

Sub. No.	Date received	How received	Issue	Clause No.	Clause (Dog Local Law 2005)	Comment/Suggestion	Reasons given	Officers' recommendation	Officer's reasons
1	22/01/2021	Melville Talks	1	6.1	Offence to permit dog to excrete	Retain \$1,000 penalty	\$2,000 fine for dog excreta is unreasonable	Retain lower penalty.	The proposed penalties align with the penalties listed in the Dog Regulations for minor offences. However, infringements are extremely rare due to the difficulty of ascertaining facts - increase is unlikely to have much practical effect.
			2	2.5	Destruction of dogs	Remove this clause	The council should not have the right, nor the need to euthanase dogs as many councils with pounds have a no-kill policy. The Lemnos Dogs home could take pound dogs from Melville and rehoming dogs should be the council's first priority - not euthanasing them.	Retain clause.	The right to euthanase seized dogs is not conferred by this local law but given to the local government by sections 17(6), 29(10) - (14), 33G(2) and 39 of the Dog Act 1976.  This clause does not add to these rights but gives the local government power to engage a registered vet to perform euthanasia where destruction is ordered under the Dog Act. Such orders are subject to review by the State Administrative Tribunal.
2	3/03/2021	Email	1	5.2(1)	Dog exercise areas	This is too broad	This grants an almost free hand for dog owners to exercise their dogs off-leash almost wherever they like. Too much reliance on public cooperation to control dogs and more likely to pick up excreta if dog is on a leash.	Part 5 to be deleted.	This matter is no longer subject to local laws but resolved by Council under section 31 of the Dog Act. It relates to the separate review of dog exercise areas.
			2	6.1	Offence to permit dog to excrete	No change - but concerned about lack of compliance.	Ineffective unless it is enforced more	None	Point accepted - enforcement is difficult unless an authorised person actually sees the offence being committed.
			3		General	More enforcement needed	Non-compliance with the local law will not change until there is a greater ranger presence and more enforcement	None	Point accepted - this is largely a resourcing issue
3	6/03/2021	Melville Talks		6.1	Offence to permit dog to excrete	Frame this provision around the need for dog owners to pick up excrement irrespective of location rather than stipulating where a dog can't excrete	This is ambiguous - and how do you stop a dog excreting when it needs to?	Reframe clause to focus on removal of excrement.	Point accepted - this is a standard clause in the template local law, but should be amended to make it an offence not to pick up excrement rather than an offence to allow the dog to excrete.
4	15/03/2021	Email	1		Various	Editing suggestions	Consistency with current drafting standards	Accepted	
			2	6.1	Offence to permit dog to excrete	The modified penalty should be left at \$100	Proposed modified penalty of \$200 is too high	Retain lower penalty.	The proposed penalties align with the penalties listed in the Dog Regulations for minor offences. However, infringements are extremely rare due to the difficulty of ascertaining facts - increase is unlikely to have much practical effect.
			3		New	Develop a Penalty Unit Local Law and apply this to each local law	This would save the need to amend a range of local laws when it was thought necessary to amend the penalty. The cost saving over time could be considerable.	Agreed - separate proposal will be made to Council to consider a Penalty Points Local Law	Sensible and efficient approach now used by several local governments - avoids having to amend every local law when penalties are updated.
5	20/04/2021	Email (DLGSCI)	1	6.1	Offence to permit dog to excrete	The modified penalty should be left at \$100	WALGA template provides for \$1,000/\$100	Retain lower penalty.	The proposed penalties align with the penalties listed in the Dog Regulations for minor offences. However, infringements are extremely rare due to the difficulty of ascertaining facts - increase is unlikely to have much practical effect.
			2	2.3	No breaking into or destruction of pound	Remove this clause	Covered by s.43(1)(d) of the Dog Act	Accept suggestion	
			3	3.1	Dogs to be confined	Insert subclause: (5) Notwithstanding subclauses (2), (3) and (4), the confinement of dangerous dogs is dealt with in the Act and the Regulations.	Clause is generic - need specific reference to dangerous dogs, which is dealt with in the Act	Accept suggestion	
			4	4.14	Inspection of kennel	Either delete clause or replace with: 4.14 Inspection of kennel With the consent of the occupier, an authorized person may inspect an approved kennel establishment at any time.	The Delegated Legislation Committee has concluded that this clause is inconsistent with the Dog Act. Section 12A of the Act provides that property may only be inspected with a warrant or with the consent of the occupier.	Accept suggestion	
			5	5.1 & 5.2	Dog prohibited and dog exercise areas	Delete clauses and relevant penalties in Schedule 3	As a result of recent amendments to the Dog Act, dog local laws can no longer establish dog prohibited areas or dog exercise areas.  Local governments now have the power to specify these areas by an absolute majority resolution. The relevant offences and penalties to enforce these resolutions are located in section 31 and 32 of the Dog Act, while the relevant modified penalties are specified in regulation 33 of the Dog Regulations.	Accept suggestion	
			6		Various	Editorial suggestions	Consistency with current drafting standards	Accept suggestion	