

1.5 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) *Resolves to make the Order requiring that cats be confined to the premises at which they are kept between sunset and sunrise, under the provisions of s.25 (2) of the Domestic Animals Act 1994, and as set out in Attachment One.*
- 3) *Notes that the Order requiring that cats be confined to the premises at which they are kept between sunset and sunrise, takes effect on 10 April 2021 being the date that cat registrations are due to be renewed.*
- 4) *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.

An Order to be made under the relevant provisions of the Domestic Animals Act 1994 has been drafted (Attachment One) that will bring the curfew into effect.

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 is considered that the introduction of a cat curfew at this time, is not in the best interests of the community. This report proposes to delay the commencement of the curfew which will provide more time for those who may wish to make the necessary preparations and allow this to happen in a more appropriate timeframe given the pandemic situation.

Accordingly, it is proposed that the night-time curfew commence on 10 April 2021, a date that coincides with the annual animal registration renewal date. This will also allow additional time for relevant information, including as part of the animal registration process to occur.

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.

When the plan was consulted upon, there was strong support for the introduction of a curfew with 65.41% of survey respondents indicating that they support the introduction of a night-time cat curfew. Feedback from residents continues to be received, and it is clear that there is much passion about nuisance caused by domestic cats with a common view being that education alone would not address this issue effectively, but rather that the introduction of a curfew is required.

Whilst there may be concerns by some around the cost implications for residents 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.

Cat owners were forewarned about Council's intention to introduce a night-time curfew and the benefits of confining cats to their properties was promoted in material distributed to pet owners during the animal registration periods conducted in March 2018 and 2019. Furthermore an article reminding residents that a cat curfew would be introduced during 2020 appeared in the October 2019 edition of the Monash Bulletin. It should be well known and expected by cat owners that the cat curfew is being introduced.

Once 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

The decision to introduce a curfew was the outcome of community consultation when developing the Domestic Animal Management Plan and given Council has already expressed its intention to introduce a curfew it is not necessary to consult on the matter further. Once 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

Adoption of the Order in Attachment One will operationalise Council's intention to introduce a night time cat curfew. Delaying the introduction to 10 April 2021 will allow cat owners more time to prepare and will not mean the curfew is introduced in the midst of the pandemic.

ATTACHMENT ONE

ORDER 1/2020 of MONASH CITY COUNCIL
Section 25(2) of the Domestic Animals Act 1994

At its meeting on 26 May 2020, Monash City Council resolved to make the following Order under Section 25(2) of the **Domestic Animals Act 1994**.

This Order is effective from 10 April 2021

1. All cats within the municipal district of Monash City Council must:
 - a. be securely confined to the owner's premises between the hours of sunset and sunrise; or
 - b. not be found at large outside the premises of the owner between sunset and sunrise.

Definitions in this Order

Owner has the same meaning as in the **Domestic Animals Act 1994**

ANDI DIAMOND
Chief Executive Officer