



Agenda attachments

Ordinary Meeting of Council

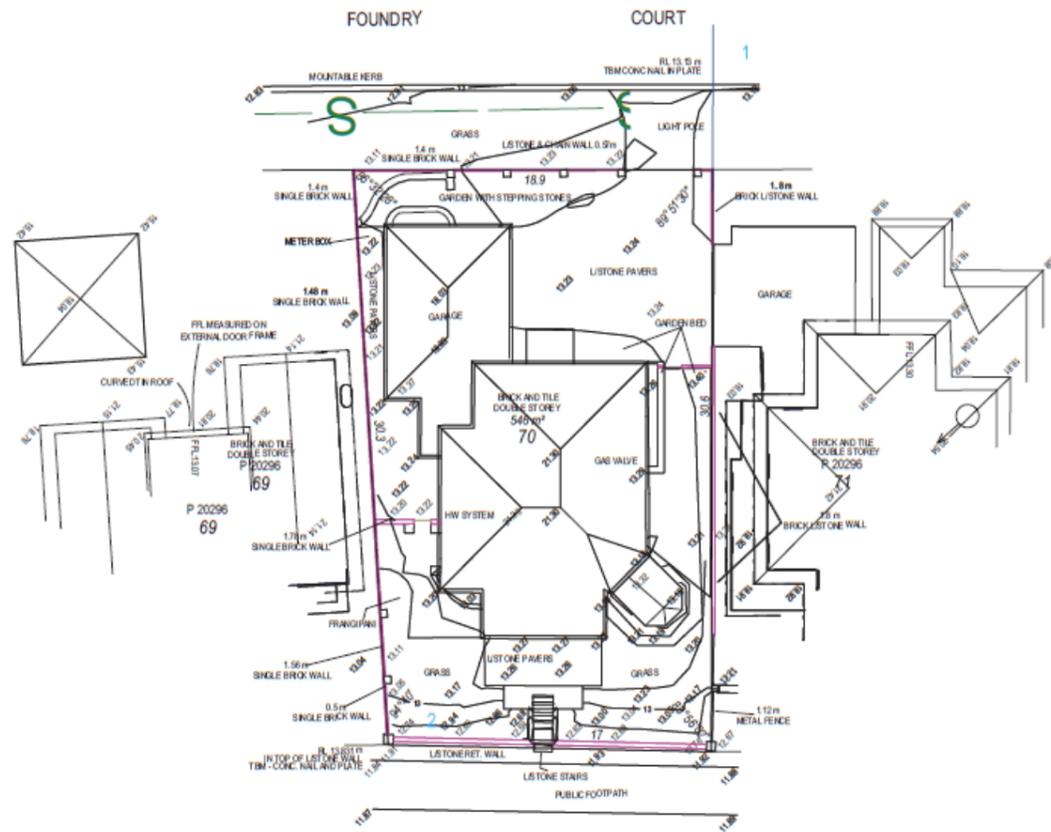
Wednesday 13 May 2020, 6.00 pm

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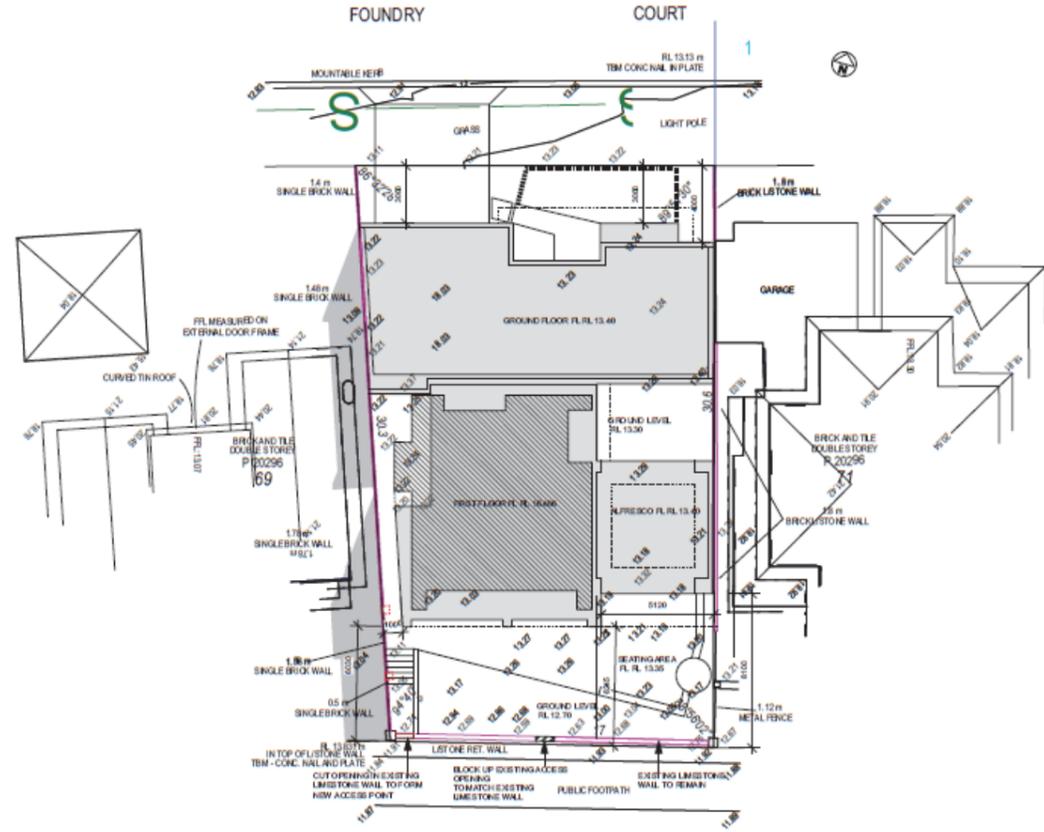
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C2005 - 1 FOUNDRY COURT, NO. 20 (LOT 70), NORTH FREMANTLE - DEMOLITION OF EXISTING SINGLE HOUSE AND CONSTRUCTION OF A TWO STOREY SINGLE HOUSE – (NB DA0047/20)AGENDA ATTACHMENT 1 – DEVELOPMENT PLANS

CITY OF FREMANTLE
These Revised Plans Form Part of
DA0047/20
9 April 2020



EXISTING SITE PLAN
Scale: 1:200



PROPOSED SITE PLAN
Scale 1:200

SITE COVERAGE

SITE AREA -	546m ²
GROUND FLOOR -	308.27m ²
FIRST FLOOR -	95.20m ²
SITE COVERAGE	308.27m ²
GROUND FLOOR -	308.27m ²
COVERED ALFRESCO -	(- 39.95m ²)
SITE COVERAGE	268.32m ²
OPEN SPACE	277.68m ²
%OPEN SPACE	50.86%

OVERSHADOWING JUNE 21ST 12 NOON - 52.5m²

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DA0047/20
9 April 2020



55 Ruse Street North Fremantle, 6159 WA www.enormousandreworchitect.com.au enquiries@rossmcaidreorchitect.com.au	job 1910 new house for RYAN 20 FOUNDRY COURT, NORTH FREMANTLE WA 6159	drawn RMC 1:1 30/09/20	scale A3	north 13/02/20	amendments Planning Submission	DATE 29.11.2019	1910 101
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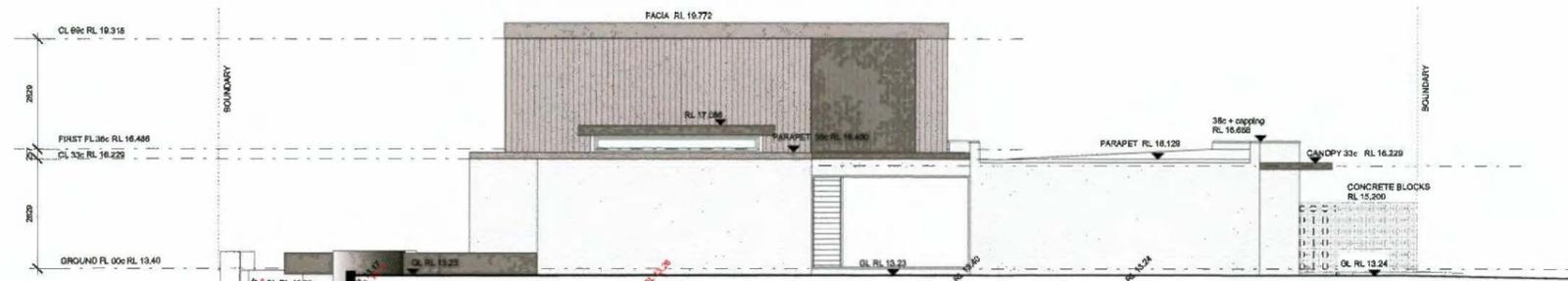
CITY OF FREMANTLE
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DA0047/20

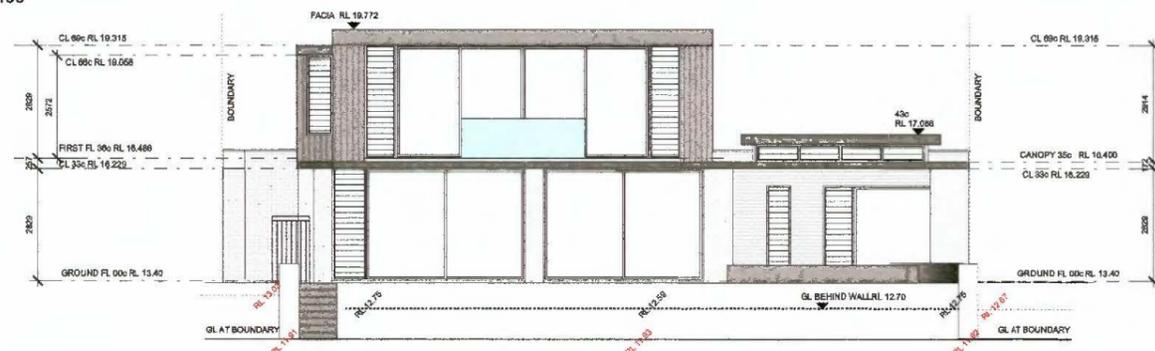
9 April 2020



North Elevation
Scale: 1:100



EAST
Scale: 1:100



SOUTH ELEVATION
Scale: 1:100



WEST ELEVATION
Scale: 1:100

55 Rule Street North Fremantle, 6155, WA www.rossmccandrewarchitect.com.au enquiry@rossmccandrewarchitect.com.au	Job 1910 new house for RYAN 20 FOUNDRY COURT, NORTH FREMANTLE WA 6159	ELEVATIONS SRS 1:100/63 A2	north amendments 13/02/20 Planning Submission	28.11.2019 1910 102
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9 April 2020



North Elevation
Scale: 1:100



55 Rufe Street North Fremantle, 6159, WA www.rossmccandrewarchitect.com.au enquiry@rossmccandrewarchitect.com.au Tel: 08 9430 7535		job 1910 new house for 21504 20 FOUNDRY COURT, NORTH FREMANTLE WA 6159	STREET ELEVATIONS	DWG NO SS 11/0009 AD	north amendments 13/02/20 Planning Submission	25.10.2106 1910 103
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9 April 2020



55 Rule Street North Fremantle, 6159, WA www.rossmccandrewarchitect.com.au enquiry@rossmccandrewarchitect.com.au	Tel: 08 9429 7536	job	1910 new house for RYAN 20 Foundry Court NORTH FREMANTLE WA 6159	PERSPECTIVES	sheet no. 55 - 05 02	north	amendments 13/02/20 Planning Submission	25/11/2009	1910 104
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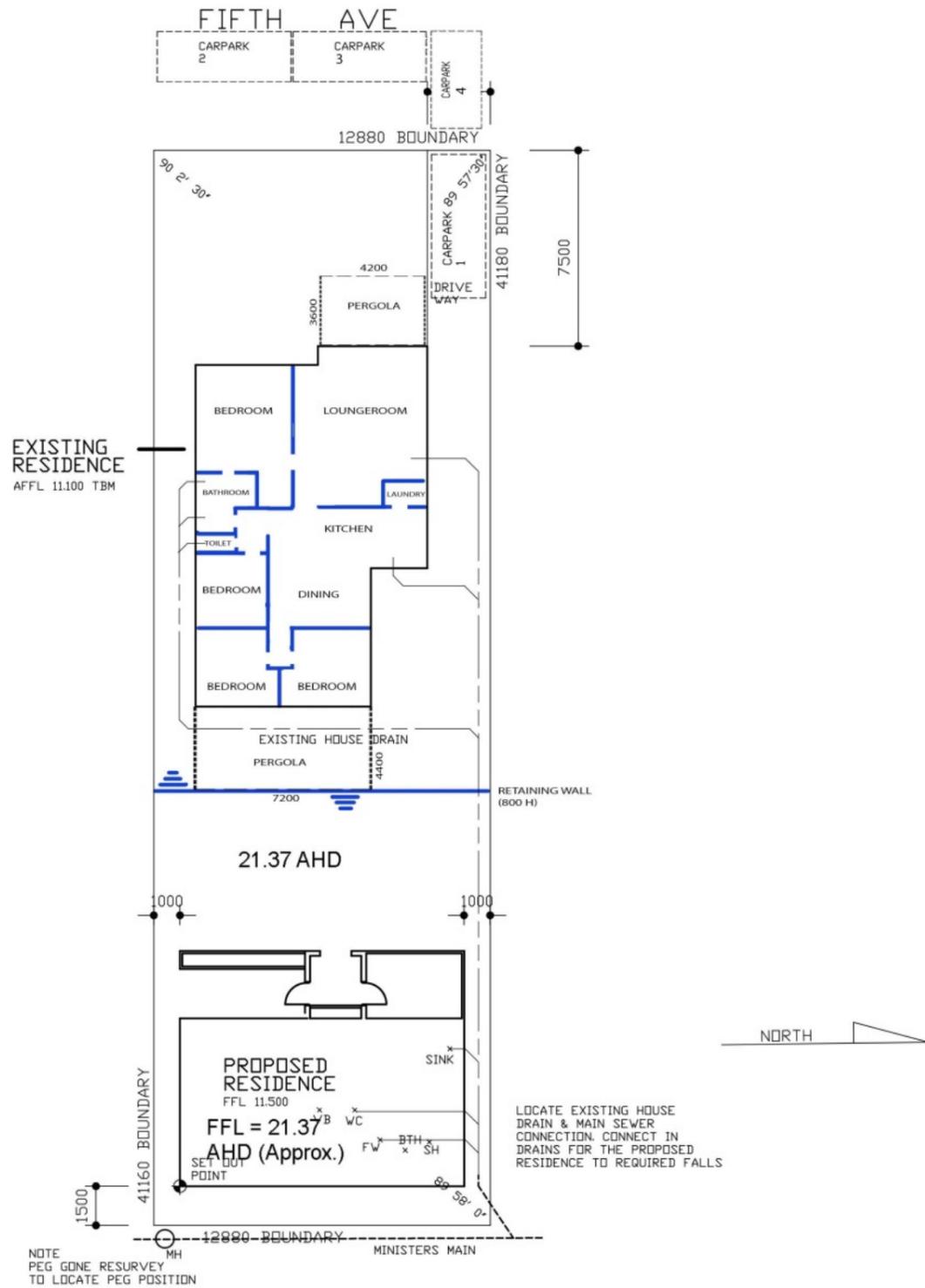
C2005 - 2 FIFTH AVENUE, NO. 36 (LOT 21), BEACONSFIELD – ANCILLARY DWELLING ADDITION TO AN EXISTING SINGLE HOUSE – (NB DA0002/20)

