

Pause for Paws

Submission to the review of the Dog Act

The issue of great interest to me is the preservation of a benign habitat for the shorebirds (both common species like black swans and migratory birds protected by international agreement like a number of plovers and sandpipers) in the Leschenault Estuary.

One significant problem for the birds is the supervision of off-lead dogs in the waters and shallows of the Estuary, and the way the Shire of Harvey administers and enforces the relevant sections of the Dog Act dealing with dogs in public places. I suspect similar issues are at play with other local governments. On this basis I make two submissions:

1. Section 32 (1) b & e needs to be examined with a view to it being re-written if needed.

This section relates to the supervision of dogs in public places. Shire officers declined to consider this Section in addressing our complaints about a neighbour's dog which is allowed to roam through the shallows of Leschenault Estuary often over large distances for significant chunks of time without any supervision being evident. In its travels it often charges at collections of shorebirds scattering them in all directions. Many implausible excuses have been provided by the Shire as to why no effective action can be taken by them about this particular dog (and we assume any other dog behaving in a similar fashion). The most interesting excuse is the rangers are not qualified to make judgements about competent supervision nor about what constitutes "reasonable proximity" for effective supervision because of the way the Dog Act has been drafted.

If the Shire of Harvey's claims are true about this Section and reflect a consensus of local government authorities, then a more specific drafting is needed to describe supervision (that is, who can demonstrate competence to control a dog) and what "reasonable proximity" actually means.

2. Some clause needs to be inserted into the Act to reference wild life.

The 2013 Amendments, as outlined on page 10 of the "Pause for Paws" consultation document, provided the scope to address the behaviour of this dog. However the Shire declined to use the powers vested in them. It seems, they are willing to take action if there is an attack or there is threatening behaviour. Chasing birds is probably interpreted as an innocuous activity and public opinion would probably support this view, so the problem is not addressed.

However it's not so good for the birds. If they are constantly using energy to avoid unsupervised dogs charging at them, this energy is being diverted away from essential activities like feeding, bedding and raising broods. This is even more critical for migratory waders who need to put on condition to fuel their flights back to places like the Arctic.

Some section needs to be added to specifically mention: harassment of wildlife (including birdlife), disturbance of habitat and interference with the survival functions of wildlife. This may support local government staff in conducting an educational program (backed by enforcement capabilities) about responsible dog ownership in the waters and shallows of places like the Leschenault Estuary.



