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1. Introduction

The Barunga West Council (the council) recognises that while many residents enjoy the pleasures of cat ownership there are times when cats can cause problems in the community and require a cat management response. These times would be reduced by increased responsibility by cat owners and intervention by Council.

This policy should be read in conjunction with Council's Cat By-Law which came into operation in 2010.

2. Purpose of this policy

The purpose of this Policy is to describe and assist Council and the community with the management of cats in our region. The Policy guides and directs staff regarding how it enforces Cat Management in the district, and informs the public about how Council will and won't act in the area of responsibility.

3. Scope of this policy

The Council's involvement in cat management is limited to the following:

- Provision of cat traps with a hire deposit and fee;
- Provision of educational/promotional information on responsible cat ownership generally and to neighbourhoods experiencing cat related problems;
- Working in partnership with veterinary surgeons or other similar organisations in euthanizing and rehoming cats; and
- Working with community members in relation to nuisance cats.

4. Definitions

Council	Barunga West Council or an employee of council
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 service request (refer CSR definition)
CSR	Customer Service Request (CSR) 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 planning approval.



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 - <ul style="list-style-type: none"> 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, the cat is unidentified.

5. Policy details

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:

- Respond verbally or in writing (as applicable) to all complaints received about cats (except anonymous complaints).
- Ensure Council officers have the appropriate authority and delegations to exercise powers associated with the control and removal of cats on Council land or land in its care and control.
- Scan all trapped cats for microchip identification

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- Work in association with other organisations where appropriate
- Provide educational and promotional material to promote responsible cat ownership throughout the community
- Follow the relevant principles established in Council's Enforcement Policy and other relevant reference documents
- 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 authorised officers in providing advice to residents.

Owners should:

- Choose and plan for the right cat to suit the owner's lifestyle
- Know the needs of a cat and provide an enriched environment for the pet to live in
- Comply with any relevant legislation – State or local
- Provide appropriate training and socialisation
- Ensure the cat has minimal impact on local fauna
- Have the cat desexed unless in a recognised breeding program
- Provide preventative health care and adequate veterinary treatment during times of illness and/or injury
- Provide a balanced diet, adequate shelter and exercise for the cat
- Register the cat via the Dogs and Cats Online (DACO)
- 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.
- As per the Dog and Cat Management Act 1995, cat microchip details are to be entered onto Dogs and Cats Online and as per the cat by-law ensure that your cat is registered (at the time of this policy there is no registration fee).
- Change contact details for 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, they must notify their adjoining and adjacent neighbours.

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 must complete a Cat Trap hire agreement and pay the associated fees. On 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 mean that the deposit fee will not be returned to the resident.

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Fees and charges will be set out in Councils Fees and Charges Register which can be found at www.barungawest.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:

- Animal Welfare League of South Australia (AWLSA), Incorporated or
- The Royal Society for the Prevention of Cruelty to Animals (RSPCA South Australia) Incorporated
- Any other person or body declared by the regulations to be an animal welfare organisation
- A veterinary surgeon

Should the resident choose to have a council 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.

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 deliver the cat to the local Veterinary Surgery 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.

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

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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—
 - (i) is caused by—
 - 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
 - (ii) 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

6. Legislation and Other Documents

There is no legislative requirement for Council to have a policy relating to this area. The following legislation applies to this Policy:

[Planning, Development and Infrastructure Act 2016](#)

Section 101 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.

[Planning, Development and Infrastructure Regulations 2017](#)

The requirements for home activity are defined in 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](#)

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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.

Other Council's documents including:

Animal Management Plan

General Complaints Policy

Enforcement Policy

Fees and Charges Register

7. Availability & Grievances

This policy is available for inspection at the Council office at 11 Bay Street, Port Broughton during ordinary business hours.

It is also available for inspection, download or printing, free of charge, from Council's website www.barungawest.sa.gov.au

Complaints relating to the Cat Management Policy must be made in writing to Council. All complaints will be investigated.

8. Review

This Policy will be implemented by the Chief Executive Officer and managed in accordance with Council's scheme of delegations.

This policy can be reviewed if there is a change to legislation or if detrimental to the local area.

Document History:	Version No:	Issue Date:	Description of Change:
	1.0	August 2022	New Policy

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