

PAST, PRESENT AND FUTURE OF DOMESTIC CAT MANAGEMENT AND YOUR LOCAL GOVERNMENT

Using Fremantle as a case study

Cr Adin Lang MBA BSc

Overview

- ▶ Simple presentation
- ▶ Simple issue
- ▶ Simple fix

About me

- ▶ Councillor at City of Fremantle
- ▶ Passionate environmentalist
- ▶ Don't hate cats
- ▶ Important companion animals - Scrap
- ▶ Want to see responsible ownership



Timeline

- ▶ Where we've been
- ▶ Where we're at
- ▶ Where we're going?

The beginning - What about cats?

- ▶ What are you doing roaming around?
- ▶ Can we have the same laws as dogs?
- ▶ Meeting scheduled with governance team.



Why is containment important?

- ▶ Everyone in this room knows the ecological impacts
 - ▶ Can be up to 50x higher due to density
- ▶ Cat Health
- ▶ LG Management - is that a stray or a pet?



Cat Act

- ▶ Laws in LG come from State Government
- ▶ LG cannot invent laws
- ▶ State have power to approve/disapprove
- ▶ Minister for Local Government - John Carey

Western Australia

Cat Act 2011

Prohibited Areas

- ▶ No provision for containment.

- (2) A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 80.
- (3) Without limiting subsection (1), a local law may be made as to one or more of the following —
 - (a) the registration of cats;
 - (b) removing and impounding cats;
 - (c) keeping, transferring and disposing of cats kept at cat management facilities;
 - (d) the humane destruction of cats;
 - (e) cats creating a nuisance;
 - (f) specifying places where cats are prohibited absolutely;
 - (g) requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;
 - (h) limiting the number of cats that may be kept at premises, or premises of a particular type;
 - (i) the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;
 - (j) the regulation of approved cat breeders, including record keeping and inspection;
 - (k) fees and charges payable in respect of any matter under this Act.

Not interested.



Getting a local Law passed

- ▶ Notice of Motion
- ▶ Petition
- ▶ Speakers
 - ▶ Community
 - ▶ Experts
- ▶ Evidence
- ▶ Educate decision makers
- ▶ Start with something simple



Prohibited Areas

There are 12 cat prohibited areas within the City of Fremantle and owners are subject to a \$200 fine if they do not comply:

1. Booyeembara Park
2. The Royal Fremantle Golf Course
3. The Fremantle Public Golf Course
4. Bathers Beach Reserve
5. Sir Frederick Samson Park
6. Cantonment Hill
7. Leighton Beach Reserve
8. Port Beach Reserve
9. Rocky Bay Reserve
10. North Fremantle Foreshore Reserve (including Prawn Bay)
11. South Beach Reserve
12. Hollis Park, Sandown Park and any other land within the boundary of the former South Fremantle landfill site.

- (2) A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 80.
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 - (i) the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;
 - (j) the regulation of approved cat breeders, including record keeping and inspection;
 - (k) fees and charges payable in respect of any matter under this Act.

Media Storm - Plank of the Week






Shock Jock




Popular

7:05 4G




PerthNow's post



 PerthNow  1 d · 

The days of cats roaming the streets are numbered.












PERTHNOW.COM.AU
Council ponders CAT LEASH order to stop roaming felines


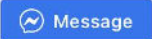
 Like  Comment  Share



  You, Ande Duke and 465 others



30 shares

All 467  375  58  14  7  7  4  2

 Adin Lang 

 Neil Kidd
8 mutual friends 

 Ande Duke
49 mutual friends 

 Brahma Ishaya 

2019 - Cat Act Review - Submission

- ▶ Opportunity!
- ▶ Via South West NRM and City of Fremantle

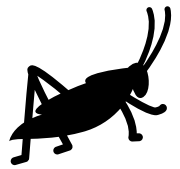
Recommendation 1: The Cat Act and its supporting regulations should be strengthened to enable those local governments that wish to, to implement effective local cat containment laws.

The Cat Act does not currently enable a local government to implement a local law regulating cat containment across its entire jurisdiction. Wherever regulations are applicable to only part of a local government's jurisdiction, this:

- Creates confusion and can cause feelings of inequality between residents
- Introduces additional complexities for the local government administering the regulations

2019 - Cat Act Review - Finding

- ▶ *“It has been suggested that the Cat Act should contain provisions about confining cats to premises and the number of cats allowed so that the same rules apply across the State and local governments do not have to make their own local laws about these matters. **Seventy-three per cent of respondents supported the confinement of cats to the owner’s property.** It should be noted that among cat owners, there was only 49 per cent support, with 39 per cent of cat owners opposing cat confinement.”*
- ▶ What we were waiting for
- ▶ Change is on the way – we might get containment laws!



