



## NOTICE OF SPECIAL MEETING

To: Mayor Bill Spragg

Councillors	Ward
Councillor Ron Nelson Councillor Jan-Claire Wisdom	Manoah
Councillor Ian Bailey Councillor Jan Loveday	Marble Hill
Councillor Kirrilee Boyd Councillor John Kemp Councillor Nathan Daniell	Mt Lofty
Councillor Andrew Stratford Councillor Lynton Vonow	Onkaparinga Valley
Councillor Linda Green Councillor Malcolm Herrmann	Torrens Valley

Notice is hereby given pursuant to the provisions under Section 82 of the Local Government Act 1999 that a Special meeting of the Council will be held on:

**Tuesday 17 July 2018  
6.30pm  
63 Mt Barker Road Stirling**

Business of the meeting:

1. Public Forum
2. Bott Adelaide Hills Rally – road closure consent
3. By-law consultation submissions
4. Cat Registration Scheme
5. LED street lighting program
6. Revocation of Community Land – Dunnfield Development Mt Torrens

A copy of the Agenda for this meeting is supplied under Section 83 of the Act.

Meetings of the Council are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 84 of the Act.

**Andrew Aitken**  
**Chief Executive Officer**



## AGENDA FOR SPECIAL MEETING

**Tuesday 17 July 2018**  
**6.30pm**  
**63 Mt Barker Road Stirling**

### ORDER OF BUSINESS

#### *Council Vision*

*Nurturing our unique place and people*

#### *Council Mission*

*Delivering activities and services which build a resilient community, sustain our built and natural environment and promote a vibrant economy*

### **1. COMMENCEMENT**

### **2. OPENING STATEMENT**

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land.”

### **3. APOLOGIES/LEAVE OF ABSENCE**

- 3.1. Apology  
Cr Malcolm Herrmann
- 3.2. Leave of Absence  
Mayor Bill Spragg (14 July to 28 July 2018) approved 26 June 2018
- 3.3. Absent

### **4. DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**

### **5. PUBLIC FORUM**



**6. BUSINESS OF THE MEETING**

- 6.1. Bott Adelaide Hills Rally – road closure consent
- 6.2. By-law consultation submissions
- 6.3. Cat Registration Scheme
- 6.4. LED street lighting program
- 6.5. Revocation of Community Land – Dunnfield Development Mt Torrens

**7. CONFIDENTIAL ITEMS**

Nil

**8. CLOSE SPECIAL COUNCIL MEETING**

**ADELAIDE HILLS COUNCIL  
SPECIAL COUNCIL MEETING  
Tuesday 17 July 2018  
AGENDA BUSINESS ITEM**

**Item:** 6.1

**Originating Officer:** Jennifer Blake, Coordinator Communications & Events

**Responsible Director:** Natalie Westover, Acting Director Community Capacity

**Subject:** Support for Road Closures: Bott Adelaide Hills Rally 2018

**For:** Decision

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**SUMMARY**

The Bott Adelaide Hills Rally 2018 is proposed to run on unsealed roads within the Adelaide Hills Council District on Sunday 23 September 2018. The event is run by Ultimate Motor Sports Events Pty Ltd (UME).

For the Bott Adelaide Hills Rally to run successfully throughout the Adelaide Hills, a number of full road closures are required. Before a road closure order can be issued by the Commissioner of Police, consent must be obtained from the applicable local council. The full list of proposed closures are included under Section 3 of this report (Analysis) and none of these are intended to occur for longer than 7 hours each.

**RECOMMENDATION**

**Council resolves:**

1. That the report be received and noted.
2. That, in relation to the 2018 Bott Adelaide Hills Rally, Council's support of the event is contingent on UME, to the satisfaction of the CEO:
  - a. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event;
  - b. Providing satisfactory financial security to the Council of their ability to meet any obligations under the road repair agreement;
  - c. Agreeing to undertake road dilapidation reports of the route prior to and subsequent to the event at their cost;
  - d. Providing evidence of satisfactory insurance to cover any damage to 3<sup>rd</sup> party property caused by the event;
  - e. Providing written confirmation from affected business owners, including Anderson Hill Wines, Pike & Joyce Wines and Arkaba Kennels, that they are aware of the road closures and do not oppose the event;
  - f. Providing written confirmation to confirm that the concerns raised by affected residents have been addressed and that arrangements for egress and regress from those properties can be managed within the event;
  - g. Written confirmation from ASIC that UME is registered beyond 3 August 2018; and



Council's Strategic Plan recognises that events are an important contributor to economic and social prosperity. They offer an opportunity to bring communities together, welcome visitors to the area, and build community spirit.

The Council's *Festivals & Events Policy* contains a specific appendix with guidelines for Competitive Motoring Events wherein road closures are considered by Council on a case by case basis.

Consideration of road closures is a matter of good governance. Some events rely on road closures to proceed. If Council does not consent to road closures, the event may be jeopardised. It follows that the Council needs to consider the impact of the road closures on the community and balance that against the benefits of the event going ahead.

➤ **Legal Implications**

Section 33 of the *Road Traffic Act 1961* (the Act) allows the Minister to declare events to be events to which the Section applies, and then to declare road closures, part closures and exemptions to the Road Rules for that event.

The Minister has delegated this power to the Commissioner of Police (as well as to Council for local roads).

In the case of the 2018 Bott Adelaide Hills Rally, SA Police will issue the applicable road orders.

However, and importantly, Subsection 33(2) of the Act states "An order to close a road under subsection (1) can only be made with the consent of every Council within whose area a road intended to be closed by the order is situated."

While the Chief Executive Officer has delegation to act under Subsection 33(2), the Chief Executive Officer's practice is to only use that delegation for regular and non-controversial events.

➤ **Risk Management Implications**

*The consent to full road closures for the Bott Hills Adelaide Rally will assist in mitigating the risk of:*

*Conflicts between event participants, residents, business owners and road users leading to injuries and/or property/vehicle damage and/or financial loss to those affected parties.*

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	High (4C)	Medium (4E)

The residual risk rating takes into consideration the provision of organisers' risk management plans, public liability insurance and on-site traffic marshals, with the event run adverse to expectation, and action taken to mitigate resident and business concerns following public consultation. The target risk rating is with full road closures as requested and the event run as intended.

➤ **Financial and Resource Implications**

There is no financial cost to the Adelaide Hills Council for the delivery of this event.

The potential cost relating to possible damage to roads from the rally is covered in the analysis section of this report.

An amount of staff time has been dedicated to working with the event organiser in the interests of achieving good outcomes for the community. This has been accommodated within normal operational resourcing.

➤ **Customer Service and Community/Cultural Implications**

The Bott Adelaide Hills Rally will have a direct effect on some Adelaide Hills residents, businesses and visitors through the closure of several roads on Sunday 23 September 2018. The consultation period throughout July 2018 has provided these community members and business owners with an opportunity to voice their feedback on the road closures as detailed in the Engagement/Consultation segment of this report.

There has been some negative feedback regarding the road closures and the organisers have said they are working with the concerned parties to mitigate their concerns.

Of particular concern at the time of this report are the following:

- A preliminary agreement has been entered into with Anderson Hill Winery to host a major event however this is yet to be finalised. The proprietor of Anderson Hill Winery has expressed some concerns that the event may lead to a loss of income on the event day if an acceptable agreement is not negotiated with the organiser.
- Pike & Joyce Winery sent a letter opposing the event and in response the organisers have asked them to host a function during the event. However, the Pike & Joyce function is yet to be finalised and Council staff have requested UME confirm the arrangements and that Pike & Joyce are satisfied with the agreement. Pike & Joyce have advised Council that, in the absence of an acceptable agreement, they are concerned about the significant impact of the event on their business on their event day and are opposed to the road closures.
- Whilst the organiser has advised that access and egress is able to be arranged during the day for a resident who is an emergency worker, the organisers are yet to communicate directly with this resident. The resident has written to the Hon John Gardner MP and Council and advised that they are opposed to the event and the impact it will have on their ability to access their property on the day and the quiet enjoyment of their property (including impact on livestock).
- Arkaba Kennels has advised that they did not receive communication from UME during the consultation period. They have directly advised Council that the current proposed road closure on Sunday 23 September is unacceptable to them as Sunday afternoons is a key time for pet owners to drop off or collect their pets and inspect the kennels.

➤ **Environmental Implications**

There is potential for the event to impact the environment of residents and businesses as follows:

- Noise nuisance;
- Dust nuisance;
- Litter from spectators; and
- Damage to roads, trees and other flora or fauna.

The potential impacts that are most likely to be significant are damage to roads, noise and dust nuisance with the road damage and dust dependent on weather conditions prior to the event. There are not expected to be many spectators so litter should not be a major issue.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

The event organisers have been in contact with Adelaide Hills Council staff regarding the event since late March 2018.

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable, however, the organisers of the event made a deputation to the Council at its meeting held on 26 June 2018.

*Advisory Groups:* Not applicable

*Administration:* Anisa Cadd, Events Administrator  
Ashley Curtis, Manager Civil Services  
Melissa Bright, Economic Development Officer  
Kim Pearson, Team Leader Environment Health  
Alisa Styles, Development Services Assistant

*Community:* The organisers have undertaken consultation with affected residents. Staff provided a list of contact details for 213 properties that lie directly along the proposed rally routes, or along roads that exit exclusively onto a proposed race route. A Council approved consultation letter as contained in **Appendix 2**, encouraging feedback about the proposal was sent in July 2018 to the ratepayers of these properties by event organisers.

SA Police have also been engaged and are currently in the process of assessing the proposition and negotiating logistical support.

## **2. BACKGROUND**

The Bott Adelaide Hills Rally will host Round 5 of the Australian Rally Championship (ARC) and the final round of the South Australian Rally Championship. The event will be the decider of who will be the championship leader heading into the final round at the World



Rally Championship in Coffs Harbour. The competition will determine the 2018 South Australian Rally Champion.

SA Tourism Commission is not providing support of any kind to the event.

The Council's *Festivals & Events Policy* contains a specific appendix with guidelines for Competitive Motoring Events. These guidelines provide for road closures to be considered by Council on a case by case basis. The Policy requires six months' notice of the event, as well as provision of reasonable traffic detour information including maps. Standard warning and detour signage is to be placed in appropriate locations at least two weeks before the event is conducted.

Community consultation needs to be conducted four months ahead of the proposed event.

The potential benefits of the motorsport event will be taken into consideration alongside community support when assessing the impact of multiple or repeated road closures.

A gravel rally event has previously been run in the Council area however due to community feedback about the impacts of the event, Council ceased supporting some road closures for that particular event, which resulted in the event being moved to alternate locations.

### **3. ANALYSIS**

For motorsport events covering a number of roads across multiple council areas, the road closure order is normally made by a sub-delegate of the Commissioner of Police, who acts under ministerial delegation. The Council's role, albeit a critical one, is limited to providing or withholding consent to the road closure. The actual order is not made by the Council.

Infrastructure and operational staff have advised that, based on previous experience with rallies in the Adelaide Hills, some damage to roads from the proposed activity is to be expected. It is expected that loss of material and increased rutting at a minimum and the roads would need to be regraded after the event which may include the need to add some additional material. Some of these roads have already been patrol graded this year, meaning maintenance cannot be delayed until after the event as suggested by the organisers. Also, if it is wet Council won't be able to regrade the roads straight away so any damage might remain in place for a number of weeks (or months). Finally, Council may need to bring forward the re-sheeting of those roads, especially if the event is held annually. Council can accommodate the rally operationally, however, there will be a cost (estimated in the low \$'000) to Council and a reduction in road standard for a period of time.

Any repair or damage costs directly associated with the rally and not related to general maintenance are to be covered with UME as a condition of the road closure. A condition of approval could include that a Dilapidation Survey be conducted by the organisers prior to and following the event so that the condition of the road and road furniture can be determined for this purpose.

Temporary closure of roads during the rally is requested to ensure the safety of event participants and the public in the area at the time. Event organisers are working with Council staff to communicate how they are mitigating issues with affected residents. The organisers have made minor route changes where possible in response to staff feedback.

As this is a new rally the economic impacts on the region are hard to quantify. UME have projected economic benefits to the region through the accommodation, food and beverage needs of the teams and officials as contained in **Appendix 1**. It should be noted however, that the event's base of operations will be at the Mount Barker Showgrounds and that teams will likely seek accommodation and dining nearby within the Mount Barker District Council.

While the benefits of hosting the event are not likely to directly benefit businesses within our Council's region, the event does support the broader Adelaide Hills Tourism region of which we are a part.

Whilst the organiser has advised that two local businesses have been engaged to host events during the rally, namely Anderson Hill and Pike & Joyce, direct contact by Council has indicated that a formal agreement with Anderson Hill has yet to be agreed and an agreement with Pike & Joyce has not been presented for consideration. Pike & Joyce have expressed concerns about the significant impact of the event on their business if an acceptable hosting agreement cannot be reached.

The amount of free/tourist time of the event participants is unknown, however, there is very likely to be interest in the National Motor Museum at Birdwood. It houses Australia's biggest motoring collection and an obvious point of interest for the UME participants into our region either during the event or some point in the future.

Significant digital media exposure has been predicted by UME as outlined in **Appendix 1**.

Road closure requests:

**a. Mt Torrens Stage**

Sunday 23 September 2018

Approximate closure 8:10am – 2:40pm

- i. **Boundary Farm Road, Mount Torrens** - from Terlinga Road to Black Heath Road
- ii. **Black Heath Road, Mount Torrens** – from Boundary Road to Warmington Run
- iii. **Warmington Run, Mount Torrens** – from Black Heath Road to Hollows Road NB – this is a boundary road with Mount Barker District Council.

