENT LOCAL LAW 2016

Thank you for the opportunity to comment on 'Petition No. 9 – Horse Beach Joondalup', which seeks to overturn, or disallow, the *City of Joondalup Animals Amendment Local Law 2016* which, among other things, removed the ability for horses to be exercised at Hillarys Beach.

Local governments are required to manage activities on land vested under their care and control, which includes foreshore reserves that are within a local government's district. Parliament also gives local governments, through the *Local Government Act 1995*, the power to make local laws, which are often created to control activities of local government and public land.

Council's decision to phase-out the horse beach at Hillarys Beach was first made in 2010 due to the increasing community pressure to provide improved opportunities for coastline activities, especially for the significant number of dog owners within the City of Joondalup. With over 22,000 registered dogs, issues raised included the perceived inadequacy of car park facilities at Hillarys Animals Beach and whether the beach continued to be an appropriate location for horses to be exercised among other beach users including persons, dogs, kite surfing, wind surfing and planned activities such as triathlons.

Following significant community consultation in 2010 with residents and key users, Council adopted the Beach Management Plan and resolved to phase-out the horse beach. Over the past seven years the City has had continuous engagement with the City of Wanneroo in relation to the possible establishment of a horse beach within its district and has also encouraged horse owners to explore alternative options or locations.

In the meantime, the City continues to receive petitions and requests for extensions to the dog beach, as dog ownership levels increase in alignment with population growth.

At its meeting held on 13 December 2016 (CJ208-12/16 refers), Council adopted the *City of Joondalup Animals Amendment Local Law 2016* which removed the ability to exercise horses at Hillarys Beach while extending the area in which dogs were allowed to be exercised. This local law came into effect on 24 January 2017 following its publication within the *Government Gazette*.

Implementation of the local law included substantial replacement of signage on the approaches to and at Hillarys Beach; changes to car park line marking; considerable public notices both educating and informing the public of the changes; and increased Ranger patrols to further educate and inform members of the community and ensure compliance.

The City is of the view that the local law was made following due process and within the remit of the City to do so. Furthermore, it involved significant public consultation and while the decision has upset some members of the community, it also had the support of many others as evidenced by the final decision of Council.

It is also important to note that there has been a number of statements made there are no areas north of Joondalup to exercise horses. This is not in fact correct, as the Shire of Gingin has two gazetted animal exercise areas, being in Guilderton and Lancelin, both of which allow for the exercising of horses.

In this regard, it is my understanding that the Joint Standing Committee on Delegated Legislation has reviewed and submitted the *City of Joondalup Animals Amendment Local Law 2016* to Parliament with no adverse recommendation, thereby indicating the local law is a valid and proper local law.

On this basis, it is humbly requested that the Standing Committee on Environment and Public Affairs makes the same assessment.

Yours sincerely



GARRY HUNT PSM
Chief Executive Officer