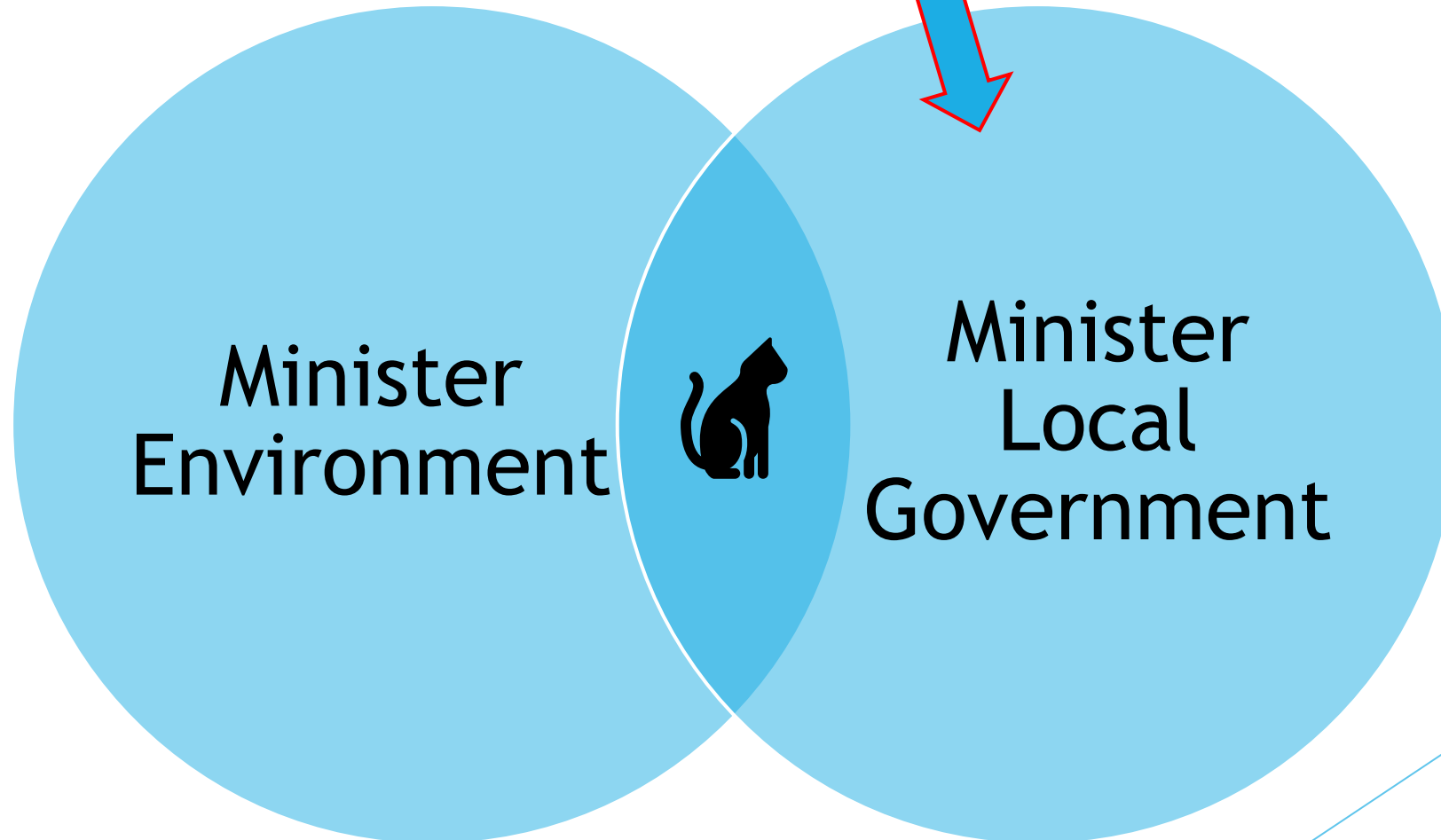
Community still wanted action!

- ▶ Cats still roaming
- ▶ Still catching cats in prohibited areas
- ▶ Still cats in yards
- ▶ Community wanted cats contained
- ▶ Still no provision for containment in Cat Act



Step up a gear

Cat Act



Minister
Environment



Minister
Local
Government

June 2020

▶ David Templeman
Minister for Local
Government

1/31/23, 9:08 AM

Mail - Adin Lang - Outlook

RE: Cat Act and Local Government

Markussen, Leesa <Leesa.Markussen@dpc.wa.gov.au>

Wed 24/06/2020 11:07 AM

To: Adin Lang <ADINL@fremantle.wa.gov.au>

Hi Cr Lang,

Please accept my apologies for not responding to you sooner.

Are you able to let me know when it would be convenient for me to give you a call to discuss this?
We have since received a copy of the new City of Fremantle local laws and I'd like to discuss these in context with your thoughts on the current Cat Act.