**b. Mawson Road Stage**

Sunday 23 September 2018

Approximate closure 12:30pm – 5:30pm

- i. **Mawson Road, Lenswood** - from 19 Mawson Road to 237 Croft Road
- ii. **Croft Road, Lenswood** - from Mawson Road to Fox Creek Road.

**c. Retreat Valley Stage**

Sunday 23 September 2018

Approximate closure 1:40pm – 5:40pm

- i. **Retreat Valley Road, Gumeracha** - from Gorge Road to Odea Road
- ii. **Odea Road, Gumeracha** - from Retreat Valley Road to Berry Hill Road
- iii. **Berry Hill Road, Kenton Valley** - from Odea Road to Langley Road
- iv. **Langley Road, Cudlee Creek** - from Berry Hill Road to Cudlee Creek Road.

### **Consultation Summary**

Event organisers have advised Council that a total of four responses were received by UME: 1 supportive, 3 opposing. Council received two copies of these opposing responses directly from the respondents and sent a letter of response outlining the consultation process being undertaken by UME. One of the respondents also contacted their local MP and Council received a letter of concern from him (Hon John Gardner MP). A drop-in session was held on Monday 25 June at the Mount Barker Footballers Sports & Social Club rooms with no attendees from community or business.

Council has received an additional email of opposition directly from Arkaba Kennels.

Under the Council's *Festivals & Events Policy*, Council's position is to provide support to events where the community consultation has resulted in less than 25% opposition. On this basis, Council staff are recommending to support the event however, there are at least two businesses that may suffer a significant detriment if acceptable hosting agreements cannot be negotiated between the parties.

### **4. OPTIONS**

Council has the following options:

- I. Receive the report and resolve to consent for the road closures contemplated in this report (Recommended).
- II. Resolve not to provide consent for the road closures contemplated in this report. Should the Council not consent to some or all road closures proposed for this event, significant parts of the event, or the event in its entirety, would be unable to proceed as intended (Not Recommended).

### **5. APPENDICES**

- (1) UME 2018 AHR Initial Event Proposal
- (2) UME 2018 AHC 2018 AHR Rally Consultation Letter

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# **Appendix 1**

*UME 2018 AHR Initial Event Proposal*

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**ULTIMATE**  
**MOTORSPORT** EVENTS



A PARTNERSHIP WITH...



**Adelaide Hills**  
COUNCIL

Adelaide Hills Council

PO Box 44

Woodside SA 5244

Dear Council

### **A Request to the Adelaide Hills Council**

## **THE EVENT: ADELAIDE HILLS RALLY**

The 2018 Adelaide Hills Rally will explode into life at Mount Barker from September 21<sup>st</sup> to 23<sup>rd</sup>. The event headquarters will be based at the Showgrounds and will be traversing the greater Adelaide Hills Region.

The event brings three days of Rallying Heaven to some of the best gravel rally roads Australia has to offer.

The 2018 Adelaide Hills Rally will host round 5 of the Australian Rally Championship (ARC) and the final round of the South Australian Rally Championship. No doubt the competition is going to be tense, tight, fast and furious. The best rally teams Australia and SA have to offer will be on show, and thrillingly they will also be fighting hard for event honours. The event is vital for the ARC teams as it will be the decider of who will be the championship leader heading into the final round at the World Rally Championship in Coffs Harbour. The competition will be hot for the SA component as this event will determine the 2018 South Australian Rally Champion!

The 2018 Adelaide Hills Rally (AHR) will also present opportunities for those that have the wherewithal to take part in the AHR Introductory Rally competition, and in a first for gravel rally in Australia, the AHR Tour experience. This experience will allow those that wish, the unrivalled opportunity to traverse all the events' closed road stages at posted road speeds. Those embracing the opportunity will be accompanied by an AHR Tour Team who will expertly guide participants and provide them all the information and advice they need to get started in gravel Special Stage Rallying.

Day 1 of the event's competition will commence with a Super Special Stage (SSS) at the new Bend Motorsport Park in the evening of Friday 21<sup>st</sup>. The format of the SSS will allow the competitors to go head to head, as there will be two cars on the track at a time. This will be a thrilling spectacle and spectators will be able to see firsthand the power of the rally cars and an exhibition of the incredibly skilled teams. Once the SSS is complete, all competitors will transport back to the Adelaide Hills Rally Service Park and Headquarters at the Mount Barker Showgrounds. This is where the public will take part in the country fair atmosphere melded within a motorsport festival.

The Mount Barker Showgrounds, situated in the heart of the town, will be a hive of activity over the weekend of the event. The Showgrounds will be the base of operations for the 2018 AHR and the location for team servicing and regrouping. Adding to the excitement at the showgrounds there will be a swathe of South Australia's hottest food trucks and a myriad of Adelaide Hills Rally partner displays.

A brand-new exhibition of the Adelaide Hills Virtual Rally Experience; open to all ages and skill levels, will allow punters to test their skills on state of the art equipment, whilst also competing against each other and the skilful competitors of the event. The showgrounds will have an area for kids and kids at heart to have some fun.

Day 2 of competition on Saturday will see competitors taking part in stages throughout the Adelaide Hills eastern regions. The teams will compete from Callington to Kersbrook; with several returns to the Adelaide Hills Rally Service Park for vehicle checks, refreshments and some time with the public. Saturday evening will see all event competitors taking part in an online rally competition with each pitted against the other for outright honours in the inaugural Adelaide Hills Virtual Rally Experience Cup.

Day 3 on Sunday will find the crews heading out to the southern areas of the Adelaide Hills, again returning to the Adelaide Hills Rally Service Park.

During the day, there will be a number of wonderful viewing opportunities in the forests at Mt Crawford and at designated points on the rally routes' shire roads. However, the jewel of the event and the most exciting viewing location will be at the Anderson Hill Winery in Lenswood. This will be the venue where the events' Tour and Introductory participants will finish. They will then be given the opportunity to enjoy the setting of Anderson Hill, including gorgeous food and great wine, time to mingle with the events' partners and guests and to view the final stages of the ARC competition.

The event will conclude with a podium presentation on Sunday afternoon. Following the presentations, all competitors and event officials will have the opportunity to mingle and chat and enjoy a well-deserved post event celebration.

We look forward to meeting with you to further explore the benefits to the region, and to discuss the request for 2018.

We are very excited at the opportunity for the Adelaide Hills Council to align with UME at 2018 Adelaide Hills Rally and future events.

Yours sincerely

Andrew Admiraal  
Director  
andrew@ume.cool  
0403 116 400

Michael Clements  
Director  
michael@ume.cool  
0418 804 105

## THE TEAM: **ULTIMATE MOTORSPORT EVENTS**

The team at Ultimate Motorsport Events (UME) are a professional, dynamic and diverse group committed to delivering a quality service in the provision of closed road and circuit rallying and racing fixtures. The UME team have won many awards for the overall events that we've run, and personally won awards as members of the organising team, it is a tried and tested, successful management group.

UME provides a total fixture solution with the most comprehensive range of equipment and experience necessary to run a safe and successful motorsport event. We will provide motorsport clients, whether they are clubs, companies or groups, the complete solution in event management from the initiation and implementation through to completion and finalisation. We provide the support of compliance management, liaising with various bodies throughout the required administrative steps and processes through to the successful and safe management of the actual competition.

UME facilitates access to experienced motorsport officials including:

- Clerks of Course, Secretaries, Safety Officers
- Incident Controllers
- Rally Control Personnel
- Compliance Checkers
- Communicators / Observers
- Stage Commanders
- Spectator Officials
- Course Cars

UME supplies an extensive range of resources, equipment and infrastructure for events including:

- Current generation Tag Heuer timing equipment
- CAMS documentation - such as permits, medical & safety plans, compliance checking etc.
- Liaising with Government and Regulatory Bodies
- Incident Response Vehicles
- Specialist Medical Teams with motorsport and trauma experience
- Fire Extinguishers
- Oil / Liquid spill clean-up materials
- Radios
- Fully equipped mobile rally headquarters



Promoters and event organisers can customise an individual package created using one or all services provided by UME to perfectly match particular event needs.

The UME management team has over 180 years of combined experience in motorsport at all levels from local club through to international events. As Australian rallying moves to a more professional level, the team at UME is embracing the changes and challenges in the provision of medical and trackside services, integrating the following elements in its operations:

- Corporate image
- Competitor focus
- Teamwork
- Training & Rigorous Quality Review
- Multi-tasking of officials in different roles

Whether the involvement in the event is small or large, UME is committed to providing an exceptional level of service that seeks to maximise competitor satisfaction in the safest environment.

## **EVENT DELIVERABLES: 2018 ADELAIDE HILLS RALLY**

Please note the below list of the key deliverables that are indicative of what we would bring with a round of the 2018 CAMS Australian Rally Championship (ARC).

These figures are consistent with what was achieved at the 2017 ARC round in Ballarat.

We would expect to achieve similar in the Adelaide Hills region for competitors, though the numbers for officials would not be so high due to most residing within or close to the area/region;

A round of the ARC would consist of 53 teams;

21 Teams consist of a team of 12 people

32 Teams consist of a team of 7 people

Each team stays 5 nights

This equates to **2380 Bed Nights**

On average, each Team would spend \$3000 of food and beverage totaling **\$160,000 in revenue in**

20 Senior Officials require accommodation for 4 nights totaling an additional **80 Bed Nights**

Rallycorp will provide (via its own media team) media messaging through all media channels (digital, social, print, daily VNR's);

ARC Facebook – 13,640 Followers

CAMS Facebook – 17,000 Followers

ARC Twitter – 1,615 Followers

CAMS Twitter – 6,887 Followers

These media numbers would be supplemented by the Adelaide Hills Rally events' social media channels as well as the Ultimate Motorsport Events (and subsidiaries) media channel and the SA Rally social media channel.

The numbers stated below have genuine follower base with high ongoing engagement that has grown organically as UME events mature. As the Adelaide Hills Rally is a wholly new event, these numbers will grow dramatically, as will the engagement.

Adelaide Hills Rally Facebook - 387 Followers (new site)

Ultimate Motorsport Events (and subsidiaries) Facebook – 10,654 Followers

SA Rally Facebook – 1,298 Followers (currently SA centric)

## THE REQUEST:

We would like to apply for the following roads to be closed by the Event.

The roads, the day & date and the times are:

**Sunday 23<sup>rd</sup> of September 2018:**

**Mt Torrens Stage (Adelaide Hills Council & Mt Barker District Council)**

**8:10am to 2.40pm**

Boundary Farm Rd - from Terlinga Rd to Black Heath Rd (AHC)

Black Heath Rd - from Bounday Rd to Warmington Run (AHC)

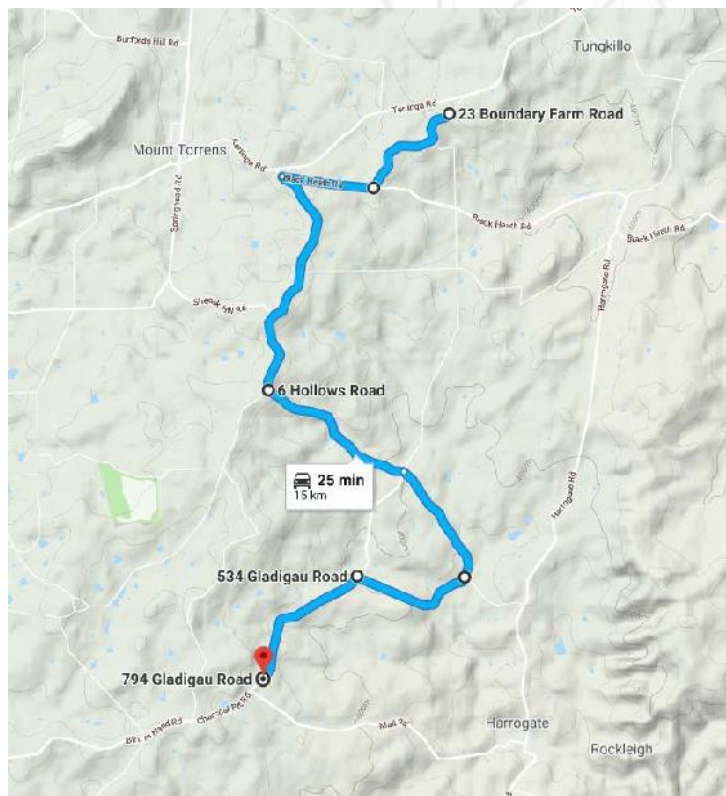
Warmington Run - from Black Heath Rd to Hollows Rd (AHC & MBDC – boundary road)

Hollows Rd - from Black Heath Rd to Bloomingdale Rd (MBDC)

Bloomingdale Rd - from Hollows Rd to School Bus Rd (MBDC)

School Bus Rd - from Bloomingdale Rd to Gladigau Rd (MBDC)

Gladigau Rd - from School Bus Road to Charcoal Pit Rd/Main Rd (MBDC)



