

Ban those cats! Resolving wildlife issues in the ACT

Ian Baird, Program Manager, Parks & Places, Dept of Urban Services, Lee-Anne Wahren, Policy Officer (Animal Welfare) ACT Government, & Michael Hayward, Veterinarian, Gungahlin Veterinary Hospital

Abstract

Canberra is colloquially called 'the Bush Capital', a title of which residents are very proud. Suburbs are separated by bush and rural land, older suburbs have stands of mature trees, and on the city margins are some of the most precious remnants of Yellow Box and Red Gum woodlands. The city and surrounds supports rich and varied populations of native animals, especially birds and reptiles, providing a challenge to the ACT's land managers to balance protection of the important environmental values with the rights and amenity of residents.

New suburbs are being developed adjacent to significant woodlands, recently established as nature reserves. Conservationists called for a ban on cats to protect, principally, threatened species of woodland birds. An alternative approach was found, and this paper discusses the process of implementing a housing development that is both ecologically friendly and pet friendly, and what this means for domestic pet management.

Introduction

On the third of March 2005, the ACT Legislative Assembly passed a motion that would forever change the way the ACT would manage cats within the Territory.

The Assembly called on the Government to ensure that cats in the new suburbs of Forde and Bonner are permanently confined to premises, either indoors, or if outdoors, in cat runs (enclosures).

This paper addresses how the ACT came to this position, and what steps have been taken since to give effect to the Assembly's decision.

Background

The ACT Government's cat management policy, how it handles, controls and manages cats, has evolved significantly over the last ten years.

Balancing cat owners and animal welfare interests with the concerns of ecologists and conservationists can be a difficult tightrope to walk while also ensuring that the best possible policy outcome is achieved. Only time will tell if the most appropriate option was chosen; and whether threatened species in the nearby reserves were offered the best protection possible.

In 1994, the ACT Legislative Assembly Standing Committee on Conservation, Heritage and Environment (the Standing Committee) reported on development of an integrated package of measures designed to minimise the effects of cats on the native fauna in the ACT urban environment.

The Standing Committee recommended that:

- all cats were to be registered and identified;
- all cats should be de-sexed if they are not required for professional breeding purposes, and that any fee charged for a sexually entire cat should be significantly higher than for a de-sexed cat;
- cats should be confined to owners premises at night;
- wandering cats should be impounded and the owners liable for poundage fees; and
- a public awareness program aimed at educating cat owners and potential owners to the need for responsible ownership for their pets.

At this point in 1994 in the ACT there were no legislative controls or regulations relating to cats apart from some ineffective nuisance provisions under the then *Animal Nuisance Control Act 1975*.

Three years later a discussion paper entitled "*ACT Cat Management: Discussion Paper for Community Comment*" was released to the public for comment (ACT Government 1997). The discussion paper took account of national developments in urban cat management, increased knowledge of their environmental impact, and the views of representatives of key interest groups.

The need for responsible cat ownership was the most important and pressing issue identified by the majority of respondents to the discussion paper. Other important issues identified were cat identification, de-sexing, the need for supporting legislation to address these issues, and community education.

The Cat Working Group and the Animal Welfare Advisory Committee (AWAC) saw cat registration as unnecessary, because unlike dogs, they saw no serious or significant offences being caused by cat behaviour. However, both the Working Group and the AWAC supported compulsory cat identification, citing a need to inform owners of stray cats as to their whereabouts as soon as possible.

The comments received on the discussion paper were considered and the *ACT Urban Cat Management Strategy* was developed. The Strategy adopted three strategic goals for urban cat management in the ACT:

1. a high degree of responsible cat ownership in the ACT;
2. reduced impact of cats on neighbourhood amenity and on native fauna; and
3. better management and improved welfare of wandering and stray cats.

The Strategy recommended:

- compulsory de-sexing of cats unless an owner had applied for and received a permit to keep a sexually entire cat;
- identification of cats through either collars or microchip implants;
- encouraging owners to confine their cats to premises at all times, but particularly from dawn to dusk; and
- a community awareness campaign to encourage a high level of responsible cat ownership and an increased community appreciation and tolerance for cats.

To raise community awareness of the Strategy a Charter for Responsible Cat Ownership was developed for all cat owners (Environment ACT 1992). The Charter is an integral part of the ACT Urban Cat Management Strategy and is consistent with the Code of Practice for the Welfare of Cats in the ACT made under the *Animal Welfare Act 1992*.

