

Cat Management Policy



Record number	D20/77343
Responsible Manager	Manager Community Safety
Other key internal stakeholders	Director Community & Cultural Development
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Adoption reference	Policy and Strategic Development Committee
Resolution number	96
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Legal requirement	NA
Due date next review	2023

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1. PURPOSE

The purpose of this Policy is to describe and assist Council and the community with the management of nuisance cats.

Implementation of this Policy will promote responsible cat ownership, contribute to the protection of natural wildlife and provide for fair and consistent management of cat related complaints within the City of Tea Tree Gully.

2. POLICY

Council remains of the view that Cat Management should be dealt with on a state wide basis because cats don't relate to council boundaries and most importantly to ensure consistency across the state which will limit confusion for cat owners. In the absence of a suitable state government approach to cat management Council has introduced this policy to guide our community and staff on how we propose to assist our residents in managing cats. To achieve this it is Council's view that this should be achieved through state legislation similar to how Dog management is legislated.

Effective management of cat related issues is dependent on positively identifying the nuisance cat, identifying the associated reasons causing the issue(s), followed by determining the ownership of the cat. It is the obligation of cat owners to ensure that their cat(s) are identified, in order to reduce the impact that nuisance cats have on the community.

Council will:

- a. Respond verbally or in writing (as applicable) to all complaints received about cats (except anonymous complaints)
- b. Ensure Council officers have the appropriate authority and delegations to exercise powers associated with the control and removal of cats on Council land
- c. Scan all trapped cats for microchip identification
- d. Work in association with other organisations where appropriate
- e. Provide educational and promotional material to promote responsible cat ownership throughout the community
- f. Follow the relevant principles established in Council's Enforcement Policy and Council's Order Making Policy and other relevant reference documents
- g. Provide cat management services in accordance with this Policy during Council business hours only.

In attempting to resolve issues of nuisance cats the following broad principles will be used by Council officers in providing advice to residents.

Owners should:

- a. Choose and plan for the right cat to suit the owner's lifestyle
- b. Know the needs of a cat and provide an enriched environment for the pet to live in
- c. Comply with any relevant legislation – State or local
- d. Provide appropriate training and socialisation
- e. Ensure the cat has minimal impact on local fauna

- f. Have the cat desexed unless in a recognised breeding program
- g. Provide preventative health care and adequate veterinary treatment during times of illness and/or injury
- h. Provide a balanced diet, adequate shelter and exercise for the cat
- i. Register the cat via the Dogs and Cats Online (DACO)
- j. As per South Australian law, cats are to be microchipped by 12 weeks of age, and for all cats born after 1 July 2018 are to be desexed by 6 months of age. Exemptions apply for registered breeders etc.
- k. As per the Dog and Cat Management Act 1995, cat microchip details are to be entered onto Dogs and Cats Online regardless of whether council have a cat by-law requiring cat registration or not.
- l. Change contact details for microchipped cat(s), if necessary e.g. changed phone number or address.

Prior to Council undertaking any identified program of trapping nuisance cats, Council will as a minimum provide written advice to immediately adjoining and adjacent properties detailing the commencement and completion of the program. Where the process is managed by residents through the hiring of cat cages, Council will provide to the resident flyers which can be provided to adjoining and adjacent properties, notifying of the intention to catch stray cats in the neighbourhood, before setting up the cage.

2.1 Support for Residents in Managing Nuisance Cats

Residents are able to catch cats on their own property, but they would require Council permission for Council land and the permission of other landowners for their land.

Council provide cat cages for hire (subject to availability) of which can be collected from a designated Council facility during business hours. The resident is to return the cat cage to Council in a clean and undamaged condition. A fee for cleaning or repair will be issued to the resident should the cat cage not be returned in the same condition it was hired. Stolen cat cages will also incur a fee to the resident.

Fees and charges will be set out in Councils Fees and Charges Register which can be found at www.cttg.sa.gov.au.

Where the cat has an identification or microchip that has been read, the cat will be deemed as identified. It will be a condition of the hire of cat cages and a requirement of Council taking action, that complainants advise Council if they know the owner or origin of a trapped cat.

Where a person traps an identified cat, it should be released immediately and unharmed near the location it has been captured or returned to the owner.

Where a person traps (i.e. seizes) an unidentified cat, under section 64(2) of the Dog and Cat Management Act 1995 the person should within 12 hours, deliver the cat to an Authorised Person or a specified facility for the care of cats. For the purpose of this section a “specified facility for the care of cats” includes:

- a. Animal Welfare League of South Australia, Incorporated or
- b. The Royal Society for the Prevention of Cruelty to Animals (South Australia) Incorporated
- c. Any other person or body declared by the regulations to be an animal welfare organisation

Should the resident choose to have an Authorised Person deliver the cat to a “specified facility for the care of cats”, then a fee will apply to cover the charge imposed by the specified facility. This fee will be set out in Council’s Fees and Charges Register.

If a cat is trapped, an Authorised Person from Council will be available during office hours to scan the cat for microchip identification, subject to availability. If the cat is identified, the resident should release the cat near the location it has been captured.

2.2 Unidentified cats – Council’s Role

In dealing with unidentified cats, Council will at all times act in accordance with the provisions of the Dog and Cat Management Act 1995, which states that an Authorised Person may lawfully seize, detain and destroy or otherwise dispose of an unidentified cat.

Should a cat not be an identified cat (refer definition) , Council’s practice relating to unidentified cats will be to photograph and then deliver the cat to the Animal Welfare League or another suitable organisation.