**Sunday 23<sup>rd</sup> of September 2018:**

**Mawsons Rd Plus (Adelaide Hills Council)**

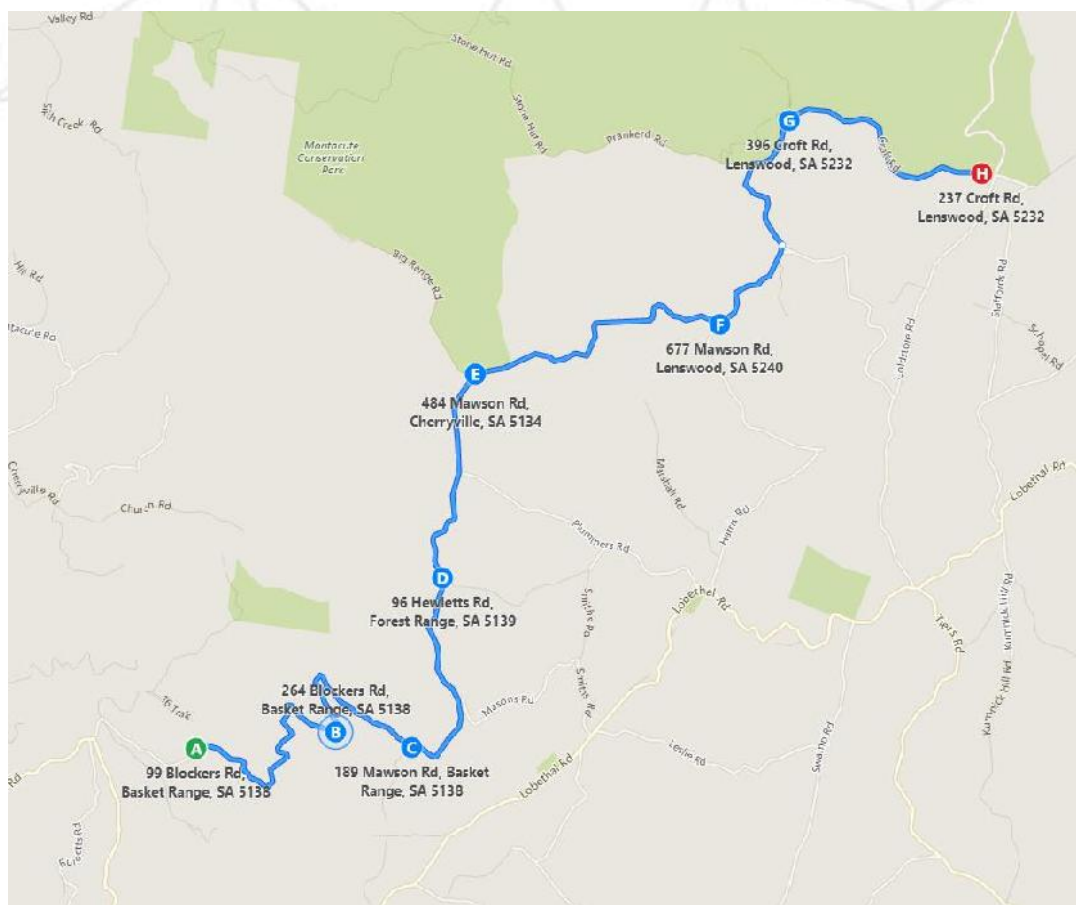
**12:30pm to 5:30pm**

**99 Blockers Road - to 189 Mawson Rd**

**189 Mawson Road - from Blockers Rd to Croft Rd**

**Croft Road - from Mawson Rd to Fox Creek Rd**

**Mawsons Rd Plus (Adelaide Hills Council) map overview:**



**Sunday 23<sup>rd</sup> of September 2018:**

**Retreat Valley (Adelaide Hills Council)**

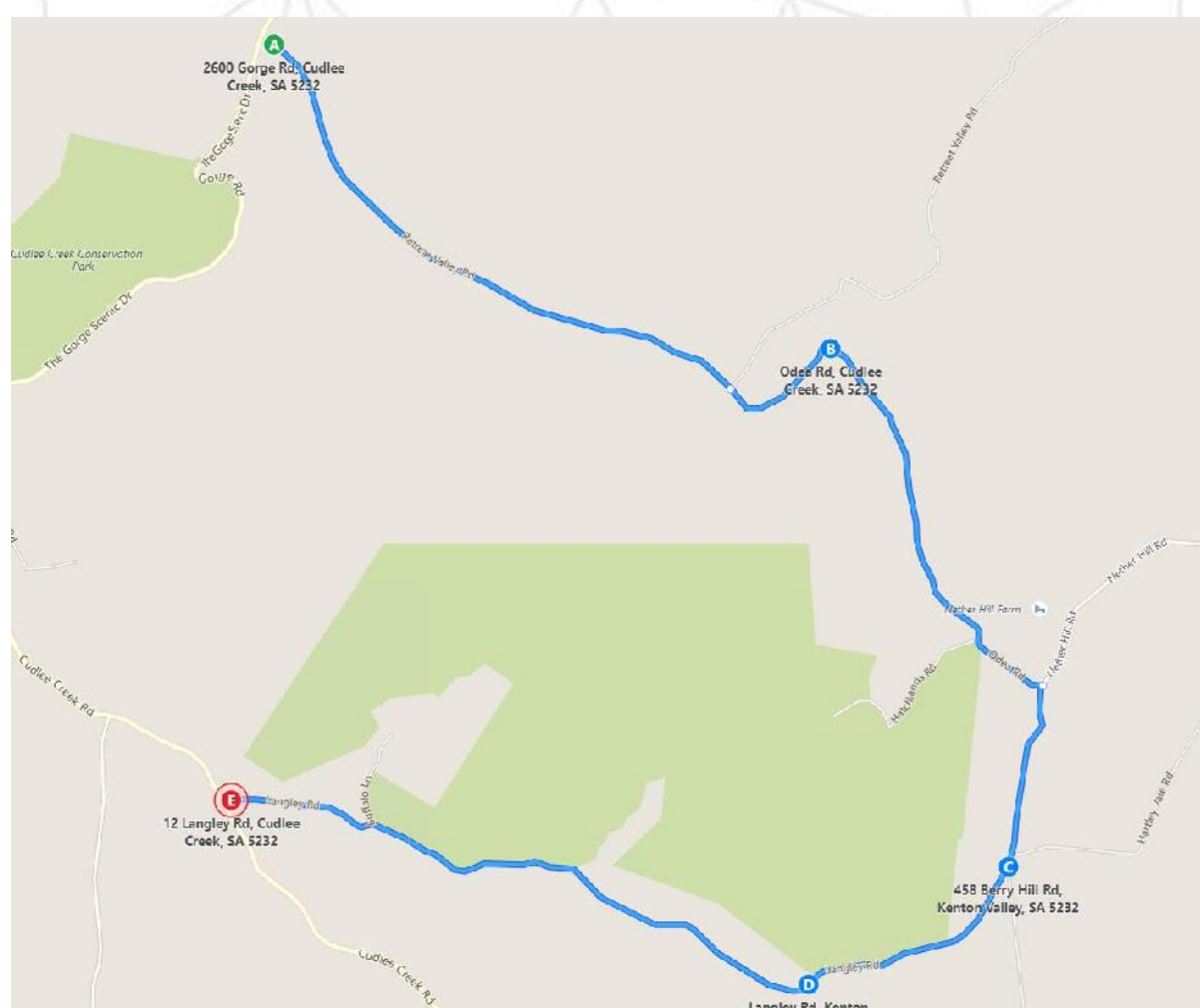
**1:40pm to 5:40pm**

**Retreat Valley Road - from Gorge Rd to Odea Rd**

**Odea Road - from Retreat Valley Rd to Berry Hill Rd**

**Berry Hill Road - from Odea Rd to Langley Rd**

**Langley Road - from Berry Hill Rd to Cudlee Creek Rd**





To ensure the safety of the competitors and the general public we request a short-term closure under Section 33 of the Road Traffic Act, of the roads, which we would like to add to the competitive part of the route.

If Council approves our request, we will make every effort to run the rally with minimum inconvenience to residents.

Additionally, we will:

Notify adjoining landowners in writing at least 3 months beforehand

Compile a Traffic Management Plan

Employ a Traffic Management company to undertake the Traffic Management Plan

Convene a residents meeting at least 2 months prior to the event

Leave all control areas in a clean and tidy state

Notify the police of the running of the event and obtain permission to close the roads under Section 33 of the Road Traffic Act

Notify the emergency services in the area

Affect a public risk insurance policy through the Confederation of Australian Motor Sport (CAMS) which includes \$100 million public liability insurance. (A copy of the permit and insurance cover can be supplied if required).

Place advice signs along all roads 4 weeks before the event to forewarn road users of impending road closure

Advertise the road closures in the local papers the week before the event

During the event, man the access points to these roads to advise users of the temporary restrictions

We run our events to Australia's best standards and have medical vehicles at the start of each competitive stage. If a land owner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

We appreciate the consideration extended to us in our efforts to organise this event.

I will forward to you a current copy of the Confederation of Australian Motorsport Public Liability Cover if we receive permission to run the event.



**ULTIMATE**   
**MOTORSPORT** EVENTS

PO BOX 10213 ADELAIDE BC SA 5000 | [WWW.UME.COOL](http://WWW.UME.COOL)

  
**ULTIMATE**  
**MOTORSPORT**  
EVENTS

PAGE 11 OF 11

2018  
**ADELAIDE**  
HILLS  
**RALLY**

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## **Appendix 2**

*UME 2018 AHC 2018 AHR Rally Consultation Letter*

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## 2018 BOTT ADELAIDE HILLS RALLY

September 21st to 23rd, 2018

COMMUNICATION TO RESIDENTS WITHIN THE VICINITY OF

### **PROPOSED** ADELAIDE HILLS ROAD CLOSURES

Tuesday, 5<sup>th</sup> June, 2018

Dear Owner/Occupier

### RE: PROPOSED MOTORING EVENT

We are writing to inform you that Ultimate Motorsport Events with the support of the South Australian Tourism Commission, wish to run an event named the 2018 Bott Adelaide Hills Rally in the Adelaide Hills Region during the period of Friday 21st of September 2018 to Sunday 23rd of September 2018.

A road within your vicinity has been selected to host a closed road section within the proposed rally route (see proposed closed road maps overleaf) and we are seeking your feedback as a resident who may be impacted.

### THE EVENT:

The 2018 Bott Adelaide Hills Rally will burst into life at Mount Barker from September 21st to 23rd. The event headquarters will be based at the Showgrounds and will be traversing the greater Adelaide Hills Region.

The event brings three days of National Rally Competition to some of the best and most technical roads Australia has to offer.

The 2018 Bott Adelaide Hills Rally will host round 5 of the Australian Rally Championship (ARC) and the final round of the South Australian Rally Championship. No doubt the competition is going to be tense and tight, bringing a great spectacle to the region for all that come to watch. The best rally teams Australia and SA have to offer will be on show, and thrillingly they will also be battling hard for event honours. The event is vital for the ARC teams as it will be the decider of who will be the championship leader heading into the final round at the World Rally Championship in Coffs Harbour. The competition will be extremely important for the SA component as this event will determine the 2018 South Australian Rally Champion!

The 2018 Bott Adelaide Hills Rally (AHR) will also present opportunities for those that have the desire to take part in the AHR Introductory Rally competition, and in a first for gravel rally in Australia, the AHR Shannon's Tour experience. This experience will allow those that wish, the unrivalled opportunity to traverse all the events' closed road stages at posted road speeds. Those embracing the opportunity will be accompanied by an AHR Tour Team who will expertly guide participants and provide them all the information and advice they need to get started in gravel Special Stage Rallying.

Day 1 of the event's competition will commence with a Super Special Stage (SSS) at the new Bend Motorsport Park in the evening of Friday 21st. The format of the SSS will allow the competitors to compete head to head, as there will be two cars on the track at a time. This will be a thrilling spectacle and spectators will be able to see firsthand the professionalism of the rally teams and an exhibition of the incredibly skilled crews. Once the SSS is complete, all competitors will transport back to the Bott Adelaide Hills Rally Service Park and Headquarters at the Mount Barker Showgrounds. This is where the public will take part in the country fair atmosphere melded within a motorsport festival.

The Mount Barker Showgrounds, situated in the heart of the town, will be a hive of activity over the weekend of the event. The Showgrounds will be the base of operations for the 2018 AHR and the location for team servicing and regrouping. Adding to the excitement at the showgrounds there will be a swathe of South Australia's hottest food trucks and a myriad of Bott Adelaide Hills Rally partner displays. Hills radio 88.9FM will be broadcasting from the event epicentre at the Showgrounds giving updates on what is happening out on the roads, and interviews with leading competitors throughout the duration of the event.

A brand-new exhibition of the Adelaide Hills Virtual Rally Experience; open to all ages and skill levels, will allow punters to test their skills on state of the art equipment, whilst also competing against each other and the skilful competitors of the event. The showgrounds will have an area for kids and kids at heart to have some fun.

Day 2 of competition on Saturday will see competitors taking part in stages throughout the Adelaide Hills eastern regions. The teams will compete from Callington to Mt Torrens; with several returns to the Bott Adelaide Hills Rally Service Park for vehicle checks, refreshments and some time with the public. Saturday evening will see the competitors taking part in an online rally competition with each pitted against the other for outright honours in the inaugural Adelaide Hills Virtual Rally Experience Cup.

Day 3 on Sunday the proposed route (see attached maps) will find the crews heading out to the northern areas of the Adelaide Hills and Mt Crawford Forest, again returning to the Bott Adelaide Hills Rally Service Park. The event will conclude with a podium presentation on Sunday afternoon. Following the presentations, all competitors and event officials will have the opportunity to mingle and chat and enjoy a well-deserved post event celebration.

We look forward to meeting with you to further explore the benefits to the region, and to discuss the request for 2018.

We are very excited at the opportunity for the Adelaide Hills Council to align with UME at 2018 Bott Adelaide Hills Rally and future events.