The objective of the Charter is to foster animal welfare, and to reduce the incidence of nuisance complaints attributed to cats by providing relevant information and guidance to cat owners and the community at large.

The recommendations of the Standing Committee and the ACT Urban Cat Management Strategy provided a sound basis on which to develop new domestic animals legislation. In principle agreement was sought and the ACT Government agreed to new legislation being drafted for a new *Domestic Animals Act 2000* which commenced on 21 June 2001.

A key provision of the *Domestic Animals Act 2000* was to allow the Minister to declare a cat curfew area where cats must be confined to their keeper's or carer's premises during stated times. This provision gave effect to the 1994 Standing Committee's recommendation that cats should be confined to their owner's premises at night. The Minister has authority to declare such an area when he/she is satisfied that cats are a serious threat to native flora or fauna in an area.

Part 3 of the new Act made it an offence to keep a dog or cat older than six months of age that has not been desexed unless the owner is the holder of a permit to keep a sexually entire animal for breeding purposes. Part 6 of the Act introduced comprehensive provisions for offences of animal nuisance, including for dogs and cats, where nuisance is defined as behaviour of an animal which causes damage to property, disturbance due to noise, or danger to the health of another person other than the animal's owner.

Following election of the first Stanhope Government in November 2001, subsequent realignment of departmental portfolios and responsibilities saw transfer of responsibility for domestic animals policy and administration of the *Domestic Animals Act 2000* from Environment ACT to Canberra Urban Parks and Places in City Management Branch, Department of Urban Services. Responsibility for animal welfare policy, the Animal Welfare Advisory Committee and administration of the *Animal Welfare Act 1992* remains with Environment ACT within the Arts, Heritage and Environment portfolio of the Chief Minister's Department.

The Conservation Council's Discussion Paper

In September 2003 the Conservation Council of the South East Region and Canberra (the Conservation Council) developed a public discussion paper entitled *Options for the Protection of Sensitive Fauna in Mulligans Flat and Goorooyaroo Nature Reserve from the Impacts of Domestic Cats*. The Conservation Council's concern in preparing this paper was to protect declining wildlife, particularly bird species, from hunting by free roaming domestic cats in significant conservation reserves abutting new suburbs and housing developments in the Gungahlin region of the city on Canberra's northern edge. There was an opportunity for the Conservation Council to explore options to control cat incursion into the reserves and to begin raising community awareness of the need for responsible cat ownership. Following consultation with the community and government agencies, the discussion paper was released to the public in November 2004.

The new suburbs of Forde and Bonner would adjoin the existing Mulligans Flat and the proposed Goorooyaroo Nature Reserves. The Conservation Council felt that it was critical that cat management measures were in place prior to the sale of the land to ensure adequate protection would be afforded to particularly two resident bird species listed as threatened under ACT legislation: the Hooded Robin, *Melanodryas cucullata* and the Brown Treecreeper *Climacteris picumnus*. These species are particularly vulnerable to cat predation because they spend much of their time near the ground.

The discussion paper highlighted that predation by feral cats has long been recognised as an ecological issue of national significance. Therefore, predation by domestic cats is also likely to have a significant impact on native animals. The effect of predation is usually to lower the population size of the prey species. If the predation rate is too high for the prey population to sustain, then that prey population is likely to disappear.

Although cats kill native animals, the impact of predation on populations of native species are uncertain because of the difficulty in quantifying these impacts. This is further complicated by the difficulty of separating the predation effect from the effects of other threatening processes such as habitat loss or modification, and from predation by other animals (ACT Government 1997).

Domestic cats are likely to have the greatest impact on native fauna where new housing developments adjoin nature reserves, due to the relatively high number of domestic cats likely to wander into these natural areas.

The discussion paper identified that the most comprehensive study of predation by domestic cats in the Canberra area was by Barratt (1997, 1998), which found that:

- 75% of all Canberra domestic cats hunt;
- cats are opportunists, taking whatever prey is available, and
- domestic cats preyed upon 67 different animal species, mainly
 - introduced species such as rats, mice and some birds which are the most abundant prey in urban areas; and
 - a range of native species (reptiles, amphibians and small native mammals).

Barratt concluded that the proportion of native species taken by cats would be higher in natural environments, where native species are more abundant. Estimates based on this study indicate that cats hunt about 480,000 animals in the Canberra urban environment each year, including 20-27% of the standing crop of native birds.

The Conservation Council's discussion paper evaluated four options for the protection of sensitive fauna in the Mulligans Flat and Goorooyaroo Nature Reserves from the impact of domestic cats.

