

Town of Victoria Park Dog Local Law 2018 - Public Submissions

Suburb	Burswood
Interest in the matter	Property owner
Position in the proposal	Does not wish to state a position
Submission comments	<p>What use is there in having a law, when it is not governed?</p> <p>Absolutely disgusted that areas are zoned for dog use, have plenty of bins and disposal bags, but there is ALWAYS fresh dog faeces.</p> <p>This is even more of an issue where the area is also zoned for sporting events and someone has to collect dog excrement before every day's play.</p> <p>What are you doing about it, when that is a part of your current regulations?</p>
Content Change	No content change required
Officer response	<p>Dog excreta is a difficult issue to police. The town's rangers patrol the parks and reserves on a daily basis.</p> <p>For rangers to take action against a dog owner for not picking up their dogs excreta, they have to witness the offence or have other evidence provided to them before an infringement to be issued.</p>

Suburb	East Victoria Park
Interest in the matter	Local resident, dog owner, parks and reserves user
Position in the proposal	Support
Submission comments	<p>The offences in the proposed by-law differ in seriousness in my opinion. Accordingly, there should be differentiated penalties.</p> <p>A \$5,000 penalty per offence seems excessive, suggest penalties closer to \$500 are more appropriate. There is no reference to what a "dangerous dog" is (this should be provided for).</p> <p>Not sure if this definition is found elsewhere, for example in another by-law but it should be referred to for ease of reference in this by-law if so.</p>
Content Change	No content change required
Officer response	The \$5,000 penalty is not a modified penalty in the first schedule. The penalty can only be imposed by the court and is the maximum, a court can impose.

	<p>The \$5,000 maximum is legislated in the Local Government Act 1995, and is consistent with other the Local Laws.</p> <p>There is no reference to a dangerous dog in the terms, as it is covered in the <i>Dog Act 1976</i>.</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Suburb	St James
Interest in the matter	Property owner, dog owner
Position in the proposal	Objects
Submission comments	<p>I think the law should be made more flexible around letting dogs inside food businesses such as pubs or cafe. It should be up to the business owners whether they allow them in.</p> <p>The Queens Hotel in Mount Lawley are very flexible with dogs and creates a great atmosphere.</p>
Content Change	No content change required
Officer response	<p>This is not a Dog Local Law issue.</p> <p>Dogs in food premises is covered under Clause 24 of Standard 3.2.2 Australia New Zealand Food Standards Code which are adopted under the <i>Food Act 2008</i>.</p> <p><i>The standard allows food businesses to permit dogs in their outdoor dining areas.</i></p>

Suburb	Lathlain
Interest in the matter	Property owner
Position in the proposal	Did not state a position
Submission comments	<p>Part 2 Impounded dogs not microchipped must be done within a week of release and failing to do incurs infringement.</p> <p>3.2 Rental property and tenant unable to comply, what then.</p> <p>3.3 One dog not two, noise can be an issue may not be adequate space for one dog let alone two dogs.</p> <p>4.2 No mention of lead on dogs in children's play area. Dogs should be on a lead and controlled near children.</p> <p>Part 5 All well and good but it needs to be compliant and more fines issued.</p>

	<p>Maybe publicise numbers of fines per month to inform and deter, on your website? Somewhere public will see limit dog size due to infill. eg; No Great Danes in a court yard.</p>
Content Change	No content change required
Officer response	<p>Under clause 21(2) of the <i>Dog Act 1976</i>, the owner of a dog that has reached 3 months of age must ensure that the dog is microchipped.</p> <p>Clause 30A states. The operator of dog management facility may have dog microchipped at owner's expense (1) The operator of a dog management facility may do anything necessary to ensure that a dog kept at the facility is microchipped before the dog is reclaimed.</p> <p>Clause 26(2)(b) states; A local law mentioned in subsection (1) (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and (b) Cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age.</p> <p>Recent changes to the Dog Act prevents a Dog Local Law from including dog prohibited areas and dog exercise areas.</p> <p>Publicising numbers of infringements issued is not something that would benefit the Town.</p>

Suburb	Lathlain
Interest in the matter	Property owner
Position in the proposal	Does not state a position
Submission comments	<p>Make microchipping of dog's compulsory and part of the dog registration process – would eliminate dogs being impounded.</p> <p>Multiple dogs in one residence can be a nuisance if they bark altogether – not good for human ear drums.</p>
Content Change	No content change required
Officer response	<p>Microchipping has been compulsory since 2015. Under clause 21(2) of the <i>Dog Act 1976</i> the owner of a dog that has reached 3 months of age must ensure that the dog is microchipped.</p> <p>Clause 26(2)(b) states; A local law mentioned in subsection (1) (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and</p>