Agenda attachment 1 – Development Plans

CITY OF FREMANTLE
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DA0002/20
13 February 2020

A MINIMUM SAND DEPTH OF 150mm IS REQUIRED BELOW ALL FOOTINGS.
COMPACT SANDY SUB GRADES UNDER FOOTINGS AND SLAB TO OBTAIN
MIN. 7 BLOWS PER 300mm ON A STANDARD PERTH SAND PENETROMETER
TEST AS PER AS 1289 F3.3.
CONCRETE STRENGTH GRADE N20, AGGREGATE 20mm, SLUMP 80.
STEP FLOOR SLAB SURFACE DOWN 30mm FOR WET AREAS.
RE ENTRANT BARS AT SLAB CORNERS: PROVIDE 2 N16 BARS X 1200
LONG (CENTRAL)
NOTE: FOOTING DESIGN DRAWN IS FOR CLASS A SITE ONLY (AS2870)

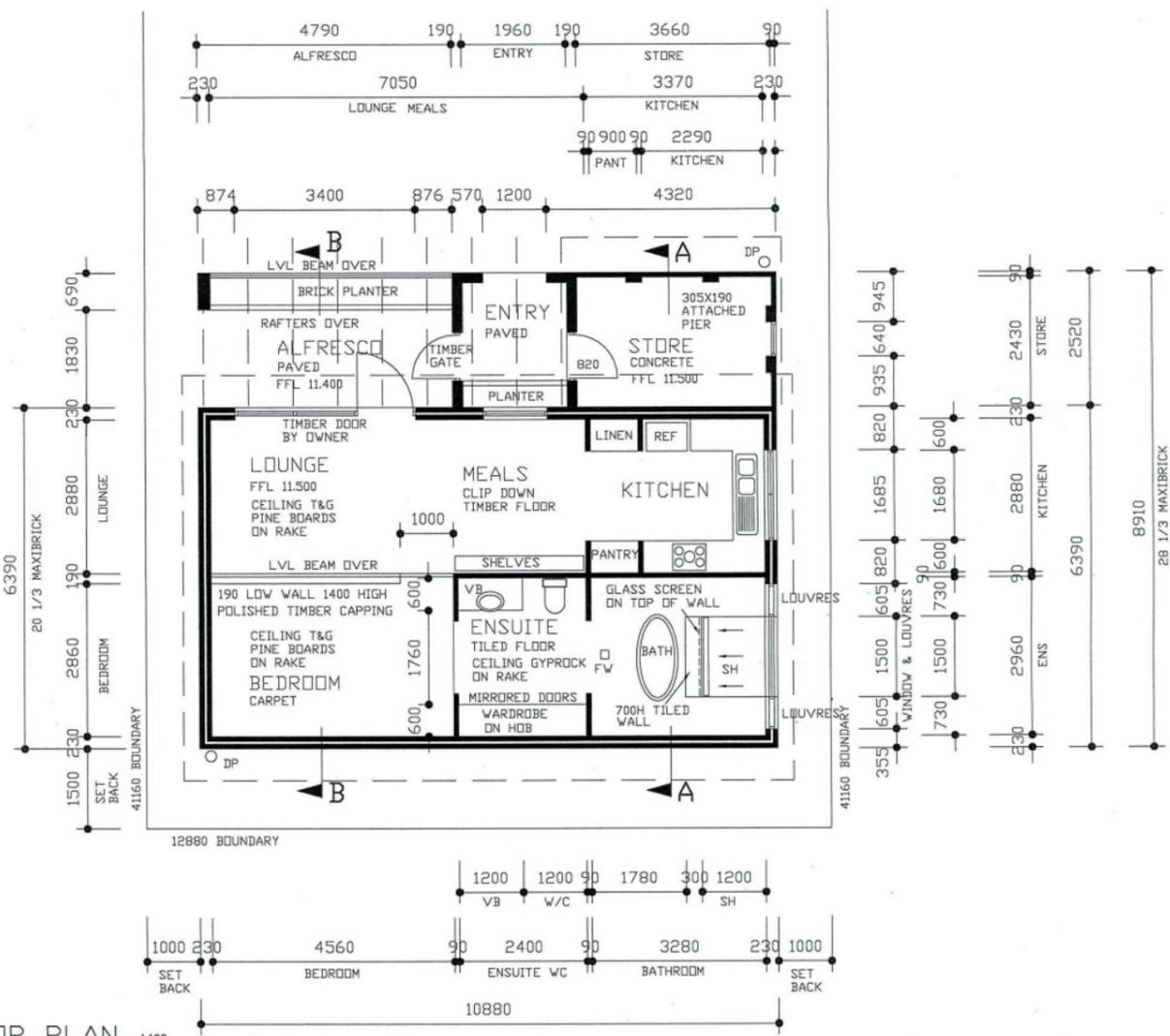
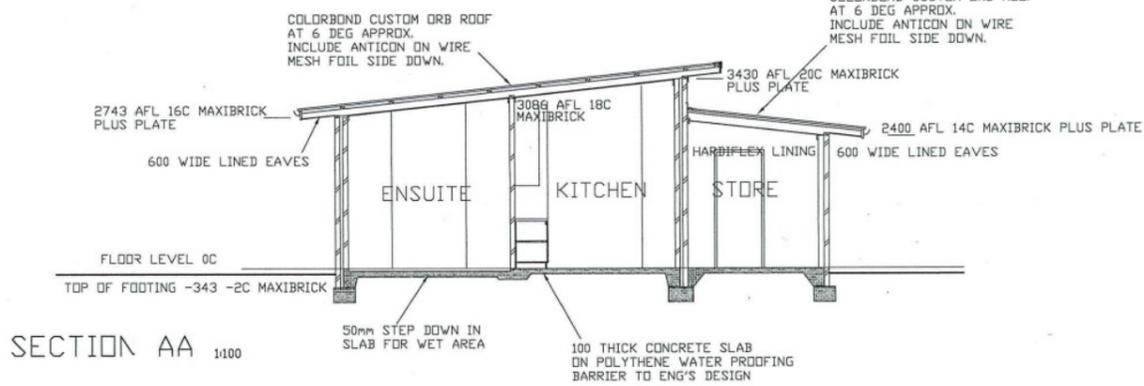
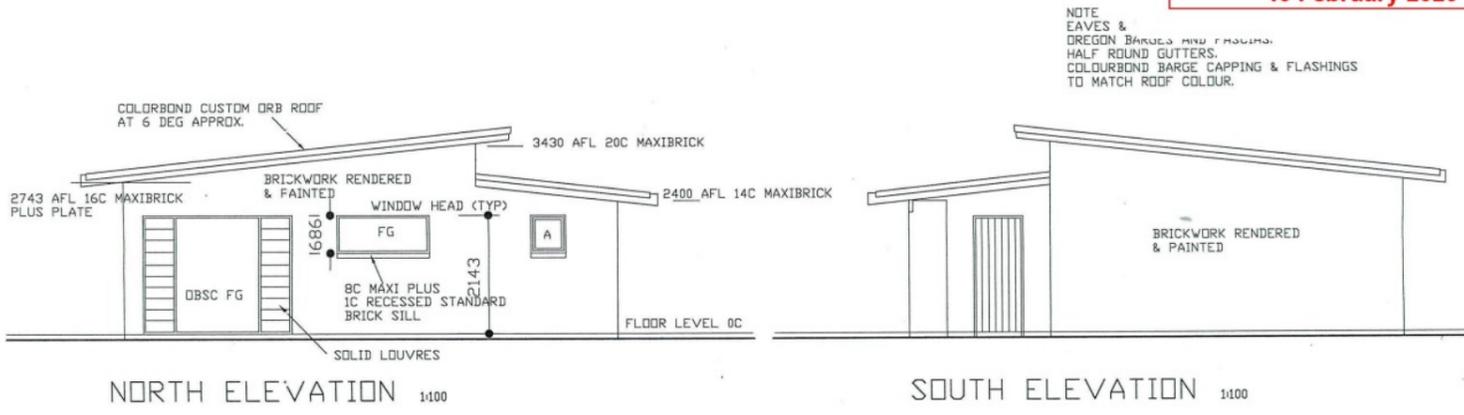
BUILDER IS RESPONSIBLE TO CONFIRM THAT THE SITE IS
CLASS A SITE AS PER AS 2870



SITE PLAN 1:200

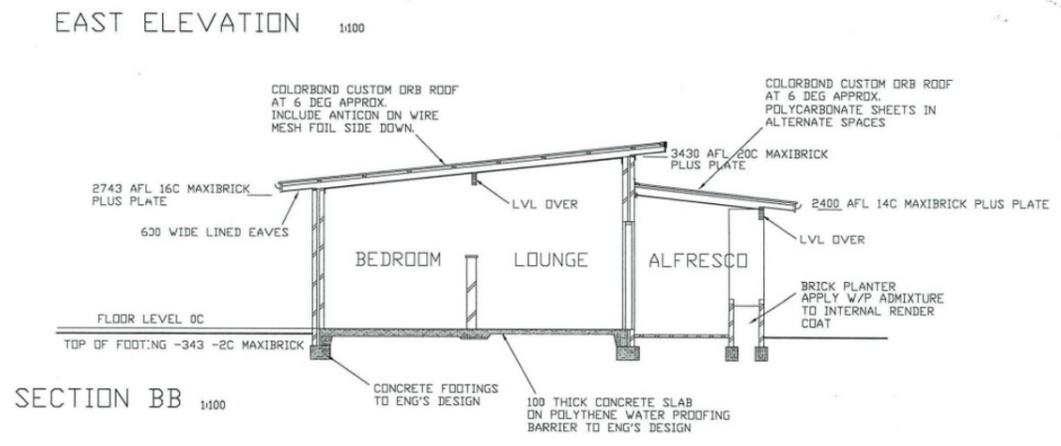
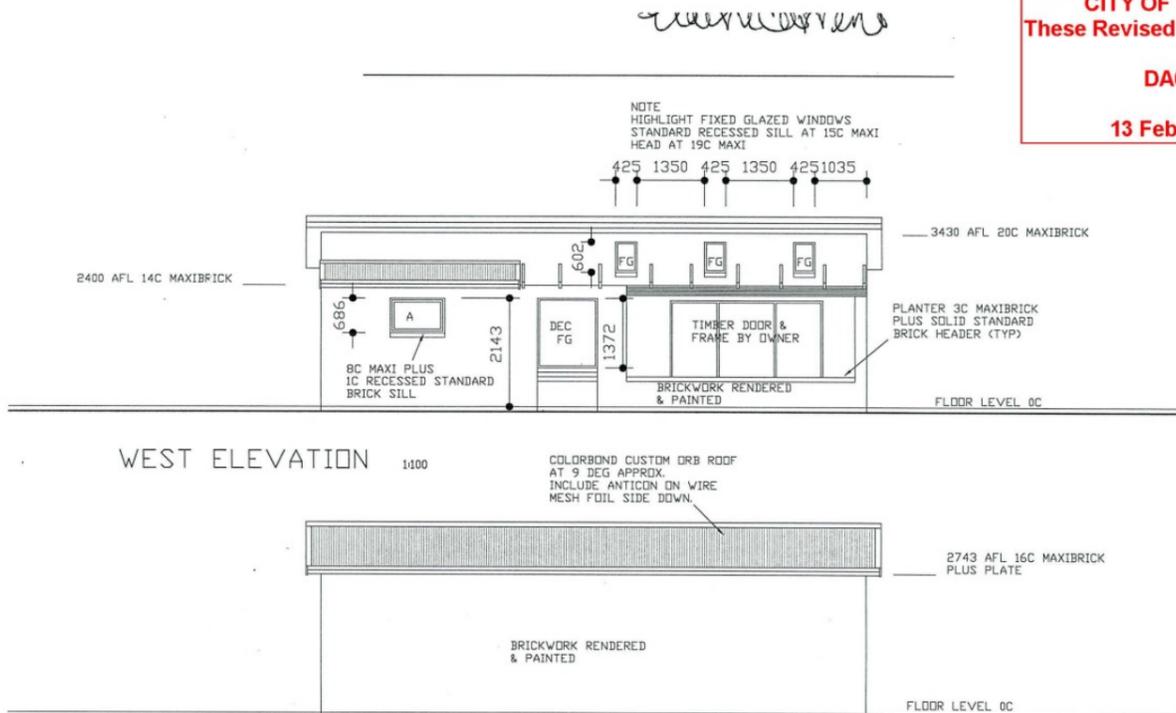
SITE PLAN PROPOSED ADDITION TO RESIDENCE LOT 21 No 36 FIFTH AVE BEACONSFIELD FOR MR. M. FIC	DRAWING No A1 DRAWN OCT 2019	REVISIONS
	PETER CARTER DRAFTING & DESIGN 1 NANGA RD GOLDEN BAY 0414362727	

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DA0002/20
13 February 2020



FLOOR PLAN, SECTION & ELEVATIONS PROPOSED ADDITION TO RESIDENCE LOT 21 No 36 FIFTH AVE BEACONSFIELD FOR MR. M. FIC	DRAWING No A1 DRAWN OCT 2019 PETER CARTER DRAFTING & DESIGN 1 NANGA RD GOLDEN BAY 0414362727	REVISIONS
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13 February 2020



ELECTRICAL PLAN 1/100

ELEVATIONS AND ELECTRICAL PLAN PROPOSED ADDITION TO RESIDENCE LOT 21 No 36 FIFTH AVE BEACONSFIELD FOR MR. M. FIC	DRAWING No A1 DRAWN OCT 2019	REVISIONS
	PETER CARTER DRAFTING & DESIGN 1 NANGA RD GOLDEN BAY 0414362727	

TO DEMOLISH CHOOK HOUSE SHED



AREA TO BE LEVELLED

C2005 - 3 WARDIE STREET, NO. 40 (LOT 104) SOUTH FREMANTLE – ANCILLARY DWELLING ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE (TG DA0484/19)

Agenda attachment 1 – Amended Development Plans

CITY OF FREMANTLE
 These Revised Plans Form Part of

DA0484/19

31 March 2020

hole in the wall design.

