

CAT BILL 2011

Introduction and First Reading

Bill introduced, on motion by **Mr G.M. Castrilli (Minister for Local Government)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR G.M. CASTRILLI (Bunbury — Minister for Local Government) [12.42 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce the Cat Bill 2011. This legislation has been developed with a view to reducing the number of stray cats being euthanased each year, to encourage responsible cat ownership, and to provide for better management of the unwanted impacts of cats on the community and environment. Approximately 5 000 cats are euthanased each year in Western Australia. Most of these cats are stray or the result of unwanted pregnancies of owned cats. Allowing unwanted cats to face starvation and neglect is unacceptable to the both the community and this government. Further to this, the stray cat population causes a range of problems including nuisance and damage to property and the killing of wildlife. Stray cats are also argued to feed into and sustain the estimated population of up to 650 000 feral cats.

Currently, the legislative control of domestic cats is facilitated through the adoption of local laws by local governments. However, only 13 per cent of local governments have introduced cat control local laws. This discretion leads to regulatory inconsistency across the state and is in contrast to the consistency provided by other state legislation such as the Dog Act 1976. Additionally, the Joint Standing Committee on Delegated Legislation has disallowed more recent attempts by local governments to introduce local laws on the basis that cat control needs to be dealt with on a statewide basis. This has made it more difficult for local governments to address this issue themselves and has reinforced the need for state legislation. The absence of legislation in Western Australia is also at odds with the approach of nearly all other Australian jurisdictions, which have state government cat control legislation.

Research has been undertaken on the approach taken in other Australian jurisdictions and the advantages and disadvantages of the various options for legislative and non-legislative approaches to address cat-related issues. This information has assisted with the development of the legislation. Key elements of this bill were developed through 2009–10, and a consultation paper, prepared as part of the regulatory impact assessment process, was used to invite public and stakeholder feedback on these elements. This paper was released in June 2010 and 590 submissions were received, including from key stakeholders—namely, the Cat Haven, the Royal Society for the Prevention of Cruelty to Animals (WA), the WA Local Government Association, the Australian Veterinary Association (WA), the Pet Industry Association, and the Cat Alliance of Australia.

The three key elements in the legislation are mandatory identification, sterilisation and registration. A very high level of support for the introduction of each of these elements was received during the consultation period. It is also considered that requiring compliance with all three elements will be the most effective approach to achieve the objectives of encouraging more responsible cat ownership and reducing the number of stray cats. The identification of cats is considered to be a crucial element in the management of domestic cats. It enables authorities to distinguish between owned and unowned animals, and return lost cats to their owners rather than euthanising them. Registration will provide a visible means to determine if cats are owned, as they will be required to wear a collar and registration tag similar to that required for dogs. When it comes to sterilisation, most cat owners act responsibly, with approximately 93 per cent of owned cats already sterilised. Compulsory sterilisation was strongly supported by both cat owners and non-cat owners. An increase in the number of sterilised cats and improved ability for local governments to deal with stray cats is expected to result in a reduction in the number of unwanted cats in the community.

Local governments will be responsible for enforcing the legislation and they will also be able to introduce their own local laws to complement the legislation. These laws can include provisions to require cats to be confined to their owners' property, a limit on the number of cats per property, as well as establishing areas where cats are prohibited. The key features of the Cat Bill are: providing for all cats that have reached six months of age to be microchipped, sterilised and registered with the local government where they are usually kept; providing for all cats to also be microchipped and sterilised prior to sale or transfer; providing for local governments to administer and enforce the provisions of the bill; providing for local governments to be able to seize cats; and providing for local governments to create local laws for the control of cats within their district.

The introduction of cat control and management legislation is a major initiative in this state. To allow local governments and members of the public time to prepare for its introduction, there will be a phased introduction

with a long lead time. Phase 1 of the legislation will take effect from 1 November 2012, with the provisions requiring microchipping, sterilisation and registration to come into effect a year later, on 1 November 2013.

While research indicates that the introduction of legislation will not completely resolve all problems associated with cats, it will provide the mechanisms to encourage responsible pet ownership, reduce the number of cats being bred, and enable local governments to seize cats. This legislation is a considered and measured approach to addressing an important animal welfare issue.

I commend this bill to the house.

Debate adjourned, on motion by **Mr M. McGowan**.