	(b) Cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age.
--	---------------------------------------------------------------------------------------------------------------------------------------------------------

Suburb	Carlisle
Interest in the matter	Local resident
Position in the proposal	Support
Submission comments	If possible, could the TOVP do anything about residents who walk their dog's off-lead in suburban areas/streets, nowhere near dog exercise parks? It seems to be prevalent in Carlisle at the minute and can be very stressful for anyone with a fear of dogs, small children, or anyone with a reactive dog that will bark/lunge when approached by an off-lead dog?
Content Change	No content change required
Officer response	The Dog Act, under section 31 prohibits dog being walk off leash, unless they in are a dog off-leash area.  Rangers can issue infringements for this offence.

Suburb	Lathlain
Interest in the matter	Property owner, user, dog owner
Position in the proposal	Objects
Submission comments	The enclosed dog exercise area located in Planet St Carlisle (old bowls club site) is not included in the list of Dog Exercise locations.
Content Change	No content change required
Officer response	Dog exercise areas have been omitted from the proposed Dog Local Law due to amendments to the Dog Act.  Dog exercise areas are now dealt with by an agenda item being submitted to Council.

Suburb	East Victoria Park
Interest in the matter	Property owner, user. dog owner
Position in the proposal	Does not state a position
Submission comments	The park at Edward Millen reserve has recently had signs erected stating that this park is now a "dogs on lead park". We have lived in the area for 15 years and have always taken our dogs to this park for exercise off lead as with many other residence in the area. This park is used by dog

	<p>owners more than people and is a very social meeting area for all our dogs to run and play together. The park offers no BBQ facilities, toilet facilities, water facilities or the ability to play any hardstand sports like basketball. The park is used mainly by dog owners. The Edward Millen house is closed and fenced off, and open only maybe twice a year for events.</p> <p>We would like this park to be returned to a dogs off lead/exercise area.</p> <p>If the issue is the small playground area here, then it would be very easy for this area to be fenced off to protect children from dogs. Or alternatively, but not favourable, fence off one side of the park to allow dogs off lead.</p>
Content Change	No content change required
Officer response	<p>Exercise areas have been taken out of the Proposed Dog Local Law 2018, due to amendments to the Dog Act. Dog exercise areas are now dealt with by an agenda item being submitted to Council.</p> <p>The reserve mentioned is included in the current agenda item before council.</p>

Suburb	East Victoria Park
Interest in the matter	Local property owner
Position in the proposal	Support
Submission comments	<p>The law states that dogs should be prohibited from entering all premises classified as a food business. This is something I would like enforced, I don't like eating at cafes where people bring their dogs and why and how is the Balmoral hotel now permitted to be a "dog friendly venue". If dog owners want to eat with their dogs they should do so at home. Dogs should not be permitted at events such as the farmers market and other festivals where food is being served</p>
Content Change	No content change required
Officer response	<p>The Proposed Dog Local Law makes reference to the Food Act 2008, which allows dogs in food premises under Clause 24 of Standard 3.2.2 Australia New Zealand Food Standards Code which are adopted under the Food Act 2008.</p> <p><i>The standard allows food businesses to permit dogs in their outdoor dining areas.</i></p>

Suburb	Lathlain
--------	----------

Interest in the matter	Property owner, user
Position in the proposal	Does not state a position
Submission comments	I currently foster a rescue dog with anxiety and can be reactive to other dogs who get too close. I don't see anything in this proposal in regards to dogs being kept on leads outside of the permitted parks. Dogs off lead in Lathlain is rife and I see this on a daily basis, whether walking running or just getting in and out of owners vehicles or gates or garage doors left open.
Content Change	No content change required
Officer response	Under section 31 of the Dog Act, prohibits dog being walk off leash, unless they in are a dog off-leash area. Rangers can issue infringements for this offence.

Suburb	Victoria Park
Interest in the matter	Property owner, user, dog owner
Position in the proposal	Support
Submission comments	If the only changes is to insert 2018 then I don't have a problem with them, however if there are any other changes I think there needs to be more community involvement so we get it right.
Content Change	No content change required
Officer response	The proposed Dog Local Law 2018, has changed due to amendments to the Dog Act.  The Department of Local Government strongly suggested the Town delete reference to dog exercise areas and raise an agenda item to Council in accordance with the Dog Act.