

## 1.7 CAT CURFEW

(Author: GT)

Responsible Director: Peter Panagakos

### **RECOMMENDATION**

*That Council:*

- 1) *Notes that at its meeting of 31 October 2017 resolved to adopt the Domestic Animal Management Plan 2017 – 2021, which included the introduction of a night time cat curfew in addition to the delivery of an education program that highlights the benefits of keeping cats contained at night.*
- 2) *Notes that at the 26<sup>th</sup> May 2020 meeting Council resolved to undertake further consultation with a particular focus on receiving feedback from cat owners*
- 3) *Notes that this consultation has been conducted, primarily by way of an on-line survey which found there is majority support for the introduction of night-time curfew, and notes the Cat Curfew Consultation Report found at **Attachment One**.*
- 4) *Resolves to make the Order requiring that cats be confined to the premises at which they are kept between sunrise and sunset, under the provisions of S25 (2) of the Domestic Animals Act 1994, and as set out in **Attachment Two**.*
- 5) *Notes that the Order requiring that cats be confined to the premises at which they are kept between sunrise and sunset or 7pm whichever is the latter, takes effect on 10 April 2021 being the date that cat registrations are due to be renewed.*
- 6) *Notes that a community education and information campaign will be delivered to inform the community on the introduction of the cat curfew and what is required.*

### **INTRODUCTION**

At its meeting of 31 October 2017, Council adopted the Domestic Animal Management Plan 2017-2021 which had been amended from its draft form to include the introduction of a night time cat curfew.

In its adopted form the plan includes the objective to reduce cat nuisance complaints through the delivery of an education program prior to introducing a night-time curfew for cats by 31 December 2020.

At its meeting of 26 May 2020, when considering making the Order that would bring a curfew into effect, Council resolved to undertake further consultation with a particular focus on understanding the views of cat owners.

The consultation was primarily conducted via an on-line survey which found there is majority support for the introduction of night-time curfew. The *Cat Curfew Consultation Report* is attached (Attachment One).

### **DISCUSSION**

As part of Council's adoption of the Domestic Animal Management Plan 2017 – 2021, it was anticipated that a cat curfew would be introduced by the end of 2020. Officers were working to this timeframe of implementation. However, with COVID19 pandemic, it was considered that the introduction of a cat curfew at this time, is not in the best interests of the community and at its meeting of 26 May Council noted its intention that any change to the regulation of cats should take effect on 10 April 2021 being the date that cat registrations are due to be renewed.

At its meeting of 26 May 2020, when considering making the Order would introduce a night-time cat curfew, concerns were raised that the views of cat owners had not been expressly sought and Council resolved to undertake further consultation with a particular focus on understanding the views of cat owners.

In late June officers wrote to all owners of registered cats inviting them to participate in an on-line survey that closed on 1 August 2020. The survey was designed to explore support for a night-time curfew, reasons for or against a night-time curfew, and anticipated impacts for cat owners.

The following is an overview of the survey finding as detailed in Attachment One (*Cat Curfew Consultation Report*)

#### **Majority support for a cat curfew**

There is clear majority support for the introduction of a night-time curfew for cats (75% would support).

- Not surprisingly, almost all non-cat owners support a curfew for cats (96%).
- However, even among cat owners, the majority (61%) also support a cat curfew.

Among cat owners, perceptions differ based on whether the households cats are currently allowed out at night.

- Support for a cat curfew is lowest (13%) among owners who currently allow their cats out at night.
- Importantly, most cat owners (73%) keep their cats in at night.

**A cat curfew will reduce negative environmental and wildlife impacts**

The most common reasons why respondents support a cat curfew are:

- to help reduce nuisances caused by cats (96%); and
- to prevent negative impact to environment and wildlife (90%).

These reasons to support the curfew are consistent among cat owners and non-cat owners alike.

**Reasons to oppose the cat curfew include difficulty containing cats indoors**

Among the 25% of respondents who do not support a cat curfew, the key reason cited is that it is difficult to contain cats indoors at night (54%). Other reasons include:

- A preference for cats to be outdoors, e.g. allergies, toileting issues (34%) –being mainly from those people who currently allow their cats out at night; and
- a belief that most cat owners are already responsible for their cats (i.e. bell on collar, stays within their property boundaries) (23%).

**Impact of a cat curfew**

More than a third of cat owners (34%) indicate the introduction of a cat curfew would have no impact on them.

Two in five cat owners (40%) concede that a curfew would impact their cat's daily routine, and one in five (19%) anticipate adjustments will need to be made to their property.

Officers also wrote to the Friends of Damper Creek, the Friends of Scotchmans Creek, the RSPCA and the South Oakleigh Wildlife Shelter. Whilst not all organisations provided a response it is noted that the Friends of Damper Creek expressed support for a curfew and disappointment that a decision on introducing it had been delayed. Concerns about a decision being delayed were also expressed in a number of written and telephone communications received by officers.

Whilst some time has passed since Council's adoption of the Domestic Annual Management Plan, the introduction of the cat curfew remains important and relevant to the appropriate management of cats within the Municipality. The matter continues to be raised with Council by residents and wildlife conservationists.

While the survey confirmed that some cat owners (19%) anticipate making adjustments to their property to keep their cats indoors, which could include

constructing cat runs, officer experience has shown that the majority of residents who contain their cats to their own properties, do so by simply keeping their cat indoors be it in a house, shed or garage. The introduction of the curfew does not need to be a costly and burdensome exercise.

If the order is made, and the cat curfew is introduced, an owner of a cat commits an offence if their cat is found outside the premises in which it is kept between sunset and sunrise. This offence attracts a one penalty unit fine (\$165 at the time of writing) for a first offence and three penalty units (\$495) for a second or subsequent offence.

In this regard, officers will look to mainly play an educative role when responding to complaints, with infringements being seen as a last resort after other avenues of education and achieving compliance are exhausted.

### ***POLICY IMPLICATIONS***

The introduction of a cat curfew is consistent with the objectives and actions set out in the Domestic Animal Management Plan 2017-2021 as well as the Council Plan 2017-2021 objective to enhance and protect the environment to deliver a liveable and sustainable city.

### ***CONSULTATION***

Given the notion of introducing a curfew was the outcome of community consultation when developing the Domestic Animal Management Plan having regard for the views just sought, it is not necessary to consult on the matter further. If made the cat curfew will be:

- the subject of a media release
- immediately promoted on Council's webpage along with information about how to keep cats contained
- highlighted in the February 2021 Council Bulletin to coincide with the distribution of registration renewal notices
- promoted in material distributed with animal registration renewal notices

### ***FINANCIAL IMPLICATIONS***

The costs associated with statutory advertising, promotion and implementation of the curfew will be delivered within existing budget allocations.

### ***CONCLUSION***

Further consultation on the introduction of a night-time curfew for cats has been primarily conducted via an on-line survey with a particular focus on understanding the views of cat owners. Whilst a curfew may bring some challenges and cause some cat owners to change the way their pets are

managed the consultation found there is majority support for the introduction of night-time curfew.

Adoption of the Order in Attachment Two will operationalise Council's intention to introduce a night time cat curfew that will come into effect on 10 April 2021.