Kind regards,

Government
of
Western
Australia

LEESA MARKUSSEN Policy Adviser - Heritage

Office of the **Hon. David Templeman MLA**

Minister for Local Government; Heritage; Culture and the Arts

Leader of the Government in the Legislative Assembly

Member for Mandurah

[+61 8 6552 5400](tel:+61865525400)

[7th Floor, Dumas House, 2 Havelock Street WEST PERTH WA 6005 Australia
wa.gov.au](mailto:leesa.markussen@dpc.wa.gov.au)

From: Adin Lang <ADINL@fremantle.wa.gov.au>

Sent: Wednesday, 20 May 2020 1:33 PM

To: Templeman, Minister <Minister.Templeman@dpc.wa.gov.au>

Cc: Dawson, Minister <Minister.Dawson@dpc.wa.gov.au>

Subject: Cat Act and Local Government

Security Notice: The attachments in this email were secured. The original attachments were not modified.

Hi David,

I was hoping to arrange a meeting with yourself to discuss the Cat Act.

Recently I have been successful in implementing the most comprehensive Local Cat Law in WA however the community are telling me it still falls short.

We need the State to give LC's more power.

Would love to discuss over a coffee with you.

*Note, I am also in discussions with Minister Dawson's office too.

Regards



Minister for Environment; Disability Services; Electoral Affairs
Deputy Leader of the Legislative Council

Our Ref: 82-20673/1

Councillor Adin Lang
City of Fremantle
ADINL@fremantle.wa.gov.au

Dear Cr Lang

Thank you for your email received in this office on 20 May 2020 regarding your suggestion for amendments to the *Cat Act 2011* (Cat Act) to further empower local governments to implement cat management.

As you have noted in your correspondence, feral cats present a threat to our State's native species. Indeed, feral cats have played a major role in the extinction of many mammal species in Australia, resulting in predation by feral cats being listed as a key threatening process under section 188 of the *Environment Protection and Biodiversity Conservation Act 1999*. The City of Fremantle's initiative in introducing its new local cat law is to be commended and will assist in improving the overall management of cats to protect native wildlife.

In Western Australia, the Department of Biodiversity, Conservation and Attractions (DBCA) sought the assistance of the Department of Primary Industries and Regional Development (DPIRD) in 2017, to declare feral cats a pest under the *Biosecurity and Agriculture Management Act 2007*, and was closely involved in developing the policy that supports this declaration.

DBCA has undertaken extensive research and development to produce a bait to mitigate the impact of feral cats on native fauna. Its *Western Shield* program works to protect threatened species, such as numbats, woylies, western ground parrot and western swamp tortoise, from predation by feral cats and foxes. DBCA also has a strong interest in supporting DPIRD and local governments to develop strategies to manage cats that may become feral as a consequence of lack of care and ownership.

While I agree there are strong environmental reasons to improve cat management, the Cat Act comes under the responsibility of the Minister for Local Government, and any recommendations you may have on the Act should be directed to Hon David Templeman MLA in the first instance. I note that you have also written to Minister Templeman and I will provide him a copy of this response for his information.

Level 12, Dumas House, 2 Hawlock Street, West Perth, Western Australia, 6005.
Telephone +61 8 6552 5800 Email: Minister.Dawson@dpc.wa.gov.au

2

Thank you for raising this issue with me

Yours sincerely

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

cc Hon David Templeman MLA, Minister for Local Government

06 JUN 2020

June 2020

- ▶ Stephen Dawson
Minister for
Environment
- ▶ Refer to Minister
Local Government
(Templeman)

July 2021

- ▶ New Minister - New hope!



Hon John Carey MLA
Minister for Housing; Local Government

Our ref: 78-00737/6; 78-01791

29 JUL 2021

Cr Adin Lang
City Ward
City of Fremantle
Email: adinl@fremantle.wa.gov.au

Dear Cr Lang

Thank you for your email dated 21 May 2021 and further correspondence regarding the issue of local government powers for cat confinement under the *Cat Act 2011*. I understand you have been liaising with the Mr. Sam McLeod, Policy Advisor, on this matter, and that you discussed the issue with the Minister at a meeting with the City's elected councillors on 8 July 2021.

As the Minister has outlined, any changes to the existing cat confinement provisions would require an amendment to the Act through the Parliamentary process. This is a complex and significant undertaking.

Some of the key election commitments of the McGowan Government include the reform of the *Local Government Act 1995* and the reintroduction of laws into the Western Australian Parliament to amend the *Dog Act 1976* stop puppy farming, which occurred on 2 June 2021. These reforms fall under Minister Carey's portfolio of responsibilities and mean that he already has a substantial legislative program and competing priorities.

If any changes to the *Cat Act 2011* are proposed by the Government in the future, consultation with the community, the local government sector and other stakeholders will be undertaken before any changes are implemented. It is likely that consideration of reforms regarding cat confinement would need to occur as part of a holistic review of the *Cat Act 2011*.

In the meantime, Minister Carey encourages all local governments to utilise their existing powers provided under the *Cat Act 2011* to ensure that nature reserves are protected and the household limits on cat ownership are responsibly managed.

