LGEMA POLICY POSITION

Domestic Cat Containment

Supporting Local Government to Deliver Responsible Cat Management: A policy framework for legislative clarity, biodiversity protection, animal welfare and community wellbeing in Western Australia

Purpose

This Policy Position sets out LGEMA's view that domestic cat containment is an important component of responsible cat management and that local governments should have clear authority and practical support to implement measures appropriate to their Districts.

LGEMA supports a balanced approach that recognises:

- cats are valued companion animals;
- responsible ownership provides significant benefits to people and communities; and
- roaming cats can create environmental, animal welfare, public health and community amenity risks.

Key Position

Domestic cat containment is a legitimate and proportionate regulatory measure that can support:

- biodiversity protection;
- responsible cat ownership;
- improved animal welfare;
- public health;
- community amenity; and
- effective cat management.

Local governments are well placed to identify and respond to local cat management issues because they are closest to their communities and manage many of the areas where these impacts occur.

Legal Framework

The *Local Government Act 1995* (WA) (LG Act) provides Councils with broad legislative powers to make local laws that are necessary or convenient for performing their functions.[1]

Domestic cat containment local laws may be supported by multiple statutory purposes, including:

- environmental sustainability;
- biodiversity protection;
- public health;
- community wellbeing;
- amenity management; and
- responsible animal management.

The *Cat Act 2011* (WA) (Cat Act) provides an additional framework for cat management but does not prevent Councils from exercising independent local law-making powers under the LG Act.

Changed Circumstances

The policy and scientific environment has changed significantly since earlier consideration of domestic cat containment local laws.

Since 2014:

- scientific evidence concerning impacts of roaming cats has expanded;
- Commonwealth and State policies have recognised the importance of stronger cat management;
- containment has been recognised as an effective management approach;
- community expectations regarding responsible cat ownership have changed; and
- Western Australia has considered reforms to provide greater clarity regarding local government cat management powers.

These developments support reconsideration of previous uncertainty concerning domestic cat containment local laws.

Evidence and Public Interest

Evidence demonstrates that roaming cats may contribute to:

- predation of native wildlife;
- risks to domestic cat welfare;
- transmission of pathogens and parasites;
- community nuisance; and
- increased management costs.

Containment provides a practical measure capable of addressing these risks while allowing responsible ownership of cats.

A proportionate local law can include:

- transition arrangements;
- exemptions;
- education programs;
- approved containment options; and
- reasonable enforcement approaches.

Role of Local Government

LGEMA does not suggest that every District requires identical cat management measures.

Rather, LGEMA supports a framework where Councils can consider local circumstances and make evidence-based decisions.

A Council considering a Domestic Cat Containment Local Law could:

- identify local issues;
- consult with the community;
- consider scientific and government evidence;
- assess proportionality;
- document reasons for its decision; and
- ensure consistency with State legislation.

LGEMA Recommendations

LGEMA recommends that:

1. The State Government provide clear legislative recognition of domestic cat containment as an appropriate local government function.
2. Local governments be supported through guidance, model provisions and practical resources.
3. The JSCDL recognise the separate local law-making authority provided by the LG Act when considering domestic cat containment local laws.
4. Cat management continue to be developed collaboratively between State Government, local governments, conservation agencies, Aboriginal land managers and communities.

Conclusion

Domestic cat containment is no longer a question solely of cat regulation. It is a contemporary governance issue involving biodiversity protection, animal welfare, public health and community responsibility.

Clear legislative authority and practical support will enable local governments to make informed decisions that reflect local circumstances and community expectations.

Footnote

1. *Local Government Act 1995* (WA) ss.3.1(3), 3.5; *Barrett v City of Cockburn* [2023] WASC 384.

PART 1 — PURPOSE AND POLICY POSITION

1.1 Purpose

Domestic cats (*Felis catus*) are valued companion animals when responsibly owned. However, roaming domestic cats can create environmental, animal welfare, public health and community amenity impacts.

Effective cat management requires cooperation between State Government, local government, land managers, pet owners and the community.

Councils are uniquely placed to regulate domestic cat ownership within their Districts because they:

- perform local environmental, public health and amenity functions;
- manage public places and community facilities;
- administer local laws; and

- have responsibility for local government districts extending across much of Western Australia.

LGEMA supports Councils considering domestic cat containment as part of responsible pet ownership and effective cat management.

1.2 Legislative Policy Position

LGEMA submits that domestic cat containment could lawfully be achieved through a local law made under the LG Act.

The relevant statutory framework includes:

- the recognition of legislative functions as local government functions;[6]
- the power of a Council to make local laws;[7]
- the requirement that the scope of local government functions and powers be construed liberally;[8] and
- the requirement that Councils have regard to environmental sustainability, long-term consequences, impacts on future generations and collaboration with other local governments when performing functions.[9]

The Supreme Court of Western Australia has recognised the breadth of local government legislative power.

In *Barrett v City of Cockburn* [2023] WASC 384, the Court considered the scope of Council local law-making power and confirmed that the relevant question is whether a local law is necessary or convenient for the good government of the District having regard to the functions of local government.[10]

Accordingly, a Council could determine that domestic cat containment is necessary or convenient to perform functions including:

- protecting biodiversity;
- promoting environmental sustainability;
- protecting community amenity;
- supporting public health outcomes;
- promoting responsible pet ownership; and
- managing risks associated with roaming domestic, stray and feral cats.

1.3 Relationship Between the LG Act and Cat Act

The Cat Act provides an additional statutory framework for cat management but does not remove the independent legislative power of Councils under the LG Act.

The Governor's power to make regulations under the Cat Act arises from the Cat Act. A Council's power to make local laws arises from the LG Act. These are separate legislative powers.[11]

LGEMA submits that the Cat Act does not occupy the entire field of cat regulation or prevent Councils from addressing matters connected with their broader statutory responsibilities.

The Cat Act:

- recognises the role of local governments in cat management;

- authorises local government cat-related regulation; and
- promotes responsible ownership of cats.[12]

It does not expressly prohibit domestic cat containment.

Footnotes

1. *Local Government Act 1995* (WA) (LG Act) ss.3.1, 3.4, 3.5.
2. LG Act s.3.5.
3. *Cat Act 2011* (WA) ss.42, 79.
4. See discussion in Part 2 regarding subsequent legislative and policy developments.
5. LG Act s.3.7.
6. LG Act s.3.4.
7. LG Act s.3.5.
8. LG Act s.3.1(3).
9. LG Act s.3.1(1A).
10. *Barrett v City of Cockburn* [2023] WASC 384 at [54]–[59].
11. *Interpretation Act 1984* (WA) s.5 definition of "subsidiary legislation"; LG Act s.3.5; Cat Act ss.76–79.
12. *Cat Act 2011* (WA) long title; ss.42, 79.