Matt & Jillian Mitchell
 Proposed Renovation
 #40 Wardie Street
 SOUTH FREMANTLE WA 6162

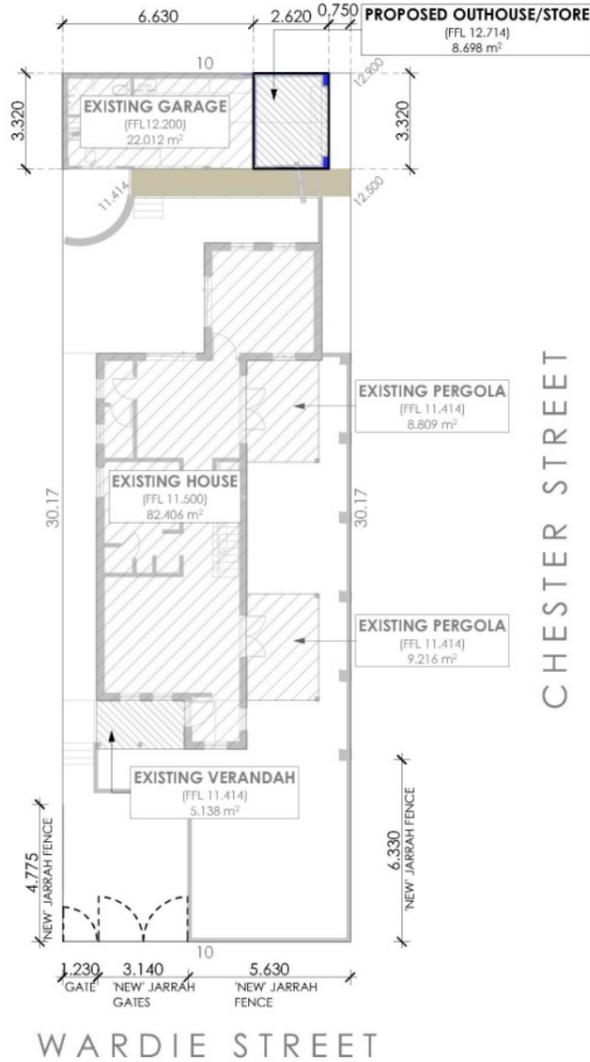


SHEET	NAME	DATE	COMMENT	REV
1	SITE / GROUND FLOOR PLAN	29/03/2020 6:11 PM	ISSUED FOR DEVELOPMENT APPROVAL	A
2	DEMOLITION FLOOR PLAN	29/03/2020 6:11 PM	ISSUED FOR DEVELOPMENT APPROVAL	A
3	FLOOR PLAN	29/03/2020 6:11 PM	ISSUED FOR DEVELOPMENT APPROVAL	A
4	ELEVATIONS	29/03/2020 6:11 PM	ISSUED FOR DEVELOPMENT APPROVAL	A
5	ELEVATIONS	29/03/2020 6:11 PM	ISSUED FOR DEVELOPMENT APPROVAL	A
6	BACKYARD PERSPECTIVE	29/03/2020 6:11 PM	ISSUED FOR DEVELOPMENT APPROVAL	A



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DA0484/19
31 March 2020

OPEN SPACE CALCULATION	
SITE AREA	= 307m ²
EXISTING GARAGE	= 20.5m ²
PROPOSED OUTHOUSE/STORE	= 12.6m ²
EXISTING RESIDENCE	= 62.4m ²
TOTAL AREA COVERED:	= 115.5m² = 37.6%
OPEN SPACE AREA:	= 62.4%



WARDIE STREET

CHESTER STREET

SITE / GROUND FLOOR PLAN
1:200

AREAS	
	Area
EXIST. GARAGE	22.0
EXIST. HOUSE	82.4
EXIST. PERGOLA	18.0
EXIST. VERANDAH	5.1
PROP. OUTHOUSE	8.7
TOTAL	136.2 m²

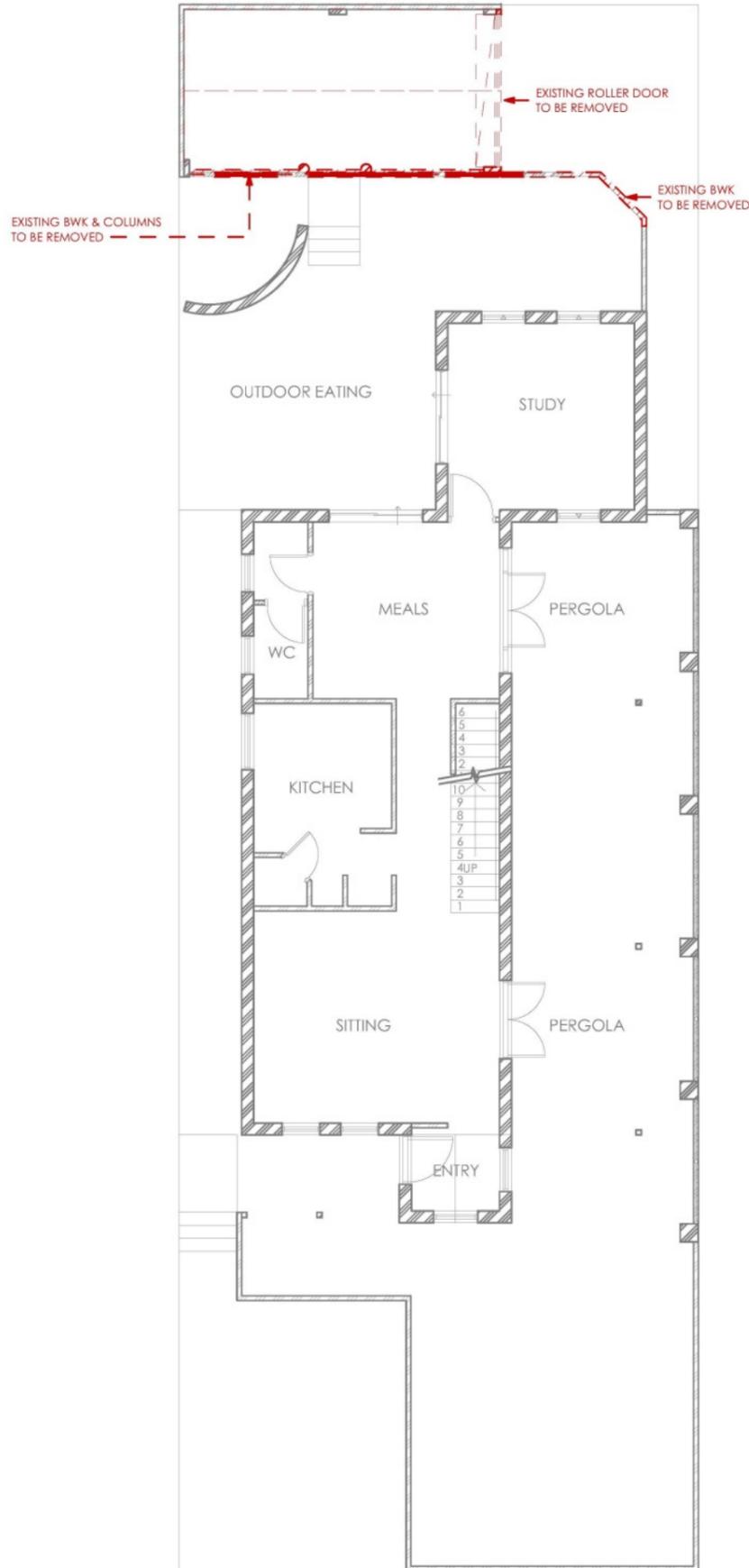
<p>hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com</p>	STAGE: CONCEPT SKETCH	SHEET: SITE / GROUND FLOOR PLAN	SHEET N°: 1 OF 6						
	CLIENT: Matt & Jillian Mitchell	<table border="1" style="width: 100%;"> <thead> <tr> <th>REV</th> <th>COMMENT</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>ISSUED FOR DEVELOPMENT APPROVAL</td> <td>29/03/2020 6:11 PM</td> </tr> </tbody> </table>	REV	COMMENT	DATE	A	ISSUED FOR DEVELOPMENT APPROVAL	29/03/2020 6:11 PM	JOB N°: # Pln
	REV	COMMENT	DATE						
A	ISSUED FOR DEVELOPMENT APPROVAL	29/03/2020 6:11 PM							
PROJECT: Proposed Renovation # 40 Wardie Street SOUTH FREMANTLE WA 6162			DRAWING N°: W1.A						

DATE PRINTED: Sunday, 29 March 2020 TIME PRINTED: 6:12 PM



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31 March 2020

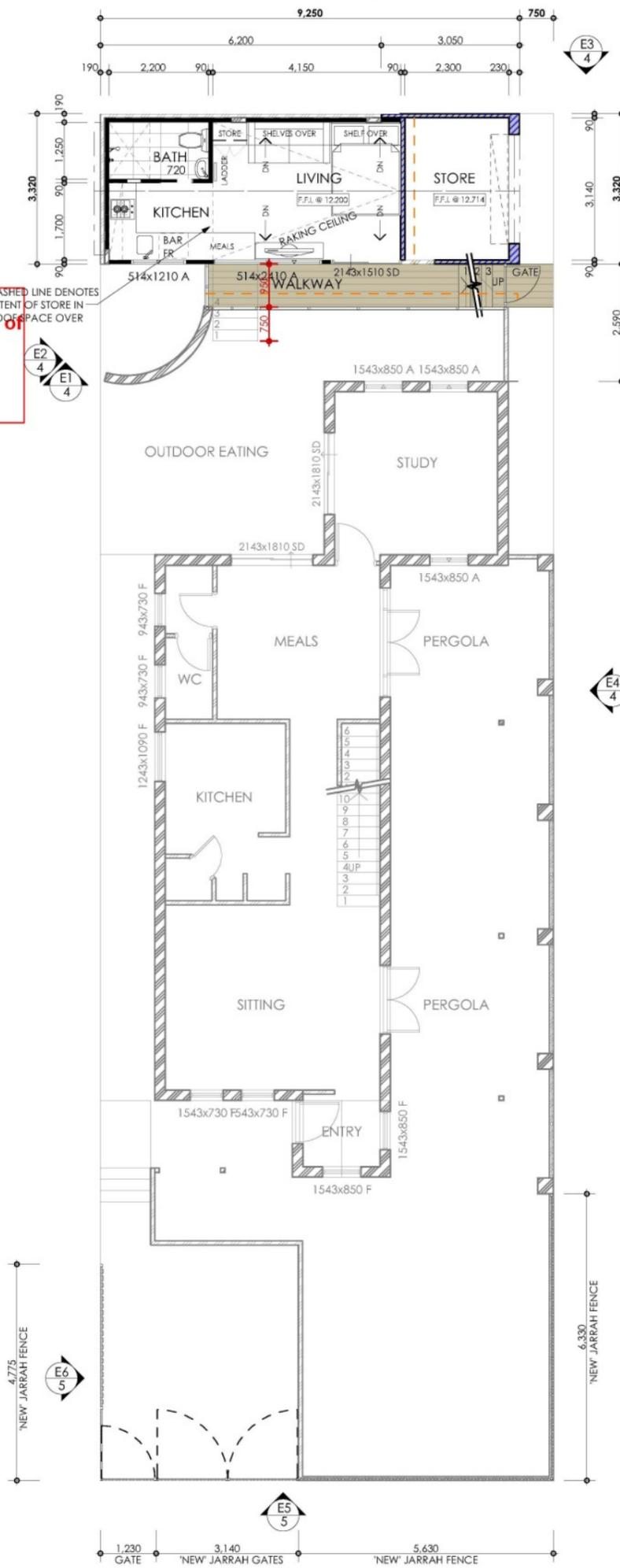
WALL LEGEND	
	PROPOSED 90w TMB. STUD WALL
	EXISTING 90w BWK WALL
	PROPOSED 90w BWK WALL
	PROPOSED 190w BWK WALL



DEMOLITION FLOOR PLAN
1:100

FEATURES MARKED IN RED
TO BE DEMOLISHED

<p>hole in the wall design. Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com</p>	STAGE: CONCEPT SKETCH	SHEET: DEMOLITION FLOOR PLAN		SHEET N°: 2 OF 6
	CLIENT: Matt & Jillian Mitchell	REV: A	COMMENT: ISSUED FOR DEVELOPMENT APPROVAL	
	PROJECT: Proposed Renovation # 40 Wardie Street SOUTH FREMANTLE WA 6162	DATE PRINTED: Sunday, 29 March 2020		



WALL LEGEND	
	PROPOSED 90w TMB. STUD WALL
	EXISTING 90w BWK WALL
	PROPOSED 90w BWK WALL
	PROPOSED 190w BWK WALL

CITY OF FREMANTLE
These Revised Plans Form Part of
DA0484/19
31 March 2020

DASHED LINE DENOTES EXTENT OF STORE IN ROOF SPACE OVER

AREAS	Area
EXIST. GARAGE	22.0
EXIST. HOUSE	82.4
EXIST. PERGOLA	18.0
EXIST. VERANDAH	5.1
PROP. OUTHOUSE	8.7
	136.2 m²

 Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE: CONCEPT SKETCH CLIENT: Matt & Jillian Mitchell PROJECT: Proposed Renovation # 40 Wardie Street SOUTH FREMANTLE WA 6162	SHEET: FLOOR PLAN REV A COMMENT ISSUED FOR DEVELOPMENT APPROVAL DATE 29/03/2020 6:11 PM	SHEET N ^o : 3 OF 6 JOB N ^o : # Pln DRAWING N ^o : W 3.A
	DATE PRINTED: Sunday, 29 March 2020 TIME PRINTED: 6:12 PM		
	© 2020 by hole in the wall design. All rights reserved.		

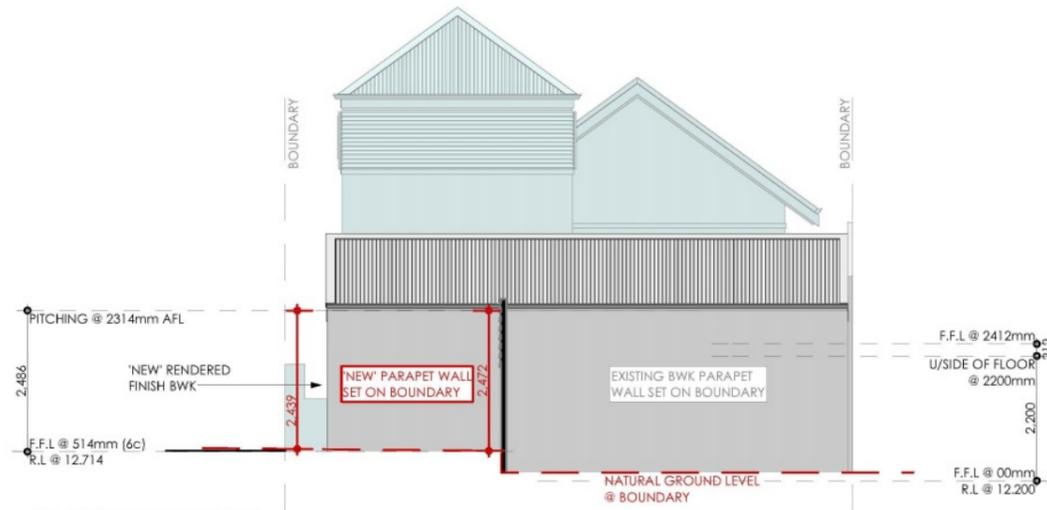
CITY OF FREMANTLE
These Revised Plans Form Part of
DA0484/19
31 March 2020