These options were:

1. a cat free zone (ie. a ban on cats);
2. cat enclosures;
3. a cat curfew area; and
4. barriers (to prevent cats entering the nature reserves).

The Conservation Council recognised the value of a strong public education program on cat management and the need to monitor the effectiveness of whatever cat management options were adopted.

The Conservation Council received 8 written submissions and 17 phone calls in response to the discussion paper. 62% of respondents did not support a cat free zone, but 75% of respondents were in favour of some form of cat control.

The Conservation Council, Canberra Ornithologists Group and Friends of Grasslands favoured implementation of a cat free zone as their preferred option. Zones are easier to implement prior to establishment of a suburb when people can be made aware of the conditions of residency. However, the Conservation Council also noted that the ACT Government did not have the necessary powers under legislation to declare a "Cat-Free" zone.

The Conservation Council noted that whilst curfews are seen to have a primary role in reducing cat nuisance, they were not sufficient in themselves in reducing predation and the risk of disease transmission to native animals. A cat curfew requires cats to be kept within the owner's house or in secure enclosures located outside the house between specified times. Curfews are typically imposed on cat owning residents from dusk to dawn, during which cats must be kept indoors. Whilst such curfews provide some protection to nocturnal bird and mammal species, they provide little protection to diurnal species (Barratt, 1998). The Conservation Council noted that fencing alone would be limited in protecting sensitive fauna seeking passage through the suburban area, although it would afford some level of protection to fauna residing within the reserve boundary. A cat proof fence would also require monitoring and maintenance programs.

In contrast to the Conservation Council, the RSPCA did not support a cat free zone, but gave support to the less stringent options of a cat curfew area and cat confinement.

Similarly, the Animal Welfare Advisory Committee (AWAC) did not support the option of a cat free zone, but gave strong support to cat enclosures. AWAC members differed in opinion as to whether a cat curfew area in the suburbs would be effective in reducing cat predation on native animals. AWAC did not believe that a total ban on cat ownership for the proposed suburbs of Forde and Bonner would be likely to encourage compliance. In addition, the Government would need to ensure that extra resources for enforcement and monitoring compliance were in place.

AWAC supported the option of cat enclosures for housing of cats as the best solution to managing cats near ecologically sensitive areas, providing the enclosures are adequate.

The cat containment option encourages the continuing cooperation of cat owners because:

- there is no ban on cat ownership, and cats can continue to be owned within certain set parameters;
- cats will benefit from a setting that will protect them from cars, dogs, other cats and people. There should be a reduction in infectious diseases picked up from cat fighting;
- nuisance issues surrounding cat toileting habits, caterwauling, and boundary intrusions will be reduced; and
- destruction of wildlife, pest animal destruction, and potential cruelty to cats would be reduced.

The AWAC believed that barriers had some potential to benefit native animals by reducing incursions by predators and reducing accidental road injuries or death.

However, a barrier on such a large scale, nearby to a suburb, would:

- be visually intrusive and expensive to build and maintain;
- require a number of access points for humans which will jeopardise the benefit of the structure unless carefully planned and then operated by users; and
- limit movement of native species unable to climb over, or burrow under, a cat proof barrier.

Table 1 provides a summary of the options evaluated, their implications for legislative change, the need for community awareness, their relative cost, and the level of biodiversity protection offered.

	Compulsory microchipping in the cat curfew area	Compulsory microchipping for the rest of Canberra over a 3 year period	Legislation for enforcement, seizure, housing and release	Community awareness campaign	Dollar cost \$	Biodiversity protection
Option 1. Cat ban	No	No	No	Yes	Low	Low (due to non-compliance)
Option 2. 24-hour cat containment	Yes	Yes	Yes	Yes	Medium	Medium to High
Option 3. Dusk to dawn curfew	Yes	Yes	Yes	Yes	Medium	Low
Option 4. Barrier fence	No	No	No	No	Very High	High

Table 1. Summary of the discussion paper options (Conservation Council, 2003)

In January 2004, the ACT's Flora and Fauna Committee concluded that the Conservation Council's paper was fair and balanced and agreed that free roaming cats in or adjacent to nature conservation reserves are not compatible with nature conservation values. The Committee did not favour the option of fencing to exclude cats from nature reserves, but considered that cat free suburbs, cat confinement or a combination of these two methods required investigation. The Committee further emphasised the importance of community education and monitoring in evaluating the effectiveness and costs of the control methods introduced. Removal of unowned cats in and adjacent to nature reserves would be necessary and similar principles should be applied in all new suburbs adjacent to areas with significant conservation values.