Yours sincerely



CLAIRE COMRIE
CHIEF OF STAFF

We're still catching cats in Prohibited Areas.

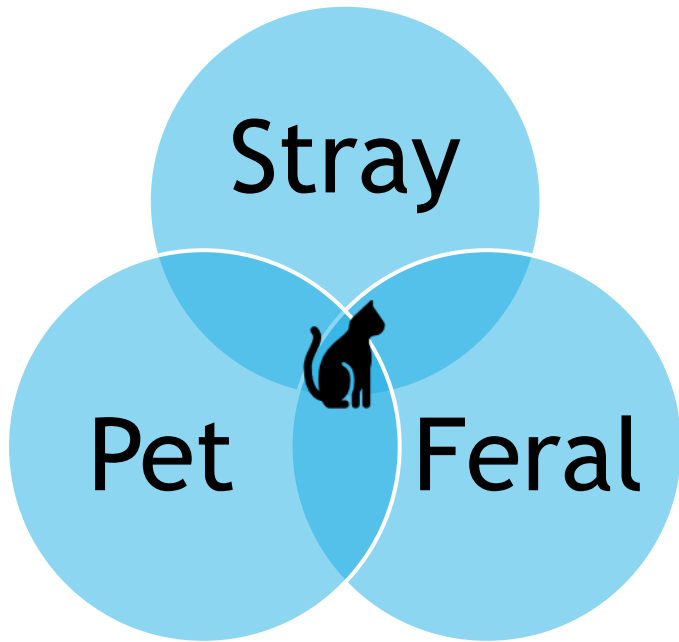


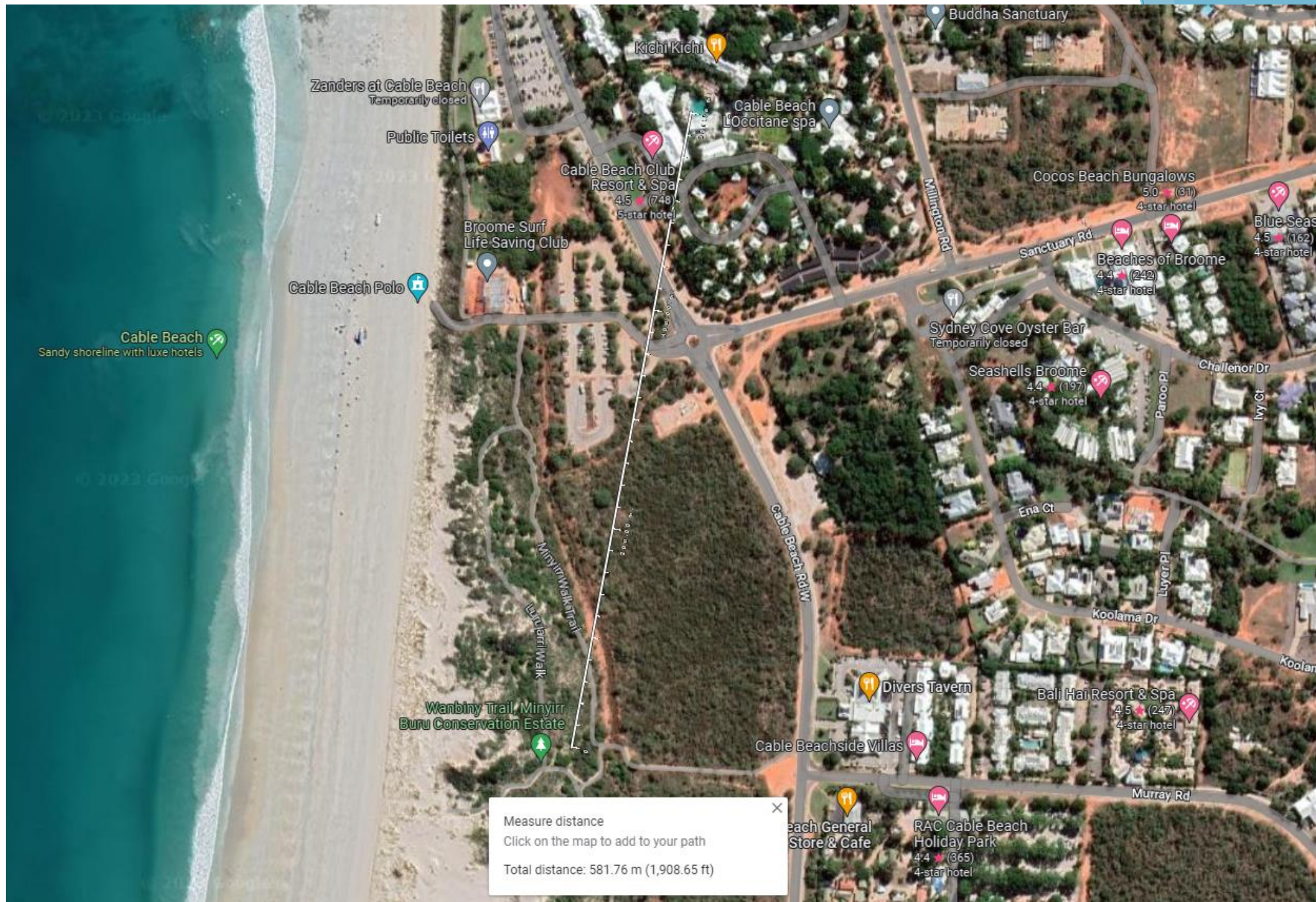
Cats are still roaming.

