

From: [REDACTED]@ [REDACTED] >
Sent: Wednesday, 21 June 2023 1:16 PM
To: [REDACTED]
Subject: RE: Shire of Serpentine Jarrahdale - Proposed Cat Local Law

Good afternoon,

This email is regarding the Shire's proposed cat local law.

No major issues were identified with the Shire's draft, but some minor comments are noted:

- In clause 2.1(5) change "subclause 2.1(2)" to either "clause 2.1(2)" or "subclause (2)".
- Clause 2.2(2) provides that an offence is not committed if a person has written authorisation to have their cat in the prohibited area. However, the Cat Act provides that cat prohibited areas are places where cats are prohibited absolutely. Accordingly, it is uncertain whether it is possible for a local law to make "conditional" prohibitions.

The standard Minister's instructions are provided below:

Minister's Directions – pursuant to s 3.12(7) of the Local Government Act 1995

Please note: once the Shire has published a local law in the *Government Gazette*, the Shire must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*.

The Shire must, within 10 working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the current address:

Committee Clerk
Joint Standing Committee on Delegated Legislation
Legislative Council Committee Office
GPO Box A11
PERTH WA 6837
Email: [REDACTED]
Tel: [REDACTED]
Fax: [REDACTED]

A copy of the Explanatory Memoranda forms can be downloaded from the Department of Local Government, Sport and Cultural Industries website at www.dlgsc.wa.gov.au. Failure to comply with the Directions may render the local law inoperable.

Please note that my comments:

- have been provided to assist the Shire with drafting matters in relation to the local law;
- do not constitute legal advice;
- have been provided in good faith for the Shire's consideration; and
- should not be taken as an approval of content.

The Shire should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the Shire's policies and objectives.

Kind regards

[REDACTED]
A/Principal Strategy Officer

Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
GPO Box R1250, Perth WA 6844

Telephone +61 8 [REDACTED]

Email [REDACTED]@dlgsc.wa.gov.au

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The Department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past and present.

From: [REDACTED]@sjshire.wa.gov.au>
Sent: Friday, May 12, 2023 3:52 PM
To: [REDACTED]@dpc.wa.gov.au>
Cc: [REDACTED]@sjshire.wa.gov.au>
Subject: Shire of Serpentine Jarrahdale - Propose Cat Local Law

Good afternoon Minister [REDACTED],

The Shire is in the process of making a Cat Local Law 2023.
In accordance with the Local Government Act, please find attached a copy of the local law and public notice advertised in the Serpentine Jarrahdale Examiner Newspaper. This was also advertised on Facebook and a notice published at the library and Shire office.

I have also sent the original signed document via post.

Thanks for your time.
Kind regards,

[REDACTED]
Coordinator Community Safety

+618 9526 [REDACTED]

Shire of Serpentine Jarrahdale

6 Paterson Street, Mundijong, WA, 6123

www.sjshire.wa.gov.au