There were differing opinions within AWAC concerning cat curfews and there was little hard data available as to whether cat curfews from dusk till dawn would significantly reduce cat predation. AWAC noted that the times during which cats would need to be confined vary considerably between summer and winter. A dawn to dusk cat curfew would not be appropriate for people working normal business hours.

The ACT Government response

In response to the Conservation Council's discussion paper, in late January 2004, the Greens gave notice of a motion in ACT Assembly to call on the Government to:

- 'commit to making the new suburbs in Forde and Bonner cat free, by statute or covenant,
- ensure that this commitment be made well known in advertising the sale of blocks, and at auction; and
- report to the Assembly at the next sitting.'

In a series of briefings to the ACT Government on the 10 and 25 February 2004, Environment ACT in consultation with Canberra Urban Parks and Places, including Domestic Animal Services, developed a policy response leading to debate on the Greens motion.

In essence these briefings recommended to the ACT Government that the Conservation Council's Option 2, the policy of cat containment, should be adopted.

Consequently, on 3 March 2002 when debate took place, the Government adopted the cat containment policy by amending the Green's motion to that effect. The Assembly's amended motion read, in part: ...'that this Assembly:

2(a) ensure that cats are permanently confined to premises, either indoors, or if outdoors, in cat runs (enclosures), in the new suburbs of Forde and Bonner'...

The briefings to Government had made it clear that:

- the Territory Plan would not be used to define zones for cat bans or cat confinement;
- cat enclosures would likely to be classed as 'minor developments', and therefore be exempt from requiring development approval under the ACT's planning legislation;
- controlling cats through lease conditions would not be recommended;
- legal advice indicated that a 24 hour cat containment policy could be achieved through imposing a cat curfew under section 81 of the *Domestic Animals Act 2000*; and
- implementing such a cat confinement policy would require amendment of the *Domestic Animals Act 2000* to introduce regulations for cat identification under section 83, and for the issuing of infringement notices and penalties.

On 28 April, development of cat management policy in earnest within government was signalled by the holding of the inaugural meeting of AWAC's Cat Containment Committee. On 29 April the Government announced release of the final draft of its 'ACT Lowland Woodland Conservation Strategy' (Environment ACT, 2004) and announced declaration of Goorooyarroo Nature Reserve in Gungahlin. Together with the adjacent Mulligans Flat Nature Reserve, the two reserves would protect the largest areas of Yellow Box-Red Gum Grassy Woodland remaining in the ACT and surrounding region.

In early May 2004, the Chief Minister reported progress on the Assembly's motion at its previous sitting that cats would be permanently confined to premises, either indoors, or outside in cat enclosures. The measures would protect nearby native wildlife, particularly populations of threatened bird species in the nearby nature reserves; but the measures would also have positive outcomes for cat owners and for cat welfare.

Domestic cats would be made safe and secure, and would be less prone to illness and injury through fighting with other cats. Residents who were not cat owners would also benefit through reduction in cat trespassing, fouling, fighting and hunting in their neighbourhood. A cat curfew area would be declared for the suburbs of Forde and Bonner where cats would be permanently confined to a keeper's premises for 24 hours a day. An information package would be prepared for potential residents in the new suburbs. Amendment to the *Domestic Animals Act 2000* would be necessary to provide for appropriate penalties and ensure compliance. There would be provision for trapping and holding stray cats. The Code of Practice for the Welfare of Cats prepared under the *Animal Welfare Act 1992* would be revised, particularly to define minimum housing requirements for keeping cats permanently in enclosures.

In late August 2004, Minister Bill Wood signed the disallowable instrument declaring the cat curfew area for the new suburbs of Forde and Bonner, including the adjacent nature reserves of Goorooyaroo and Mulligans Flat. This is an explicit power under section 81(1) of the *Domestic Animals Act 2000* where the Minister believes cats may be a threat to native flora or fauna in an area. The explanatory statement to the declaration made it clear that within the cat curfew area, cats would be permanently confined to premises or cat enclosures, that is for 24 hours each day and night. It was acknowledged that the cat curfew area was a first for Canberra, but that further extension of the declared area, or declaration of other cat curfew areas elsewhere, may be necessary in the future.

