

Enquiries: [REDACTED]

2 August 2019

Cat and Dog Statutory Review
Department of Local Government, Sport and Cultural Industries
PO Box 8349
PERTH BUSINESS CENTRE WA 6849

Dear Sir/Madam

Dog and Cat Act Statutory Review

The City welcomes the opportunity and provides the following comment on the current review of the *Dog Act 1976* and the *Cat Act 2011*.

Cats both feral and domestic have been shown to have a significant impact on native fauna in Australia. Following a Notice of Motion approved by Council on 29 January 2019, key stakeholders were brought together to review opportunities to improve cat management in the City of Mandurah.

Key actions from the group included the development of a cat local law for the City, identification of necessary changes to the *Cat Act 2011*, a reviewed process of cat management on and around priority sites including an education campaign to raise awareness about the need for sterilisation, registration and chipping and also the value of cat containment.

The proposed Cat Local Law 2019 that has been drafted will assist the City in effectively controlling and regulating the issue of cats within the City.

The City has identified some key issues that need to be addressed as part of the State Government's review of the *Cat Act 2011*.

These are:

1. That cats are required to be confined to an owner's property. Many in the community advocate for the requirement for cats to be contained on their properties to improve environmental outcomes, reduce nuisance and also provide for the welfare of cats. The RSPCA advocates for legislation requiring the containment of cats and in the City's view this requirement should be written into the *Cat Act 2011*.
2. That prohibited areas are able to be created without local law amendment (via Council resolution similar to the Dog Act). The current process of having to amend local laws to include areas where cats are prohibited is a significant administrative burden and out of step with the *Dog Act 1976* that has successfully empowered local governments to make changes to dog exercise and prohibited areas via Council resolution.

3. That a consistent approach to the number of cats permitted at a property is prescribed within the state legislation. Currently individual local governments are able to set the permitted number of cats. While many local governments adopt a maximum of two cats, given that people do move into different areas it is logical to arrive at a number that is consistent.

That no property shall have more than two cats without a permit from the local government

Even under permit a there is a maximum of 6 cats at a property to mirror the Dog Act 1976.

Transitional provisions be put in place where a permit has been already been issued to those owners already with permission under the original *Cat Act 2011* to have more than 6 cats registered at their properties.

4. Guidance is necessary to improve clarity around the differentiation of feral, stray and domesticated cats to allow timely and effective action to manage issues particularly in reserves of high environmental value.
5. That a comprehensive state wide public education campaign be developed. It is clear that there remains a percentage of the community who are not aware of the requirements of the *Cat Act 2011* to register, microchip and sterilise their cats. For any cat related laws to be effective identification must be comprehensive and clear advice on the preferred requirement for containment.
6. That financial assistance be provided for sterilisation and microchipping. There remains clear barriers to cat identification and it is essential that efforts are made to overcome this. Without effective identification cat legislation will not be effective.
7. The City supports the repeal of the two Acts and the creation of a single Companion Animals Act. Combining the Dog and Cat Acts into a Companion Animals Act would also streamline periodical legislation reviews by State Governments.
8. Currently dogs and cats must wear tags when in a public place and it is specified that a dog must wear a collar.

Wearing council identification tags should be optional with the exception of Dangerous Dogs.

The tags are costly, made of plastic (less environmentally friendly) and often break. Now that online registrations are commonplace, councils incur increased manual handling and costs for mailing the tags to the owners.

Most rangers are equipped with microchip readers and in urban areas there are frequently vets available to check pets for owner details. However in regional areas tags may assist rangers to more readily identify owners.

Collars – even safety collars – can cause injuries to cats and should be optional. Trapping is the usual method for enforcement so it is easy to check cats for identification by microchip rather than tags.

- 9 Dogs must be registered when they are three months of age and cats six months.

Compulsory microchipping should remain for cats and dogs of any age prior to rehoming, sale or transfer of ownership despite the shortcomings with the integrity of the data for ownership on the microchip company databases.

Cats and dogs should be registered when they are four months of age or over. Sterilising cats earlier than six months of age may contribute to a reduction in the number of unwanted kittens.


Provide for a temporary sterilisation exemption on veterinary advice for larger breeds of dog or sick animals. (Some vets will not sterilise dogs until they are at least six to twelve months).

- 10 The cost of registration should be consistent throughout the State whether a centralised database is brought in or not.
- 11 Change the registration period from 1 July – 30 June.
- 12 Offering only lifetime registrations with an appropriate fee would be a good initiative and save councils engaging in renewal processing with associated costs. Councils could email dog owners every two years requesting they update their details.
- 13 In NSW from 1 July 2019 people advertising kittens, cats, puppies or dogs for sale or to give away will need to include an identification number in advertisements. The identification number can be either of the following:
- microchip number
 - a breeder identification number, or
 - a rehoming organisation number

The rules will apply to all advertisements, including those in newspapers, local posters, community notice boards and all forms of online advertising, including public advertisements on websites such as the Trading Post, Gumtree, and social media sites.

This could be very effective if implemented in Western Australia whether or not compulsory sterilisation of dogs is to be legislated for non-breeders.

- 14 Provide a definition for an enclosure for a dog declared dangerous. Some councils accept a fenced back yard that meets the requirements.
- 15 Remove the requirements for greyhounds to be muzzled when in public whether they have undertaken GAP desensitising training or not.
- 16 No change to the requirement for greyhounds to be on lead in any public area.

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- 17 The City supports approval for a handler to take education or therapy dogs into public places for helping multiple people, such as children with behavioural issues or mental health conditions.
 - 18 The City is of the view that councils should still act on the basis of one complaint for nuisance barking.

At workshops there seems to be some support for reverting to two separate households and three complainants but our experience has been that acting on an initial complaint often provides a speedy resolution to the issue. The Dog Act has measures to take further action if necessary and the alleged nuisance can be sustained. The review may provide an opportunity to clarify what constitutes nuisance barking.

The City appreciates the opportunity to provide comment to contribute to some positive improvements to the legislation from the Pause for Paws feedback process.

Yours sincerely