- ▶ Even on holiday I can't relax!
- ▶ Broome - Cable Beach Resort
- ▶ Stray?
- ▶ Pet?
- ▶ Feral?
- ▶ How far does it roam?
- ▶ Is it contributing to the feral cat population in the Kimberley?
- ▶ Feeling helpless



Cable Beach Resort - Broome





Cable Beach
Sandy shoreline with luxe hotels

© 2021 Google

Measure distance
Click on the map to add to your path
Total distance: 581.76 m (1,908.65 ft)

Zanders at Cable Beach
Temporarily closed

Public Toilets

Cable Beach Club
Resort & Spa
4.5 (748)
5-star hotel

Broome Surf
Life Saving Club

Cable Beach Polo

Kichi Kichi

Cable Beach
Occitane spa

Buddha Sanctuary

Cocos Beach Bungalows
5.0 (31)
4-star hotel

Beaches of Broome
4.4 (242)
4-star hotel

Blue Seas
4.5 (162)
4-star hotel

Sydney Cove Oyster Bar
Temporarily closed

Seashells Broome
4.4 (197)
4-star hotel

Wanbiny Trail, Minyirr
Buru Conservation Estate

Divers Tavern

Ball Hai Resort & Spa
4.5 (247)
4-star hotel

Cable Beachside Villas

Beach General
Store & Cafe

RAC Cable Beach
Holiday Park
4.4 (365)
4-star hotel

Murray Rd

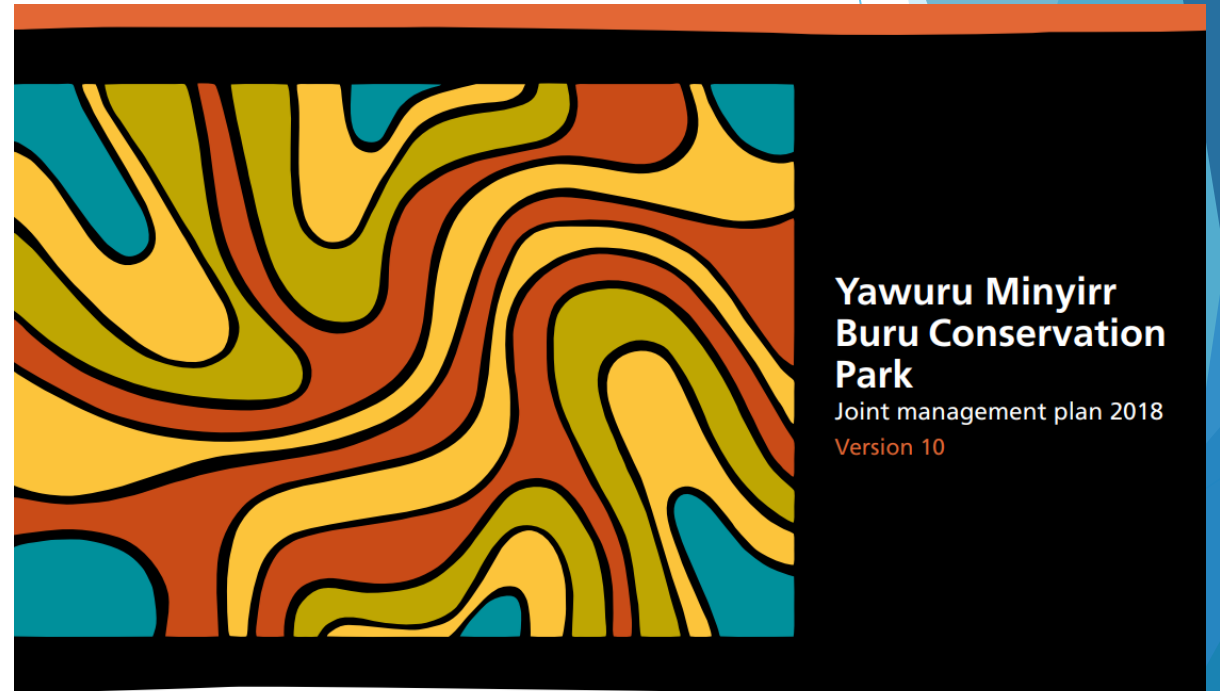
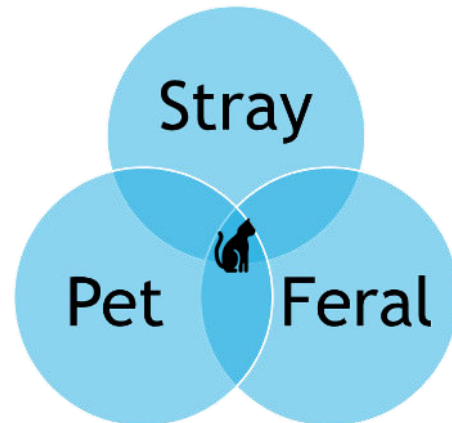
Minyirr Buru Conservation Park