PART 2 — RESPONSE TO THE 2014 JSCDL APPROACH

2.1 Background

Between 2014 and 2023, the JSCDL disallowed or sought amendments to a number of local laws containing provisions relating to domestic cat containment, confinement, nuisance and ownership requirements.[1]

The principal concern identified by the JSCDL was that the *Cat Act 2011* (WA) (Cat Act) did not authorise local laws requiring domestic cat containment and that such provisions were beyond power.[2]

LGEMA submits that this approach warrants reconsideration because it does not sufficiently recognise the separate legislative authority provided to Councils under the *Local Government Act 1995* (WA) (LG Act).

2.2 The Cat Act Does Not Exclude the LG Act Power

The JSCDL approach proceeded on the basis that the Cat Act was the source of authority for regulating domestic cats and therefore limited the scope of Council local laws concerning cats.

LGEMA submits that the analysis should instead distinguish between:

(a) regulations made by the Governor under the Cat Act; and

(b) local laws made by Councils under the LG Act.

These are separate forms of subsidiary legislation made under separate statutory powers.[3]

The Cat Act authorises regulations and local laws concerning cats, including responsible ownership and cat management.[4] However, it does not expressly state that it is the exclusive legislative scheme for all matters relating to cats.

Where Parliament intends legislation to exclude other legislative powers, it generally does so expressly or by necessary implication.[5] There is no express prohibition in the Cat Act preventing a Council from making a local law under the LG Act for purposes connected with:

- biodiversity protection;
- environmental sustainability;
- public health;
- community amenity;
- responsible animal management; or
- other local government functions.

2.3 The Cat Act and LG Act Can Operate Together

The interpretation that the Cat Act occupies the field is unnecessary because both statutes can operate consistently.

The Cat Act establishes a State-wide framework for cat registration, identification, sterilisation, management and responsible ownership.[6]

The LG Act provides Councils with broader legislative authority to regulate matters necessary or convenient for the good government of their Districts.[7]

A local law requiring domestic cat containment does not conflict with the Cat Act. Rather, it can support the objects of the Cat Act by promoting responsible ownership and effective cat management.[8]

The High Court has recognised that inconsistency between laws requires more than overlap; there must be a direct inconsistency or an intention that one law be exclusive.[9]

A domestic cat containment local law made under the LG Act does not prevent compliance with the Cat Act. It operates alongside the Cat Act.

2.4 Response to Previous Reliance on *Martin* and *Tanner*

The JSCDL previously relied upon *R v Commissioner of Patents; Ex parte Martin* (Martin) and *South Australia v Tanner* (Tanner) in considering whether domestic cat containment provisions exceeded statutory authority.[10]

LGEMA submits those authorities are distinguishable.

Martin concerned whether regulations made under a specific statutory regulation-making power could extend beyond the purpose of the enabling Act.[11]

Tanner concerned the validity of regulations made under delegated legislative authority.[12]

Neither case concerned the separate statutory power of local government Councils to make local laws under a broad local government enabling statute.

The relevant question for an LG Act local law is whether the local law is authorised by the LG Act and reasonably connected to the functions of local government.[13]

2.5 Legal Reasonableness and Proportionality

A Council exercising legislative power must act within statutory authority and cannot make a local law that is unreasonable in the legal sense.[14]

However, a local law is not invalid merely because it represents a policy choice or imposes regulatory requirements.

The question is whether the local law is reasonably capable of being considered necessary or convenient for the good government of the District.[15]

A domestic cat containment local law could satisfy that requirement where a Council has identified relevant environmental, public health, animal welfare or amenity risks and has adopted a proportionate regulatory response.

Footnotes

1. See JSCDL Annual Reports 2014–2023 and JSCDL Undertakings Register.
2. JSCDL Annual Report 2014, Part 7, consideration of Shire of Dardanup Keeping and Control of Cats Local Law 2014.
3. *Interpretation Act 1984* (WA) s.5 definition of "subsidiary legislation"; LG Act s.3.5; Cat Act ss.76–79.
4. Cat Act long title; ss.42, 79.
5. See *Coco v The Queen* (1994) 179 CLR 427 regarding the requirement for clear statutory authority where Parliament intends to alter fundamental rights or principles.
6. Cat Act long title and provisions generally.
7. LG Act ss.3.1, 3.5.
8. Cat Act long title.
9. *Ex parte McLean* (1930) 43 CLR 472; *Momcilovic v The Queen* (2011) 245 CLR 1.
10. JSCDL Annual Report 2014, Part 7.
11. *R v Commissioner of Patents; Ex parte Martin* (1953) 89 CLR 381.
12. *South Australia v Tanner* (1989) 166 CLR 161.
13. *Barrett v City of Cockburn* [2023] WASC 384 at [54]–[59].
14. *Kruger v Commonwealth* (1997) 190 CLR 1; *Wednesbury Corporation* principles as adopted in Australian administrative law.
15. *Barrett v City of Cockburn* [2023] WASC 384 at [54]–[59].

PART 3 — MATERIAL LEGISLATIVE AND POLICY CHANGES SINCE 2014

3.1 Changed Context

The statutory and policy environment concerning cat management has materially changed since the JSCDL considered domestic cat containment local laws in 2014.

The question of whether domestic cat containment is an appropriate local government function must be considered having regard to contemporary circumstances, including increased scientific evidence, legislative reform and government policy developments.

The High Court has recognised that what constitutes an appropriate function of government may change over time according to changing social, economic and political circumstances.[1]

Accordingly, the assessment of whether domestic cat containment is a matter appropriate for local government regulation cannot be determined solely by reference to the circumstances existing in 2014.

3.2 Environmental Protection and Biodiversity

Since 2014, governments have increasingly recognised the significant environmental impacts associated with cats.