Yours sincerely

Andrew Admiraal

Director

andrew@ume.cool

0403 116 400

Michael Clements

Director

michael@ume.cool

0418 804 105

## THE COMPLIANCE:

To ensure the safety of the competitors and the general public we request a short-term closure under Section 33 of the Road Traffic Act, of the roads, which we would like to add to the competitive part of the route.

If Council approves our request, we will make every effort to run the rally with minimum inconvenience to residents.

Additionally, we will:

- Notify adjoining landowners in writing at least 3 months beforehand
- Compile a Traffic Management Plan
- Employ a Traffic Management company to undertake the Traffic Management Plan
- Convene a residents meeting at least 2 months prior to the event at a location TBA
- Leave all control areas in a clean and tidy state (repair any damage??)
- Notify the police of the running of the event and obtain permission to close the roads under Section 33 of the Road Traffic Act
- Notify the emergency services in the area
- Affect a public risk insurance policy through the Confederation of Australian Motor Sport (CAMS) which includes \$100 million public liability insurance. (A copy of the permit and insurance cover can be supplied if required).
- Place advice signs along all roads 4 weeks before the event to forewarn road users of impending road closure
- Advertise the road closures in the local papers the week before the event
- During the event, man the access points to these roads to advise users of the temporary restrictions

We run our events to Australia's best standards and have medical vehicles at the start of each competitive stage. If a land owner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

We appreciate the consideration extended to us in our efforts to organise this event.

## THE COMMUNITY:

The event will be utilising and supporting many sporting, volunteer emergency service and social groups through the region to aid in the running of the event. From an event perspective, all these groups will be getting both financial and social benefits.

With the national focus on the Adelaide Hills Region through the fact that it is a true Motorsport National Championship, the media coverage that the event will bring as well as all the teams that will be competing will highlight and showcase all the wonderful benefits that we know we have here. This will have positive financial flow on to businesses in the region.

## CONSULTATION PROCESS:

We are accepting written feedback in relation to the proposed road closures via email and post prior to 25/06/2018. If you do not reside on the affected property, and have a tenant on site please forward this information to them.

There will be a community meeting at the Mount Barker Footballers Sports & Social Club rooms on Monday 25/06/2018 at 7:30pm where you are able to discuss the event with the team.

## WE WILL KEEP YOU INFORMED OF THE PROPOSED TEMPORARY ROAD CLOSURES VIA POST PRIOR TO THE EVENT

Please send feedback to:

Email: [secretary@ume.cool](mailto:secretary@ume.cool)

or

Post: PO Box 10213

Adelaide BC, SA, 5000

## THE REQUEST:

We would like to apply for the following roads to be closed by the Event.

The roads, the day & date and the times are:

Sunday 23rd of September 2018:

**Mt Torrens Stage** (Adelaide Hills Council, Mt Barker District Council & Mid Murray Council)

8:10am to 2.40pm

**Boundary Farm Rd** - from Terlinga Rd to Black Heath Rd (AHC & MMC)

**Black Heath Rd** - from Boundary Rd to Warmington Run (AHC)

**Warmington Run** - from Black Heath Rd to Hollows Rd (AHC, MBDC & MMC – boundary road)

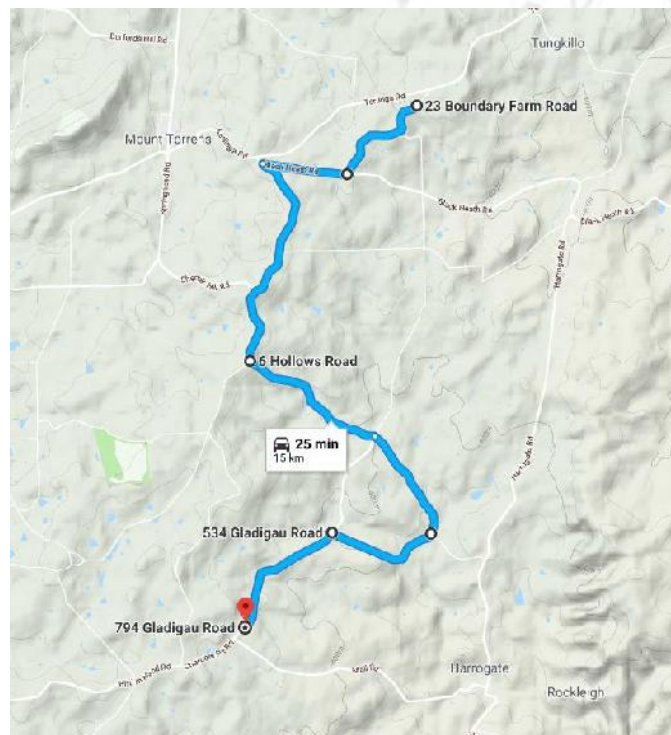
**Hollows Rd** - from Black Heath Rd to Bloomingdale Rd (MBDC)

**Bloomingdale Rd** - from Hollows Rd to School Bus Rd (MBDC)

**School Bus Rd** - from Bloomingdale Rd to Gladigau Rd (MBDC)

**Gladigau Rd** - from School Bus Road to Charcoal Pit Rd/Main Rd (MBDC)

Mt Torrens Stage (Adelaide Hills Council, Mt Barker District Council & Mid Murray Council)  
map overview:





Sunday 23rd of September 2018:

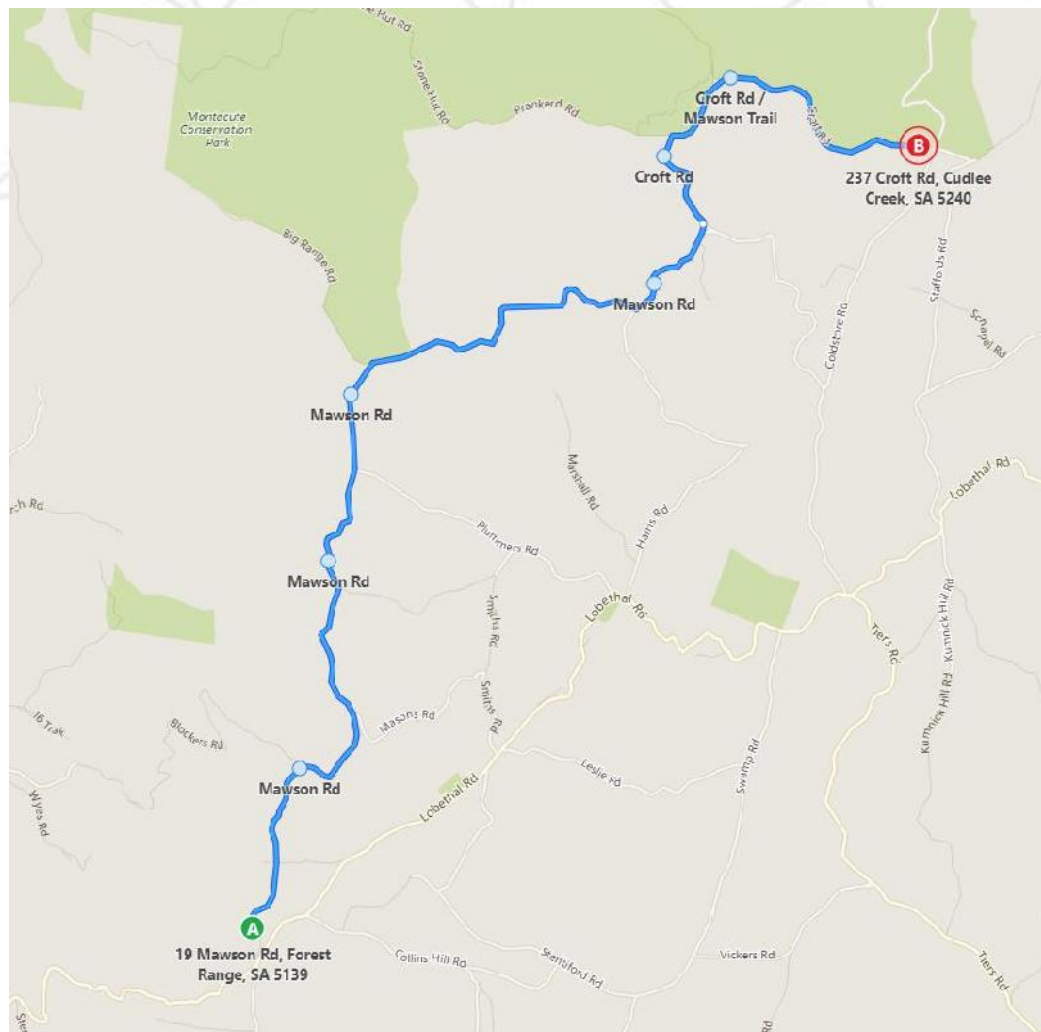
**Mawsons Rd** (Adelaide Hills Council)

12:30pm to 5:30pm

**Mawson Road** - from 19 Mawson Road to 237 Croft Road

**Croft Road** - from Mawson Rd to Fox Creek Rd

Mawsons Rd Plus (Adelaide Hills Council) map overview:



Sunday 23rd of September 2018:

**Retreat Valley** (Adelaide Hills Council)

1:40pm to 5:40pm

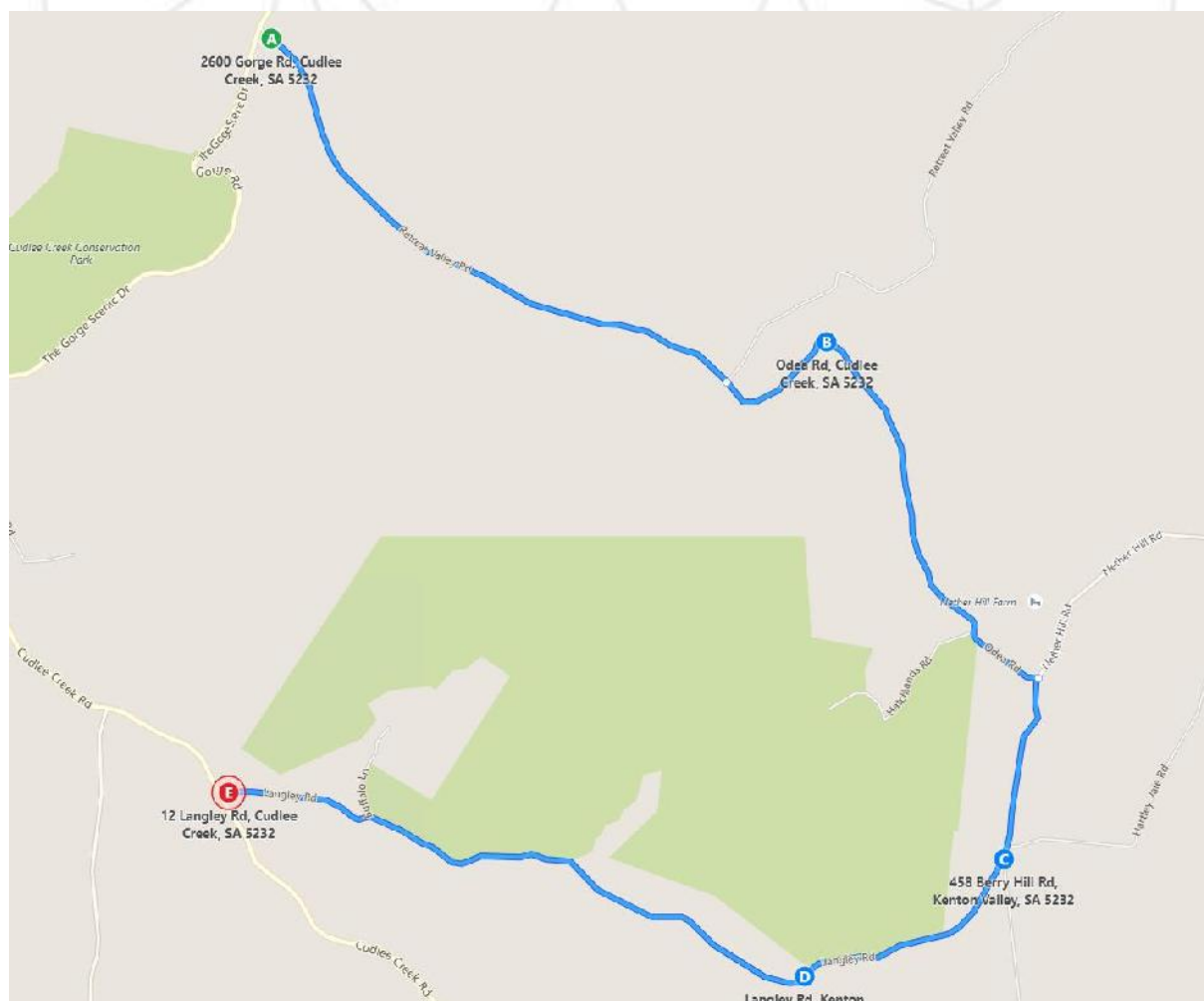
**Retreat Valley Road** - from Gorge Rd to Odea Rd

**Odea Road** - from Retreat Valley Rd to Berry Hill Rd

**Berry Hill Road** - from Odea Rd to Langley Rd

**Langley Road** - from Berry Hill Rd to Cudlee Creek Rd

Retreat Valley (Adelaide Hills Council) map overview:



**ADELAIDE HILLS COUNCIL  
SPECIAL COUNCIL MEETING  
Tuesday 17 July 2018  
AGENDA BUSINESS ITEM**

**Item:** 6.2

**Originating Officer:** Dennis Rainsford, Team Leader Regulatory Services

**Responsible Director:** Marc Salver, Director Development and Regulatory Services

**Subject:** By-Law Consultation Results

**For:** Information

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**SUMMARY**

Section 246 of the *Local Government Act 1999* (the Act) allows councils to make By-laws. By-laws are local laws designed for the good rule and government of the council areas, and for the convenience, comfort and safety of the community.