The cat curfew area came into effect on 28 February 2005, well in advance of any residential development commencing in the new suburbs. A minor amendment was approved in January 2005 as part of the Government's Statutory Law Amendment Bill 2005. This amendment was to remove any doubt that the meaning of 'curfew' could include 'at all times'.

The Domestic Animals (Cat Containment) Amendment Bill 2005

Agreement to draft the Domestic Animals (Cat Containment Amendment Bill 2005 (the Bill) was sought and granted by the ACT Government on 23 May followed by introduction of the Bill into the Assembly on 30 June for debate in the 2005 Spring session. This Bill would amend the *Domestic Animals Act 2000* introducing those measures necessary to give effect to the Government's cat containment policy in Gungahlin, and for cat management in the ACT generally.

Stakeholder involvement in developing policy relevant to drafting the Bill relied extensively on meetings of the AWAC and its subcommittees in the latter half of 2004 and early in 2005. AWAC members and participants in meetings of the Urban Animal Management and Cat Containment subcommittees have included ACT Government agencies (Domestic Animal Services, Canberra Urban Parks and Places, Environment ACT, ACT Roads, ACT Planning Authority, Land Development Authority) and industry representatives (Australian Veterinary Association, RSPCA, CCSERAC, Rural Lessees Association, Animal Liberation, and Capital Cats Inc.).

In addition, two Codes of Practice made under the *Animal Welfare Act 1992* have required revision. The *Code of Practice for the Welfare of Cats (1996)* has been updated primarily to specify minimum living spaces and standards for cat enclosures (see Appendix 1).

The *Code of Practice for Trapping Domestic Animals* has been revised to cater for the trapping of cats as well as dogs. An overall *Draft Urban and Reserve Cat Control Management Plan* has been drafted which incorporates material from the updated Codes.

The major issues addressed by the Bill are:

- enforcement of cat containment within the declared cat containment area;
- identification of cats;
- seizure of cats;
- temporary housing of seized cats
- conditions for release, selling or destroying cats seized; and returning seized cats to their owners.

Enforcement of cat containment

Adding the power to impose an on the spot fine for allowing a cat to run free in a cat containment area will allow an authorised officer to quickly deal with roaming cats whose owners can be readily identified. Returning straying cats quickly to their owners has benefits both for the welfare of cats and their owners.

Cat identification

Effective identification of cats with their owners is seen as the key to improved cat management. Currently cats are required to be identified by collar and tag or microchip, but compliance levels are not high. Identification by collar and tag is not permanent, tags may be lost, and cats with collars run the risk of becoming accidentally constrained or hanged by their collars in trees or vegetation.

It will be compulsory for cats resident in the declared cat containment area to be identified by microchip. At commencement of the relevant sections of the Act and the regulations, microchipping will be compulsory at point of sale for all cats over twelve weeks of age everywhere in the ACT. For the rest of the ACT outside the cat containment area, compulsory microchipping for all cats will be introduced progressively over a three year period. Therefore, for most cats resident outside the cat containment area, identification will continue to be by collar and tag or microchip initially, but after three years have elapsed, all cats in the ACT will be required to be identified by microchip. Registration of cats is not being proposed.

Seizure of stray cats

Practically speaking, for straying cats to be identified, they will need to be seized by authorised officers, usually by trapping. The Bill has explicit provisions for seizure of straying cats within a cat containment or curfew area, but there is also a general power to seize any cat an authorised officer has reason to believe it is not properly identified.

Temporary housing of seized cats

Given that ownership of a seized cat may not be confirmed quickly, provision of temporary housing is required. Given the ACT has no cat pound, temporary housing services can be provided by authorised providers such as the RSPCA or by commercial catteries on a fee-for-service basis using a determined schedule of fees. Housing, feeding and veterinary costs will be payable by cat owners, or by government, if ownership cannot be established.

Release, sale or euthanasia of seized cats

These provisions follow closely those already in place for dogs in the ACT, and the same holding period of seven days applies. A seized cat must be returned to a person successfully claiming ownership, provided it is properly identified as required, no outstanding legal obligations prevent release and any outstanding fees have been paid.

An authorised officer or provider may sell or destroy a cat if after seven days have elapsed, a cat's owner cannot be confirmed, no written claim of ownership is made, or a cat's owner deliberately relinquishes ownership. There may be overriding public interest reasons why a cat should be returned to its owner, and there are provisions in the Bill for guidelines to be determined for this purpose.