In 2015, predation by feral cats was listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) as a key threatening process.[2]

The Commonwealth Threat Abatement Plan for Predation by Feral Cats identified cat predation as a major threat to native species and ecological communities.[3]

In Western Australia, the *Biodiversity Conservation Act 2016* (WA) (BC Act) strengthened legislative protection for biodiversity and requires relevant decision-makers to have regard to biodiversity conservation principles.[4]

Local governments are public authorities for the purposes of the BC Act and have statutory responsibilities relevant to biodiversity management.[5]

3.3 Biosecurity and Pest Management

Since 2014, feral cats have also been recognised as a biosecurity issue.

In 2018, feral cats were declared a pest under the *Biosecurity and Agriculture Management Act 2007* (WA) (BAM Act).[6]

The Western Australian Biosecurity Strategy recognises that effective pest management requires cooperation between State Government, local government, land managers and the community.[7]

Domestic cats that roam, become lost, abandoned or unmanaged can contribute to stray and feral cat populations. Effective domestic cat management is therefore a relevant component of broader cat management strategies.[8]

3.4 Cat Management Policy Developments

Since 2014, government policy has increasingly recognised containment as an appropriate cat management measure.

Relevant developments include:

- the 2019 statutory review of the Cat Act, which identified support for stronger cat containment measures;[9]
- the 2021 Australian Government parliamentary inquiry into the impact of feral and domestic cats, which recommended greater use of containment programs;[10]
- the 2022 Australian Government response recognising that containment programs are more effective than curfews and identifying local government as having an important implementation role;[11]

- the adoption of the *WA Feral Cat Strategy 2023–2028*, which recognises the need for coordinated management of feral, stray and domestic cats.[12]

3.5 Local Government Sustainability Obligations

The LG Act has also changed since the JSCDL's 2014 consideration.

The 2023 amendments to the LG Act inserted additional matters to which Councils must have regard when performing functions, including:

- promoting economic, social and environmental sustainability;
- considering potential long-term consequences; and
- considering impacts on future generations.[13]

These amendments reinforce that Councils are required to consider environmental and intergenerational impacts when exercising statutory functions, including legislative functions.

3.6 Contemporary Relevance of Domestic Cat Containment

The issue before Councils is no longer limited to traditional cat ownership regulation.

Domestic cat containment is now recognised as potentially relevant to:

- biodiversity protection;
- environmental sustainability;
- responsible animal ownership;
- public health;
- community amenity; and
- effective management of stray and feral cat populations.

The existence of broader State and Commonwealth policy support provides further context supporting the ability of Councils to determine whether domestic cat containment is necessary or convenient for their Districts.

3.7 Developments Since 2024

Since LGEMA's 2024 Policy Position, further developments have reinforced the importance of domestic cat containment as a legitimate local government function.

In Western Australia, the State Government has announced proposed amendments to the *Cat Act 2011* (WA) to expressly empower local governments to make and enforce cat containment local laws. The proposed reforms recognise that local governments may need flexibility to adopt measures reflecting local circumstances and community expectations, including restricting cats to owners' premises, prohibiting cats from specified public areas and introducing cat curfews.[1]

The proposed reforms represent a significant policy shift from the previous uncertainty surrounding the scope of local government cat containment powers.

Rather than indicating that domestic cat containment was historically outside local government functions, the reforms recognise the practical role of local governments in implementing effective cat management within their Districts.[1]

The statutory review of the *Cat Act 2011* (WA) has also commenced, providing an opportunity to consider broader reforms relating to cat management, including enforcement, compliance, sterilisation, microchipping, breeding and cat ownership limits.[2]

Councils have always had a strong argument that the LG Act provides the necessary power. The State Government's proposed amendments now confirm that domestic cat containment is recognised as an appropriate local government function and remove any remaining uncertainty.

Footnotes

1. *Superannuation Fund Investment Trust v Commissioner of Stamps (SA)* (1979) 145 CLR 330; cited with approval in *Western Australian Sports Centre Trust and Town of Victoria Park* [2021] WASAT 78 at [172].
2. *Environment Protection and Biodiversity Conservation Act 1999* (Cth), list of key threatening processes.
3. Australian Government, *Threat Abatement Plan for Predation by Feral Cats*.
4. *Biodiversity Conservation Act 2016* (WA) ss.3, 4.
5. BC Act ss.80, 103, 113; see also definition of public authority.
6. *Biosecurity and Agriculture Management Act 2007* (WA) declaration of feral cats as declared pests.
7. *Western Australian Biosecurity Strategy 2016–2025*.
8. WA Feral Cat Strategy 2023–2028.
9. Statutory Review of the *Cat Act 2011* (WA), tabled 27 November 2019.
10. House of Representatives Standing Committee on the Environment and Energy, *Inquiry into the Problem of Feral and Domestic Cats in Australia* (2021).
11. Australian Government response to the Inquiry into the Problem of Feral and Domestic Cats in Australia (2022).
12. Department of Primary Industries and Regional Development, *WA Feral Cat Strategy 2023–2028*.
13. LG Act s.3.1(1A).
14. Western Australian Government, "Better protection on the way for Western Australia's wildlife", announcing the proposed *Cat Amendment (Local Laws) Bill 2026*.
15. Department of Local Government, Industry Regulation and Safety, *Review of the Cat Act 2011*.

PART 4 — LOCAL GOVERNMENT ACT 1995 (WA) (LG ACT) AUTHORITY

4.1 General Legislative Power

The LG Act establishes Councils as the governing bodies of local governments and confers legislative power to regulate matters necessary or convenient for the good government of their Districts.[1]

Local government functions include legislative functions.[2] A Council's power to make local laws is therefore an integral part of its statutory role as the governing body responsible for its District.

The scope of local government functions and powers must be construed liberally.[3] This recognises that local governments must be able to respond to changing community needs, environmental circumstances and public interests.

4.2 Power to Make Local Laws

A Council may make local laws under the LG Act for the purpose of regulating matters required or permitted to be prescribed by local law, or necessary or convenient for the performance of any of its functions.[4]

The local law-making power is not confined to matters expressly identified in the LG Act. It extends to matters connected with:

- the good government of the District;
- local government functions under other written laws; and
- matters necessary or convenient to give practical effect to those functions.[5]

The Supreme Court of Western Australia has recognised that the validity of a local law depends upon whether it is sufficiently connected to the statutory functions and purposes of local government.

In *Barrett v City of Cockburn* [2023] WASC 384, the Court confirmed that the relevant inquiry is whether the local law is necessary or convenient for the good government of the District having regard to the functions of the local government.[6]

4.3 Application to Domestic Cat Containment

Domestic cat containment is capable of being connected to multiple local government functions.