Introduced Fauna Management (KPI)

Feral animals are non-native species that have the potential to cause a serious impact on the natural systems through direct effects such as predation, habitat destruction/degradation, competition for food and territory and introduction of disease. The main problem feral animals present in the Yawuru Conservation Estate, including, the Park, are cats and dogs. There is also the potential for the cane toad to colonise the area within the next ten years (Turpin and Bamford, 2009), causing detrimental effects to a number of native species and the values of the reserves.

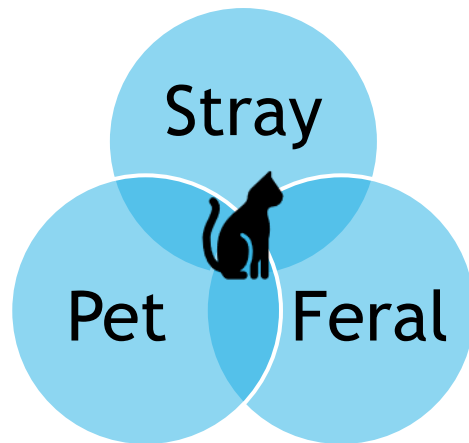
Cats are also common within the Park and hunt and kill native birds, mammals, reptiles and insects and are a significant threat to the survival of vulnerable and threatened species (DSEWPC, 2012b). Foxes may also be present.

Management of feral animals will be the responsibility of Yawuru and the Shire with the assistance of The Department, Department of Agriculture and Food, and



Fremantle - If containment existed

- ▶ Would be easier for LG to identify strays and feral
- ▶ Easier for community to identify strays and stop feeding them
- ▶ Cat Health





phimit

Whadjuk Noongar Boodja



phimit What do you do when your neighbour's cat kills your newly born New Holland Honeyeater chicks? 🙄
Nesting outside the window of my spare bedroom I decided I could give up going into that room for a month or so while the birds incubated their eggs 🥚 Friday morning I woke up to see the two little Fledglings being fed just outside my bedroom window. ☺️ Two days later - this morning - I wake up at 5 am to the screeching of a parent New Holland Honeyeater with a black cat having just killed one of its babies just outside my bedroom window. 🩸🩸🩸🙄🙄 I woke up just seconds too late. The painful song from that birds soul will never be forgotten. 😞 it was heart wrenching 😞 #newhollandhoneyeater #birdsinyourbackyard #birdsofaustralia #catsfollowers #cats #killercatstrikesagain #killercat #neighbourscat #deadbabybird #nestingbirds #birdsofinstagram #australiannativebirds #australianbirds #honeyeater #australianhoneyeaters #lockupyourcats #catlaws #catownersofinstagram #catownersworld @townofeastfremantle @adinlang

Edited · 13w



adinlang This is both very upsetting and frustrating.



As a Councillor trying to push policy reform in this space, it's incredibly frustrating the State won't give us powers to manage cats like we do dogs - go figure!

Our State Government don't think this is an issue. ❤️

13w 2 likes Reply

View replies (1)



lishac Liking this post is not appropriate 🙄🙄



13w 1 like Reply



Liked by art_by_malcolm and others

NOVEMBER 9, 2022



Add a comment...

Post

Where to next?

- ▶ Helpless
- ▶ Frustrated



2021 - Prohibited Areas

- Take 2

- ▶ Community wanted cats contained
 - ▶ No revision following the Cat Act review
 - ▶ No provision for containment in Cat Act
1. Move to Prohibited cats from all City of Fremantle owned and managed Property
 2. Under section 2.7 of the City of Fremantle Local Government Property Local Law, to make a determination to allow cats to be brought onto City of Fremantle Local Government Property, when they are securely tethered and/or confined to a suitable secure carrier, by a person.
- ▶ *Didn't want to impact on owners





- ▶ *“Clause 7 operates in a way that has an unintended effect on cat owners existing rights and interests.”*
- ▶ *“As previously reported, the Department of Local Government and Cultural Industries, provided similar feedback and recommended an alternative option to reduce the areas to be included as “Cat Prohibited Areas” in the City’s proposed amendment local law to include the City’s ‘green’ areas. Another option may be to expand the current list of “Cat Prohibited Areas” by specifying a list of City owned or managed properties, excluding any public road reserve, verge, or crossover.”*

