

BY-LAWS REVIEW 2021-2022

Council Designated Informal Gathering

19 July 2022

Presented by the City of Mitcham



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BY-LAWS REVIEW 2021-2022

What We Will Cover Tonight

- Purpose – update on By-law review
- Overview and Key Outcomes from Community Consultation
- Around the Room/Feedback?
- Next Steps



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Where have we come from?

- 10 May 2022
 - Council resolved to release draft By-laws for community and agency consultation
- 12 May 2022
 - Referred dog and cats By-laws to DCMB for agency referral
 - Referred Local Government Land and Roads By-law to DTI for agency referral
- 8 June 2022 to 8 July 2022
 - Released By-laws to the general public for community consultation



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Agency Referral

- By-laws referred to the following agencies as per legislative responsibilities:
 - Dog and Cat Management Board
 - *DCMB had no comment except they were curious on how we will enforce the age exemption (grandfather clause)*
 - RSPCA
 - *Feedback from the RSPCA indicates they still advocate a state-wide approach however are in favour of either a cat curfew or a similar approach to ACT Government – that is cat confinement however only applicable to new cats to the area*
 - Department for Transport and Infrastructure
 - *DTI made reference to By-laws in relation the operation of boats/vessels on any waters (marine or inland)*

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Community Consultation

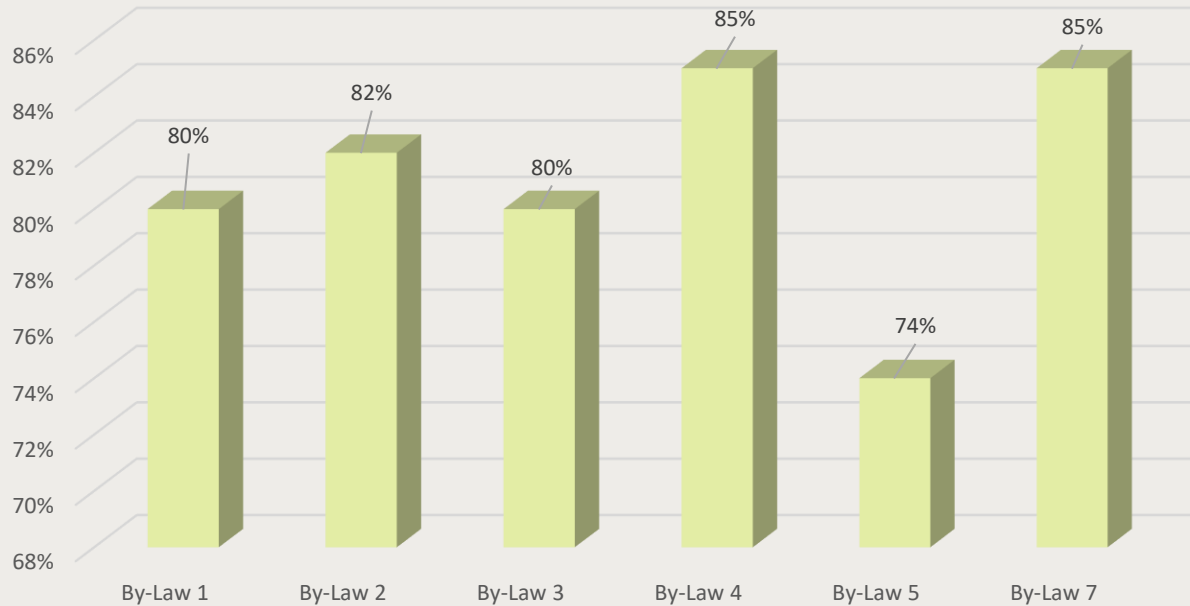
- How and Who did we consult?
 - By-laws released to community for consultation
 - Promotion on Council website, Your Say, Social media
 - 3 Information and Q&A sessions were held
 - Advertisements placed in local newspapers and media release
 - Letters to Interest Groups
- Your Say
 - 2300 visited the Your Say page
 - 1070 engaged with the page in some way
 - 273 participants engaged and lodged submission
- Submissions lodged direct via email/correspondence
 - 34 submissions were received with main topics:

– By-law – Cats	31
– By-law – LG Land	8
– By-law – Dogs	2



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Support for Consultation By-laws 1, 2, 3, 4, 5 & 7



- 2-15% - of respondents had suggested changes
- 16-22% - did not support based on questions or concerns