Implementation of the Amended Act

Microchipping

Microchipping procedures will be essentially the same as for dogs and cats in other jurisdictions, except that no registration fee for cats will be charged by the ACT Government because the costs of microchipping will be borne by cat owners or cat sellers. The Bill amends the Domestic Animals Regulation 2001 to provide for microchipping. The ownership details and particulars of microchipped cats should be stored on databases whose records are linked to the implanted microchip by means of a unique identifying number. These databases are maintained by organizations which are independent of government, so that the administrative burden of maintaining the register of cat identifying particulars is not a cost to government. However, for a cat, the Bill identifies the identifying particulars of a cat which must include at least one or more of the following: (a) the name and address of the cat's owner or carer; or (b) the contact telephone number of a cat's owner or carer.

Following passing of the Bill, implementation of the amended Act with regard to microchipping cats is a two stage process. First, under section 11, the Minister may approve a microchip as an identifying microchip for the purposes of the Act. This approval is given effect by means of a notifiable instrument. Secondly, section 13 of the amended Act will specify the procedures which must be followed when implanting a microchip in a cat: (a) scanning for existing microchips; (b) checking the microchip functions properly; (c) checking the unique identifying number corresponds with supporting documentation; (d) implanting the microchip under the cat's skin between shoulder blades and at an optimum orientation; and (e) after implantation, checking the microchip is functioning properly. And further, this section allows guidelines to be developed about any other procedures which must be followed. For example, the guidelines could specify which particular database or databases should be used to record a cat's particulars. Preferably, given the purpose is to rapidly re-unite a cat with its owner anywhere in Australia, reliable databases with national coverage will need to be specified.

The Bill provides that microchips may be implanted only by authorised identifiers. Authorised identifiers may be either be an identifier authorised by the registrar or a veterinary surgeon.

Media and education program

The importance of community education in implementing these changes to cat management policies and legislation has been acknowledged in the Conservation Councils' initial discussion paper (Conservation Council, 2003), and in all the subsequent responses to these proposals by the ACT Government. The budget for education, media and signage is estimated at \$30,000 over two years. The campaign by ACT Government in 2005 has two phases: (1) announcement of the Government's decision on cat containment and introduction of the Domestic Animals (Cat Containment) Amendment Bill 2005; and (2) implementation of the amended Act and residents' responsibilities in the declared cat containment area in the new suburbs of Forde and Bonner in Gungahlin.

Stage 1 of the campaign includes media releases, a video for ACT Government shopfronts, posters, and newspaper advertisements costing approximately \$15,000. Stage 2 will concentrate on explaining the elements of the amended legislation, including two brochures: one on cat welfare aspects, the second covering cat owner's responsibilities as residents in the declared cat containment area.

Information for residents in Forde and Bonner

Sales of the first residential houses in the new suburb of Forde are not expected until late in 2005-06 at the earliest. However, making new residents aware of their responsibilities for cat containment in these suburbs well before taking up residence has long been regarded as essential to the success of the cat containment policy. Cat confinement in Forde and Bonner is to the owner's 'premises' at all times. 'Premises' is defined in the Domestic Animals (Cat Containment) Amendment Bill 2005 as a building or part of a building, a vehicle, or a cat enclosure or cage which may or may not form part of a residential building. This means transporting a cat to vet in a vehicle in the cat containment area will not be an offence.

The amended Code of Practice for the Welfare of Cats (1996) specifies the minimum living area for a cat housed in an outdoor enclosure and general specifications for such enclosures including for housing multiple cats, see Appendix 1.

ACT Planning and Land Authority has advised that if cat enclosures meet the following criteria they will be exempt from requiring development approval:

- no part of the building is between a front boundary and a building line;
- the building or structure has no metal or roofing that is untreated, pre-coloured or painted white or off-white;
- if the building is a Class 10 structure (non-habitable building eg garage, shed) under the building code that is the only such structure on the boundary of the leased land on which it is erected;
- plan area of the structure does not exceed 10 square metres; and
- building height does not exceed 3 m.

An information package about cat containment will also need to be provided by ACT Planning and Land Authority and the Land Development Authority for prospective developers and residential leaseholders in Forde and Bonner. A second round of formal advice to these agencies by the Department of Urban Services is planned.

Signage

For the suburbs of Forde and Bonner which have been declared cat containment areas signage is proposed for the fingerboard signs naming streets and for the suburb naming signs. These signs will serve as a permanent reminder that a containment policy applies to the neighbourhood. Signs will be provided as these suburbs are developed from 2005-06 onwards. Figure 1 is the logo developed for this purpose.