A Council could determine that domestic cat containment is necessary or convenient to perform functions relating to:

(a) Environmental sustainability and biodiversity

The LG Act requires Councils to have regard to environmental sustainability and long-term consequences when performing functions.[7]

Managing risks to biodiversity from roaming cats is capable of being a relevant environmental function of a Council.

(b) Public health and community wellbeing

The LG Act recognises local government responsibility for community wellbeing and public health matters.[8]

Roaming cats may contribute to risks associated with disease transmission, nuisance and impacts on community amenity.

(c) Responsible animal management

The Cat Act promotes responsible ownership of cats and provides a statutory role for local governments in cat management.[9]

A local law requiring containment of domestic cats could support, rather than conflict with, those objectives.

(d) Amenity protection

Councils commonly regulate matters affecting local amenity, including noise, odour, waste, animals and public places.

Domestic cat containment is capable of addressing amenity impacts associated with roaming cats, including nuisance, property impacts and impacts on public spaces.

4.4 Necessary or Convenient Test

The phrase “necessary or convenient” does not require that a local law be the only possible solution or that no other regulatory mechanism exists.

The question is whether the Council can reasonably determine that the local law assists in performing its statutory functions.[10]

A Council could consider:

- the nature and extent of identified impacts;
- available management options;
- community expectations;
- proportionality of the proposed regulation; and
- consistency with State legislation and policy.

A domestic cat containment local law does not prevent alternative State-wide regulation. Local and State regulation can operate concurrently where they are not inconsistent.

4.5 Matters Required to be Considered by Councils

When exercising legislative functions, Councils must have regard to the matters specified in LG Act s.3.1(1A), including:

- economic, social and environmental sustainability;
- the potential long-term consequences of decisions;
- impacts on future generations; and
- collaboration with other local governments.[11]

These considerations support, rather than restrict, a Council’s ability to consider domestic cat containment where relevant evidence demonstrates environmental, community or public health impacts.

4.6 Adoption of Existing Local Laws

The LG Act also permits a Council to adopt the text of another local government’s local law.[12]

Accordingly, a Council could consider adopting an existing domestic cat containment local law, subject to satisfying its own statutory decision-making obligations.

The existence of similar local laws operating within Western Australia demonstrates that domestic cat containment is capable of being implemented through local government legislative mechanisms.

Footnotes

1. *Local Government Act 1995* (WA) (LG Act) s.2.7.
2. LG Act s.3.4.

3. LG Act s.3.1(3).
4. LG Act s.3.5.
5. LG Act s.3.1(3); see also *Barrett v City of Cockburn* [2023] WASC 384 at [54]–[59].
6. *Barrett v City of Cockburn* [2023] WASC 384 at [54]–[59].
7. LG Act s.3.1(1A)(a).
8. LG Act s.3.1; *Public Health Act 2016* (WA) ss.16–17.
9. *Cat Act 2011* (WA) long title; ss.42, 79.
10. *Barrett v City of Cockburn* [2023] WASC 384 at [54]–[59].
11. LG Act s.3.1(1A).
12. LG Act s.3.8(1)(b).

PART 5 — CAT ACT 2011 (WA) ANALYSIS

5.1 Purpose of the Cat Act

The *Cat Act 2011* (WA) (Cat Act) provides a statutory framework for the control and management of cats and the promotion of responsible ownership of cats.[1]

The Cat Act recognises the role of local governments in administering cat management within their Districts and provides mechanisms for local government regulation of cats.[2]

However, the Cat Act does not state that it is the exclusive legislative scheme regulating all matters concerning cats.

5.2 Section 79 Local Laws

The Cat Act provides that a local government may make local laws for the purposes of the Cat Act.[3]

The JSCDL previously considered that the matters listed in s.79(3) limited the scope of valid cat local laws and prevented domestic cat containment requirements unless expressly authorised.[4]

LGEMA submits that s.79 should instead be read in its statutory context.

Section 79 authorises local laws made under the Cat Act. It does not limit the separate power of a Council to make local laws under the LG Act.

A Council may therefore have two sources of legislative authority:

(a) the Cat Act, where a local law is made for the purposes of that Act; and

(b) the LG Act, where a local law is made because it is necessary or convenient for the performance of local government functions.

5.3 Section 79(3) Does Not Occupy the Field

Section 79(3) identifies matters that may be addressed by Cat Act local laws. It does not expressly state that those matters are exhaustive or that Councils are prevented from making local laws under another statutory power.

The interpretation that the Cat Act occupies the field is unnecessary because the two statutory schemes can operate together.

For example:

- the Cat Act may regulate registration, identification and responsible ownership;
- the LG Act may permit additional regulation addressing local environmental, public health, amenity or community concerns.

Both forms of regulation can operate consistently.

5.4 Responsible Ownership and Containment

Containment of domestic cats is consistent with the objects of the Cat Act.

The Cat Act seeks to:

- control and manage cats; and
- promote and encourage responsible ownership of cats.[5]

A requirement that domestic cats be contained on premises is capable of promoting responsible ownership by reducing:

- risks to cats from roaming;
- impacts on native wildlife;
- contribution to stray and feral cat populations; and
- nuisance impacts on neighbours and public places.

Containment does not prohibit ownership of cats. It regulates the manner in which cats are kept.

5.5 Inconsistency With the Cat Act

A local law made under the LG Act must not be inconsistent with written law.[6]

The existence of State legislation regulating cats does not, of itself, create inconsistency.

The High Court has recognised that inconsistency requires more than both laws dealing with the same subject matter. There must be an actual conflict between the laws or an intention that one law be exclusive.[7]

A domestic cat containment local law does not prevent compliance with the Cat Act. Rather, it can further the responsible ownership objectives of the Cat Act.

5.6 Interpretation of Subsidiary Legislation Powers

The previous reliance on *R v Commissioner of Patents; Ex parte Martin* and *South Australia v Tanner* should be considered in context.

Those cases concerned the limits of a particular delegated legislative power where regulations were made under a specific statutory authority.[8]

They do not determine the separate question of whether a Council may exercise a broader local law-making power conferred by the LG Act.

The relevant question for a Council local law is whether:

- the Council has statutory authority under the LG Act;
- the local law is connected to local government functions; and
- the local law is not inconsistent with another written law.[9]

5.7 Conclusion

The Cat Act provides an important framework for cat management but does not prevent Councils from exercising their independent legislative power under the LG Act.