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Key Considerations

- **By-Law no. 2 - Moveable signs**
 - Safety when signs placed that obscure vision or vehicles leaving premises
 - Election Signs
 - Signs obstructing pedestrians and placed in haphazardly
- **By-law No. 3 – Local Government Land**
 - Changes to annoyance and nuisance provisions (impact on residents and reduction of residents' rights)
 - Proposed clause is a catch all
 - Consider whether to keep in reference to local residents or remove
 - Reference to playing areas in relation to shared use reserves and dogs on leash

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Key Considerations

- **By-law no. 4 - Roads**
 - Vehicle Parking Issues – **cannot consider under By-laws**
 - Powers of Council to tow vehicles obstructing driveways – **cannot consider under By-laws**
 - Comment about the need to obtain permission to undertake busking or play music etc.
- **By-law No. 5 – Dogs**
 - Dogs on leash and playing areas of sporting reserves
 - Delineating areas that dogs should be on leash when sporting activities are taking place
 - Greater ramification for dog barking – **cannot consider as part of By-laws**
 - Needs to be stronger on faeces management – **enforcement policy**
- **By-law no. 7 – Waste Management**
 - Definitions of domestic waste, recyclables and green waste
 - Clarification of requirement of bins being put out night or day before



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By-law No.6 - Cat Management

- Is the current By-law effective or do we need to proceed to confinement
- Is there an appetite for it in the community?
- What will this mean for existing cat owners?
- What is Confinement?
 - Not designed to keep cats indoors at all times
 - Cat-proof fencing or cat enclosures
 - Cats can continue to go outdoors in yard
 - They just need to be confined or supervised



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PROS

- Threat to ecology and wildlife from roaming cats
- Nuisance provided by cat behaviour
- Promotes cat safety

CONS

- Did not expect impost of confinement
- Could lead to surrendering or abandonment of cats
- Stress and anxiety of cats and owners
- Consistencies across Council
- Trapping and cruel treatment of cats by residents
- How to manage real issue of feral and unowned cat colonies



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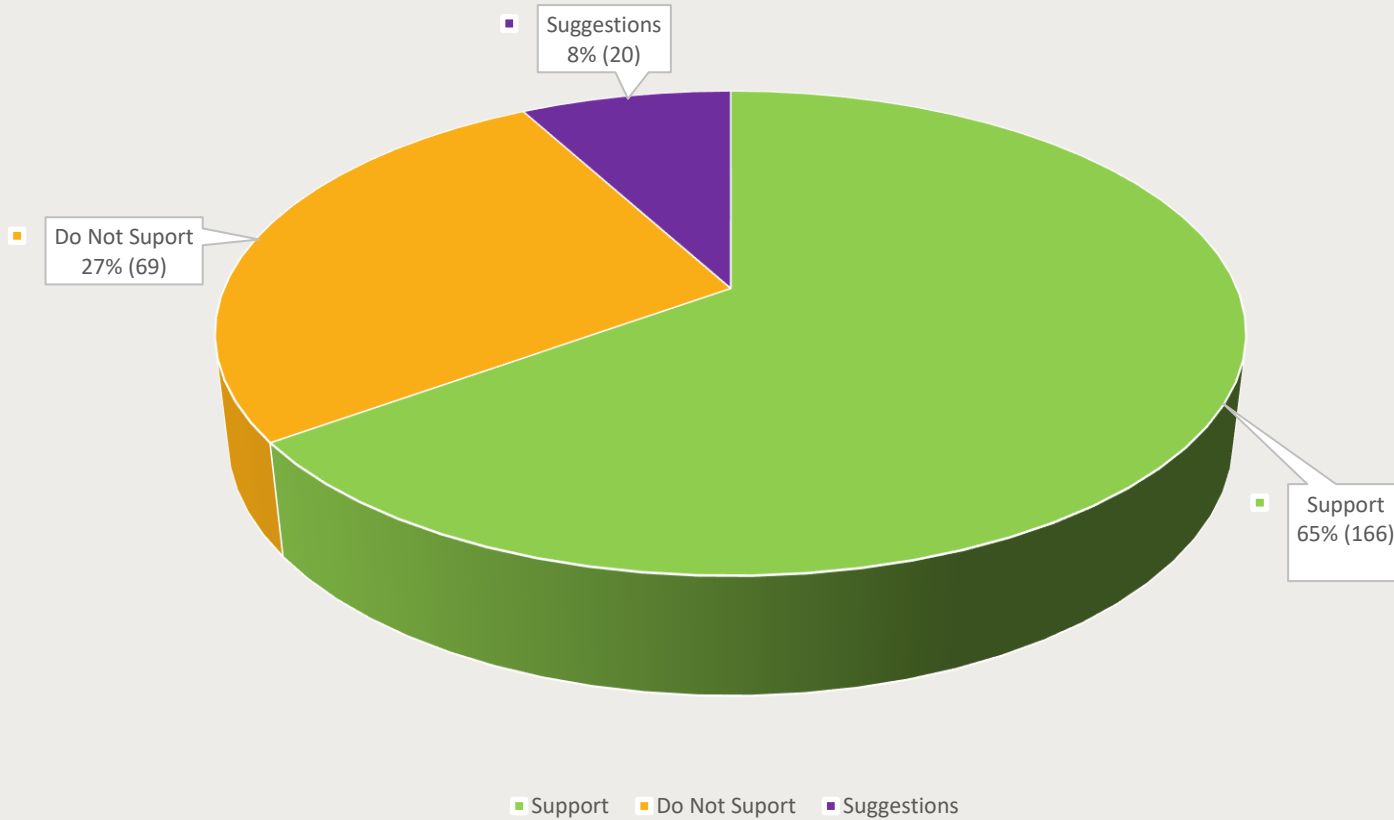
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Key Considerations – Cat Statistics