By-laws remain in force for a period of seven years. Council's current suite of By-laws expires on 1 January 2019 and, therefore, there is a need to review them and to adopt new By-laws for the subsequent seven years. Draft By-laws have been developed to replace the existing By-laws. When replacing By-Laws agency and public consultation is required by the Act.

Consultation was conducted on the following draft suite of By-Laws from 18 May to 9 June 2018:

- No. 1 – Permits and Penalties
- No. 2 – Moveable Signs
- No. 3 – Local Government Land
- No. 4 – Roads
- No. 5 – Dogs
- No. 6 – Cats

The purpose of this report is to inform Council on the results of the public consultation.

**RECOMMENDATION**

**Council resolves:**

1. That the report be received and noted
  2. Notes that the comments and results of the Agency and Community Consultation have been considered in finalising the Draft By-laws which will be reported to Council to consider for adoption at its 24 July 2018 Ordinary meeting.
-



## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal 4 Explore  
Strategy 4.1 We will embrace contemporary methods of engagement so it's easy for everyone to have their say.

Effective By-laws are essential to ensure the good governance of the Council's area and the comfort, convenience and safety of the community.

### ➤ Legal Implications

Chapter 12, Part 1 of the Act provides councils with the ability to make By-laws for the benefit of the community as a whole. The Act outlines the scope of the Council's By-law making powers and prescribes the procedure that the Council must observe when making By-laws.

The *Dog and Cat Management Act 1995* also requires any By-law relating to dogs and cats to be referred to the Dog and Cat Management Board for comment prior to being made by the Council.

### ➤ Risk Management Implications

Council receiving this report and it informing its consideration of the 24 July By-law adoption report will assist in mitigating the risk of:

*The Community being without By-laws for a period of time leading to Public Safety being compromised.*

Inherent Risk	Residual Risk	Target Risk
Medium (4D)	Medium(3D)	Low

### ➤ Financial and Resource Implications

There are no financial implications as a result of this information report.

### ➤ Customer Service and Community/Cultural Implications

By receiving this report the Council is ensuring that the community's views are considered as part of the review process and where appropriate, incorporated into the formulation of the new By-laws.

### ➤ Environmental Implications

Community and agency consultation on the draft By-laws does not have any environmental implications. However, the By-laws themselves, particularly the Local Government Land, Dogs and Cats By-laws do have provisions that have beneficial environmental outcomes.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not applicable

Council Workshops: 13 February 2018 (By-law review process)  
13 March 2018 (By-law content)  
10 April 2018 (By-law content discussion)

Advisory Groups: Biodiversity Advisory Group

Administration: Manager Property Services  
Executive Manager Governance and Performance  
Team Leader Regulatory Services  
Director Development & Regulatory Services  
Manager Development Services  
Manager Civil Services  
Manager Open Space

Community: Feedback received through the 18 May to 9 June 2018 consultation period, along with two phases of community consultation undertaken in developing Council's *Dog and Cat Animal Management Plan*, have been used to assist in the development of the draft Dogs By-law and draft Cats By-law.

## 2. BACKGROUND

Council's current suite of By-laws were made by resolution at the 23 August 2011 Council meeting. The By-laws remain in force for a period not exceeding seven years and, as such, will expire on 1 January 2019.

A report was tabled at the 23 January 2018 Council meeting outlining the By-Law development schedule (refer to **Attachment 4**). At that meeting Council resolved as follows:

### 12.5. By-Law Review

Moved Cr John Kemp  
S/- Cr Jan-Claire Wisdom

11/18

Council resolves:

1. That the report be received and noted
2. Council adopts the indicative By-law Review Schedule as contained in Appendix 1.

Carried unanimously

The draft By-laws have been developed to replace the existing By-laws which are required to undergo an agency and public consultation process as required by the Act.

The draft By-laws were tabled at the 24 April 2018 Council meeting. At that meeting the Council resolved the following:

### **12.1. By-Law Making**

Cr Jan Loveday declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.1. Cr Jan Loveday remained in the chamber and voted.

Cimon Burke, Kelledy Jones Lawyers, answered Council Members' queries regarding the legislative impact of various By-law scenarios.

**Moved Cr Lynton Vonow**

**87/18**

**S/- Cr Kirrilee Boyd**

1. That the report be received and noted.
2. The draft By-laws contained within Appendix 1 through to Appendix 6 (inclusive) of this report be released for community consultation for a period of at least twenty one clear days.
3. The draft Dogs By-law No. 5 and draft Cats By-law No. 6 be referred to the Dog and Cat Management Board at least 21 days before being released for community consultation.
4. To authorise the Chief Executive Officer to make any minor changes to the draft By-laws that the Chief Executive Officer deems fit prior to the agency referral and commencement of community consultation.
5. That the Administration undertakes an analysis of introducing a cat registration scheme including options and potential fees and a further report in this regard be provided to Council in July 2018.
6. That Clause 9.1 of the draft Cats By-law be amended to read 'As of 1 January 2022 the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times', and that Clause 9.2 be removed.

### **AMENDMENT**

**Moved Cr Linda Green**

**S/- Cr John Kemp**

6. That Clause 9.1 of the draft Cats By-law be amended to read 'As of 1 January 2022 the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times, unless the cat is under effective control by physical restraint', and that Clause 9.2 be removed.

<b>Carried Unanimously</b>
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Leave of the meeting was granted for Cr John Kemp to speak again to the motion.

**Motion as Amended:**

1. That the report be received and noted.
2. The draft By-laws contained within Appendix 1 through to Appendix 6 (inclusive) of this report be released for community consultation for a period of at least twenty one clear days.
3. The draft Dogs By-law No. 5 and draft Cats By-law No. 6 be referred to the Dog and Cat Management Board at least 21 days before being released for community consultation.
4. To authorise the Chief Executive Officer to make any minor changes to the draft By-laws that the Chief Executive Officer deems fit prior to the agency referral and commencement of community consultation.
5. That the Administration undertakes an analysis of introducing a cat registration scheme including options and potential fees and a further report in this regard be provided to Council in July 2018.
6. That Clause 9.1 of the draft Cats By-law be amended to read 'As of 1 January 2022 the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times, unless the cat is under effective control by physical restraint', and that Clause 9.2 be removed.

Carried Unanimously
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Cr Jan Loveday voted in the affirmative.

The majority of persons who were entitled to vote at the meeting voted in the affirmative.

By-law 5 Dogs and the amended By-Law 6 Cats were forwarded to the Dog and Cat Management Board (DCMB) for referral on 24 April 2018 as required by the *Dog and Cat Management Act 1995*.

Following legal advice, the Department of Planning, Transport and Infrastructure (DPTI) advised Council's legal representative that it had reconsidered its position regarding Section 18A of the *Harbours and Navigation Act 1993* and the requirement for councils to obtain the Ministers approval for By-laws that apply to adjacent and subjacent land. As a result, the Council is no longer required to seek the Ministers approval for Local Government Land and the Dogs By-laws. DPTI has however, requested that councils continue to provide them with the Local Government land By-law for review given it is well placed to provide feedback that is relevant to the Parliament's consideration of the By-law. The Local Government By-law was forwarded to DPTI for comment on 26 April 2018.

Community consultation commenced 18 May 2018 and continued until 5pm 9 June 2018. Results of the agency and community consultation are included in the analysis section of this report.

### 3. ANALYSIS

This section of the report provides feedback from the community and agency along with the activities undertaken as part of the community consultation process.

#### **Agency Feedback 26 April 2018**

By-law 5 Dogs and By-law 6 Cats were forwarded to the DCMB for referral as required by the *Dog and Cat Management Act 1995* and by Council's legal advisor. The following feedback was received from the DCMB. Council's legal advisor's responses are in bold text.

1. *"I see that the Cat By-law refers to a "business involving the keeping of cats." Rather than the defined term of an "approved cattery" as appears in the template By-law. Looking at the two terms they are very similar so I was wondering whether you had seen something in the definition of approved cattery that the Council was comfortable with. You have used the defined term "approved kennel establishment" in the draft Dog By-law.*

***There may be circumstances where a business involving the keeping of cats does not have a development approval specifically for the keeping of cats (for example, veterinary premises) and in this case, such businesses would be caught by the limit (which is not the intention). This is the reason the term was not incorporated into the By-law. However, I have updated the By-law to include a revised definition of 'approved cattery' which I consider is broad enough to capture the premises that the limit/registration requirement is not intended to apply to.***

2. *Would Clause 7.4.1 be improved if it read "no insanitary condition exists or is likely to arise on the premises as a result of the keeping of cats? Using the term "will arise" suggests to me a higher burden of proof than "is likely to arise".*

***Agreed – thank you for this suggestion, I have updated the By-law to include it.***

3. *The defined term of cat in Clause 6.2 indicates that it does not apply to Clause 7 (limits on number of cats). However, Clause 7 does not include the sub-clause that appears at Sub-clauses 8.3 and 9.2 that indicates that Clause 7 applies to all cats regardless of age. In principle Clause 7 should only apply to cats over 3 months of age because otherwise anyone whose cat has more than one kitten would find themselves in breach of Clause 7 from the moment the kittens are born.*

***Thank you for bringing this to my attention - the reference to Clause 7 was inadvertently included in Clause 6.2. It has been removed consistent with the original intent.***

4. *Please check the reference to Clause 4.1 in Sub-clause 8.2.*

***The correct clause reference is now included.***

5. *For clarity's sake should the defined term for cat in Clause 8.3 apply to Clause 8.2 as well as 8.1?*

***I have refined this clause accordingly.***

6. *The Cat By-law template includes a definition of “nuisance” for the purpose of the By-law. Would this add clarity and make the By-law easier to enforce?*

***A definition is included at Clause 6.7, you may have missed it.***

7. *I can see that Clause 9.1 mostly follows the wording in the template but would it be clearer if it read “...to ensure the cat is confined at all times to the premises occupied by that person...”? This makes it clear that words “at all times” refers to the confinement of the cat and not the occupation of the person.*

***Agreed – thank you for this suggestion, I have updated the By-law to include it.”***

The feedback has been taken on board and the suggested changes to the By-laws have been made. It is noted that these changes were drafting changes only and do not affect the substance of the By-laws.

DPTI advised that they had no comments in relation to the Local Government Land By-law.

#### **Biodiversity Advisory Group**

The Biodiversity Advisory Group were advised of the By-Law review and provided the following feedback. The feedback was forwarded to Council’s legal advisor whose responses are in bold below.

*“The proposed 24-hour cat confinement By-law, the proposed cat nuisance provisions and the introduction of compulsory cat registration will deliver significant biodiversity benefits to the Adelaide Hills Council area, and will complement similar By-law changes which were successfully introduced several years ago by the Kangaroo Island Council.*

*The Adelaide Hills Council and Kangaroo Island Council jurisdictions together form the Mt Lofty Ranges / Kangaroo Island Biodiversity Hotspot - one of the 15 National Biodiversity Hotspots announced by the Federal Government and recognised internationally. Roaming cats (both pet and feral) are declared as a ‘threatening process’ for many of the threatened mammal, reptile, amphibian and bird species which occupy the Mt Lofty Ranges / Kangaroo Island Biodiversity Hotspot.*

*Therefore the Biodiversity Advisory Group strongly supports the proposed By-laws, and the proposed timetable for introducing them.*

*Some more detailed comments follow below:*

#### **Cat Nuisance Provisions**

*The Biodiversity Advisory Group strongly supports the proposed new cat nuisance provisions, to be introduced from 1 January 2019 (Sub-clauses 6.7.1 to 6.7.5 and Clause 8).*

*The group suggest adding an extra Sub-clause 6.11 “A person will be deemed responsible for an unidentified cat if they have fed it more than three times, funded or facilitated a veterinary consultation or procedure for the cat or otherwise made provision for the cat”.*

***This is incorrect, a person can still be held responsible for a cat under the DCM Act and, therefore the By-law, notwithstanding that the cat does not permanently stay on the person's premises (for example, if the person was observed to feed the cat directly prior to an alleged offence under the By-law occurring).***

***The concept of who owns or is responsible for a cat is dealt with under sections 5 and 6 of the DCM Act. The By-law incorporates these concepts to ensure consistency with the LG Act. The concepts are relevant for the purposes of determining liability for a breach of clauses 8 (nuisance) or 9 (confinement) of the By-law.***

***With that in mind, this suggestion seeks to extend liability to a person for an offence under clause 9 in a manner beyond what is envisaged by the DCM Act and that may otherwise be considered unfair and unjust. This is because it could result in a person being liable for an offence under clause 9 of the By-law in connection with the conduct of an unidentified cat that is not or is no longer in the person's control or possession and, therefore, an offence that the person was not in a position to avoid. For these reasons, incorporation of this suggestion in the proposed By-law may result in a provision that is contrary to the rule under section 248(1)(b) of the LG Act and, contrary to the principle under section 247(f) of the LG Act.***

***In the interest of fairness, the obligation under clause 9 (which is to ensure a cat is confined to a person's premises at all times) is intended to apply to persons who own, have in their possession, habitually keep or, who allow a cat to remain on their premises (which includes a person who regularly feeds or makes provision for an unidentified cat but does not include a person who aids a cat on a once-off occasion), to take proactive steps in ensuring the cat is confined to the person's premises at all times.***