A domestic cat containment local law can therefore be supported by:

- the LG Act power to make local laws;
- the Cat Act objectives of control and responsible ownership;
- environmental sustainability obligations;
- public health and amenity functions; and
- contemporary evidence concerning effective cat management.

Footnotes

1. *Cat Act 2011* (WA) long title.
2. Cat Act ss.42, 79.
3. Cat Act s.79(1).
4. Joint Standing Committee on Delegated Legislation, consideration of Shire of Dardanup Keeping and Control of Cats Local Law 2014.
5. Cat Act long title.
6. LG Act s.3.7.
7. *Ex parte McLean* (1930) 43 CLR 472; *Momcilovic v The Queen* (2011) 245 CLR 1.
8. *R v Commissioner of Patents; Ex parte Martin* (1953) 89 CLR 381; *South Australia v Tanner* (1989) 166 CLR 161.
9. LG Act ss.3.5, 3.7; *Barrett v City of Cockburn* [2023] WASC 384.

PART 6 — CONTEMPORARY EVIDENCE AND POLICY DEVELOPMENTS

6.1 Changed Circumstances Since 2014

The circumstances relevant to domestic cat management have materially changed since the Joint Standing Committee on Delegated Legislation (JSCDL) considered domestic cat containment local laws in 2014.

Since that time, scientific research, government policy, community expectations and legislative responses have increasingly recognised that effective cat management requires measures beyond registration and identification.

Domestic cat containment is now recognised as an important component of responsible cat ownership and integrated cat management.

6.2 Environmental Impacts

Scientific evidence demonstrates that cats are significant predators of native wildlife.

The Commonwealth has recognised feral cat predation as a key threatening process under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).[1]

The *WA Feral Cat Strategy 2023–2028* recognises that effective cat management requires coordinated action addressing feral, stray and domestic cats.[2]

Although feral and domestic cats have different management challenges, roaming domestic cats can contribute to environmental impacts through predation and by adding to unmanaged cat populations.

Domestic cat containment is therefore capable of supporting biodiversity protection objectives.

6.3 Animal Welfare Impacts

Domestic cat containment also supports improved animal welfare outcomes.

Roaming cats are exposed to increased risks including:

- vehicle strikes;
- injury from fights with other animals;
- disease and parasites;
- poisoning;
- loss or abandonment; and
- reduced ability to be reunited with owners.

Responsible ownership requires consideration of the welfare of individual cats as well as the impacts of roaming cats on the wider community and environment.

6.4 Public Health and Community Amenity

Roaming cats may contribute to public health and amenity concerns, including:

- transmission of pathogens and parasites;
- faecal contamination;
- nuisance impacts from noise, odour and roaming;
- impacts on neighbouring properties; and
- management costs for local communities.

These matters are capable of falling within local government functions relating to public health, environmental sustainability and community wellbeing.[3]

6.5 National and State Policy Developments

Since 2014, Australian governments have increasingly recognised the importance of domestic cat management.

The Australian Government's inquiry into feral and domestic cats recommended stronger management approaches, including containment programs and improved support for local governments.[4]

The Australian Government response recognised containment programs as an effective management measure and identified local governments as an important level of government for implementation.[5]

In Western Australia, the statutory review of the *Cat Act 2011* (WA) and subsequent government consideration of reforms have recognised the need for clearer arrangements concerning local government cat management powers.[6]

These developments demonstrate increasing recognition that local governments have an important role in implementing practical cat management measures within their Districts.

6.6 Community Expectations

Community expectations regarding responsible cat ownership have changed significantly.

Increasing numbers of jurisdictions, local governments and communities support measures requiring cats to be contained, particularly where necessary to protect biodiversity, public amenity and animal welfare.

A Council considering a domestic cat containment local law may therefore reasonably determine that containment reflects contemporary community expectations and responsible ownership principles.

6.7 Proportionality

Domestic cat containment is a proportionate regulatory response because it:

- does not prohibit cat ownership;
- allows responsible ownership of cats;
- addresses identified environmental, welfare, health and amenity risks;
- can include exemptions and transition arrangements; and
- can be tailored to local circumstances.

The question is not whether every roaming cat causes harm, but whether roaming domestic cats create a recognised risk that can reasonably be addressed through local regulation.

6.8 Conclusion

The evidence and policy developments since 2014 support the conclusion that domestic cat containment is a legitimate and reasonable component of contemporary cat management.

A Council determining that domestic cat containment is necessary or convenient for the performance of its functions would be acting consistently with current scientific evidence, government policy and community expectations.

Footnotes

1. *Environment Protection and Biodiversity Conservation Act 1999* (Cth); Commonwealth, *Threat Abatement Plan for Predation by Feral Cats*.
2. Department of Primary Industries and Regional Development, *WA Feral Cat Strategy 2023–2028*.
3. *Local Government Act 1995* (WA) s.3.1(1A); *Public Health Act 2016* (WA) ss.16–17.
4. House of Representatives Standing Committee on the Environment and Energy, *Inquiry into the Problem of Feral and Domestic Cats in Australia* (2021).
5. Australian Government response to the *Inquiry into the Problem of Feral and Domestic Cats in Australia* (2022).
6. Department of Local Government, Industry Regulation and Safety, review of the *Cat Act 2011* (WA) and subsequent proposed reforms.

PART 7 — GUIDANCE FOR COUNCILS CONSIDERING DOMESTIC CAT CONTAINMENT LOCAL LAWS

7.1 Council Legislative Decision-Making

A Council considering a Domestic Cat Containment Local Law could ensure that its decision-making demonstrates:

- the statutory purpose of the proposed local law;
- the local issues requiring regulation;
- the evidence relied upon;
- consideration of alternative approaches;
- proportionality between the identified risks and proposed controls; and
- consistency with the *Local Government Act 1995* (WA) (LG Act) and other written laws.

The relevant question is not whether domestic cat containment is the only available management option. The question is whether the Council reasonably determines that regulation is necessary or convenient for the performance of its functions.[1]

7.2 Local Circumstances

Domestic cat management issues will differ between Districts.

A Council may consider matters including:

- the presence of environmentally sensitive areas;
- threatened species or biodiversity values;
- community concerns;
- density of residential development;
- impacts on neighbouring properties;
- existing cat management outcomes; and
- the resources available for education, compliance and enforcement.

The LG Act recognises that local governments are responsible for making decisions that respond to the circumstances of their own Districts.[2]

7.3 Proportionate Regulation

A Domestic Cat Containment Local Law should be drafted having regard to the principle of proportionality.