E1 SIDE ELEVATION
1:100



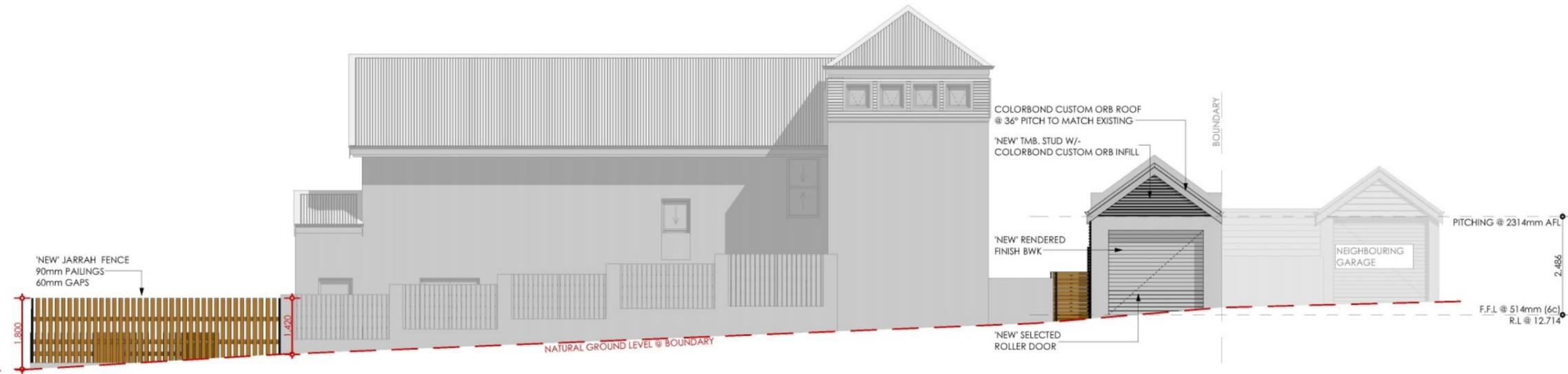
E2 L/H ELEVATION
1:100



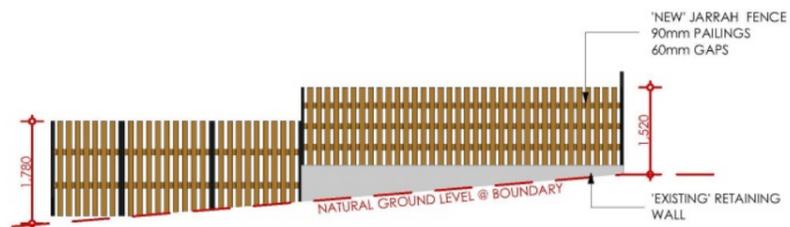
E3 REAR ELEVATION
1:100

<p>Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com</p>	STAGE: CONCEPT SKETCH	SHEET: ELEVATIONS		SHEET N°: 4
	CLIENT: Matt & Jillian Mitchell	REV	COMMENT	DATE
	PROJECT: Proposed Renovation # 40 Wardie Street SOUTH FREMANTLE WA 6162	A	ISSUED FOR DEVELOPMENT APPROVAL	29/03/2020 4:11 PM
				JOB N°: # PIn
				DRAWING N°: W4.A

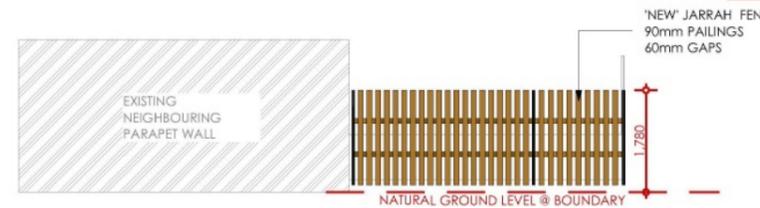
DATE PRINTED: Sunday, 29 March 2020 TIME PRINTED: 4:12 PM



E4 CHESTER STREET ELEVATION
1:100



E5 WARDIE STREET ELEVATION
1:100



E6 NEIGHBOURING FENCE ELEVATION
1:100

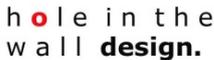
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31 March 2020

<p>hole in the wall design.</p> <p>Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com</p>	STAGE: CONCEPT SKETCH	SHEET: ELEVATIONS	SHEET N°: 5						
	CLIENT: Matt & Jillian Mitchell	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REV</th> <th>COMMENT</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>ISSUED FOR DEVELOPMENT APPROVAL</td> <td>29/03/2020 4:11 PM</td> </tr> </tbody> </table>	REV	COMMENT	DATE	A	ISSUED FOR DEVELOPMENT APPROVAL	29/03/2020 4:11 PM	OF 6
	REV	COMMENT	DATE						
A	ISSUED FOR DEVELOPMENT APPROVAL	29/03/2020 4:11 PM							
PROJECT: Proposed Renovation # 40 Wardie Street SOUTH FREMANTLE WA 6162			JOB N°: # Pln DRAWING N°: W5.A						

DATE PRINTED: Sunday, 29 March 2020 TIME PRINTED: 4:12 PM

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31 March 2020



 Mitchell Slaughter Ph: 041 991 8674 holeinthewalldesign@hotmail.com	STAGE: CONCEPT SKETCH	SHEET: BACKYARD PERSPECTIVE		SHEET N°: 6 OF 6
	CLIENT: Matt & Jillian Mitchell	REV	COMMENT	DATE
	PROJECT: Proposed Renovation # 40 Wardie Street SOUTH FREMANTLE WA 6162	A	ISSUED FOR DEVELOPMENT APPROVAL	29/03/2020 6:11 PM
				DRAWING N°: W 6.A

C2005 - 4 ADOPTION OF CITY OF FREMANTLE CAT MANAGEMENT LOCAL LAW 2020

Agenda attachment 1 – Proposed City of Fremantle Cat Management Local Law 2020

City of Fremantle
Cat Management Local Law 2020

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- 1.2 Commencement
- 1.3 Application
- 1.4 Definitions

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- 3.2 Cats for which a permit is required
- 3.3 Application for permit
- 3.4 Refusal to determine application
- 3.5 Factors relevant to the determination of application
- 3.6 Decision on application
- 3.7 Conditions
- 3.8 Compliance with conditions of permit
- 3.9 Duration of a permit
- 3.10 Revocation
- 3.11 Permit not transferable
- 3.12 Permit to be kept at premises and available for view

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- 4.1 Serving of infringement notices
- 4.2 Objections and appeals
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- 4.5 Forms

Schedule 1 – Additional conditions applicable to particular permits

Schedule 2 – Prescribed offences

Schedule 3 – Cat prohibited areas

**CAT ACT 2011
LOCAL GOVERNMENT ACT 1995**

**CITY OF FREMANTLE
CAT MANAGEMENT LOCAL LAW 2020**

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Fremantle resolved on [INSERT ADOPTION DATE HERE] to make the following local law.

Part 1 – Preliminary

1.1 Citation

This local law may be cited as the *City of Fremantle Cat Management Local Law 2020*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Definitions

In this local law unless the context otherwise requires –

Act means the *Cat Act 2011*;

applicant means the occupier of the premises who makes an application for a permit under this local law;

authorised person means a person authorised by the local government to perform the functions conferred on an authorised person under this local law;

cat prohibited area means the land –

(a) described in Schedule 3;

cat management facility means –

- (a) a facility operated by a local government that is, or may be, used for keeping cats;
- (b) a facility for keeping cats that is operated by a person or body prescribed; or
- (c) a facility for keeping cats that is operated by a person or body approved in writing by a local government;

cattery means any premises where more than 3 cats are kept, bred, boarded, housed or trained temporarily, whether for profit or otherwise, and where the occupier of the premises is not the ordinary owner of the cats;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

local government means the City of Fremantle;

owner has the meaning given to it in the Act;

permit means a permit issued by the local government under Part 3;

permit holder means a person who holds a valid permit under Part 3;

premises includes the following –

- (a) land (whether or not vacant);
- (b) the whole or part of a building or structure (whether of a permanent or temporary nature); and
- (c) a vehicle;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a schedule to this local law;

Scheme means a planning scheme of the local government made by it under the *Planning and Development Act 2005* and its antecedents; and

Veterinarian means a registered veterinary surgeon as defined in section 2 of the *Veterinary Surgeons Act 1960*

Part 2 – Cat control

2.1 Cat prohibited areas

- (1) A cat shall not be in the places specified in Schedule 3 at any time, whether or not under effective control.
- (2) If a cat is in a cat prohibited area in contravention of subclause (1), then the owner of the cat commits an offence unless the owner of the cat has first obtained written authorisation from the Local Government.

Part 3 – Permits for keeping cats

3.1 Interpretation

In this part, and for the purposes of applying the definition of 'cattery', *cat* does not include a cat less than 6 months old.

3.2 Cats for which a permit is required

- (1) Subject to subclause (2) a person is required to have a permit to –
 - (a) keep more than 3 cats on any premises; or
 - (b) use any premises as a cattery or cat management facility.
- (2) A permit is not required under subclause (1) if the premises concerned are –
 - (a) a refuge of the RSPCA
 - (b) a cat management facility which has been approved by the local government;
 - (c) a veterinary surgery.

3.3 Application for permit

An application for a permit under clause 3.2 shall be –

- (a) made in writing by an occupier of the premises in relation to those premises;
- (b) in a form approved by the local government, describing and specifying the number of cats to be kept on the premises;
- (c) accompanied by a brief reason and justification for the request;
- (d) accompanied by the plans of the premises to which the application relates in the form determined by the local government from time to time;
- (e) accompanied by the consent in writing of the owner of the premises where the occupier is not the owner of the premises to which the application relates; and
- (f) accompanied by the application fee for the permit determined by the local government from time to time.

3.4 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 3.3.

3.5 Factors relevant to the determination of application

- (1) In determining an application for a permit the local government may have regard to –
 - (a) the reasons and justification provided for the request;
 - (b) the physical suitability of the premises for the proposed use;
 - (c) the suitability of the zoning of the premises under any Scheme which applies to the premises for the proposed use;
 - (d) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (e) the structural suitability of any enclosure in which any cat is to be kept;
 - (f) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
 - (g) the likely effect on the amenity of the surrounding area of the proposed use;
 - (h) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the use;
 - (i) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (j) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) The local government may require an applicant to –
 - (a) consult with nearby landowners; or
 - (b) advise nearby landowners that they may make submissions to the local government on the application for a permit within 14 days of receiving that advice, before determining the application for the permit.
- (3) The local government may specify the extent of consultation with nearby residents, as specified in subclause 3.5(2)(a) and may specify which properties should be consulted.

3.6 Decision on application

- (1) The local government may –
 - (a) approve an application for a permit as it was submitted, in which case it shall approve it subject to the conditions in clause 3.7 and may approve it subject to any other conditions it sees fit;
 - (b) approve an application but specify an alternative number of cats permitted to be housed at the address; or
 - (c) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue a permit to the applicant in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1) then it shall advise the applicant accordingly in writing.

3.7 Conditions

- (1) Every permit is issued subject to the following conditions –
 - (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act;
 - (b) each cat shall be contained on the premises unless under the effective control of a person;
 - (c) the permit holder will provide adequate space for the exercise of the cats;
 - (d) the premises shall be maintained in good order and in a clean and sanitary condition; and
 - (e) those conditions contained in Schedule 1.
- (2) In addition to the conditions in subclause (1) of this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.

3.8 Compliance with conditions of permit

A permit holder shall comply with each condition of a permit.

3.9 Duration of a permit

Unless otherwise specified in a condition on a permit, a permit commences on the date of issue and expires –

- (a) if it is revoked; or
- (b) if the permit holder ceases to reside at the premises to which the permit relates.

3.10 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

3.11 Permit not transferable

A permit is not transferrable either in relation to the permit holder or the premises.

3.12 Permit to be kept at premises and available for view

- (1) A permit issued by the local government shall be kept at the premises to which it applies and shall be provided to an authorised person on demand.
- (2) In the case of a registered cattery or cat management facility, the permit shall be displayed in a prominent place within the premises.

Part 4– Offences and penalties

4.1 Serving of infringement notices

An infringement notice served under section 62 of the Act or this local law may be given to a person—

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

4.2 Objections and Appeals

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

4.3 General offence and penalty provisions

- (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 any provision of this local law is a prescribed offence for the purposes of Section 84 of the Act.
- (3) Unless otherwise specified, any person who commits an offence under this local law is liable on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite an offence described in that Schedule, is the modified penalty for that offence.
- (5) Where an authorised person has reason to believe that a person has committed an offence under this local law in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 6 of Schedule 1 of the *Cat Regulations 2012*.
- (6) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012* to the person named in the infringement notice.
- (7) A penalty for an offence against this local law may be recovered by the local government taking proceedings against the alleged offender in a Magistrate's Court.
- (8) The local government shall cause to be kept adequate records of all infringement notices given, and all modified penalties paid under this local law.

4.4 Defence

It is a defence to a charge of an offence of contravening clause 3.2(1), if the owner charged satisfies the court that at the material time some other person (whom he or she shall identify) over the age of 18 years was the owner of the cat(s).

4.5 Forms

- (1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Part 4, Division 4 of the Act.
- (2) An infringement notice in respect of an offence against this local law may be given under Section 62 of the Act and is to be in the form of Schedule 1, Form 6 of the *Cat Regulations 2012*.
- (3) A notice sent under Section 65 of the Act withdrawing an infringement notice is to be in the form of Schedule 1, Form 7 of the *Cat Regulations 2012*.

Schedule 1 – Additional conditions applicable to particular permits

[Clause 3.7]

A. Permit to keep more than 3 cats

Additional conditions:

- (1) In the case of a grouped dwelling where there is no suitable dividing fence or multiple dwellings on the same level, the written consent to the application for a permit of the occupier of the adjoining dwellings has been obtained.
- (2) Without the consent of the local government, the permit holder will not substitute or replace any cat that is the subject of a permit once that cat –
 - (a) dies; or
 - (b) is permanently removed from the premises.

B. Permit to use premises as a Cattery or Cat Management Facility

Additional conditions:

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
- (2) There is to be a feed room, wash area, isolation cages and maternity section.
- (3) Materials used in structures are to be approved by the local government.
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects.
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
- (6) Washing basins with a minimum of running cold water are to be available to the satisfaction of the local government.
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
- (8) A register is to be kept recording in respect of each cat the –
 - (a) date of admission;
 - (b) date of departure;
 - (c) breed, age, colour and sex; and
 - (d) name and residential address of the owner.
- (9) The register is to be made available for inspection on the request of an authorised person.
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
- (11) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats kept on the premises.
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

Schedule 2 – Prescribed offences

[Clause 4.3]

Item No.	Clause No.	Nature of Offence	Modified Penalty
1	2.1	Cat in prohibited area	\$200
2	3.2	Failure of a person to hold a permit when required	\$200
3	3.8	Breach of a condition of a permit	\$200

Schedule 3 – Cat prohibited areas

[Clause 2.1]

Places where cats are prohibited:

#	Common Name	Location	Description
1	Booyeembara Park	80 Montreal Street Fremantle	Reconstructed landscape of natural bushland local to the area. Established to create a representative landscape and increase local biodiversity. Managed as a natural bushland area and refuge for native wildlife, includes formal turfed parkland with native vegetation garden beds.
2	Sir Fredrick Samson Park	McCombe Avenue, Samson	Remnant bushland. Bush Forever site.
3	Bathers Beach Reserve	Arthur Head, Fleet St Fremantle	Reconstructed dune vegetation
4	Port Beach reserve	Port Beach Road, North Fremantle	Reconstructed dune vegetation
5	Leighton Beach Reserve	Port Beach Road, North Fremantle	Reconstructed dune vegetation
6	South Beach Reserve	Ocean Drive, South Fremantle	Reconstructed dune vegetation
7	Cantonment Hill	135 Queen Victoria Street, Fremantle	Reconstructed natural landscape. Bush Forever site.
8	Rocky Bay Reserve	Rocky Bay, North Fremantle	Swan River foreshore and part of the Swan and Canning Riverpark.
9	North Fremantle Foreshore Reserve (including Prawn Bay)	Johannah St, North Fremantle	Swan River foreshore and part of the Swan and Canning Riverpark. Migratory birds.
10	Hollis Park, Sandown Park and other land within the boundary of the former South Fremantle landfill site	Lot 39 Daly Street, 17 Cockburn Road and Hollis Park Reserve Fremantle	Hollis Park, Sandown Park and other land within the boundary of the former South Fremantle landfill site contains habitat and refuge for native wildlife.
11	Royal Fremantle Golf Course,	359 High Street, Fremantle	Managed as a golf course with mature, significant trees providing habitat and refuge for native wildlife.
12	Fremantle Public Golf Course	20 Montreal Street, Fremantle	Managed as a golf course with mature, significant trees providing habitat and refuge for native wildlife.

