

Frequently Asked Questions

City of Mitcham Proposed Cats By-law



What is the Cats By-laws?

Council currently has a Cats By-law that specifies that residents must not, without Council's permission, keep more than two cats on any premises. It also contains controls to prevent cats being a nuisance in the district.

Under the new draft by-laws there are two options (option 1 and 2 of the draft cats by-laws) that consider cat confinement as an option whereby cats must be confined to their resident's property (not inside the house).

There is a further option (option 3) whereby there is no change to the existing by-law and keeps the status quo in relation to restrictions.

What are the three options being considered?

Council are currently considering three options for a cats by-law, the three options are detailed below:

Option 1

- Consider the need for change now with a set phasing in period, this option considers cat confinement laws now to come into effect on 1 January 2024.
- Includes a grandfather style clause whereby it does not apply to cats registered before 1 January 2017, or to cats older than 6yrs as at 1 January 2023 (the 'grandfather provision') – this addresses the concerns previously raised about pet owners having to implement containment measures to control cats that have previously been able to roam freely.

Option 2

- The need for change in the future after further community engagement and further consideration of state-wide cat laws.
- This Option allows further community engagement to occur without the confinement clause being implemented until a date is determined by Council resolution following further consideration by Council.
- Includes a grandfather style clause whereby it does not apply to cats registered before 1 January 2017, or to cats older than 6yrs as at 1 January 2023 (the 'grandfather provision') – this addresses the concerns previously raised about pet owners having to implement containment measures to control cats that have previously been able to roam freely.

Option 3

- No changes to the existing by-law are proposed, Council will maintain a nuisance clause in the by-law whereby Council can address issues of nuisances created by cats, however it will not introduce cat confinement.

What is a grandfather style clause and why are we considering this?

Two options of the proposed by-laws include a 'grandfather clause'. The grandfather clauses includes;

- option 1 allows proposed cat confinement provisions to be phased in over a twelve month period so they wouldn't be effective until 12 months after the by-law comes into effect; and
- both option 1 and 2 include a clause whereby it will not apply to cats older than 6 years of age, as at 1 January 2023, or cats registered before 1 January 2017.

This approach is designed to assist the community with the application of the new By-law as feedback indicates that cats who have experienced living outdoors beyond the owner's property may become distressed if suddenly kept totally contained where they had previously been able to freely wander.

For these cats a gradual reduction in the amount of time that the cat spends beyond the property will also allow them to adjust to containment to the owner's property over time.

The approach to cat confinement is a big change which we welcome your feedback in relation to, especially with the inclusion of a 'grandfather clause' in Options 1 and 2.

Why do we need a Cats By-law?

Council's draft By-law options are designed to control and manage cats in the Council's area. Its objective is to promote responsible cat ownership and reduce the incidence of public and environmental nuisance.

The three options of the cat by-law have been proposed to better protect wildlife from predatory behaviour, keep pets safe, and help prevent cats from being a nuisance to neighbours and other residents.

When forming our Dog and Cat Management Plan 2018-2023, there was support in the community for increased cat control and in response to this feedback, the plan included an objective to explore tighter cat controls during the current By-law review process, therefore the three options have been developed to meet this objective.

How do I keep my cat confined to my property?

The proposed by-law is not designed to keep cats indoors at all times, cats can still go outside, as long as they remain on the residents property. Cat enclosures and cat-proof fencing are measures that will allow cats to still go outside without leaving their property.

Cat containment doesn't have to mean keeping the animals permanently indoors in the house, nor does it require building large elaborate structures.

RSPCA South Australia offer three main ways to keep your cat at home:

The easiest and cheapest way is to keep them indoors at all times. You may look to install cat-proof fly screens so that your pet can benefit from outdoor sights, smells and sounds without escaping. The RSPCA notes, however, that this will work best with a new kitten, as the sudden confinement of an older cat used to roaming may cause stress.

A second option, and one that eases your cat into confinement, is to keep your cat indoors, but with access to an outdoor enclosure or run, giving them the choice of where they want to spend their time. You can create an escape-proof enclosure on an existing balcony or veranda.

The final option is to fit your property with escape-proof fencing, so that your cat can roam your property without being able to flee. The RSPCA recommends a fence at least two metres high, with rolling cylinders or smooth metal or plastic sheeting on top that makes it impossible for cats to get a good grip for climbing.