A screenshot of the Parliament of Western Australia website. The header features the Parliament logo (a swan) and the text "Parliament of Western Australia". Below the header is a navigation menu with "Parliamentary Business", "Members", "About Parliament", and "Get Involved". The breadcrumb trail reads "Home → Parliamentary Business → Current Parliamentary Committees → Committee". The main heading is "Joint Standing Committee on Delegated Legislation" with the sub-heading "Joint (Legislative Council)". There are four tabs: "Current inquiries" (selected), "Reports", "Past inquiries", and "Undertakings". Under "Current inquiries", it says "Title & summary" and "No inquiries". The "Committee members" section lists:

- Chair: [Mr Geoff Baker MLA](#)
- Deputy Chair: [Hon. Lorna Harper MLC](#)
- Members:
 - [Mr Stuart Aubrey MLA](#)
 - [Hon. Stephen Pratt MLC](#)
 - [Hon. Martin Pritchard MLC](#)
 - [Dr Katrina Stratton MLA](#)
 - [Ms Christine Tonkin MLA](#)
 - [Hon. Steven Martin MLC](#)

Where to next?

- ▶ Helpless (again)
- ▶ Frustrated (again)



2022 - (Another) Review Announced

- ▶ We just had one in 2019?
- ▶ *“At this stage a full review of the Cat Act is not planned for the immediate future, however the next statutory review is due to be carried out as soon as practicable after 2024,” she said.*
- ▶ *For the record, a Department of Local Government spokeswoman said the 2019 statutory review indicated the Cat Act had been “generally effective”.*
- ▶ This means change end of the decade

Kate Emery | Animals | Opinion

OPINION

Kate Emery: Claws are out on feline freedom



Kate Emery | The West Australian

Sun, 10 July 2022 10:03PM | [Comments](#) | [+](#)

[Kate Emery](#)



 Here's a sentence I never thought I'd write: are cats being cancelled? Credit: Ben_Kerckx/Pixabay (user Ben_Kerckx)



Here's a sentence I never thought I'd write: are cats being cancelled?



No, cats haven't been busted making racist tweets or face reckoning for a #MeToo moment.



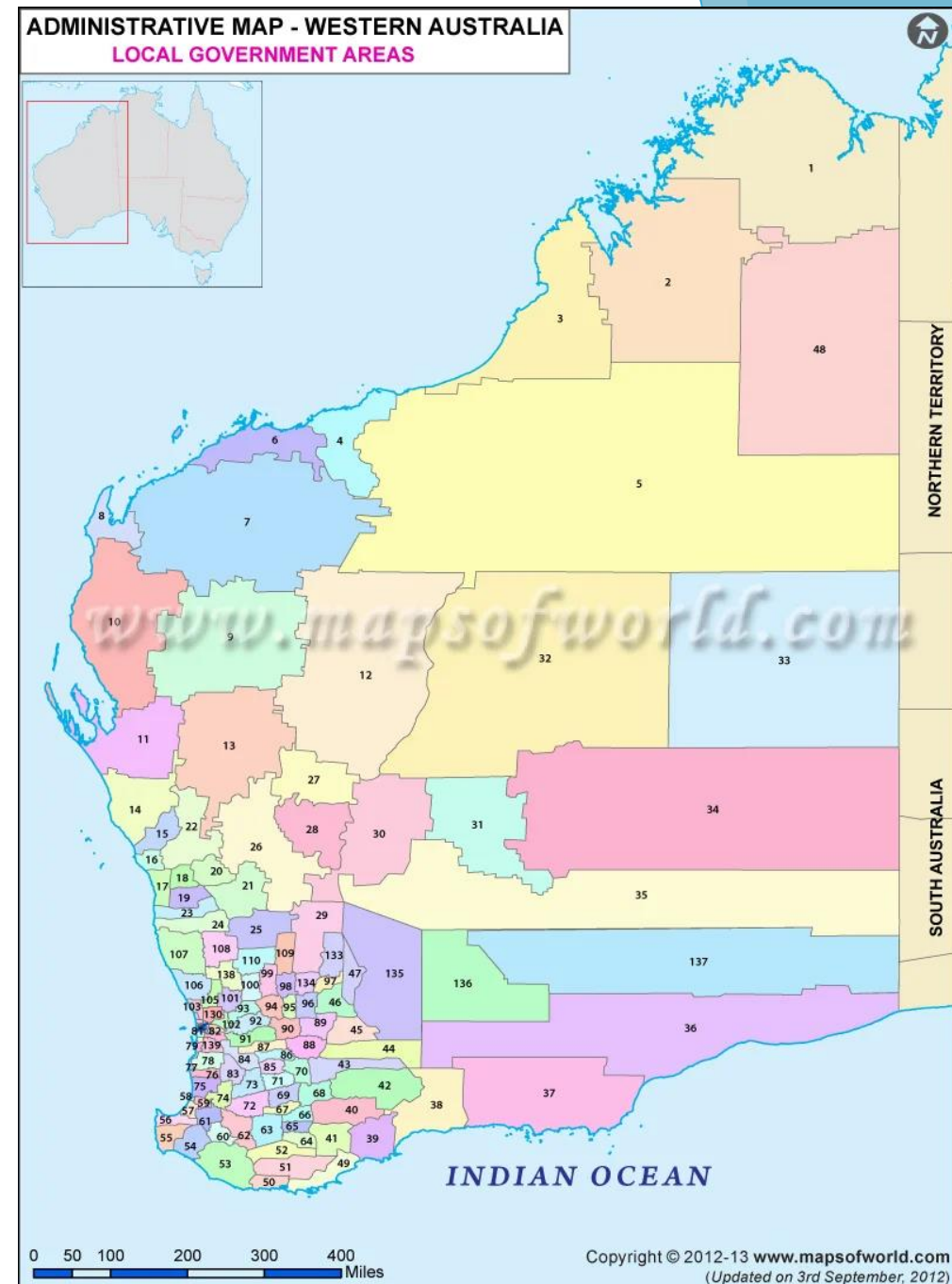
But anyone sad enough to spend their time reading council meeting agendas (I've never claimed to have