If there are many cats or a repeat number of cats considered to be a nuisance in one location, the reasons or causes will need to be identified for future cat management considerations.

2.3 Cats Causing a Nuisance or Hazard

A range of options exist for the management of nuisance cats which are set out in various Acts. These options are to be considered by Authorised Persons in conjunction with this Policy when considering cat management requests. Generally these options are only available where the cat owner has been identified. These may include:

1. Council can make an order under the South Australian Public Health Act 2011, where it has sufficient evidence to show that the manner in which a cat(s) is kept on premises gives rise to a risk in relation to public health.
2. Council makes a nuisance abatement notice under the provisions of the Local Nuisance and Litter Control Act 2016. The Act states that -
 - a. For the purposes of this Act, local nuisance is—
 - (i) any adverse effect on an amenity value of an area that—
 - a. noise, odour, smoke, fumes, aerosols or dust; or
 - b. animals, whether dead or alive; or
 - c. any other agent or class of agent declared by Schedule 1; and
 - (ii) unreasonably interferes with or is likely to interfere unreasonably with the enjoyment of the area by persons occupying a place within, or lawfully resorting to, the area; or
 - b. insanitary conditions on premises that unreasonably interfere with or are likely to interfere unreasonably with the enjoyment of premises occupied by persons in the vicinity; or
3. Council officers will abide by Council’s Order Making Policy when it is considered this is an appropriate course of action.
 - a. Development Act – Unauthorised (Unapproved) Business Activity

- b. If Council determines that there is an unauthorised (unapproved) business activity relating to cats being conducted on land, the owner may be asked to submit a development application for approval and other necessary actions deemed appropriate at the time, depending on the issue(s).

2.4 Resourcing

All General Inspectors of Council are Authorised Persons, who will be responsible for responding to customer complaints or requests about cats during Council business hours, subject to availability

3. DEFINITIONS

For the purposes of this policy the following definitions apply:

Anonymous Complaints

Instances where the complainant refuses to provide as a minimum requirement, their name and address details

Authorised Persons

Under the Dog and Cat Management Act 1995 the Dog and Cat Management Board or Council may appoint a suitable individual as an Authorised Person for the purposes of the Dog and Cat Management Act

Complaints

Includes both written complaints (letters, e-mail etc.) sent directly to Council and verbal contacts which are subsequently able to be converted to an actionable Customer First Solution request (refer CFS definition)

CFS

Customer First Solution (CFS) is Council's internal system for managing customer requests or concerns.

Home based activities

Means the use of a site by a person on the site that does not require development approval as described in the Development Regulations.

Identified cat(s)

South Australian law requires all cats to be microchipped by 12 weeks of age, and for all cats born after 1 July 2018 to be desexed by 6 months of age. Exemptions apply for registered breeders. A cat will be taken to be identified if -

- a) the cat has a collar around its neck and the collar, or a tag securely attached to the collar, is marked with the current address or telephone number of the owner or other person entitled to possession of the cat; or
- b) the cat has a microchip implanted in its body containing information that may be used to obtain the current address or telephone number of the owner or other person entitled to possession of the cat and has the letter M tattooed on the inside of either of its ears."

Nuisance

May include faeces in gardens, spraying, wandering onto property (other than that of the owner) and other behaviours which impact negatively on other residents or their property. This type of behaviour could for example include the noise associated with cats fighting.

Unidentified cat(s)

Cat(s) where an owner cannot be located or identified.

4. LEGISLATIVE FRAMEWORK AND OTHER REFERENCES

There is no legislative requirement for Council to have a policy relating to this area.

The following legislation applies to this Policy:

[Development Act 1993](#)

Section 33 of this Act states that a development will not occur unless it is an approved development. Development may include intensive animal keeping and the operation of businesses (other than for Home Based Activities). As such catteries may require approval in accordance with the provisions of this Act.

[Development Regulations 2008](#)

The requirements for home activity are defined in Schedule 1 of the Regulations.

[Dog and Cat Management Act 1995](#)

[Dog and Cat Management Regulations 2017](#)

[Local Nuisance and Litter Control Act 2016](#)

This act contains provisions which allow councils to deal with nuisance animals

[South Australian Public Health Act 2011](#)

This Act will have application in circumstances where it is likely that these circumstances may give rise to a risk in relation to public health.

4.1 Other references

Council's documents including:

- a. Animal Management Plan
- b. Cats in the City of Tea Tree Gully
- c. General Complaints Policy
- d. Enforcement Policy
- e. Order Making Policy
- f. Fees and Charges Register

5. STRATEGIC PLAN/POLICY

5.1 Organisation Plan

The following strategic objectives in Council’s Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
Community	
<i>People feel a sense of belonging, inclusion and connection with the City and the community</i>	This Policy supports responsible cat ownership, and aims to reduce the incidence of public and environmental nuisance caused by unidentified cats.
Environment	
<i>A community that is protected from public and environmental health risks</i>	Responsible cat ownership and the control of nuisance cats protects the comfort and safety of the public.
Economy	
Places	
Leadership	
<i>Decision making is informed, based on evidence and is consistent</i>	This Policy specifies the actions residents can undertake, and those that require Council’s permission, with regards to cat management.

6. POLICY IMPLEMENTATION

This Policy will be implemented by the Chief Executive Officer or relevant portfolio director and managed in accordance with Council’s scheme of delegations.