Why is cat confinement a good idea?

There are benefits to both your cat and your community when cats are confined to their properties.

RSPCA South Australia explains the benefits of keeping your cat indoors, they include: avoiding fights with other cats, minimise the risk of infectious diseases and being safe from poisons and traps or being the victim of a traffic accident.

The wider community also benefits from cat confinement because cats are no longer able to defecate and urinate or spray in other people's yards and properties, or fight other cats and are less likely to upset the native wildlife in the district.

Do cats really pose such a threat to native wildlife?

Both feral and domestic cats impact significantly on Australia's biodiversity, particularly birds, reptiles, amphibians and small mammals. The combined impact of cats and feral foxes has led to the extinction of almost 30 native mammals from mainland South Australia, and continues to threaten more.

What about feral cats?

The confinement of domestic cats in the City of Mitcham will give Council staff the opportunity to identify and manage the feral cat colonies from the environment, further reducing the threat to wildlife and community comfort.

What will happen if my cat gets out?

The confinement laws are not about catching out people for on-off incidents or honest mistakes. It is envisaged that we will continue to educate and work with cat owners to maximise voluntary compliance with the new by-law to help keep cat's safe, focusing enforcement on repeat or problem behaviours.

If your cat is found roaming on a regular basis and causing a nuisance in the community, you may be fined for failing to comply with the proposed cats by-law.

Can a confined cat really be happy?

RSPCA South Australia state that keeping cats entertained and enriched inside is easier than you might think. It is about having a variety of toys, scratching posts and climbing spaces available, and regularly playing games with your pet. Your cat will also like place to hide that can be as simple as a cardboard box.

Effective ways to exercise a cat can be as straightforward as using everyday items such as crumpled up newspapers, balls underneath laundry baskets, and bubble blowers. Games and exercise can be kept as short as five minutes, making it easy to fit into your day.

How the Community can get involved

To learn more about the proposed by-laws and to provide feedback or view a copy of the proposed by-laws, visit: www.mitchamcouncil.sa.gov.au

A hard copy of the proposed by-laws are also available for inspection, free of charge, during business hours at Council's Civic Centre at 131 Belair Road, Torrens Park SA 5062.

Council will be holding an Information Session to learn more and to provide you with a forum to have your say:

Thursday 23 June 2022

6:00pm – 7:30pm

Mayors Parlour, City of Mitcham Civic Centre
131 Belair Road, Torrens Park SA 5062

You can also drop into a question and answer session during the following times and chat with staff about any aspect of the By-law review process:

Thursday 16 June 2022

1:30pm – 3:30pm

City of Mitcham Civic Centre
131 Belair Road, Torrens Park SA 5062

Wednesday 29 June 2022

9:00am – 11:00am

City of Mitcham Civic Centre
131 Belair Road, Torrens Park SA 5062

You can contact Mark Austin, Acting Manager Environmental Health and Community safety on (08) 8372 8817 to discuss the proposed by-laws, or visit the Council Civic Centre at 131 Belair Road, Torrens Park to discuss in person with staff.



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Submissions may be lodged in one of three ways:

- Online by completing the on online survey submission form below; or
- Email to mitcham@mitchamcouncil.sa.gov.au and clearly mark as 'Attention Mark Austin - Feedback – Draft By-Law review – Submission'
- Post to Attn: Mark Austin, Acting Manager, Environmental Health and Community Safety, City of Mitcham, PO Box 21, Mitcham Shopping Centre, Torrens Park SA 5062

Submissions must be received by Friday 8 July 2022.

All feedback received will be presented to Council for consideration prior to Council making the By-laws. Those who provide feedback will be advised of the Council meeting date when the matter will be considered and following this, the Council's decision.

Where can I find more information on keeping a confined cat happy?

Good Cat SA, via the Dog and Cat Management Board, has some great information on keeping your cat confined to your property via the Good Cat SA Facebook page and on their web page at <https://dogandcatboard.com.au/cats/keeping-cats-in>

They also have an informative booklet about cats at home and cat proofing your property

<https://cdn.dogandcatboard.com.au/dcmb/docs/Cats/GoodCatsPlayAtHome2021-B.pdf>

RSPCA South Australia also has a great article on keeping your cat safe and happy at home (this article provided a number of facts for this document)

<https://safeandhappycats.com.au/>

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