Current issues

Why not cat registration?

The ACT Government is not proposing to maintain its own register of cats. Microchipping offers a permanent, unique, lifelong method of identifying a cat with its owner. The amending Bill makes microchipping the responsibility of the cat owner or seller of a cat, and therefore the costs of microchipping are to be borne by the cat retail industry and cat owners, not by Government. Nation-wide databases containing the records of micro-chipped cats already exist, including the necessary statutory criteria of owner's name and address, so Government need not duplicate these records. Cat owners have a strong incentive to identify their cat, if only that reliable identification will aid return of a lost cat promptly, so avoiding the costs of housing or treatment of a cat by for which the owner is liable under legislation; or to avoid loss of a cat entirely, should a cat stray and its owner be untraceable.

Trapping

Under the *Animal Welfare Act 1992*, the Code of Practice for Trapping Domestic Animals allows owners of leasehold premises in the ACT to trap non-native animals provided the principles and practices laid down in the code are adhered to. Now that the Domestic Animals (Cat Containment) Amendment Bill 2005 proposes to extend the power of authorised officers to seize cats, and trapping will be the most practical means to seize cats for the purposes of the amended Act, the Code of Practice for Trapping Domestic Animals now needs revision to acknowledge that authorised officers taking action under the *Domestic Animals Act 2000* will also need to comply with its provisions. To this end, in the Draft Urban and Reserve Cat Control Management Plan (Environment ACT 2004), in Appendix A to that Plan, there are revised trapping guidelines for cats.

Monitoring

The discussion paper (Conservation Council, 2003), and all subsequent discussion has stressed the necessity of monitoring programs to assess the effectiveness of cat management policies. Monitoring can be seen to have at least two objectives: to assess whether (a) the legislative controls in urban areas for cat management are working to prevent predation; and (b), whether the controls being implemented will reduce the number of stray cats entering reserves, and ultimately whether the target wildlife and endangered bird species in reserves are sustaining their numbers or declining. To assess (a) it will not be sufficient to just respond to complaints regarding wandering cats sighted, or to wait until an officer has reason to believe cats are not being properly identified before taking action to trap cats and therefore hold their owners' responsible. A monitoring program employing a known number of set traps over a standard time period will be the only reliable and repeatable means of assessing trends in compliance. Similarly, a parallel program of setting traps for pre-defined time periods in reserves will be the only reliable way to assess whether there are observable trends in the number of domestic and feral cats entering the reserves. Of course, a third less direct way is to survey the trends in populations of wildlife or observations of endangered bird species in the reserves over time. Canberra Ornithologists Group's Woodland Bird Monitoring Project, which inventories the numbers of birds species observed in the reserve repeatedly at the same sites, will help achieve this aim. However, the results of such a survey, taken alone, will not of themselves be sufficient to establish whether any fluctuation in bird numbers observed can be directly attributed to changes in domestic or feral cat predation.

Conclusion

The paper has described steps in a joint search between government and the community to find an acceptable solution to a unique challenge posed by Canberra's residential development taking place close by to nearby conservation reserves, that is, how to address the vexed and long standing problem of how best to minimise the impact of domestic cats on wildlife populations. The approach has anticipated the problem well in advance, allowing thoughtful planning of a solution that has a strong chance of being accepted and gaining community support.

The cat containment option chosen will still allow the community to enjoy cats as companion animals without compromising cat welfare, while also offering a high level of protection for threatened native animals, particularly birds. Whether the community, cat owners, conservationists or government eventually judge the option chosen to be successful or not, their verdict will not be known until the suburbs have been built and the cat containment measures have been in place for several years.

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Appendix 1

Excerpt from proposed changes to the "Code of Practice for the Welfare of Cats (Animal Welfare Act 1992)

4.2 Cats in cat confinement / curfew zones

In declared cat curfew areas, cats must be permanently confined to their keeper's or carer's premises for the entire duration of the declared period, which may extend to 24 hours per day. Premises include land as well as buildings.

The recommended method of confinement for cats is within a keeper's or carer's residence with ready access to an appropriate structure attached to the house or garage, to provide fresh air and sunlight, and/or within a cat enclosure or cage constructed for the purpose.

Cat ownership should be reconsidered if the cat is to be housed solely in an outdoor enclosure. If a cat is to be permanently housed in an outside enclosure, particular care and extra time will be required to ensure that its needs are met. Ensuring the cat has adequate human contact will be especially important.

