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24 July 2019

Cat and Dog Statutory Review
Department of Local Government, Sport and Cultural Industries
PO Box 8349
Perth Business Centre
WA 6849

Review of the Dog Act

Section 32 Control of dogs in exercise areas and rural areas
Section 32 (1) (b) and (e) and Section 32 (2)

These sections of the Act prescribe that an offence is committed if a dog outside a townsite is off-lead, unless it is being supervised by a competent person in reasonable proximity.

For over two years, and on many occasions, we have seen a neighbouring dog being allowed by its owner to roam unsupervised through the shallows of Leschenault Estuary, sometimes for long periods and sometimes disturbing, chasing and scattering large groups of birds. The estuary is outside the townsite of Australind and these provisions of the Act therefore apply.

We have made several attempts to get Shire of Harvey to use the powers it has under the Dog Act to stop these offences but the Shire has declined, saying, among other things:

> Unfortunately due to the way the legislation is written ... our Rangers are not qualified to judge the competency of a person, nor to determine what is "reasonable proximity".

This section of the Act needs to be re-written so no local government can use it as an excuse for not enforcing these sections of the Dog Act that relate to off-lead dogs outside townsites.

Sheila Ferguson

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