Possible measures include:

- requiring domestic cats to be contained on premises;
- requiring approved containment arrangements;
- identifying particular areas where additional controls apply;
- providing reasonable transition periods;
- recognising existing circumstances where appropriate;
- providing exemption or approval mechanisms; and

- prioritising education and voluntary compliance.

Containment regulates the manner in which cats are kept. It does not prohibit responsible ownership.

7.4 Consultation and Transparency

Consultation assists a Council to identify community expectations and make an informed legislative decision.

A Council could:

- explain the reasons for the proposed local law;
- identify the evidence supporting regulation;
- invite submissions from affected persons;
- consider alternative views;
- document the reasons for adopting the local law.

A transparent decision-making process strengthens public confidence and assists in demonstrating that the local law is an informed and proportionate exercise of legislative power.

7.5 Interaction With Other Land Managers

Effective cat management requires cooperation between local governments, State agencies, Aboriginal land managers, conservation land managers and the community.

A Council could consult with relevant land managers, including the Department of Biodiversity, Conservation and Attractions, where cat management issues involve adjoining conservation areas or shared environmental values.

Collaboration is consistent with the matters to which local governments must have regard when performing their functions under the LG Act.[3]

7.6 Future Statewide Reform

Future amendments to the *Cat Act 2011* (WA) may provide additional clarity regarding domestic cat containment.

However, Statewide reform does not remove the importance of local government involvement.

Local governments remain the level of government closest to communities and are best placed to identify local environmental, public health and amenity issues requiring local responses.

A coordinated approach between State Government and local government will produce more effective cat management outcomes than reliance on a single regulatory mechanism.

7.7 LGEMA Position

LGEMA's position is that Councils could responsibly consider Domestic Cat Containment Local Laws where:

- there is an identified local need;
- the decision is evidence-based;
- the regulation is proportionate;
- statutory processes are followed; and

- the local law is consistent with written law.

Domestic cat containment is capable of being a legitimate exercise of Council legislative responsibility and an important component of responsible cat management.

Footnotes

1. *Local Government Act 1995* (WA) s.3.5; *Barrett v City of Cockburn* [2023] WASC 384 at [54]–[59].
2. *Local Government Act 1995* (WA) s.1.3(2).
3. *Local Government Act 1995* (WA) s.3.1(1A)(c).

PART 8 — JSCDL DISALLOWANCE AND THE WAY FORWARD

8.1 The Role of the JSCDL

The Joint Standing Committee on Delegated Legislation (JSCDL) performs an important parliamentary scrutiny function by considering whether subsidiary legislation:

- is within power;
- has unintended effects on existing rights or interests;
- provides appropriate review mechanisms; and
- contains only matters appropriate for subsidiary legislation.[1]

That function is essential to maintaining accountability for delegated legislative powers.

However, scrutiny of local laws must also recognise the legislative authority Parliament has conferred on local government Councils.

8.2 Domestic Cat Containment Local Laws

The JSCDL has previously expressed concern that domestic cat containment provisions were not authorised by the *Cat Act 2011* (WA) (Cat Act).

LGEMA submits that this approach did not sufficiently recognise the separate and independent local law-making powers conferred by the *Local Government Act 1995* (WA) (LG Act).

The LG Act provides Councils with broad legislative powers to make local laws necessary or convenient for performing their functions.[2]

A local law addressing domestic cat containment may therefore be supported by multiple statutory purposes, including:

- environmental sustainability;
- biodiversity protection;
- public health;
- community amenity;
- responsible animal management; and
- local community wellbeing.

8.3 Changed Circumstances Since Earlier JSCDL Decisions

The circumstances surrounding earlier JSCDL consideration of domestic cat containment local laws have materially changed.

Since 2014:

- scientific evidence concerning impacts of roaming cats has expanded;
- Commonwealth and State policies have recognised the need for stronger cat management;
- other Australian jurisdictions have adopted containment measures;
- community expectations have changed; and
- Western Australia has considered legislative reform to provide greater clarity regarding local government cat management powers.

These developments provide a sound basis for reconsidering previous approaches to domestic cat containment local laws.

8.4 Need for Consistent Legislative Recognition

LGEMA supports legislative clarity concerning domestic cat containment.

Clear statutory recognition would:

- provide certainty for Councils and communities;
- reduce unnecessary administrative disputes;
- support consistent minimum standards;
- allow local governments to respond to local circumstances; and
- improve coordination between State and local government cat management programs.

Consistency does not require every District to adopt identical measures. It requires a clear legislative framework within which Councils can make informed local decisions.

8.5 Future Consideration by Councils

Pending legislative clarification, Councils considering domestic cat containment local laws could ensure their approach:

- identifies the local issue requiring regulation;
- relies on contemporary evidence;
- explains the statutory purposes supporting the local law;
- adopts proportionate measures;
- undertakes appropriate consultation; and
- records the reasons for the Council's decision.

A Council's decision to adopt a domestic cat containment local law should be assessed on its legal merits, including whether it is authorised by the LG Act and consistent with other written laws.

8.6 LGEMA Recommendation

LGEMA recommends that:

1. The State Government provide clear legislative recognition of domestic cat containment as an appropriate local government function.
2. The JSCDL, when considering domestic cat containment local laws, recognise the separate legislative authority provided by the LG Act.
3. Local governments be supported through guidance, model provisions and practical resources to implement effective cat management measures.
4. Cat management policy continue to be developed collaboratively between State Government, local governments, conservation agencies, Aboriginal land managers and communities.

Conclusion

Domestic cat containment is now recognised as an important component of responsible cat ownership and effective cat management.

The legal, scientific and policy landscape has changed significantly since the JSCDL's earlier consideration of domestic cat containment local laws.

The issue is no longer whether domestic cat management is a legitimate public policy objective. The issue is ensuring that local governments have clear authority and practical support to implement measures that reflect local circumstances and contemporary community expectations.

Footnotes

1. Legislative Council Standing Orders, Schedule 1 Part 10, Joint Standing Committee on Delegated Legislation Terms of Reference.
2. *Local Government Act 1995* (WA) ss.3.5, 3.1(3); *Barrett v City of Cockburn* [2023] WASC 384.

ANNEXURE A

SCIENTIFIC AND POLICY EVIDENCE SUPPORTING DOMESTIC CAT CONTAINMENT

1. Purpose

This Annexure summarises scientific evidence and policy developments relevant to domestic cat containment.