Dated [insert date D/M/Y]

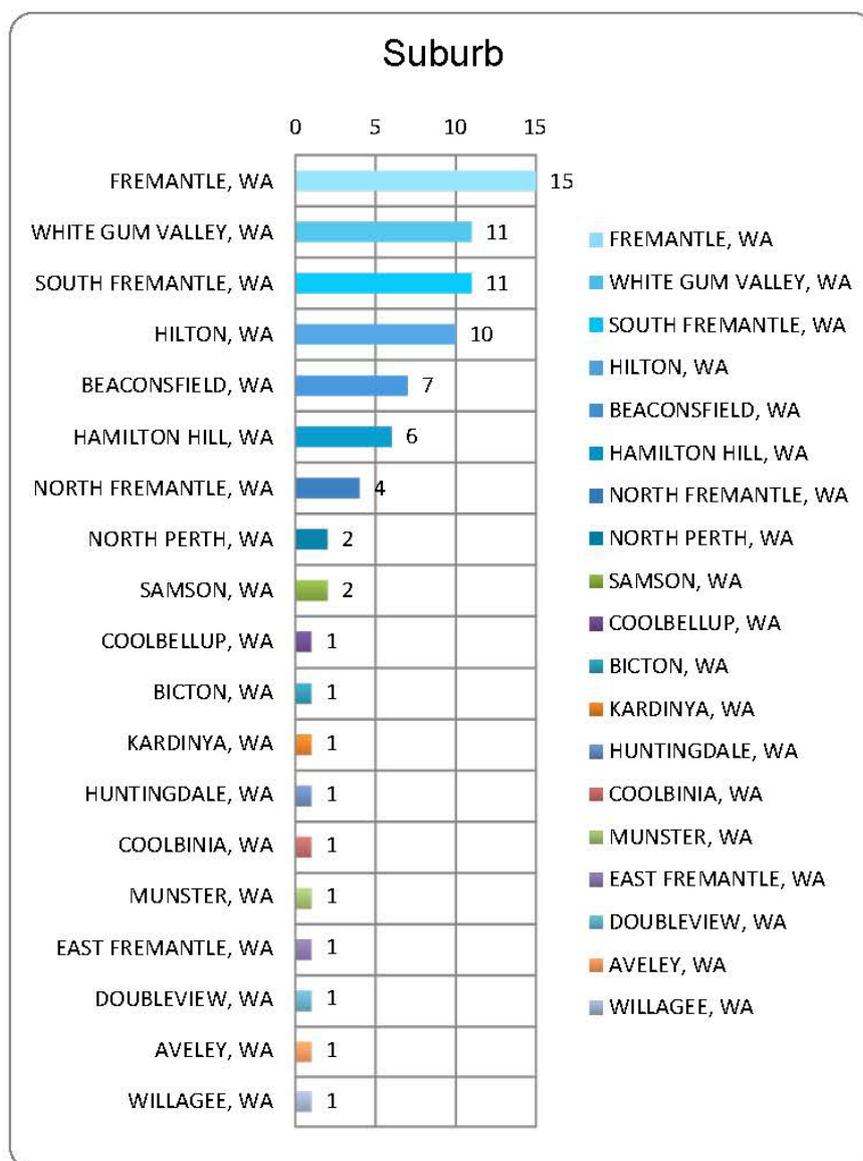
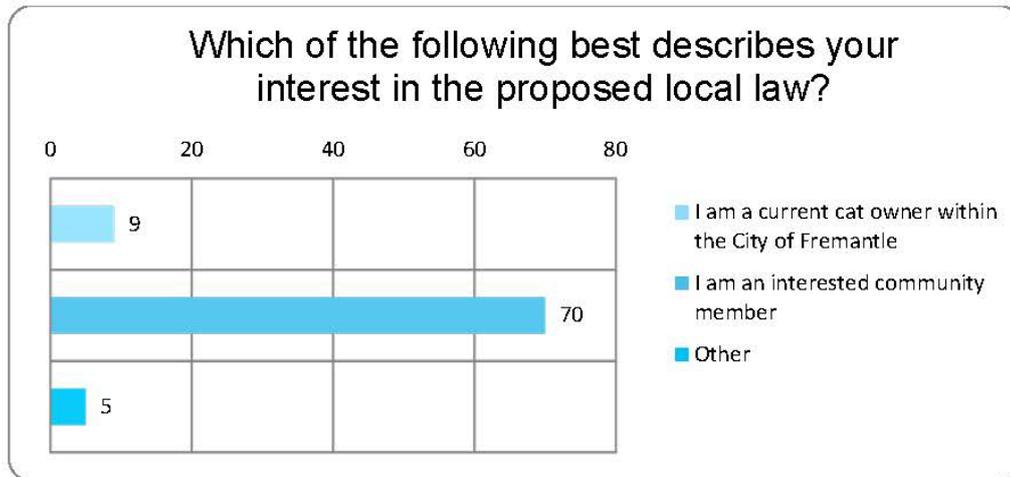
The Common Seal of the City of Fremantle)
was affixed by authority of a resolution)
of the Local Government in the presence of-)

BRAD PETTITT, Mayor

PHILIP ST JOHN, Chief Executive Officer

Agenda attachment 2 – Table of submissions received during public consultation

Cat Management Local Law Submissions



No	SUBMISSION	SUBURB
	<div style="display: flex; justify-content: space-between;"> FOR AGAINST NEUTRAL/COMMENT </div>	
1	I am supportive of the proposed local law. I have observed kittens around the skate facility at Boo Park. Anything the increases control of cats in our natural areas is needed. Too many people let their cats roam freely.	WHITE GUM VALLEY
2	The same rules that prohibit dogs from wandering at large should be applied to cats	SOUTH FREMANTLE
3	I agree with the proposed law. Having proposed cat prohibited areas where catching will occur will go a long way to reducing the cats breeding and feeding in public places.	COOLBELLUP
4	re: cats. they are hyper-predatory killing machines - the proposal is good. go for it.	WHITE GUM VALLEY
5	Great to see an increase in the control of cats in our environment. The damage that these creatures do to native wildlife is incredible. I'd highly recommend a trip to Karakamia in Chidlow to see just how plentiful our local marsupials can be without feral predation. I think it would be interesting to know what would happen with unregistered cats. Presumably they'd be sent to a shelter and/or put down?	HILTON
6	Just like dogs if they are on a lead they should be allowed. If not on a lead not allowed. Plenty of people are teaching their cats to walk on leads.	NORTH FREMANTLE
7	<p>Can we please have the restriction areas increased to other Parks / Reserves in the City of Fremantle. I am a Cat owner and understand the responsibility of trying to minimize their impact on the local fauna.</p> <p>Why are these laws being implemented in park and recreation areas around most of the City of Fremantle but the suburb with the second highest number of registered Cats (Beaconsfield) has no restricted parks...</p> <p>These new laws should at least be implemented at parts of Hilton Reserve and the small park on the Beaconsfield ridge located, opposite Roscommon Cr which is next to a natural wildlife area where we have many local birds nest over Spring.</p> <p>Like most Cat owners I have been in situations where our Cat has unfortunately brought back native wildlife into the house, fortunately we were able to release the bird but we have since tried to put in place measures to prevent this from happening again.</p> <p>Can the number of parks selected for this initiative please be reviewed and increased. Our local wildlife comes under enough stresses as higher density developments increase, reducing the amount of suitable habitat available to them.</p> <p>At the very least we should be looking to implement these new Cat Management laws in a minimum of 2 reserves per suburb, this still leaves plenty of park areas available without the restriction.</p> <p>Cat and Dog owners need to be more responsible or pay the consequences of leaving their pets roam free uncontrolled and our local council needs to do more to protect the local fauna. This is a start in the right direction but it doesn't go far enough.</p>	BEACONSFIELD
8	I think this new local law is a good start however cats should not be allowed to roam about at night anywhere. They kill our precious native birds.	WHITE GUM VALLEY

9	I think it's a terrific idea and I wish there was more patrolling and capturing of uncollared (without bells to alert birds) cats!	FREMANTLE
10	I am wondering why Clontarf Hill is not on this map? I wish to propose that Clontarf Hill also be included.	HAMILTON HILL
11	How are you going to police this cat law, currently, there are dogs every day on the non dog beach, but where are the rangers I've seen 4 in 24 years at Leighton Beach. If you don't have the rangers to police these areas, are you going to pull them out of thin air to police the cat laws. You are really not serious about this issue, of destruction & killing of wildlife by cats. If I take a dog out on a lead in the, morning, lunch time, sunset & the evening I see cats, roaming without bells, you need to make it law that all cats have a collar with 3 bells, not that this helps anyway	NORTH FREMANTLE
12	I fully support the move by Council to manage cats in all parts of the city and especially in the designated areas. Cats are so dangerous to native animals, birds and reptiles. Cat owners should face substantial fines which should be wholly channeled to conservation activities.	SOUTH FREMANTLE
13	Excellent! Cats kept as domestic pets (just like dogs) should be prohibited in certain areas. I'd like to see this law rolled out to all public areas within councils and potentially private properties. At the moment, there are no laws that inhibit cats from roaming.	BICTON
14	I think this is a great idea and should be spread across other suburbs	KARDINYA
15	Excellent step to protect native wildlife. Even stricter would be better to prevent any night time wandering but this is a good step.	HILTON
16	My concern is that it is a disincentive for people to register their cats. It punishes those who do the right thing (partially) by registering their cars. In order to make a real difference as is being done successfully overseas, TNR (Trap, Neuter, Release) is something that has yet to be adopted or even trialled in WA. Would love to see an innovative council like Freo be the first. Wandering and feral cats are a problem but not nearly as big a problem as the humans who have caused it.	FREMANTLE
17	As a people that live near these spaces with cats there is no way to control a wondering animal and their natural instincts. To make sure they don't hurt wildlife you feed them and keep them engaged at home so that they don't need to hunt. The most the city of freo should do is make sure the cats are registered and are desexed. Limiting the number of cats a house hold has is also unreasonable as multiple people may live together with multiple cats. You should trust the residents of the city of freo to do as they see fit.	HILTON
18	I'm in favour of any measures which will protect small animal and bird life. I have been a cat owner.	HILTON
19	I completely support anything that will restrict the movement of cats and help I price our native wildlife. Whilst this nowhere near enough it is still a step in the right direction and I congratulate the Fremantle council for their work in this matter.	HUNTINGDALE

20	I think the proposed law is a start but not enough. I think all cats should be kept indoors / in a cat enclosure in your yard/ or on leash. There is no way to keep cats out of your prohibited areas before they may have already killed native animals. I am tired of neighborhood cats pooping/markings in my garden and running loose on my property. It's illegal for dogs and their owners to do this why is it alright for cats? I have seen dead birds ripped to shreds near our house the cats do harm outside of your proposed areas. Please have cat owners be as responsible as you require dog owners to be. They should be required to pick up their cats poop and have their animals under their control otherwise cats should not be let out to just roam all day.	FREMANTLE
21	I am definitely in favour of this! We have few enough areas for wildlife as it is, cats should be kept inside, in a run, or on a leash.	HAMILTON HILL
22	This is a much needed initiative that evidence shows will strongly contribute towards protection of native wildlife. I would support the widespread implementation of this, as well as laws even stricter on cat ownership and where cats are prohibited. Congratulations for the progress so far.	NORTH PERTH
23	Great idea, can you also include Clontarf Hill please	HAMILTON HILL
24	These proposed laws don't go far enough. They should apply to any cat found outside of the owners premises. Dog owners aren't allowed to let dogs roam the streets or other peoples back yards, why are cat owners allowed to do so? Cats also kill far more native wildlife than dogs do. I have lots of different cats wandering though my backyard at dawn and dusk multiple times a week. None have bells, some have collars. All are on the prowl for wildlife. It's a disgrace on both the owners and the council allowing it.	HILTON
25	This is a great idea and one that I wholeheartedly support. Thanks City of Fremantle for proposing this.	HILTON
26	Excellent idea	HAMILTON HILL
27	Please also control dogs, people are so selfish about letting dogs off lead and out of eye sight. Seriously in south beach park ALL the time there are dog owners without care for the signs and the place smells bad! Dog owners for example allow dogs off leash in boo park and the wetland vegetation, which keeps trying to grow is repeatedly destroyed by dogs dragging through the wateredge. I don't usually contact the city because I think you are quite impolite in the way you communicate.	FREMANTLE
28	As a veterinarian, conservation scientist and animal welfare policy manager, I applaud Fremantle Council for proposing this cat management local law to protect cats and wildlife and promote responsible cat ownership. I would also highly recommend that the introduction of such local laws be accompanied by community education about cat containment. There are existing resources Fremantle Council could draw upon for example the RSPCA Australia 'How can I keep my cat happy & safe at home' guide and RSPCA VIC/Zoos Victoria Safe Cats, Safe Wildlife campaign.	SOUTH FREMANTLE
29	Cats should be prohibited outside or only kept in enclosure. This law is not strict enough. How are you going to prevent them from not entering the cat free zones?	HAMILTON HILL