***The practical effect of the above is that:***

- ***A person who feeds or makes provision for an unidentified cat (including by funding veterinary treatment for it) is taken to have kept the cat for the purposes of the By-law. Accordingly, if the cat causes a nuisance, the person may still be liable for an offence under clause 8.1 of the By-law; and***
- ***Where there is evidence that a person has made provision for an unidentified cat on a regular basis and that cat is not confined to the person's premises, the evidence may be sufficient to establish that the person either owns or is responsible for the cat and, therefore, is liable for an offence under clause 9. Ultimately, it will turn on the circumstances in question; and***

***Taking the above into account, there are not compelling reasons to include this suggestion in the By-law and I recommend against it."***

***"This extra clause is proposed to prevent people from providing support or on-going feeding for stray / semi-owned cats without either taking ownership responsibility for them, nor surrendering or reporting them to Council or a shelter. The Dog and Cat Management Act 1995 default definition of what constitutes the owner of a dog or cat does not appear to cover the case of an animal which doesn't reside on a person's premises, but which the person feeds or supports anyway."***

## 24-hour Cat Confinement

*“The Biodiversity Advisory Group strongly supports the 24-hour cat confinement provision, to be introduced from 1 January 2022 (Clause 9).*

*However, the group suggest that Council might consider removing the words “take steps to” from draft Clause 9.1, which currently reads: “As and from 1 January 2022, the owner or person responsible for the control of a cat must **take steps to** ensure that the cat is confined at all times to the premises occupied by that person unless the cat is under effective control by means of physical restraint.”*

*“At face value, the words ‘take steps to’ appear to be redundant, and might cause confusion.” Council’s legal advisor advised that:*

***“The reference to ‘take steps’ has been deliberately included to impose a positive obligation on cat owners and those persons responsible for a cat, to take proactive steps to confine a cat to his/her premises. The clause, therefore, will have broader application compared to if it simply required a person to ensure a cat is confined to his/her premises. From an evidentiary perspective, it means that evidence of the fact a cat wanders from the premises is not necessarily required to establish this offence. Rather, a person who is observed to let his/her cat wander freely outside other than in a cat run in circumstances where the cat could easily access neighbouring land, could be liable for an offence, particularly if the cat has previously been observed off the premises.***

***As discussed, the way in which this clause has been drafted means that if a cat does wander onto neighbouring land notwithstanding an owner having taken steps to ensure this did not occur then, depending on the circumstances and the evidence, it may be difficult to establish an offence under this clause. However, if the cat wandered onto neighbouring premises without the consent of the owner of occupier, this will, in any event, be an offence under clause 8 of the by-law.***

***It is open to the Council to amend the clause as suggested. If this occurs, the clause will have a more narrow application and evidence of a cat having wandered from the premises will be required to pursue an offence.”***

*“The Advisory Group does not believe there should be any exemptions to the confinement By-law (eg for farmers). The purpose of the By-law is to prevent a landholders’ cat(s) from impacting on neighbours, the community and the environment. If a landholder wishes to make use of cats for rodent control within their own premises, there is nothing in the draft By-law which would prevent them from doing so. However, it will prevent landholders from allowing their cats to leave their properties. Thus the proposed By-law will apply to cats the same restrictions as already apply to all other companion and livestock species – that their owners should confine their animals to their own properties, and take full responsibility for preventing them from causing public nuisance.”*



## Cat Registration

*“The Biodiversity Advisory Group strongly supports the introduction of a cat registration scheme as soon as practical, to provide a budget for future cat management activities and to provide a means for the Council to communicate with cat owners.*

*The introduction of State-wide laws requiring all pet cats in South Australia to be microchipped and recorded on the new Dogs and Cats Online database offers an unprecedented opportunity for the Adelaide Hills Council to introduce an effective and efficient cat registration scheme within its jurisdiction, similar to existing dog registration.*

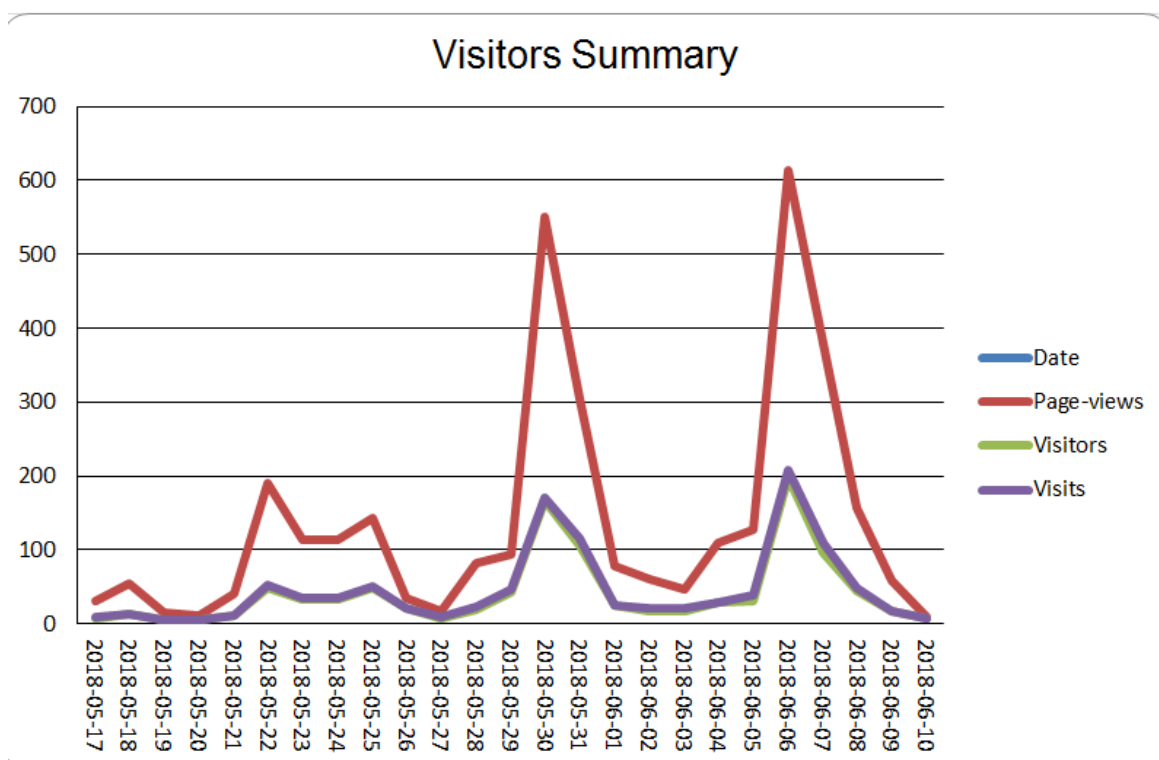
*Cat registration would provide a revenue stream for introducing, communicating and enforcing the new cat By-law. Just as importantly, cat registration would provide the Council with a register of owned cats in its jurisdiction, and would enable Council officers to communicate with cat owners about their pets (eg to provide information about the new By-laws, to return lost cats, to issue expiation notices etc).”*

As a result of advice from Council’s legal advisor there have been no changes proposed to the Cat By-Law.

## **Community Consultation 18 May to 9 June 2018 Engagement Website**

Following the success of the 2018-2022 Animal Management Plan consultation via Council’s Engagement Site, this site was again used to enable residents to review the by-law information and to provide feedback.

This approach proved highly successful. The following table summarises the access to the Engagement site during the consultation period.



There were 1,140 visits to the site. Of these, 941 were 'aware' participants who visited at least one page, 423 'informed' participants who downloaded or visited and read a document or information sheet, and 124 were 'engaged' participants who participated in the survey. There were a further seven hard copy responses received. In total there were 131 engaged participants who completed the survey.

The following details the number of responses received on all By-laws:

- No. 1 – Permits and Penalties - 5 responses
- No. 2 – Moveable Signs - 18 responses
- No. 3 – Local Government Land - 8 responses
- No. 4 – Roads - 10 responses
- No. 5 – Dogs - 40 responses
- No. 6 – Cats - 123 responses

The consultation process also included three drop in sessions:

- Saturday 19 May 2018 at Woodside Library 10am to 12pm
- Thursday 24 May 2018 at Stirling Library 6.00pm to 7.30pm
- Thursday 7 June 2018 at Stirling Library 6.00pm to 7.30pm

Overall, drop in sessions were not well attended with only the 7 June 2018 session having people attend.

A summary of the consultation feedback received from the community is outlined below.

#### By-law No. 1 - Permits and Penalties By-law

##### *Consultation Feedback*

There were five responses received. Comments related to private property matters beyond the scope of the By-Law, with some comments supporting the By-Law and one comment referring to the By-Law as regulation that is not required.

In considering the context of the feedback received and the purpose and scope of the Permits and Penalties By-Law no changes have been proposed to the By-law.

#### By-law No. 2 – Moveable Signs

##### *Consultation Feedback*

There were 18 responses received. Comments received were predominantly supported the By-Law, with other comments related to the condition of signage, numbers of signs, placement and location of signs.

As the majority of the feedback received was in support of the By-law and some of the feedback was not within the scope of the By-law no changes have been proposed.

#### By-law No. 3 – Local Government Land

##### *Consultation Feedback*

There were eight responses received. Responses were supportive while others related to issues outside the scope of the By-Law and for this reason no changes have been made to the proposed Local Government Land By-Law.

#### By-law No. 4 – Roads

##### *Consultation Feedback*

There were ten responses received. Responses were supportive while the majority related to issues outside the scope of the By-Law. For example, vehicles parking on footpaths (which is covered by the Australian Road Rules), feedback regarding cyclists and roadside drainage.

As much of the feedback received did not relate to the proposed Roads Bylaw no changes have been made.

#### By-law No. 5 – Dogs

##### *Consultation Feedback*

There were 40 responses received. Responses ranged from supportive to non-supportive of the By-Law. There were a variety of comments regarding the numbers of dogs allowed on a property, with some respondents for and against the By-law. Further, there were a number of comments regarding off-leash areas and the need to provide more off-leash areas.

As a result of the feedback received, no changes have been made to the proposed Dogs By-Law.

#### By-law No. 6 – Cats

##### *Consultation Feedback*

There were 123 responses received. Overall there were 87 comments that supported the By-Law. Supporters of the By-law were however concerned about how the By-law will be implemented and enforced.

There were also 36 respondents who were not supportive of the By-law. The main areas of concern from these respondents were reduced rodent control, costs associated with cat enclosures and the stress on cats having to be confined.

There was also feedback focusing on the feral cat population, and the fact that confinement should only be at night, and that mandatory cat legislation imposed elsewhere has been a failure.

Taking onto consideration the feedback received and that confinement is not proposed until 1 January 2022 no changes have been made to the proposed Cats By-Law.

A detailed list of all feedback received has been provided in **Appendices 1, 2 & 3**.

#### **4. OPTIONS**

Council has the following options:

1. To receive the report noting that outcomes from the consultation process (agency and DCMB) has been factored into the draft By-laws. This option is the preferred option as it will enable the finalisation of the draft By-laws at the 24 July 2018 Council meeting.
2. To not receive the report and provide staff with direction with regard to suggested changes to the By-laws. This option is not recommended.

#### **5. APPENDICES**

- (1) Consultation comments received regarding By-laws 1 to 4
- (2) Consultation comments received regarding By-law 5
- (3) Consultation comments received regarding By-law 6
- (4) By-Law Review Schedule

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# **Appendix 1**

*Consultation comments received regarding By-laws 1 to 4*

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### Comments on By-Law No. 1 - Permits and Penalties

1	Greater restrictions on dirt bike riders on private land is needed. They are a noise nuisance.
2	Seems administrative but reasonable
3	It seems with permit + good, without permit = bad. We need less regulation not more, and the comply or else clauses are intimidation at it best.
4	Self employed operators living in Residential Zone should not be permitted to operate private businesses in built up areas in the pretext of domestic use eg. timber milling and log splitting and selling firewood privately. This is a noise pollution issue.
5	ok

### Comments on By-Law No. 2 - Moveable Signs

1	To only be allowed in front dwelling , not blocking footpaths
2	Fine
3	Possible clause for owners to maintain condition.
4	Agree

5	All by-laws appear to be logical and sensible
6	I agree that the limiting of signs for both aesthetic and safety reasons is a good idea. People move to and visit the Hills to get away from the rush of the city and seeing less advertising and signage is definitely a part of what makes the Hills so appealing.
7	This by-law reform looks good.
8	I think movable signs should be allowed as long as they are safe.
9	Very pleased this is being addressed and rules seem logical
10	Application should be sought from council so independent assessment can be taken by suitably trained people as to safety to others, suitability etc. E.G Many cycling groups put up temporary signs a day before and leave a day after events signs to road users which causes Morse anxiety and frustration than is acceptable.
11	Would be good if once the signs are placed they're then maintained. Many get knocked around with storms and never corrected for the motorists proper vision.
12	It might be appropriate to include "shrines" in moveable signs, as these are erected at the side of the road. Whilst the council can deal sympathetically with erection of these "memorabilia shrines", after a number of years the objects become dirty and a danger to cyclists. Many of the crosses made of wood and nails. It would be more appropriate to ask families to plant a tree in commemoration of a deceased road accident victim rather than erect dangerous items alongside the road.
13	It seems with permit + good, without permit = bad. We need less regulation not more, and the comply or else clauses are intimidation at it best.
14	Signage needs to be placed appropriately and be coloured environmentally and there should be a restriction on how many signs can appear in the one location eg there is a blue sign on a beautiful rural road advertising the fact that the local primary school is looking after the environment. The blue sign detracts from the environment, it is about 1 km from the school rather than being outside the school and in an area where there are legitimate safety signs in abundance. It's distracting, ugly and useless. A NATURAL RESOURCES sign appeared on the same road identifying a noxious plant - again very obtrusive, could not actually identify the plant from the huge, ugly sign and very close to lots of other safety signs. I think signage in areas of beauty should be restricted to safety issues only. Thankyou.