4.2 Cats housed in enclosures (including breeding cats)

The minimum living space for all cats is 9 m² x 1.8 m high for up to three cats, with an additional 2 m² for each additional cat. This applies whether cats are confined within the house, confined to an outside enclosure, or a combination of both.

Cats may be confined to smaller areas under veterinary, behavioural or medical advice, or for periods up to 2 hours under specific circumstances. Where it becomes necessary to confine cats for long periods, alternate arrangements (re-homing) should be considered for the cat's welfare.

Outdoor enclosures for cats should be as large as possible and provide protection from sun, rain, wind and extremes of temperature. The minimum requirements are:

- Solid wall/s on the weather side, and a solid roofed area providing effective shelter for the planned number of cats;
- Solid flooring- this may be a combination of concrete, paving or timber and earth;
- Shelves or other sites to allow jumping, and other furniture and toys;
- Enclosed sleeping areas, sufficient for all cats; and
- Openings and doorways designed to prevent escape.

Insulation may be required to prevent temperature extremes. Where multiple cats are housed in separate enclosures, these enclosures should be separated by solid walls, which may be transparent. Enclosures should be sited with an interesting outlook and sight of human activity.

5. Environmental enrichment for cats

Confinement, without human company for many hours, can result in boredom, loneliness and anxiety in cats. This may lead to unwanted behaviours such as marking, scratching or aggression toward people or other animals. However, it is important to note that the suffering may occur even when the unwanted behaviours do not. Enrichment of a cat's environment, and regular positive interaction with people, can overcome such problems.

Given the understanding of the activity patterns and interactions of cats with their environment, the following modifications or inclusions can effectively enhance the indoor home environment of a cat.

5.1 The living environment

As cats often prefer to rest on elevated objects, provide access to a variety of places for them to explore and rest. Use of three-dimensional space may involve elaborate or simple changes to the indoor environment. Options can include

- constructing catwalks;
- adding kitty igloos, tents or tepees;
- multi-layered scratching poles;
- trees;
- tunnels; and/or
- access to elevated resting spaces (such as the top of a wardrobe).

Regularly changing the environment by moving beds, toys and other accessories may provide for more stimulation. However, it should be noted that some cats may be stressed by such changes and prefer stability. Cats may be better able to cope with confinement, loneliness, boredom or separation anxiety during the day if they have a view of the outside world. This could be achieved by constructing an outdoor enclosure and/or allowing the cat access to windows.

5.2 Feeding enrichment

Eating comprises a small percentage of a cat's daily activity. Cats in the wild spend a significant portion of the day hunting and searching for food. Instead of feeding a cat at a single, regular location, the cat's meal may be divided into three or more portions and hidden in various corners, shelves, nooks, and crannies on a rotating basis. In addition, particularly delectable treats may be hidden in different locations on a regular basis. The discovery of an extra "jackpot" will further motivate cats to hunt for their meals. Food and treats may be hidden in intermittent feeding balls and food puzzles (eg. paper tubes with holes from which food may fall when rolled).

An owner should confirm that the food is being consumed and that the cat is maintaining correct body weight.

5.3 Tactile stimulation

Cats love to scratch in order to clean and sharpen claws and to mark territory. Suitable material to allow them to express these behaviours should be readily available. These can include:

- scratching mats;
- cardboard scratching boxes;
- door hangers; and/or
- scratching posts. (Particularly posts covered with dense-pile carpet. A scratching post should be stable and tall enough to allow the cat to stretch maximally.)

Some cats find particular pleasure in scratching on a piece of tree limb covered with bark (eg. firewood log), or old railway sleepers.

5.4 Mental stimulation

While many people provide a variety of toys for their cats, these are unlikely to maintain the interest of many cats unless only a few toys are provided at a time.

Toys should stimulate all the senses: touch, sight, hearing, smell and taste. They should be both passive (with which the cat interacts alone) and active (with which you stimulate the cat to play). Fingers and finger toys are not recommended as this may encourage aggressive and undesirable behaviour in the cat.

Adding a variety of interactive activities can be one of the single most effective approaches toward enriching the social environment of an indoor cat. This is particularly important in single cat households.

Training may also be used as a means to reinforce natural (not trick) behaviours (i.e. behaviours which occur as part of their normal behavioural repertoire). Reinforcing, shaping, and even sequencing behaviours which are naturally expressed can complement learning and serve to further enrich the cats' social environment. Only positive reinforcement (rewards based reinforcement) training should be used. Punishment, or negative reinforcement, is both ineffective and inhumane.

