

City of Kalamunda***Dog Local Law 2021*****Submissions**

A total of 11 Submissions were received, 10 from members of the community and one from the Minister of Local Government, Sport and Cultural Industries.

Submission 1: Support- Comments include:

1. I think the failure to pick up after your dog(s) fine should be higher. Some streets are so contaminated.

Submission 2: Comment only:

1. Would be nice to allow us to take them to Stirk Park too.

Submission 3: Comment only:

1. Good to see the council addressing the big issues.

Submission 4: Comment only:

1. Can we have Cat local law now?

Submission 5: Comment only:

1. I would like to see the dog restriction in Stirk park removed, but instead allow dogs on leashes to be walked through or remain in park on the leash with their owner. The demographic, population density and dog popularity have changed dramatically in the vicinity of the Kalamunda town. There are any people of all ages with small dogs wanting to stroll there dog in the town center and not be restricted to the roadside paths, they would like to walk through the park or sit and enjoy for a while with their dog. I cannot think of any valid reason that this should not be allowed. As an example, dogs on leashes are permitted in Kings Park and Hyde Park, both premier parks.

Submission 6: Comment only:

1. I believe Holland got around their dog poop problem by mandating that all dogs are DNA tested at their vets, and data held on a central data base. Then if an

errant poop is found, it is DNA tested and the owner charged for the cost of the test and fined for the poop. Their dog poop problem vanished very quickly

Submission 7: Comment only:

1. I'd like the council to consider making Davies Park and off-lead dog exercise area. Being an on-lead exercise area is pointless. There are currently limited exercise areas in Maida Vale. Roe/Kalamunda area is now a work site, with the area bordering Hawtin Rd being predominantly bush with a few small tracks. Ideally Davies park being enclosed longer term would be ideal.

Submission 8: Objection:

1. You should include the fact that some dog owners have dogs that are a nuisance in the way of continual loud barking. You should have the law to investigate verbal complaints without too much input from complainants, and issue penalties when found that you can establish satisfactorily that a nuisance is evident.

Submission 9: Comment:

1. Whilst I appreciate the need to control and regulate the dog population, it would be unfortunate if it got too complicated and onerous for people whose only companionship is a small dog, particular some of our older people.

Submission 10: Objection:

1. If I pay for my property and own it, you shouldn't be able to tell me what I can and can't do. If I paid for the property and can reasonably keep 7 dogs on it, I should be allowed to. I rent so my landlord should make the rules. If my dog escapes to go for a walk and does get picked up by the ranger I shouldn't have to pay exorbitant fees when the dog would have just wandered home. If he does fight (which is out of character for him) or more likely get attacked, then I'll take that up with the other owner. Kalamunda is a lovely place to be, but the shire makes it a sad place to live.

Submission 11: Minister of Local Government, Sports and Cultural Industries

This email is in response to your letter dated 10 July 2020 regarding the City's proposed local law.

The Department's comments are noted below. Please contact me if you have any queries regarding the comments.

Noted in the submission the City's intentions to conduct a review of all Dog exercise and prohibited areas within the City.

City of Kalamunda Dogs Local Law 2021

Minor edits

The following minor edits are suggested:

- **Contents:** It is suggested that the page numbers be removed from the gazettal version, as it will clash with the page numbering system in the Gazette.
- The City should review each clause to ensure that full stops are inserted at the end of the clause.
- It is suggested that all references to "sub-clause" be replaced with "subclause".
- **Clause 1.5:** In the definition of **CEO**, replace "chief executive officer" with "Chief Executive Officer".
- **Clause 3.3:** in subclause (1)(a)(iii), replace the full stop with a semicolon.
- **Schedules:** it is suggested that all bracketed clause references in the Schedule titles be centred.

The City should conduct a thorough review to ensure all references and cross-references within the local law are accurate, particularly if any changes are made as a result of these comments.

Minister's Directions - pursuant to s 3.12 (7) of the Local Government Act 1995

Please note: once the City has published a local law in the *Government Gazette*, the City must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*. The City must, within 10 working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the current address:

Committee Clerk
Joint Standing Committee on Delegated Legislation
Legislative Council Committee Office
GPO Box A11
PERTH WA 6837
Email: delleg@parliament.wa.gov.au
Tel: 9222 7404
Fax: 9222 7805

A copy of the Minister's Directions and Explanatory Memoranda forms can be downloaded from the Department of Local Government, Sport and Cultural Industries website at www.dlgsc.wa.gov.au. Failure to comply with the Directions may render the local law inoperable.

Please note that my comments:

- have been provided to assist the City with drafting matters in relation to the local law;
- do not constitute legal advice;
- have been provided in good faith for the City's consideration; and
- should not be taken as an approval of content.

The City should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the City's policies and objectives.