30	I am not sure how a management plan that restricts cats in some areas is going to work. I believe that the only way to reduce the impact of cats is to licence them in the first instance and then enforced sterilisation if their impact isnt reduced. I understand that this may impact on elderly people - I'm am relatively elderly myself - who may see their cat as their companion but we really need to start turning the titanic of community attitudes on this one. I may be a little facetious on this one but no one would want to see fremantle residents having crocodiles as pets, and while cats mightn't be able to kill people, they can kill local fauna and they can cause insomnia with their middle of the night calling. I encourage the council to take firm steps to regulate cats in the city, with the view to limiting their ownership to residents who control their cats behaviour and breeding tightly.	SOUTH FREMANTLE
31	Cats should not be allowed to roam in public spaces unless under control similar to a dog. All parks should be cat free, with owners fined if their cat is found to be roaming. If this law is enforced by rangers, then this is going to take rangers aware from more important environmental day to day activities. If additional resources are to be employed, then prior to implementation this needs to be better outlined to the rate payers on how it will be funded and what other services will be reduced to pay for this service. If this law is not enforced, then the law is worth nothing!	SAMSON
32	Yes we need to stop domestic cats (and feral) from killing millions of insects, lizards, frogs and birds etc, every year	COOLBINIA
33	It is fantastic that you wish to prohibit cats in certain areas. However, have you asked why cat owners let their cats out to roam? Could it be that they wish to provide their feline with some exercise. Can we please these locals with installing an enclosed outdoor cat gymnasium for cats to meet and exercise during the day. It would increase social capital amongst the cat loving community and have wellbeing benefits for both cat owners and the general public.	MUNSTER
34	I support this initiative. Anything that helps reduce the impact of cat predation on our native fauna is a step in the right direction. This initiative also has significant potential to educate the public on predation impacts, ways to manage cats better and hopefully to discourage ownership altogether.	EAST FREMANTLE
35	I want to thank the City of Fremantle for protecting wild life but also protecting owners of cats who don't stray into the designated areas from vigilante like behaviour if restriction was the boundary of the home where the cat lives. Our cat lives in two homes, ours and our neighbours. He is our cat, 8 years old, but started spending a lot of time next door when their old dog died. He is a comfort to them and they love him as we do. Imagine his fate if the City had ruled all cats must be retained on their property. He has no ability to catch birds, he cant even climb trees. To accommodate this restricted ability our neighbours cut a hole in their fence. Such is the joy this cat shares. Thanks once again City of Fremantle for not going too far or bowing to excessive demand.	NORTH FREMANTLE
36	Domestic cats pose one of the most significant risks to native wildlife. They should be widely prohibited. This proposal to restrict them from a few designated areas is good but very conservative.	NORTH FREMANTLE
37	Perhaps a warning and some info on how to keep your cat closer to home/at home. Some may not be able to afford to build a netting for their property to their cat in and furthermore, many cats who have been outdoors most of their life won't enjoy being enclosed. Cats will roam.	NORTH PERTH

38	If, as seems to be the case, that cats in Fremantle need to be registered, as per dogs, what will happen to non-registered cats caught in the prohibited areas? I imagine retention in the Fremantle pound and if not claimed within a certain period they'd be destroyed would be appropriate. Any moves to limit the damage to our native wildlife caused by wandering cats, especially at night time, is a good thing. In my view, as per with dogs, cats should be required to be kept within the property boundaries of their owner day & night, unless on a lead (and yes, I have seen cat owners 'walking' their cats). If dogs must be kept within property boundaries, so should cats.	SOUTH FREMANTLE
39	I welcome any law to control cats. I think they should have to be registered, kept indoors or in a cat cage.	WHITE GUM VALLEY
40	Support the proposed law	DOUBLEVIEW
41	Fully support this proposal. In fact I wish more was done to check up on cat ownership and steralisation. The randy cat calling in the evenings suggest they were never steralised in the streets near me.	BEACONSFIELD
42	Go ahead with laws. Too many cats left to roam leading to excess kittens & therefore feral cats. This only brings Fremantle into line with other shires	FREMANTLE
43	I certainly support a City of Fremantle Cat Management Local Law. In fact, I would prefer a 24-hour cat curfew, requiring residents to keep cats within their property at all times.	BEACONSFIELD
44	It is a good start but it seems to me that the prohibited areas are too small. Looking at the map they cover only a tiny percentage of the city.	BEACONSFIELD
45	'It's a start to a policy, however it doesn't go nearly far enough. I'm not convinced that the late night, quiet and evasive nature of cats will be easy to detect in restricted areas. A few may be picked up but majority I believe would go through undetected. What ultimately is required is the same laws as those applied to dogs. - Always behind closed gates - so no free ranging on streets - Always on leads if out walking If not the above then the inclusion of cat traps in the restricted zones to help ensure cats out and about do get picked up. However there is also wildlife in many backyards and people who don't have cats should have the ability to choose to have a cat free garden, to choose to have an australian bird and frog attracting garden which is not at threat of being killed by neighbours' cats. We put leads on dogs to protect people and wildlife, cats are a far greater threat to our sensitive environment currently under huge strain.	HILTON
46	I'm a cat owner and lover but this is a no brainer. I fully support the ban on cats in conservation reserves.	AVELEY
47	The potential impact of domestic cats on wildlife is the subject of growing local, state, federal and international interest and concern. Although killing behaviour among domestic cats varies widely, it is estimated that a domesticated cat would kill, on average >70 animals annually. Managing the effects of domestic cats on our local wildlife is a challenge and I believe that the adoption of the City of Fremantle Cat	WHITE GUM VALLEY

	Management Local Law would assist in promoting more accountability for pet owners and encourage the to take responsibility of their pet's potential kill behaviour. Doing so will result in both an improvement to cat welfare and a reduction to wildlife impacts.	
48	I beleive that we should control the movement of domestic cats and seek to eradicate feral cats from our local environments. I planted a bird friendly garden which I love, but unfortunately so do the neighbourhood cats- as their private game park! I appreciate the right to have pets but with that should come responsibility to keep them on your own property and not allow them to hunt and roam. Making the designated sites for the enactment of the cat regulations is a good start. I wish controls and fines were stronger.	FREMANTLE
49	I am in support of any efforts to reduce cat numbers in local reserves as I am aware how far they travel at night when hunting and I am aware They fight, spread diseases like feline HIV And kill many small animals like geckos birds skinks etc. in an effort to educate the community maybe the city of Freo could distribute the gps data on how far cats travel at night. https://mashable.com/2016/05/26/cat-roam-maps/ I keep my cat inside the house except for about 1-2 hrs a day!	HILTON
50	I fully support the proposed cat managment local law. I feel they are not far reaching enough. Cat wandering should be further discouraged. Possibly a night curfew? Also non registration should be prosecuted, I believe I have never seen a cat with a registration tag - and according to the Act from 1 November 2013, "owners of cats (over the age of 6 months) must ensure they have their feline pets: Micro-chipped, wearing a collar and registration tags - for identification purposes if the animal becomes lost or injured. Sterilised – unless being used for breeding purposes by an approved breeder. Registered – with their local council. " The damage that wandering cats do to wildlife and the nuisance caused by upsetting other domestic pets e.g. indoor cats, dogs, birds is cause for much disturbance to community members trying to do the right thing.	BEACONSFIELD
51	I think this is a great step forward in protecting some of the natural wildlife from wandering hunting cats, and making cats owners more accountable for the habits of their cats. Well done City of Fremantle. Great start, hopefully it could go further in the future in protecting all of our natural areas, and lets face it all our urban streets and gardens are full of birds and geckos and the likes. I recently had a cat jump on my front verandah the other night with a lovely willy wagtail dead in its mouth, I was very upset and had seen this cat around my place before. My garden is full of birds everyday, so hopefully in the future we can go further to prohibit cats being on others' property and killing beautiful wildlife. But well done, hold out to all those cat lovers out there who say their lovely little "Polly" doesn't ever kill anything, and its too hard/cruel to keep my cat in, and make these cat lovers more accountable and try to be bird lovers as well. Good luck, and I might be investing in a cat trap myself soon.	WHITE GUM VALLEY
52	I think the proposed law is a great idea. While I'm a cat lover and I have one myself, I don't think cats should roam free all over the place, particularly not at night. I'd also support laws to make it mandatory to keep cats locked inside at night, or even more often. That way the birds, small mammals and other natives are better protected.	FREMANTLE
53	I agree with this proposal	SOUTH FREMANTLE

54	<p>You are forgetting areas which also contain native wildlife, such as bush area next to South Fremantle High School (now Fremantle College). Also Hilton Reserve, and especially on Clontarf Hill. Also around the Fishing Boat Harbour, Success Harbour seems to have feral cat populations.</p> <p>I am not sure if Rottnest Island falls under Fremantle, or if it still has a problem with cats, but that maybe added. In fact any park areas should really be added, as birds/wildlife rely on these areas, amongst the urban sprawl.</p>	HAMILTON HILL
55	<p>I support the strongest level of local provisions to protect wildlife within the Fremantle area from domestic cats.</p>	SOUTH FREMANTLE
56	<p>I agree with the council's proposed local law that will impose stricter conditions on the owners of wandering cats. If anything I would like the laws strengthened to include cats found in any public space in Fremantle. I have a dog that I am required to keep contained to my own property, I see no reason why cat owners should be allowed to let their animals wander. As an environmental scientist and former natural resource manager, I am fully aware of the devastation domestic cats have on local wildlife.</p>	FREMANTLE
57	<p>I would love to let my cat outside unsupervised but he has discovered he can jump the fence. Would council consider subsidizing cat fence toppers to keep them safely in our own yards if this is passed?</p> <p>I also have a dog and no longer let him use it in order to keep the cat in.</p> <p>Would love a bit of financial assistance to keep pets safe and happy while doing the right thing for the community.</p>	HILTON
58	<p>Great initiative! as much as i love cats, i love wildlife more. Small reptiles, insects and birds are essential for healthy ecosystems - cats kill all of these. they are voracious hunters, sometimes without even their owners knowing. Please ban cats from any area of bush.</p>	HILTON
59	<p>Thank you for proposing cat prohibited areas. This is long overdue to protect declining wildlife. I would like to even go as far as requesting people to keep their cats indoors during the night. No other pets are roaming the streets at night, entering other people's gardens where they kill wildlife and leaving faeces.</p> <p>I hope the cat trapping in the proposed cat prohibited areas will be undertaken often and compliance policed. Thank you.</p>	WHITE GUM VALLEY
60	<p>I fully support this and would love for even more restrictions for cat owners. I am tired of cats killing the native wildlife in and around my yard.</p>	FREMANTLE
61	<p>My interest in this matter comes mainly from a wildlife perspective, however, the by-law could also have important welfare management implications for the cats themselves. Suburban environments are important areas for biodiversity, supporting large numbers of threatened species. Yet cats are ubiquitously distributed in these environments and are having a significant impact on native fauna. According to a new book "Cats in Australia: companion and killer" (Woinarski, Legge & Dickman, 2019), each pet cat kills an average of 75 animals per year. With an estimated 4 million pet cats in Australia, the cumulative predator-induced effects on wildlife arising from cats are of concern. Cats not only directly impact wildlife through predation, but can change the behaviour of the prey species, causing fear and a reduction in parental care (Greenwell 2019).</p> <p>I have seen first hand, the devastating impacts that can arise from a single, free-roaming cat. Last year, a threatened seabird colony of Fairy Terns in Mandurah was subject to persistent incursions at night by a desexed cat over several nights, which led to</p>	WILLAGEE

	<p>the death of six adults, at least 40 chicks, and ultimately, the abandonment of 111 nests. I have attached a copy of the published findings for your information.</p> <p>In direct response to this event, the City of Mandurah formed a cat working group and their new local cat by-law was passed unanimously by city councillors. I have attached a link to the by-law for your information (Page 116 onwards: https://www.mandurah.wa.gov.au/-/media/Files/CoM/City-and-Council/Council/Council-and-Committee-Meetings/Agendas-and-Minutes/2019/Council/Council-Meeting-Agenda-Jul-23.pdf). In addition to restricting cats from important biodiversity conservation areas, the by-law provides legislative powers with respect to nuisance cats (i.e. the potential confinement of cats for up to 28 days). Such regulation has strong merit and would be widely supported in the community, given the problem that we are seeing in relation to free-roaming cats. For context, my neighbour's cats are free to come and go from my yard, use it as a toilet, stalk birds and reptiles in my native, bird-attracting garden etc, and there is nothing I can do about it. The City of Mandurah has included such a rule that would allow notices to be issued to the owners of cats who are causing a nuisance. While traps can be loaned to residents where cats are causing a nuisance, their use is limited to 18:00 to 08:00 and relies on the cat entering a trap. Not all cats are trappable and if a cat has been trapped previously, it is unlikely to re-enter a trap in the future.</p> <p>Targeted education programs that highlight the welfare benefits that arise from restricting pet cat movement and encourage wildlife-friendly cat husbandry, implemented at community- and state-levels, could be used to drive change in attitude and behaviour among cat owners. Link to article</p>	
62	<p>Is this really required ? There are already cat laws in place and an additional law seems like unnecessary overkill and a waste of tax payer funds for something that already exists in other pieces of legislation.</p> <p>I do not support the proposed local law</p>	WHITE GUM VALLEY
63	<p>I hate it this proposed new law. We live in suburbia, not a national park. I agree with keeping cars out of national parks and rural areas, but not in towns and suburbia. I think 'man' has caused more problems to nature in our suburban townships than animals. Please stop telling us all what to do. First the dogs on leads in Samson Park , now this. Fed up as a resident - would prefer Council to look at making FREMANTLE a more safer, inclusive, and prosperous place to live. Stop being a nanny council!</p>	SAMSON
64	<p>I am greatly in favour of this law. A device is available for owners to track their cat's movements, and I would like the council to run a study. Most owners would be surprised at how far their cats can roam and what they get up to. I think this would be very educational for owners and lead to more cats being kept in at night. The results could be collated and shown on the council website.</p>	FREMANTLE
65	<p>I am supportive of this proposal and any measure to keep cats out of our natural areas. Critically, this Local Law must be accompanied with a substantial and targeted trapping effort in those reserves for it to actually have any notable impact. A holistic control program for foxes and rabbits should be undertaken in tandem with any cat trapping, to mitigate the effects of mesopredator release (i.e. remove cats from a reserve and foxes become more prolific, or remove cats and rabbit population increases). Perhaps offering grants for people to construct 'cat runs' at home would be a useful supporting measure.</p>	WHITE GUM VALLEY

66	I'm fully in favour of this proposal. However, I am concerned about its implimentation. I say this as the current Cat Law 2011 doesn't appear to be implimented very well in my locale. I never see cats with collars and tags, indicating that they have been registered, steralised and desexed. From the noise at night it suggests they aren't desexed! Neither are they declawed, as is apparent from the prey they catch, eg, parrots!	BEACONSFIELD
67	I think it's appropriate to act to protect our local and native wildlife. We know that cats are a severe threat to native fauna, and I am very supportive of efforts to curtail their ability to access areas that support native wildlife	SOUTH FREMANTLE
68	There should be a far greater area of cat exlusions than those proposed. If not total exclusion, then a restriction of the number of cats per residence. In Delamere Lane, Beaconsfield we believe there are 10 cats within a 30-metre radius of our home. We used to have an abundance of small birds visit our yard - no longer. We are absolutely convinced the presence of cats is the reason for the absence of birds.	BEACONSFIELD
69	I support this proposed local law. I am most familiar with Booyeembara Park and this Park would greatly benefit from keeping cats out. They are currently often seen roaming in this reserve that is trying to re-establish an endangered ecosystem - tuart woodland. Small reptiles are repopulating the reserve and various bush and wetland birds are now successfully breeding in the Park so need protection from the cat.	WHITE GUM VALLEY
70	I fully support the proposed Cat Management process and think it should apply to all cats in all areas not registered or not at their registered home address.	SOUTH FREMANTLE
71	I believe all cats once they have left the confines of their owner's home represent a significant threat to our native wildlife, hence any proposed increased cat management is welcomed, particularly in parks and bush reserves where they are most likely to do the most damage to our already threatened wildlife. From discussions I've had, including recently with cat owners, I continue to be gobsmacked at the level of ignorance and denial that cat owners display when they try to convince me that their cats do not kill wildlife, albeit after they've freely admitted their cats are free to roam at night! Cats are the world's most efficient and ruthless hunters and killers. Cute and cuddly (when they choose to be) they may be fireside in someone's home, but beyond those four walls, the cutest of them becomes a predator.	SOUTH FREMANTLE
72	I am all for trying to keep cats out of parks and bushland, and even neighbours back yards! We have not have a cat but have neighbours cats killing small birds in our yard. Also, I regularly see cats exiting from Boo Park in the very early morning.	WHITE GUM VALLEY
73	it should be the whole of Fremantle. When we had a cat it was locked up every night and not allowed to roam. My house at the moment is frequented by about 6 different cats that wander through my premises at night and use my garden as the local toilet!! I think the council should capture any cat that is roaming at night and prosecute their irresponsible owners.	SOUTH FREMANTLE
74	I think this is great, and about time we see laws like this come into place to protect our native species. Would love to see fines for any cats outside at night!	FREMANTLE