The purpose is not to suggest that every domestic cat causes harm, but to identify the recognised risks associated with roaming cats and why containment is increasingly considered an important component of responsible cat management.

2. Environmental Impacts

2.1 Predation by Cats

Cats (*Felis catus*) are an introduced species in Australia.

Scientific research demonstrates that cats prey upon a wide range of native animals, including mammals, birds and reptiles.

The Commonwealth has recognised predation by feral cats as a key threatening process under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).[1]

The Commonwealth Threat Abatement Plan for Predation by Feral Cats identifies cat predation as a major threat to Australia's biodiversity and supports integrated management approaches.[2]

Although feral cats and domestic cats have different management circumstances, roaming domestic cats can contribute to wildlife impacts through predation and interaction with unmanaged cat populations.

2.2 Contribution to Stray and Feral Cat Populations

Domestic cats may become stray cats through:

- abandonment;
- loss;
- uncontrolled breeding;
- failure to desex;
- inadequate identification; or
- deliberate release.

Reducing roaming behaviour assists in reducing opportunities for domestic cats to contribute to unmanaged cat populations.

Effective cat management therefore requires complementary measures, including:

- responsible ownership;
- identification and registration;
- desexing;
- containment;
- management of stray cats; and
- management of feral cats.

3. Animal Welfare Evidence

3.1 Risks Associated With Roaming

Roaming exposes domestic cats to increased risks including:

- vehicle injury or death;
- attacks by other animals;
- infectious disease;
- parasites;
- poisoning;
- injury from fighting;
- loss from owners; and
- reduced veterinary oversight.

Containment measures can improve welfare outcomes by reducing exposure to these risks.

3.2 Responsible Ownership

Responsible ownership requires consideration of:

- the welfare of the individual animal;
- impacts on neighbours and the community;
- protection of wildlife; and
- prevention of avoidable risks.

Domestic cat containment is increasingly recognised internationally and within Australia as consistent with responsible companion animal ownership.

4. Public Health and Amenity Considerations

4.1 Public Health Risks

Cats can carry organisms capable of affecting human health.

Potential risks associated with unmanaged cat populations include:

- parasites;
- bacterial infections;
- pathogens transmitted through scratches, bites or faeces; and
- contamination of public spaces.

The risk is not limited to feral cats. Roaming domestic cats may interact with wildlife and other animals, increasing opportunities for disease transmission.

4.2 Community Amenity

Roaming cats may contribute to:

- nuisance from noise;
- odour and faecal contamination;
- impacts on gardens and private property;
- disturbance of wildlife; and
- community conflict.

These impacts are matters capable of consideration by local governments when determining appropriate local regulation.

5. Government Policy Developments

5.1 Commonwealth Inquiry

The Australian Government's inquiry into the problem of feral and domestic cats considered evidence concerning environmental impacts, animal welfare and management options.

The inquiry recommended stronger approaches, including:

- improved cat management;
- support for local governments; and
- consideration of containment programs.[3]

The Australian Government response recognised containment programs as an effective management approach and acknowledged the role of local governments in implementation.[4]

5.2 Western Australian Policy

The *WA Feral Cat Strategy 2023–2028* recognises that effective cat management requires coordinated action involving government agencies, local governments, land managers and communities.[5]

The Strategy recognises that management of cats requires consideration of:

- biodiversity protection;
- responsible ownership;
- reduction of impacts from unmanaged cats; and
- community participation.

5.3 Changing Community Expectations

Community expectations regarding cat ownership have changed significantly.

Increasing numbers of Australian jurisdictions and local governments have introduced or considered measures including:

- cat curfews;
- containment requirements;
- restrictions in environmentally sensitive areas; and
- improved registration and ownership controls.

These developments demonstrate increasing recognition that registration alone is insufficient to address the impacts of roaming cats.

6. Effectiveness of Containment

Evidence indicates that containment can provide multiple benefits:

Environmental benefits

- reduced wildlife predation;
- reduced interaction with native fauna;
- reduced contribution to unmanaged cat populations.

Animal welfare benefits

- reduced injury and disease risks;
- improved owner oversight;
- improved likelihood of recovery if lost.

Community benefits

- reduced nuisance impacts;
- improved neighbourhood amenity;

- clearer expectations of responsible ownership.

Containment is therefore not a single-purpose environmental measure. It is a management tool capable of achieving environmental, welfare and community outcomes.

7. Conclusion

The evidence supports the conclusion that domestic cat containment is an appropriate component of contemporary cat management.

The evidence does not require the conclusion that all cats must be treated identically.

Rather, it supports an integrated approach where domestic cats, stray cats and feral cats are managed according to their circumstances while recognising that roaming behaviour creates environmental, welfare and community risks.

Domestic cat containment provides local governments with a practical and proportionate tool to address those risks.

Footnotes

1. *Environment Protection and Biodiversity Conservation Act 1999* (Cth), list of key threatening processes.
2. Commonwealth Department of Climate Change, Energy, the Environment and Water, *Threat Abatement Plan for Predation by Feral Cats*.
3. House of Representatives Standing Committee on the Environment and Energy, *Inquiry into the Problem of Feral and Domestic Cats in Australia* (2021).
4. Australian Government response to the *Inquiry into the Problem of Feral and Domestic Cats in Australia* (2022).
5. Department of Primary Industries and Regional Development, *WA Feral Cat Strategy 2023–2028*.

ANNEXURE B

HISTORY OF JSCDL CONSIDERATION OF DOMESTIC CAT CONTAINMENT LOCAL LAWS

1. Purpose

This Annexure summarises the history of Joint Standing Committee on Delegated Legislation (JSCDL) consideration of local government domestic cat containment provisions.

It is provided to explain the previous uncertainty regarding domestic cat containment local laws and the subsequent developments supporting greater legislative clarity.

2. JSCDL Consideration Prior to 2024

Since 2014, the JSCDL has considered a number of local laws containing provisions relating to domestic cat containment.

The JSCDL's primary concerns have generally been that:

- the *Cat Act 2011* (WA) (Cat Act) was considered to regulate the field of cat management;
- containment requirements were considered beyond the scope of the Cat Act local law-making power; and

- some provisions were considered inconsistent with the statutory scheme established by the Cat Act.

The JSCDL approach resulted in several local governments amending or removing domestic cat containment provisions following requests for undertakings.