a vibrant social life) will have noticed a growing trend of Perth councils targeting cat freedoms.

Meanwhile

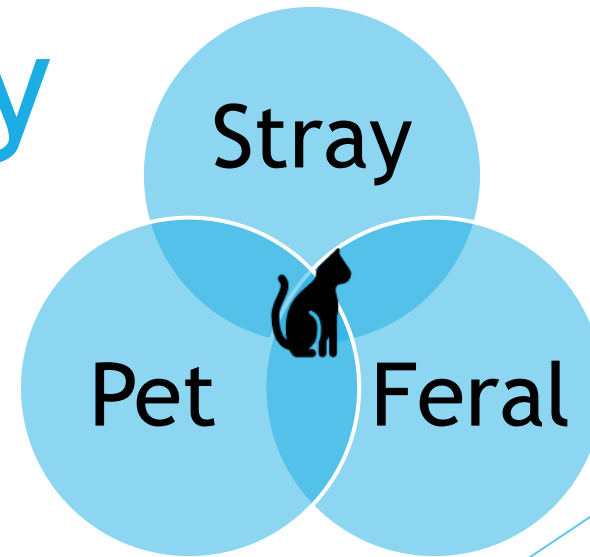
- ▶ Movement is growing
- ▶ Other LG's creating prohibited areas
- ▶ Varied interpretations on Cat Act
- ▶ Some getting rejected
- ▶ No uniform laws
- ▶ No efficiency in sector



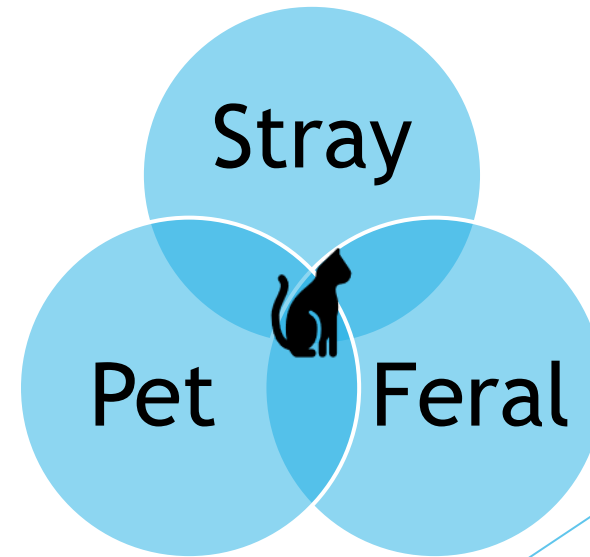
Challenges

- ▶ Cat Act not for for purpose
- ▶ Government difficult to engage
- ▶ Apparent lack of interest

How can we effectively manage the feral population if we cannot control domestic and stray populations?



How can we protect, enhance and return urban wildlife?



Where to next?

- ▶ Tomorrow we are having a round table meeting with LG's from across the state.
- ▶ We are not sure where to turn
- ▶ We know 2024 is too late for a review



Action - What you can do

- ▶ What is your local government doing on the matter?
- ▶ Ask your Councillor or Mayor
- ▶ Raise a motion at the AGM
- ▶ Get the conversation happening in your LGA
 - ▶ Will make prohibited areas easier!
- ▶ Email John Carey john.carey@mp.wa.gov.au



Simple Solution!

Recommendation 1: The Cat Act and its supporting regulations should be strengthened to enable those local governments that wish to, to implement effective local cat containment laws.

The Cat Act does not currently enable a local government to implement a local law regulating cat containment across its entire jurisdiction. Wherever regulations are applicable to only part of a local government's jurisdiction, this:

- Creates confusion and can cause feelings of inequality between residents
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