75	<p>I have reviewed the proposed changes to local law relating to cats in the City of Fremantle. Thank you for the opportunity to comment on this issue. The policy makes an excellent beginning. I applaud having cat-free zones. I have observed domestic cats hunting wildlife at Booyeembara Park in broad daylight. Allowing these animals to be trapped will be an asset to the wildlife at Booyeembara Park and assist in meeting the City of Fremantle's Land and Nature targets of increasing biodiversity. I would like the new local laws to consider private backyards as assets contributing to biodiversity in the City of Fremantle also – not just public parklands. As a Fremantle resident I feel the changes to the cat policy do not go far enough. I site several examples as follows:</p> <ol style="list-style-type: none"> 1. Allowing Cats to Roam – the City of Fremantle website states that "...Most people are aware that cats should be brought in during the evening to reduce hunting..." Most cat owners may be aware of this but there are no guidelines or subsequent penalty for letting cats roam at night. An example of how this impacts our community is my neighbours let their cats roam freely at night and they enter my property and hunt (and eat live) the native frogs and fish living in my pond. There is nothing I can do according to City of Fremantle laws about this and I now have no more native frogs or fish in my pond and don't see any small birds around my property. 2. Removal of Cat Excrement – the City of Fremantle website states that there are \$100 fines for dog owners who don't manage their dog excrement. This should be the same for cat owners also. An example of how this impacts our community is my neighbours let their cats roam and they come into my courtyard and leave excrement. According to City of Fremantle laws there is nothing I can do about this situation, unless the animal is a dog. 3. Cats as a Health and Safety Risk – the City of Fremantle website has a section on dog attacks and writes about dogs as though they are a potential danger in our community, but not cats. According to reporting in ABC news (https://www.abc.net.au/news/2018-11-29/cat-attack-warning-after-stray-savages-fremantle-woman/10562828) a Fremantle resident spent three days in hospital following a cat attack. Cats pose a significant health and safety risk to local Fremantle residents, which is not addressed adequately by the City of Fremantle. 4. Cats as a Nuisance – The City of Fremantle website has a lengthy section on dogs barking as a nuisance but no comparable information for cats as a nuisance. Although cats are inherently quiet animals, they do fight and cat call, especially during the night. An example of how this impacts our community is that I am regularly woken up at night by cats fighting near my house as the owners of the cats have allowed them to roam freely at night. 5. Cats as an Ecological Hazard – the City of Fremantle website has a section on "One Planet – Sustainability – Land and Nature". The current policies around cats are not in keeping with the city's stated corporate and community targets which both state "...increasing levels of biodiversity..." Allowing cats to roam freely does not support these targets. Further, the City of Fremantle website link to "feral animal control" writes at length about feral rabbits, with no mention of feral cats. Feral cats live in Fremantle and feral cats are a specific issue that needs to be addressed. 	FREMANTLE
76	<p>Re: Proposed Cat Management Local Law</p> <p>I applaud the City of Fremantle for proposing a law to further control cats. Like their feral counterparts, domestic or stray cats take a variety of prey. Despite access to human-derived foods, cats in urban environments will routinely prey on small mammals and birds, and this predatory behaviour has contributed to the decline of urban populations of naïve species such as bandicoots. Cat prohibited areas, if effectively managed, have the potential to improve the conservation values of the Fremantle urban</p>	FREMANTLE

	<p>environment. 'Effectively managed' is the key criterion in this respect. I therefore ask the following:</p> <ol style="list-style-type: none"> 1) What additional resources will be used to police the cat prohibited areas? 2) If a domestic cat is caught repeatedly, is there an option to destroy the animal? 3) Will the data on trapping effort and trapping outcomes be available for public scrutiny? <p>In addition, I feel that the benefit of the cat prohibited areas will be undermined if their creation is not coupled to stronger control of the large domestic pool of cats in the surrounding suburbs. Periodically removing several cats from a given protected area will presumably provide new opportunities for surrounding domestic or stray cats to expand their home range. In light of this I propose the following:</p> <ol style="list-style-type: none"> 1) Introduce a cat curfew (at least in the streets surrounding each cat prohibited area but more broadly would be most effective) – this would reduce the probability of new domestic or stray cats expanding their home range into the prohibited area and predated on wildlife. 2) Introduce a no cat buffer around the cat prohibited areas. This could be a staged policy stating that no new cats can be kept in the streets surrounding each cat prohibited area. 3) Toughen the current laws around domestic and stray cats. At present we are obliged to accept cats roaming the neighbourhood, especially at night. We wear the consequences of finding the remnants of a cat's kill even if it is a neighbour's cat. I am aware of the current trapping policy for nuisance cats but I feel that many residents would be reluctant to hire a trap and then convey the trapped cat to the Cat Management Facility. <p>The proposed cat prohibited areas are a step in the right direction. However, I feel there is a reluctance to tackle the broader problem of wildlife predation by domestic cats. I suggest that the City of Fremantle uses cat management as an opportunity to implement progressive policy on conservation management in an urban environment.</p>	
77	<p>I fully support this Cat Management Proposal. I support all measures that can better protect our biodiversity. I witness daily in our neighbourhood the destruction that cats cause. I have seen them hunting and killing many native creatures- birds, geckos, lizards, dragonflies, frogs etc</p>	FREMANTLE
78	<p>In my area in Fremantle we have troublesome cats on our property at all hours of day and night defecating in the garden and hunting and killing the birds, frogs etc. There don't seem to be any responsible cat owners. I would like to see cat owners keeping their cats on their own property and hopefully stopping them from killing the native wildlife. In as much as these proposals are a small step in this direction I fully support them and would urge the council to take further measures too to bring the cat problem under control.</p>	FREMANTLE

**C2005 - 7 NATIONAL REDRESS SCHEME (PARTICIPATION OF WA
LOCAL GOVERNMENTS)**

Agenda attachment 1 – Local Government Information Paper (February 2020)



National Redress Scheme for Institutional Child Sexual Abuse

**Department of Local Government, Sport
and Cultural Industries**

Information Paper

3 February 2020

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1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS

The Western Australian Government (the State), through the Department of Local Government, Sport and Cultural Industries (DLGSC), has been consulting with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme (the Scheme) with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Following this initial consultation and feedback gathered, the State Government considered a range of options regarding WA local government participation in the Scheme and reached a final position in December 2019.

DLGSC, supported by the Departments of Justice and Premier and Cabinet, will again engage with WA local governments in early 2020, to inform of the:

- State's decision and the implications for the sector (see [Section 4](#));
- Support (financial and administrative) to be provided by the State; and
- Considerations and actions needed to prepare for participation in the Scheme from 1 July 2020 (see [Section 5](#)).

DLGSC's second phase of engagement with WA local governments is summarised in the table below:

Description and Action	Agency	Timeline
Distribution of Information Paper to WA Local Governments	DLGSC	3 February 2020
WALGA hosted webinar	DLGSC / DPC	18 February 2020
Metro and Country Zone meetings	WA LG's / DLGSC	19 to 24 February 2020
State Council meeting – Finalisation of Participation arrangements	WALGA	4 March 2020
WALGA hosted webinar – Participation arrangements	DLGSC/ DPC	Mid-March 2020

Further information about the Royal Commission is available at [Appendix A](#) and the National Redress Scheme at [Appendix B](#) of this Information Paper.

The information in this Paper may contain material that is confronting and distressing. If you require support, please [click on this link](#) to a list of available support services.

2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

The WA Parliament passed the legislation required to allow for the Government and WA based non-government institutions to participate in the National Redress Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018* (WA) took effect on 21 November 2018.

The WA Government commenced participating in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), Local Governments may be considered a State Government institution.¹

There are several considerations for the State Government and Local Governments (both individually and collectively) about joining the Scheme.

The State Government considers a range of factors relating to organisations or bodies participation in the Scheme, before their inclusion in the declaration as a State Government institution. These factors include the capability and capacity of the agencies or organisations to:

- Respond to requests for information from the State Government's Redress Coordination Unit within prescribed timeframes;
- Financially contribute to the redress payment made by the Scheme on behalf of the agency or body; and
- Comply with the obligations of participating in the Scheme and the Commonwealth legislation.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's declaration. This was to allow consultation to occur with the local government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

¹ Section 111(1)(b).

3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

The Department of Local Government, Sport and Cultural Industries (DLGSC) has been leading an information and consultation process with the WA local government sector about the Scheme. The Departments of Justice and Premier and Cabinet (DPC) have been supporting DLGSC in the process, which aimed to:

- Raise awareness about the Scheme;
- Identify whether local governments are considering participating in the Scheme;
- Identify how participation may be facilitated; and
- Enable advice to be provided to Government on the longer-term participation of WA local governments.

DLGSC distributed an initial *Information and Discussion Paper* in early January 2019 to WA local governments, the WA Local Government Association (WALGA), Local Government Professionals WA (LG Pro) and the Local Government Insurance Scheme (LGIS). Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments and involved:

- an online webinar to 35 local governments, predominantly from regional and remote areas;
- presentations at 12 WALGA Zone and LG Pro meetings; and
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations that the local government sector had, at the time, a very low level of awareness of the Scheme prior to the consultations occurring, and that little to no discussion had occurred within the sector or individual local governments about the Scheme. Local governments were most commonly concerned about the:

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

LGIS Update (April 2019) – National Redress Scheme

LGIS published and distributed an update regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

WALGA State Council Resolution

The WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

It is understood that this recommendation was made with knowledge that it is ultimately a State Government decision as to whether:

- Local governments can participate in the Scheme as part of the State's Government's declaration; and
- The State Government will fund local government redress liability.

4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME

Following the initial consultation process, a range of options for local government participation in the Scheme were identified by the State Government including:

1. WA Local governments be **excluded** from the State Government's declaration of participating institutions.

This means that: local governments may choose not to join the Scheme; or join the Scheme individually or as group(s), making the necessary arrangements with the Commonwealth and self-managing / self-funding all aspects of participation in the Scheme.

2. WA Local governments be **included** in the State Government's declaration of participating institutions.

There were three sub-options for ways local government participation as a State Government institution could be accommodated:

- a. Local governments cover all requirements and costs associated with their participation;
- b. The State Government covers payments to the survivor arising from local governments' participation, with costs other than payments to the survivor (including counselling, legal and administrative costs) being funded by local governments; or
- c. An arrangement is entered into whereby the State Government and local governments share the requirements and costs associated with redress – for example, on a capacity to pay and deliver basis.

The State Government considered the above options and resolved via the Community Safety and Family Support Cabinet Sub-Committee (December 2019) to:

- Note the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Note the options for WA local government participation in the Scheme;
- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

KEY ASPECTS OF THE STATE'S DECISION

For clarity, the State's decision that means the following financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). *

* note – The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

This decision was made on the basis that:

- State Government financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.
- The demonstration of leadership by the State Government, as it will be supporting the local government sector to participate in the Scheme and recognising the WALGA State Council resolution of 3 July 2019, is consistent with the local government sector's preferred approach.
- Contributes to a nationally consistent approach to the participation of local governments in the Scheme, and particularly aligns with the New South Wales, Victorian and Tasmanian Governments' arrangements. This provides opportunity for the State Government to draw on lessons learned through other jurisdictions' processes.
- Ensures a consistent and quality facilitation of a DPR (by the State) if requested by the survivor.
- State Government financial support for any local government redress claims does not imply State Government responsibility for any civil litigation against local governments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating with the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

Following the State's decision, a range of matters need to be considered by each local government and in some cases, actions taken in preparation for participating in the Scheme, these include:

CONFIDENTIALITY

- Information about applicants and alleged abusers included in RFIs (Requests for Information) is sensitive and confidential and is considered protected information under *The National Redress Act*, with severe penalties for disclosing protected information.
- Individual local governments will need to consider and determine appropriate processes to be put in place and staff members designated to ensure information remains confidential.

APPLICATION PROCESSING / STAFFING

- The timeframes for responding to an RFI are set in *The Act* and are 3 weeks for priority application and 7 weeks for non-priority applications. This RFI process will be supported by the State (DLGSC and the Redress Coordination Unit).
- Careful consideration should be given to determining which position will be responsible for receiving applications and responding to RFIs, due to the potentially confronting content of people's statement of abuse.
- Support mechanisms should be in place for these staff members, including access to EAP (Employee Assistance Program) or other appropriate support.
- The need for the appointed position and person(s) to have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest.
- The responsible position(s) or function(s) would benefit from being kept confidential in addition to the identity of the person appointed to it.

RECORD KEEPING

- The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements of the *State Records Act 2000*.
- Consider secure storage of information whilst the RFI is being responded to.

REDRESS DECISIONS

- Decisions regarding redress applicant eligibility and responsible institution(s) are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State government does not have any influence on the decision made.
- There is no right of appeal.

MEMORIALS

- Survivors (individuals and / or groups) from within individual communities may ask about the installation of memorials. The State Government's view is to only consider memorialising groups, however locally, this is a decision of an individual local government.

6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME

In addition to the second-phase information process outlined in section 1, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration; and

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

ACKNOWLEDGEMENTS

The contents of this Information and Discussion Paper includes extracts from the following identified sources. Information has been extracted and summarised to focus on key aspects applicable to the Department of Local Government, Sport and Cultural Industries' key stakeholders and funded bodies:

- The Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report.

To access a full version of the Royal Commission's Findings and the Final Report, please follow the link at <https://www.childabuseroyalcommission.gov.au/>

- Western Australian State Government response to the Royal Commission (27 June 2018).

To access a full version of the State Government's detailed response and full report, please follow the link at

[https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-\(June-2018\).aspx](https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-(June-2018).aspx)

- More information on the National Redress Scheme can be found at www.nationalredress.gov.au.
- The full National Redress Scheme - Participant and Cost Estimate (July 2015) Report at <https://www.dlgsc.wa.gov.au/resources/publications/Pages/Child-Abuse-Royal-Commission.aspx>

FOR MORE INFORMATION

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APPENDIX A

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions² to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

- achieve best practice in reporting and responding to reports of child sexual abuse;
- eliminate impediments in responding to sexual abuse; and
- address the impact of past and future institutional child sexual abuse.

The Western Australian Government (State Government) strongly supported the work of the Royal Commission through the five years of inquiry, presenting detailed evidence and submissions and participating in public hearings, case studies and roundtables.