3. Significant Domestic Cat Local Law Considerations

Year	Local Government	Issue Considered	Outcome
2014	Shire of Dardanup	Domestic cat containment provisions	JSCDL recommended disallowance; local government later removed provisions
2015	Shire of Ashburton	Cat containment provisions	Undertaking provided
2015	Shire of Mundaring	Cat containment provisions	Undertaking provided
2016	Shire of Chittering	Cat containment provisions	Undertaking provided
2016	Shire of Donnybrook-Balingup	Cat containment provisions	Undertaking provided
2016	City of Kalgoorlie-Boulder	Cat containment provisions	Undertaking provided
2019	City of Bunbury	Cat containment provisions	Undertaking provided
2020	Shire of Manjimup	Cat containment provisions	Undertaking provided
2021	Town of Bassendean	Cat containment provisions	Undertaking provided
2022	Cities of Bayswater, Kwinana, Fremantle and Gosnells	Cat containment provisions	Undertakings provided
2023	Various local governments including Ashburton, Esperance, Augusta-Margaret River, Claremont, Chittering, Dardanup and others	Cat containment provisions	Undertakings provided or provisions amended

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4. Different Outcomes

Despite previous JSCDL concerns, some domestic cat containment provisions have remained in operation.

Examples include:

- Shire of Narrogin Cat Local Law 2016;
- Shire of Northam Cat Local Law 2019; and
- Shire of Christmas Island Cats Local Law 2018.

These examples demonstrate that domestic cat containment provisions have not been treated uniformly across jurisdictions.

5. Legislative and Policy Developments Since Earlier JSCDL Decisions

The circumstances surrounding earlier JSCDL decisions have changed.

Since 2014:

- scientific evidence concerning impacts of roaming cats has increased;
- Commonwealth policy has recognised containment as an effective management measure;
- Western Australian policy has recognised the need for coordinated cat management;
- community expectations concerning responsible cat ownership have changed; and
- legislative reform has been considered to clarify local government cat management powers.

These developments provide a basis for reconsidering whether previous approaches adequately reflect contemporary circumstances.

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6. Legal Issue Previously Considered

The central legal issue has been whether domestic cat containment provisions are authorised.

The previous JSCDL approach focused primarily on whether the Cat Act authorised containment provisions.

LGEMA submits that the broader question is whether a domestic cat containment local law is authorised by:

- the *Local Government Act 1995* (WA) (LG Act);
- the Cat Act;
- other legislation relevant to local government functions; and
- the requirement that local laws not be inconsistent with written law.

The LG Act provides Councils with a broad local law-making power where a local law is necessary or convenient for performing local government functions.[1]

7. Current Position

The issue is no longer limited to the interpretation of the Cat Act.

The current policy and legislative environment recognises that domestic cat management involves multiple objectives, including:

- biodiversity protection;
- environmental sustainability;
- animal welfare;

- public health;
- community amenity; and
- responsible ownership.

Accordingly, domestic cat containment should be considered within the broader framework of local government responsibilities.

Footnotes

1. *Local Government Act 1995* (WA) ss.3.5, 3.1(3); *Barrett v City of Cockburn* [2023] WASC 384.

ANNEXURE C

MODEL PRINCIPLES FOR DOMESTIC CAT CONTAINMENT LOCAL LAWS

1. Purpose

This Annexure identifies principles that could guide local governments considering a Domestic Cat Containment Local Law.

The purpose is to support local laws that are:

- legally authorised;
- evidence-based;
- proportionate;
- practical to administer; and
- consistent with responsible cat ownership.

2. Legislative Purpose

A Domestic Cat Containment Local Law could clearly identify the purposes supporting regulation, including:

- promoting responsible ownership of cats;
- protecting biodiversity and native fauna;
- reducing risks associated with roaming cats;
- improving animal welfare outcomes;
- protecting community amenity; and
- supporting public health objectives.

A local law should identify the connection between the proposed regulation and the functions of the Council.

3. Evidence-Based Decision-Making

Before adopting a local law, a Council could consider:

- environmental values within the District;
- community concerns;
- existing cat management issues;

- advice from relevant experts or agencies;
- experience of other jurisdictions; and
- available compliance resources.

The evidence base should demonstrate why regulation is appropriate for that District.

4. Proportionate Regulation

A local law should adopt measures proportionate to the identified risks.

Possible approaches include:

- requiring domestic cats to be contained on premises;
- restricting cats from identified sensitive areas;
- requiring approved containment arrangements;
- applying different requirements to different areas;
- providing transition periods; and
- recognising appropriate exemptions.

The objective should be effective management, not unnecessary restriction.

5. Responsible Ownership

A local law should support responsible ownership by encouraging:

- registration;
- microchipping;
- desexing;
- veterinary care;
- secure containment;
- identification of cats; and
- owner education.

Containment should be presented as part of responsible ownership rather than as a penalty-based approach.

6. Community Engagement

A Council considering a local law could undertake meaningful consultation by:

- explaining the reasons for the proposed regulation;
- publishing supporting evidence;
- seeking community submissions;
- considering concerns raised; and
- explaining the final decision.

Community engagement assists in achieving acceptance and compliance.

7. Compliance and Enforcement

A local law should consider practical administration, including:

- education before enforcement where appropriate;
- clear offences and penalties;
- reasonable compliance timeframes;
- fair enforcement processes; and
- appropriate use of discretion by authorised persons.

Effective compliance depends on community understanding and practical enforcement.

8. Collaboration

Cat management is most effective when undertaken collaboratively.

Councils could work with:

- neighbouring local governments;
- Department of Local Government, Industry Regulation and Safety;
- Department of Biodiversity, Conservation and Attractions;
- Department of Primary Industries and Regional Development;
- Aboriginal land managers;
- wildlife organisations;
- veterinary organisations; and
- community groups.

Collaboration supports consistent and effective outcomes.

9. Review and Evaluation

A Council could periodically review:

- compliance levels;
- community feedback;
- enforcement outcomes;
- environmental outcomes; and
- whether amendments are required.

Local laws should remain responsive to changing circumstances and evidence.

10. LGEMA Position

LGEMA supports a framework where:

- Parliament provides clear authority;
- Councils retain the ability to respond to local circumstances;

- communities are engaged in decision-making;
- regulation is proportionate and practical; and
- cat management is approached as an environmental, animal welfare and community responsibility.

Domestic cat containment is a legitimate component of contemporary local government governance and responsible animal management.