15	ok
16	Would be good to see political advertising discontinued, very ugly.
17	6.6.1 a strangled use of language. Let's make it a readable document. How about "the space between the property boundary and the edge of the carriageway" ? It's much easier to understand.
18	Regarding signs I am concerned that while they are not allowed to be fixed to trees many are placed, using star droppers or similar, within the root zones of trees, often very close to the trunk. I refer in particular to signage at Stirling Oval which I consider to be substandard visually and injurious to the roots of the heritage Bhutan Cypress trees. It would be appreciated if AHC were to provide dedicated sign fencing to allow appropriate use of such areas by the community.
<b>Comments on By-Law No. 3 - Local Government Land</b>	
1	All Good
2	It would be good if they looked after it.
3	Reasonable
4	Heathfield Depo, storing paint I think is a very bad idea. Paints can be highly toxic and flammable, especially when lady bushfire in Heathfield in 2008 actually started from the Depo.
5	IF any land is considered 'surplus to requirements' it should be redeveloped into public space eg parks, not sold off.
6	I do not have an issue with this by law except that The Old School Community Garden (TOSCG) operates at 100 Old Mt Barker Rd under a licence which has expired and has not been renewed on request. I am therefore concerned as the public officer that we are operating illegally even though we have been assured verbally that we are within the law. Clarification needed. TOSCG is a public good and serves the people of the area in a number of ways, but in particular supports the ideas of food security and ecological diversity.



7	ok
8	<p>Relating to 7.2 (fees and charges) it would be a shame to charge families, individuals and non profit bodies such as schools for the very few freedoms we have left.</p> <p>Section 7 (restrict access) Short term closures can be common sense but any more access restrictions would only detract from our area further. A positive action would be to allow more access for families to enjoy. Primary industry areas such as Mt. Crawford forest are a great example of how to do it well.</p>
<p align="center"><b>Comments on By-Law No. 4 - Roads</b></p>	
1	Re 9.35 - suggest add another sub-clause to ban use of 4WDs, trail-bikes, mountain bikes etc on verges, un-made road reserves etc. eg "9.35.4 Drive or propel a vehicle except on an appropriate carriageway constructed, approved and sign-posted by the Council for use by vehicles."
2	I have a neighbour that sells horse poo from the front of their property a few hundred meters from the Stirling library on a main st which clearly has an unbroken white line. the area in front of their property ( council verge ) is destroyed from vehicle use from dropping off and picking up. the vehicles doing both park on the footpath and often perform u turns on a busy major rd. the verge is destroyed and peoples lives are put a risk from the traffic on the footpath. is this covered by the proposed new legislation? will parking on council verge be covered by this new legislation?
3	Reasonable
4	Cyclists should be enforced to ride single file. Cycling groups should have to give notice to local residents that may be effected by their 'community' events at least a fortnight in advance. Maybe approval from council so no cycling events coincide with other local actual community events - such as Motor Museum events, Medieval Fair etc.
5	Roads are fine, however, better water drainage solutions and spending need to happen to make roads safer. Peak of winter some roads are flooded and slippery driving.
6	<p>I am grateful for the state of the roads where I live in the small pocket of Rostrevor, including the kurling. The line markings, however, are terrible - very unprofessional and messy. The Council needs to ensure the quality of work is to higher standards.</p> <p>I am also grateful for the fantastic support from Council with the parking dilemmas caused by the development of Morialta Park. Thank-you for the signs (which I much prefer to yellow lines), and the traffic wardens for the first few weeks.</p> <p>The roads are, however, incredibly busy. I live on the corner of Marola and Baroota and take my life in my hands every time I back out of the driveway. Cars go far too fast around our area - even if they stick to the speed limit. Traffic calming and/or diversions (eg down Arcoona) would be incredibly welcome and increase safety for the large amount of pedestrian traffic too.</p>

7	Residents should not be permitted to park more than 1 vehicle and or equipment on roads sides on a permanent or regular basis causing obstructions to residents especially on 2 lane roads..
8	ok
9	<p>Most of the local areas were once posted as 100kph speed limits for many years, the current trend of lowering speed limits is concerning. Please no more 80 signs.</p> <p>Safety 3.1 no mention of restricting cyclists from the most obvious roads such as the Chain of ponds and George roads? Whilst it is considered unsafe to ride a horse on these roads a crowd of cyclists is OK?</p> <p>I have lost count of near disasters witnessed due to this noisy minority, one involving a school bus full of children. Please some common sense needed.</p>
10	<p>6.2 animal includes.....poultry are birds and if a dog is not an animal, what is it? Not even sure what the purpose of this definition is because as it reads, it makes no sense. To wit if you read 10.1, the council or its rep may not remove a dog from the road because it is not an animal, (nor is it a person, or a vehicle, or anything. You have stated explicitly what a dog is not, but for what purpose?) Is a dog removed from a road as an obstruction perhaps? 6.9.2 an alley, laneway, walkway; and.....and what?? Footpath perhaps? Is something missing? 7.5 how many terms do we need to describe a pedestrian thoroughfare....we have footpath, walkway and footway use in this by-law, are they different? (applies to movable signs too)</p>

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## **Appendix 2**

*Consultation comments received regarding By-law 5*

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## Comments on By-Law No. 5 - Dogs

1	<p>People should be able to have two dogs unless there are particulars about the property that prevents this. dogs are social beings and are often better behaved if there are two.</p> <p>The council should also provide more fenced/protected areas for off leash exercisng of dogs. This will become more important as the population ages - dogs improve peoples health &amp; well exercised &amp; socialised dogs are better behaved.</p>
2	<p>Breeder registration is a step in the right direction</p>
3	<p>I believe there should be reasonable limit on the number of dogs that can be owned on one property whether it is town or rural. Dogs barking uncontrollably day and night is an issue where I live. It will decrease the risk of illegal puppy breeding also.</p> <p>I totally support well defined areas that are for dogs off or on lead. I have experienced too many dogs off lead becoming aggressive to a dog on lead, where the owner is not able to control the dog. I think dogs should be on lead in all public places and should not be tied up and left alone in public places. I totally support people walking dogs being compelled to pick up after their dogs.</p>
4	<p>Does not state where dogs can be off leash but under control. Many trails have been this way in the past and I hope they continue.</p>
5	<p>Supportive of the dog by-laws. We are dog lovers but are continually amazed at the irresponsibility of owners in respect of the number of dogs per property and the restraining of barking at night. Could consideration be given to a by law requiring the confinement of dogs at night so that they are do not spend hours outside barking at all everything that moves!!!</p>
6	<p>I agree that limiting the number of dogs per property is a good idea. In the future, I think that these numbers may need to be further reduce if we wish to see increasing numbers of locally threatened species, such as bandicoots, and even the reintroduction of locally extinct species, such as goanas.</p>
7	<p>I don't agree with the blanket limit of one dog per residence for higher density building.</p> <p>Dogs are pack animals, and are often less nuisance if they have a companion animal.</p> <p>The limit of two (small) dogs per (small) property should remain</p>
8	<p>I have a neighbour that often "baby sits" up to several dogs at a time especially over school holidays. does the legislation cover at all times.</p>
9	<p>I totally support the restriction of dog ownership. I would have liked the addition of a penalty for dog owners who let their dogs run onto the road and harass passers by or cyclists. I would have also liked the addition of a clause restricting certain dog breeds that were bred as attack dogs.</p>

10	<p>This By-law does not sufficiently define smaller property sizes. The limited number of these in the area would appear to not warrant this extreme. Also what happens if a person who lives in the area, not in a township, who owns 3 dogs, and decides to downsize? Do they need to move to another council area? Would it be possible to have a caveat that the number of dogs would decrease as they die, this is a frequent requirement in aged care communities down the hill.</p> <p>I would still prefer to have the limit at 2 as they do keep each other company and appear to be less of a "nuisance".</p>
11	Reasonable
12	<p>I agree that the number of dogs in small properties should be restricted to one. There should be more dog prohibited areas in the council area. People should be required to have a dog on a leash at all times during public events and where there are crowds like the Stirling Market. Most of these dogs are not under effective control when they are off the leash. There should be consideration for people who have allergies to dogs and also those who feel threatened by dogs that jump up inappropriately.</p>
13	<p>Restricting residents to one dog on a smaller property shows a complete lack of knowledge of dog psychology and behaviour. A dog left alone is far more likely to develop nuisance habits such as barking. Dogs are pack animals and become stressed when left isolated. The most devoted dog owner cannot take their dog everywhere. This is setting people and pets up for failure. And please, don't even consider a dog size limit based on property size. Many larger dogs are complete couch potatoes. Did you actually discuss any of this with local vets? Dog trainers?</p> <p>A suggestion for lost or straying dogs. What if you had a data base that if we found a dog with a Council tag, we could log in, type in the tag number and message the owner directly as to the location of the dog? Just fill out an online form, include our phone number, and a text is automatically sent to the owner. That said, your 24/7 operating system is much better than Mt Barker's business hours only model!</p>
14	<p>My question regarding number of dogs in townhouses/units</p> <ol style="list-style-type: none"> <li>1. Have there been problems so far?</li> <li>2. Should there be provision for a case by case assessment?</li> <li>3. What if a person has e.g. two quite small Papillon dogs which are company for each other when the owner may be at work?</li> <li>4. In Switzerland many people live in pet friendly apartments with more than one pet. Due to the lifestyle of living in apartments, pets are walked etc. Provision is made for dogs to ride on public transport. Will these proposed by-laws restrict inventive change?</li> </ol>
15	<p>Have you consulted an expert like an animal behaviourist to confirm this logic?</p> <p>We had 1 dog. He barked a lot and dig holes. So we got a second dog and now he has a friend to play with. He barks less and doesn't dig at all. The council's logic goes against my lived experience. Also, in reality all this does is discourage people from registering. I see this as bureaucracy instead of fact. Prove the cause and effect first.</p>
16	<p>More off-leash areas and dog parks required. More advertising/information required regarding the new dog and cat management plan needs to be implemented as back yard breeding and people considering back yard breeding remains unchanged. Also, please enforce these laws,</p>

17	I think it is a bit cruel to limit any household to one dog. The person is more likely to be leaving the animal alone all day and dogs are pack animals and need a companion especially when confined alone for hours.
18	Agree in principle. Surely the size and needs of the dog should be considered, eg cattle dog vs chihuahua. Also an older dog that requires nothing but palliative care should be exempt from numbers limits. Exemptions should be considered compassionately, not subjectively reliant on the whim of the assessor, who may have their own agenda
19	Agree but would not support Council being able to exempt residents from being restricted to one dog UNLESS ALL neighbours agree. In this event if any neighbour complains within say 3 months the exemption should be withdrawn.
20	I think it unfair to limit dogs to one for these homes. There is no way to say this will stop a nuisance from noise. I totally disagree with this proposal.
21	I am grateful for the support of Council when we had an issue with a neighbour's barking dogs. Insisting that dogs must be microchipped as well as Registered, however, is unnecessarily invasive, costly and intrusive. Our dog NEVER leaves our property without us.
22	I agree with the recommendations around the number of dogs in smaller households and with stricter guidelines around noise nuisance. Good idea.
23	I totally agree that there should be restrictions and only one dog be kept in a smaller property, town house and or apartment. And within the town perimetres, a max. of 2 medium to large dogs be kept and a max. of 3 small or toy dogs be allowed on any property 700m2 or larger. Dogs, particularly larger breeds need to be kept on leads and restrained within town areas particularly those marked with 'keep on leads.', unless in large open areas where no other people, animals and wildlife are present. Small dogs and children continue to be attacked and at risk of dog attacks and larger breeds charging at them, even if owners say their dogs "are friendly, wont hurt you or your dog", in Mt Barker.
24	I do not understand why we in Australia treat dogs like part of the family, and yet seek to separate them from us at every opportunity. Take Europe; cafes, pubs, public transport - dogs everywhere. America - on your airline flight. here we struggle to walk down the street with them. Now you can't take the kids to the playground with the dog. What are we doing? Old School Community Garden in Stirling - I often call in with the dog and pull weeds, pick up branches, put bins out etc - as well as attend the gardening sessions where we tackle bigger jobs. I hear that we are now going to be banned from taking our dog in...? Can we please have some common sense and moderation with this decision please?
25	This looks fine. My only reservation is that people, without asking permission, not infrequently walk through our private property with their dog or dogs not on a leash. In view of the stress caused to the native animals living on our property, it would be good if the people were required to keep their dog on a leash in such circumstances. Whether or not they should seek permission before entering our property is another question not directly relevant to the by-law.