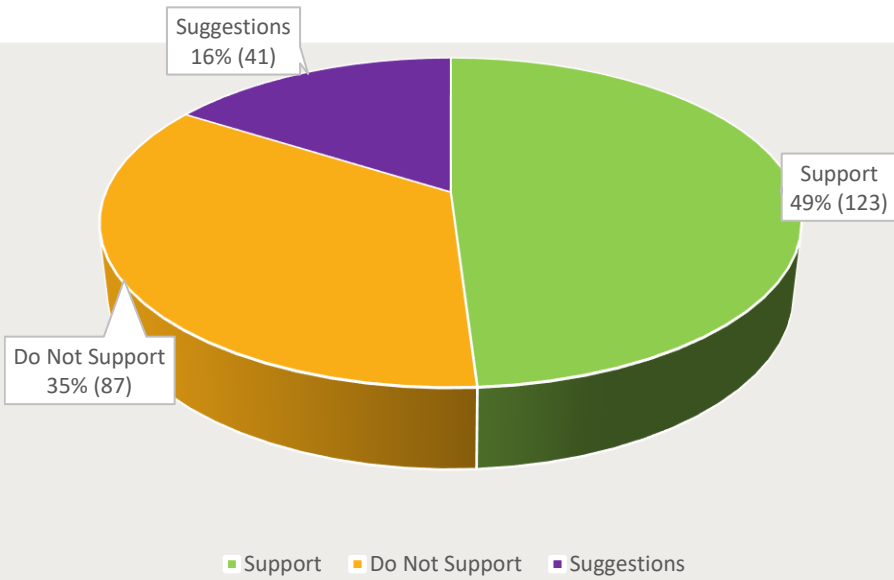
- 255 submissions
 - 65.1% support cat confinement
 - 34.9% do not support cat confinement
- Key Cat Statistics at City of Mitcham
 - 2019/2020 – 52 complaints
 - 2020/2021 – 125 complaints (88 cats taken to RSPCA)
 - 2021/2022 – 40 complaints (36 cats taken to RSPCA)
- 3878 Cats Registered in City of Mitcham
 - 1883 with date of birth **prior** to 1/1/2017
 - 1995 with date of birth **after** 1/1/2017