The Royal Commission released three reports throughout the inquiry: *Working with Children Checks (August 2015)*; *Redress and Civil Litigation (September 2015)* and *Criminal Justice (August 2017)*. The Final Report (Final Report) of the Royal Commission into Institutional Responses to Child Sexual Abuse incorporated the findings and recommendations of the previously released reports and was handed down on 15 December 2017. To access a full version of the Royal Commission's Findings and the Final Report, follow the link at <https://www.childabuseroyalcommission.gov.au/>

The Royal Commission made 409 recommendations to prevent and respond to institutional child sexual abuse through reform to policy, legislation, administration, and institutional structures. These recommendations are directed to Australian governments and institutions, and non-government institutions. One specific recommendation was directed at Local Government, while many others will directly or indirectly impact on the organisations that Local Government works with and supports within the community.

Of the 409 recommendations, 310 are applicable to the Western Australian State Government and the broader WA community.

² * For clarity in this Paper, the term 'Institution' means any public or private body, agency, association, club, institution, organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), however described, and:

- Includes for example, an entity or group of entities (including an entity or group of entities that no longer exist) that provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families
- Does not include the family.

THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

The State Government examined the 310 applicable recommendations and provided a comprehensive and considered response, taking into account the systems and protections the State Government has already implemented. The State Government has accepted or accepted in principle over 90 per cent of the 310 applicable recommendations.

The State Government's response was released on 27 June 2018 fulfilling the Royal Commission recommendation 17.1, that all governments should issue a formal response within six months of the Final Report's release, indicating whether recommendations are accepted; accepted in principle; not accepted; or will require further consideration. The WA Government's response to the Royal Commission recommendations can be accessed at:

<http://www.dpc.wa.gov.au/childabuseroyalcommission>

The State Government has committed to working on the recommendations with the Commonwealth Government, other states and territories, local government, non-government institutions (including religious institutions) and community organisations.

The State Government's overall approach to implementation of reforms is focused on:

- Stronger Prevention (including Safer Institutions and Supportive Legislation)
 - Create an environment where children's safety and wellbeing are the centre of thought, values and actions;
 - Places emphasis on genuine engagement with and valuing of children;
 - Creates conditions that reduce the likelihood of harm to children and young people.
- Reliable Responses (including Effective Reporting)
 - Creates conditions that increase the likelihood of identifying any harm;
 - Responds to any concerns, disclosures, allegations or suspicions of harm.
- Supported Survivors (including Redress).

Many of the recommendations of the Royal Commission have already been addressed through past work of the State Government, and others working in the Western Australian community to create safe environments for children. This work is acknowledged and where appropriate, will be built upon when implementing reforms and initiatives that respond to the Royal Commission's recommendations.

APPENDIX B

NATIONAL REDRESS SCHEME - FURTHER INFORMATION

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The National Redress Scheme (the Scheme):

- Acknowledges that many children were sexually abused in Australian institutions;
- Recognises the suffering they endured because of this abuse;
- Holds institutions accountable for this abuse; and
- Helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a redress-payment.

The National Redress Scheme involves:

- People who have experienced institutional child sexual abuse who can apply for redress;
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications;
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme;
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse; and
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.

The National Redress Scheme formally commenced operation on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

Importantly, the Scheme also provides survivors with community based supports, including application assistance; financial support services; and independent legal advice. The Scheme is administered by the Commonwealth Government on behalf of all participating governments, and government and non-government institutions, who contribute on a 'responsible entity pays' basis.

Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

More information on the Scheme can be found at www.nationalredress.gov.au or the [National Redress Guide](#).

SURVIVORS IN THE COMMUNITY

Throughout the five years of its inquiry, the Royal Commission heard detailed evidence and submissions, and held many public and private hearings, case studies and roundtables. Most notably, the Royal Commission heard directly from survivors of historical abuse.

The Royal Commission reported that survivors came from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutions response to abuse.

The Royal Commission, however, did not report on the specific circumstances of individuals with the details of survivors protected; the circumstances of where and within which institutions their abuse occurred is also protected and therefore unknown. Further, survivors within the WA community may have chosen to not disclose their abuse to the Royal Commission.

Accordingly, it is not known exactly how many survivors were abused within Western Australian institutions, including within Local Government contexts. Within this context of survivors in the community, who may or may not be known, consideration needs to be given to how all institutions, including local governments, can fulfil the Royal Commission's recommendation in relation to redress.

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse. This report also recommended that Governments around Australia remove the limitation periods that applied to civil claims based on child sexual abuse, and consequently prevented survivors – in most cases – pursuing compensation through the courts.

As a result of reforms made in response to these recommendations, WA survivors now have the following options to receive recognition of their abuse:

1. Pursuing civil court action(s) against the perpetrator and/or the responsible institution. The *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018* (WA) took effect on 1 July 2018, removing the limitation periods that previously prevented persons who had experienced historical child sexual abuse from commencing civil action.
2. Applying to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology. Note, to receive redress the responsible institution(s) will need to have joined the Scheme.

TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

At the time of the State Government joining the Scheme, only two jurisdictions had made a decision about the treatment of local governments. All jurisdictions have since agreed to include local governments within their respective declarations, with the exception of South Australia (SA). The SA Government is still considering their approach.

It is understood that all jurisdictions, with the exception of SA, are either covering the redress liability associated with local government participation in the Scheme or entering into a cost sharing arrangement. The table below provides a summary of other jurisdictions' positions.

Jurisdiction	Position
Commonwealth	<ul style="list-style-type: none"> No responsibility for local governments. The Commonwealth Government has indicated preference for a jurisdiction to take a consistent approach to the participation of local governments in the Scheme.
Australian Capital Territory (ACT)	<ul style="list-style-type: none"> ACT has no municipalities, and the ACT Government is responsible for local government functions. ACT has therefore not been required to explore the issue of local government participation in the Scheme.
New South Wales (NSW)	<ul style="list-style-type: none"> In December 2018, the NSW Government decided to include local councils as NSW Government institutions and to cover their redress liability. The NSW Office for Local Government is leading communications with local councils about this decision. NSW's declaration of participating institutions will be amended once preparation for local council participation is complete.
Northern Territory (NT)	<ul style="list-style-type: none"> The NT Government has consulted all of the Territory's local governments, including individually visiting each local government. NT is in the process of amending Territory's declaration of participating institutions to include local governments.
Queensland	<ul style="list-style-type: none"> Queensland is finalising a memorandum of understanding (MOU) with the Local Government Association of Queensland to enable councils to participate in the Scheme as State institutions. The MOU includes financial arrangements that give regard to individual councils' financial capacity to pay for redress.
South Australia (SA)	<ul style="list-style-type: none"> Local governments are not currently included in the SA Government's declaration The SA Government is still considering its approach to local governments.
Tasmania	<ul style="list-style-type: none"> Local Governments have agreed to participate in the Scheme and will be included as a state institution in the Tasmanian Government's declaration. A MOU with local governments is being finalised, ahead of amending Tasmania's declaration.
Victoria	<ul style="list-style-type: none"> The Victorian Government's declaration includes local governments. The Victorian Government is covering local governments' redress liability.
Western Australia (WA)	<ul style="list-style-type: none"> The WA Government has excluded local governments from its declaration, pending consultation with the local government sector.

TIMEFRAME TO JOIN THE SCHEME

Institutions can join the Scheme within the first two years of its commencement. This means that institutions can join the Scheme up to and including 30 June 2020 (the second anniversary date of the Scheme). The Commonwealth Minister for Social Services may also provide an extension to this period to allow an institution to join the Scheme after this time. However, it is preferred that as many institutions as possible join the Scheme within the first two years to give certainty to survivors applying to the Scheme about whether the institution/s in which they experienced abuse will be participating.

If an institution has not joined the Scheme, they are not a participating institution. However, this will not prevent a person from applying for redress. In this circumstance, a person's application cannot be assessed until the relevant institution/s has joined the Scheme. The Scheme will contact the person to inform them of their options to either withdraw or hold their application. The Scheme will also contact the responsible institution/s to provide information to aid the institution/s to consider joining the Scheme.

THE SCHEME'S STANDARD OF PROOF

The Royal Commission recommended that 'reasonable likelihood' should be the standard of proof for determining eligibility for redress. For the purposes of the Scheme, 'reasonable likelihood' means the chance of the person being eligible is real and is not fanciful or remote and is more than merely plausible.

When considering a redress application, the Scheme Operator must consider whether it is reasonably likely that a person experienced sexual abuse as a child, and that a participating institution is responsible for an alleged abuser/s having contact with them as a child. In considering whether there was reasonable likelihood, all the information available must be taken into account.

Where a participating institution does not hold a record (i.e. historical information), the Scheme Operator will not be precluded from determining a person's entitlement to redress. The information to be considered by the Scheme Operator includes:

- The information contained in the application form (or any supplementary information provided by a person by way of statutory declaration);
- Any documentation a person provided in support of their application;
- The information provided by the relevant participating institution/s in response to a Request for Information from the Operator, including any supporting documentation provided; and
- Any other information available including from Scheme holdings (for example where the Scheme has built up a picture of relevant information about the same institution during the relevant period, or the same abuser).

It should be noted that the 'reasonable likelihood' standard of proof applied by the Scheme is of a lower threshold (or a lower standard of proof) than the common law standard of proof applied in civil litigation – the 'balance of probabilities'. Please see 11.7 of the Royal Commission's *Redress and Civil Litigation Report (2015)* for additional information on the difference between the two.

MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

The amount of redress payment a person can receive depends on a person's individual circumstances, specifically the type of abuse the person experienced.

A person may only make one application for redress. The maximum redress payment payable under the scheme to an applicant is \$150,000 in total.

The payment of redress is made by the institution(s) found responsible for exposing the individual to the circumstances that led to the abuse.

There may be instances where one or more institutions are found to be jointly responsible for the redress payment to a person, and instances where a person may have experienced abuse in one or more different institutions. In such situations, the redress payable by an institution will be apportioned in accordance with the Scheme's assessment framework - see <https://www.legislation.gov.au/Details/F2018L00969> and method statement - see <http://guides.dss.gov.au/national-redress-guide/4/1/1>

Prior payments made by the responsible institution for the abuse to the applicant (e.g. ex-gratia payments) will be taken into account and deducted from the institutions' redress responsibility.

EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

Accepting an offer of redress has the effect of releasing the responsible participating institution/s and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person agrees to not bring or continue any civil claims against the responsible participating institution/s in relation to any abuse within the scope of the Scheme.

If a responsible participating institution/s is a member of a participating group, the person will be releasing the other associated institutions and officials within that group from any civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme.

Accepting an offer of redress also has the effect of preventing a responsible participating institution from being liable to contribute to damages that are payable to the person in civil proceedings (where the contribution is to another institution or person).

In accepting the offer of redress, a person will also be consenting to allow the participating institution/s or official/s to disclose the person's acceptance of redress offer in the event that a civil claim is made. The Scheme must provide a copy of the person's acceptance of offer to each responsible institution for their records once received.

Note – the acceptance of an offer of redress does not exclude the pursuance or continuance of criminal proceedings against the abuser(s).

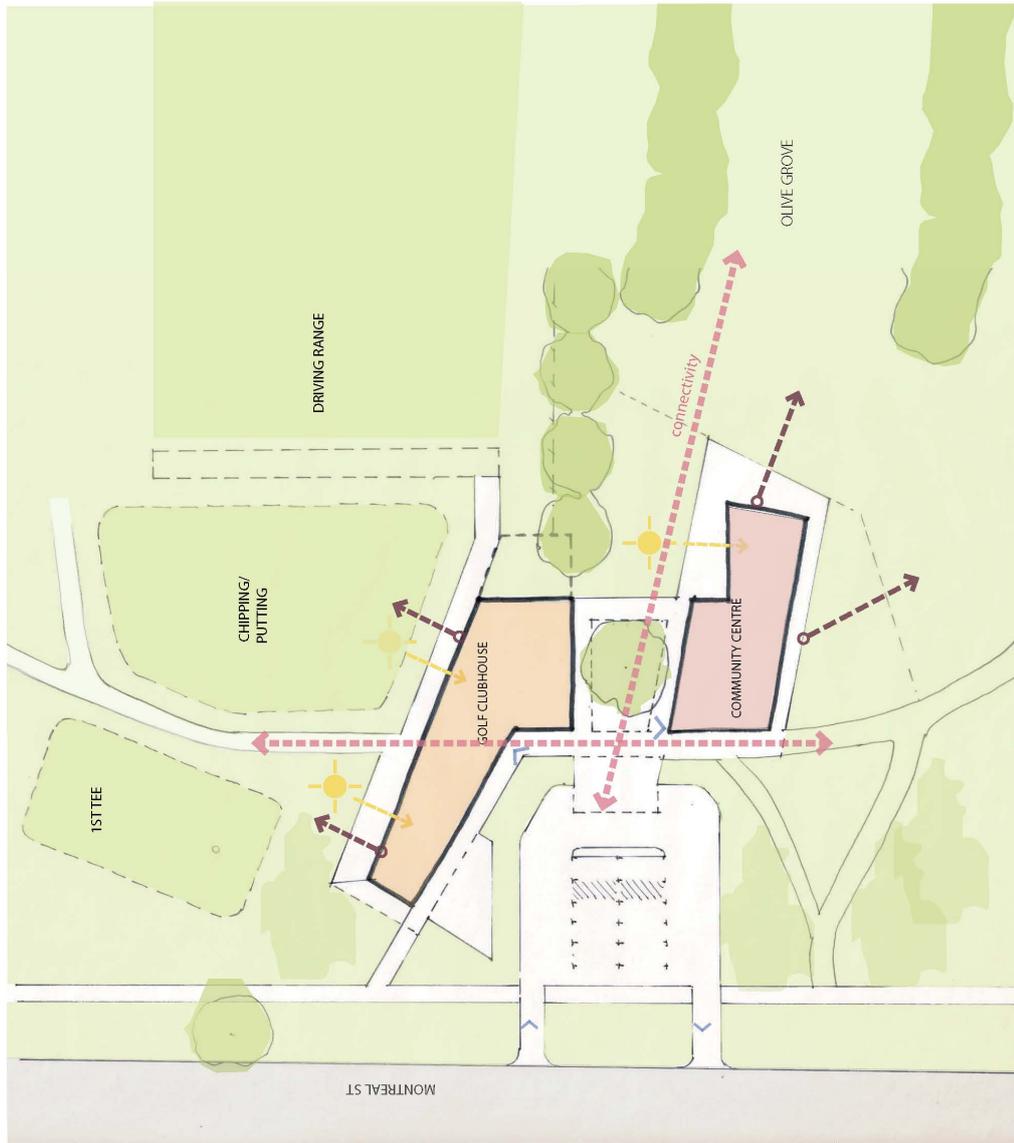
C2005 - 8 FREMANTLE GOLF COURSE AND COMMUNITY BUILDING

Agenda attachment 1 – Fremantle Public Golf Course - Final Design



Agenda attachment 2 – Fremantle Golf Clubhouse and Community Centre - Preferred Preliminary Revised Concept Diagram

FREMANTLE GOLF CLUBHOUSE AND COMMUNITY CENTRE
PRELIMINARY REVISED CONCEPT DIAGRAM



SCALE 1:500 @ A3

Issue Date: 05/04/2020
Grealy/Abis Architects

Fremantle Golf Course Clubhouse and Community Centre at - 20 Montreal St, Fremantle