Outcomes from Your Say

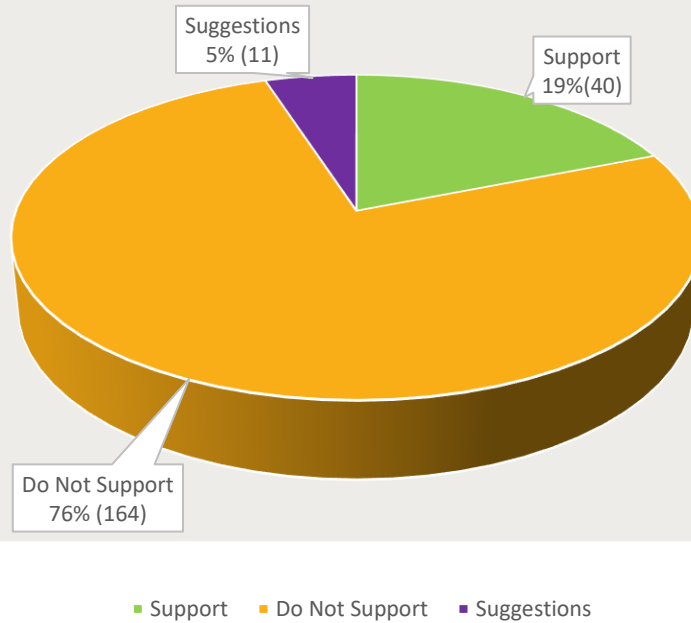
Introduction of Cat Confinement



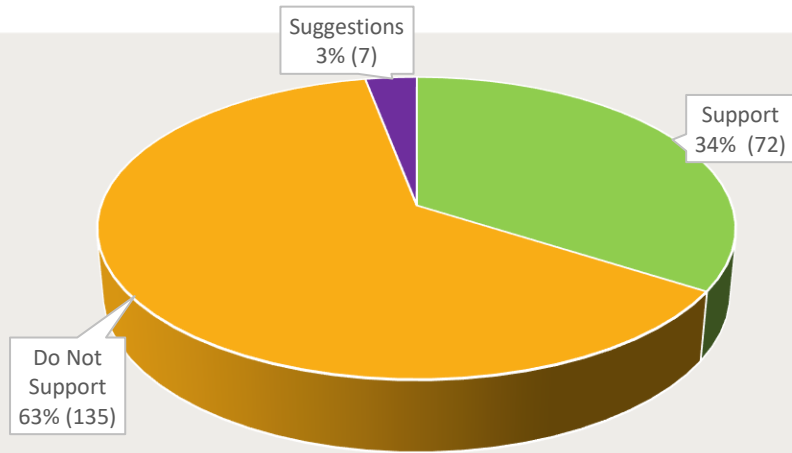
Cat Confinement 24/7



Cat Confinement at Future Date to be Resolved

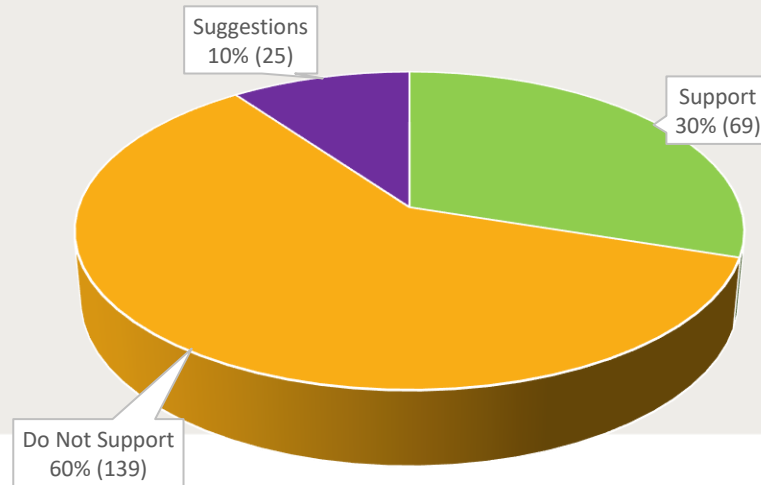


Existing By-law with Nuisance Provisions



■ Support ■ Do Not Support ■ Suggestions

Support for Grandfather Clause



■ Support ■ Do Not Support ■ Suggestions



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CAT CONFINEMENT – AROUND THE ROOM?

Is the current By-law effective or do you want confinement?

If you want to proceed to confinement, is your preference:

- Full confinement 24 hours a day 7 days a week or night-time curfew?
- Who does it apply to?
 1. New cats born or acquired/registered after 1 January 2023
 2. Cats six years or over
 3. All cats
- When will it apply from?
 1. 1 July 2023 (suitable for new cats – 6 months community education)
 2. 1 January 2024 (12 months community education)



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Where to from here?

- Staff will collate feedback from tonight
- Draft By-laws and report will be finalised
 - Discussion item on 26 July 2022
 - Final adoption of the By-laws on 9 August 2022
- A copy of this presentation and summary of the submissions will be emailed to Elected Members