26	<p>Clause 7.4. Allowing council the option to not inspect a property ("The Council may require...") means that there will be instances of inappropriate numbers of dogs on a property. This should be changed to "The Council will require...". If necessary a fee should be levied on the dog owner to cover this inspection. Clause 12. We strongly disagree with the option for the Council to grant an exemption to the number of dogs allowed on a property of any size. Dog noise is a significant neighbourhood dispute issue and this will allow the Council to subject neighbours to unreasonable nuisance. Clause 12 should be removed in its entirety. There should be no exemptions under any circumstances. Even if the Council chooses to allow exemptions, the capability in 12.2.2 of the Council to grant an indefinite exemption is completely unreasonable.</p>
27	<p>As an AHC ratepayer I agree with this By-Law. Please count me as a positive voice for this By-Law.</p>
28	<p>This by-law seems more than reasonable and worthy of support, for the welfare of the dog more so than the the general citizenry</p>
29	<p>I think it appropriate to restrict the number of dogs on all properties, for the health and stress of the animals and well being of neighbours and the general image of the council area (too many dogs generally equals unsightly property)</p>
30	<p>As with all rules, just cast the net wide enough and everyone will be guilty of an offence. Sick to death of being a cash cow for your budget. Registrations always going up, penalties totally disproportionate to a breach of the by-laws, real or imagined. Every year sees more intrusion into ratepayers lives, with the same old reasoning that you know what is best for us. You do not! Every year, more rules, more compliance (i.e policing) required, that in turn means more staff to be paid, and that leads to more rates required to feed the empire building monster.</p>
31	<p>My experience is that many dog owners have a clear understanding of the need for their animals to be controlled. For those who are not being responsible, having a clear and practical strategy will be a good solution.</p>
32	<p>Seems fair and reasonable.</p>
33	<p>I can see the need for a limit on dogs in the smaller property sizes as noise and excrement can be an issue. Also need to be able to get exemptions as well as some people may need a service dog for health etc but would still like a family dog that is not always on duty and required by the owner to add to their quality of life ie guide dogs etc but able to play with children. Maybe consider a size limitation on the actual dog in this environment as well?</p>
34	<p>I wish it included a clause for "Dogs on leads at all times" in public.</p>

35	Increase dog supervision in reserves should be enforced and "citizens reporting" encouraged and infringements issued if proved by photographic evidence.
36	I believe that the limit to one dog on small properties would actually increase the problem that this by-law is trying to address. A single dog on a small property is likely to become bored and frustrated, and therefore begin to bark. Two dogs, even if they play noisily for periods of time, is less of a nuisance than one sad dog that barks or howls for extended periods.
37	ok
38	Good idea, I look after my daughter's dog from time to time and have been contacted by Council saying it should be registered in the AHC area, which is clearly unrealistic.
39	I would prefer that the limit was 2, as this would give them company
40	I object to limiting dog numbers for small dwellings. If a person is downsizing they may be faced with trauma due to the move and then traumatised when they are faced with making a choice to relinquish a much loved companion. This is unimaginably cruel. Also, dogs thrive and are happiest with another dog. Lone dogs are not well socialised, generally and more likely to bark and pine when owners are out.



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## **Appendix 3**

*Consultation comments received regarding By-law 6*

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## Comments on By-Law No. 6 - Cats

1	I dont feel that the by laws surrounding cats goes far enough. Cats cause extensive damage to native wildlife. Cat registration should be required of Adelaide hill residence.
2	I hate cats and the damage they do to my garden and the wildlife in it. However I think the restriction in cats to their owners property needs a longer introduction period. Plus one which takes into consideration the age of the cat. For example - in two years all cats should be registered and chipped. From that point onwards all new born cats should be confined to owners property. This means that people would be choosing to have a cat in full knowledge of the implications. Plus all cats can be trained from birth to remain on the property. I know this means that some cats will be roaming for many years (upto 15/20) but will be fairer to current cat owners. The chips will make management of roaming cats easy to identify.
3	I would like to support the AHC in cat confinement, registration, desexing and micro chipping. The Adelaide Hills support a variety of wildlife and cat ownership should be regulated the same as for dogs - that pets are to stay on their owners property.
4	I very strongly support compulsory confinement of cats 24/7, with no exceptions. I suggest two alterations: Clause 9.1 - Remove the words "take steps". Add a clause 8.4 requiring people to take full responsibility for any cats they are feeding or otherwise looking after. eg "8.4 An owner or occupier of a premises shall be deemed to be the legal owner of a cat if it is otherwise un-identified, and if they have fed it more than three times (or have otherwise made provision for it)."
5	The tighter the restrictions the better which cannot come soon enough. limits per household as well as confined to the owners premises . And Registered.
6	I strongly support the proposed By-Law that all pet cats be confined to their owners premises 24/7. We are cat owners and we confine them at all times. Our neighbours have 2 cats who roam through our property and the properties of our other neighbours. Both of these cats regularly kills birds and lizards, and leave the dead bodies by our front door. They also urinate at our front door and use our garden as their toilet. The presence of these cats causes significant distress to our cats - they have developed redirected aggression when these cats are on our property. This results in them attacking each other (leaving open wounds) and urinating outside of their litter boxes. The stress also caused one of our cats to be hospitalised for 48 hours with a stress-induced bladder issue. We have spent 100s of dollars on repellents and almost \$1000 having our sick cat treated and buying medication for our cats to treat their anxiety. The neighbours do not care about the impact on our cats, let alone native wildlife. PLEASE make it compulsory for cats to be confined to their owners property. We have a dog and we cannot allow her to roam free around the neighbourhood. It should not be any different for cats.

7	<p>We totally support limiting the number of cats in any household.</p> <p>We totally support measures to contain cats so they are unable to roam on to other people's land and hunt and kill birds and wildlife.</p> <p>We do not believe the council should grant any exemptions when a cat owners property is adjacent to bush corridors.</p> <p>We have lived in Vantage Way Crafers for over 30 years and have watched as multiple cats from our neighbours have killed the birds on our property which abuts Cleland Reserve. Some species of birds that were common when we first lived here are now rare and are on the endangered species list.</p> <p>The Council has a duty of care to protect the environment that we live in , and we believe strongly that this includes cats being restrained and contained.</p> <p>All other animals that we can own are required to be restrained, and I believe this needs to apply to cats as soon as possible.</p> <p>I believe that people have had enough warning that this is going to happen over the time of council consultation, and that there is little reason not to implement this much sooner than 2022. Building a cat restraint container does not have to be expensive or difficult. I have seen friends build one in an afternoon, for little cost, which allows a car access to outside without being able to roam.</p> <p>Perhaps Council could publish a pamphlet on 2 or 3 options on how to build a car restraint area simply and cheaply.</p> <p>If any exemptions to this bylaw are considered, I believe neighbours should be asked how they feel first.</p>
8	<p>Please don't confine cats to homes. They will be difficult to keep in and will inevitably get out and owners will find themselves paying penalties constantly.</p> <p>It is unfair to impose even more rules on pet owners. It's been fine for the entire history of pet ownership - why is it suddenly not OK now? This feels like a greedy move on behalf of council to get even more money from members. You can say it's because of wildlife, but we kill more animals by developing more residential land. If you really cared about wildlife you wouldn't make Mount Barker so big. Cats is not even an issue but the council is making one out of it because a minority voiced concern. I hope you send out a postal vote!! That's the only way to make it fair.</p>
9	<p>We are cat owners but I support this as too many run wild and destroy wildlife. I believe that cost for registration should be kept to a minimum but they should be under effective control. Our cat does not go outside unsupervised.</p>
10	<p>Think that your consultation process on which your decision to change these laws is flawed as only approximately 220 responded. This is a small percentage of total council population.</p> <p>I disagree with clauses 3.2, 3.3, and 4.4 of council bowing to "I hate cats" group.</p> <p>How will owners of rural properties deal with rodents without the use of poison. Poisoning the rodents will lead to native birdlife also dieing after consuming poisoned rodent.</p> <p>3.3 Prtect comfort and safety of members ofthe public. Come on are you talking about cats or lions.</p> <p>3.4 Good rule and government of the council area. I personally find it a bad rule and not good government.</p> <p>This council must have more important things to spend our council rates on.</p> <p>If you want a greater response to these proposed changes perhaps include questionnaire with rates notice.</p> <p>I think that other changes to proposed by-laws have merit.</p>
11	<p>If the Council doesn't understand the problem of cats in the environment then there is not much point me telling them. Of course cats should be confined.</p> <p>I have spent my life doing my best to amend some of the damage done by cats without much success because the public and Adelaide Hills Council up till now anyway, couldn't give a damn about our horrific loss of wildlife. A little help from the Adelaide Hills Council would be greatly appreciated. Although to a large extent it is a bit late.</p>

12	As cats are seriously damaging our local wildlife, I agree with all these by-laws and in particular would like to see all cats confined to owners premises, ideally with purpose built outside enclosures.
13	My family and I think that cats should be confined to indoors in the Adelaide Hills (and everywhere else for that matter) to protect native birds, mammals, reptiles and amphibians. I've seen several snake bite incidents of cats outdoors in the last two summers so it has the added benefit of protecting cats too. Our neighbour takes her indoor cats out on a lead every day, which they love and which demonstrates responsible pet ownership. Native wildlife has enough pressures on it, this is something pragmatic and positive that we can do to help it at a local level.
14	Very supportive of cat by laws - especially that cats should be confined to owner's property 24/7. We have 2 neighbouring cats that consider our property part of their territory and cause considerable damage to the bird population that we take pains to encourage.
15	I commend the Council on introducing this by law and wish that more Councils would do the same. Cat numbers need to be limited and cat roaming halted. I would like to see over the next 4 years, in the lead up to cat confinement, small grants being offered to households with limited income to ensure that they are able to comply with the new regulations - perhaps NRM could be asked to contribute. The benefits of this by law to residents, from reduced faeces in our yards from other people's pets and increased numbers of birds and small native marsupials, are great. The benefit to the wildlife of the Hills is also great and it would be lovely to see the re-introduction of some locally extinct species which would stand a much better chance of survival without the predation of cats.
16	I think that the effective confinement of cats is very important. Cats prey on local fauna, killing native species and their food sources. In some cases these species maybe threatened or endangered. To enforce the confinement of cats to their owners properties would be an effective way of reducing their negative impacts on the local environment. In this instance the collective range of territory in which they can prey on other creatures would be significantly reduced because cats can cover wide areas of land in a day before returning home. I would definitely like to see the confinement of cats to their owners properties.
17	Re Restriction on numbers: Re Limiting numbers: I support limiting cat numbers to 2. Re Nuisance: I think it will be too difficult for Council to track down which cat has caused a nuisance. The owner of the property experiencing the nuisance won't be able to identify the cat other than by colour. If would have to be caught 'in the act'. Re Registration I think it would be better to wait for when the Dog and Cat Management Act requires this. Re Confining I don't support the proposal to require confining cats from 2022.. It would be better to educate people about the benefits of confining for the broader community and for local wildlife, rather than enforcing. Overall I'm concerned about the cost and resources required to put these measures in place.

18	<p>I wish to express my support for Part 3, Clause 9: 'Effective Confinement of Cats' of the Cats By-Law 2018. It is fair and reasonable that cats should be confined to the owner's back yard. Responsible cat ownership involves protecting cats from traffic, disease and fights with stray cats. This can only be guaranteed by keeping a cat safely on the property at all times. Evidence suggests that indoor cats, ideally with access to a cat run, live happier, safer and longer lives than cats left to wonder the streets. Roaming cats cover vast distances, straying much further from safety than most cat owners even realise. Additionally, the Adelaide Hills Council area is home to beautiful and unique wildlife. Stray and wondering cats are some of the top contributors to destruction of wildlife and biodiversity in Australia. We should be proud that the Adelaide Hills is a haven for wildlife and bushland, and continue to take measures to protect our natural areas. Keeping cats confined to the premises is a simple way to make a huge difference to wildlife conservation in the Adelaide Hills. The choice between safe, responsible cat care and needless death of native animals, birds and lizards is clear. I hope the Council will protect cats, native wildlife and the precious natural areas in the Adelaide Hills by ensuring cat owners must keep cats confined to the premises at all times.</p>
19	<p>It's such a no-brainer. Please get it done.</p>
20	<p>I am completely against the idea of keeping cats confined to indoors or cat runs. We, and many other hills dwellers, rely on our cats to keep the mice and rat population down. This week alone our three cats have delivered 4 mice and 3 rats to our door step while there has been no birds or native animals at all. It is extremely rare that they bring home a bird (2 a year and even then, pigeons) and they have never brought home anything else! If our cats have to be contained, vermin will become a much bigger problem leading us to have to use baits which have been proved to be lethal to any native animal that may feed on the carcass - eagles, hawks, magpies etc. it seems either way, you just can't win!</p> <p>I fully support compulsory desexing and microchipping.</p>
21	<p>I would like to see all domestic cats contained within the home at all times due to the number of birds and other native animals they kill. Ideally, a landscape-scale co-ordinated feral animal control program is needed to control all ferals (cats, foxes, rats, mice). But very difficult to achieve! This is a good first step to raise awareness of the damage done by domestic cats.</p>
22	<p>I think cats should be confined to their owner's property at all times.</p>
23	<p>I strongly object to this bylaw. As a cat owner of an older cat it would be extremely distressing for her to be kept indoors constantly. This to me is a form of animal cruelty. The cost of constructing an cat enclosure which could imitate an outdoor experience is too much for many residents.</p> <p>I must add that I am a lover of native animals and birds, and have trained my cat to only kill mice, for which she is very valuable, and she is kept inside overnight.</p> <p>So whilst this bylaw has good intention, I believe it is not reasonable expectation of cat owners to abide by, and for many people like myself cats are a very good companion and emotional support, and it would be devastating to have this right taken away by not being able to comply with the practical ramifications of council's policy of forcibly restraining pet cats.</p>

24	Absolutely not. This will place an unreasonable cost burden on cat owners and is too difficult to do with large properties. The major inconvenience and expense of burdening cat owners with this law outweighs any minor inconvenience suffered by neighboring properties who have a cat occasionally walk across their yard. How will it be policed? What would be consequences of a breach? Terrible idea.
25	I fully support this change. Cats are devastating to the environment and these changes reflect good current practice and recommendations made by professionals in the industry. I think it is admirable that adelaide hills are taking this step and you are showing that you are progressive and forward thinking, which is especially important because native wildlife are very prominent in your area. It makes you an area in which people will want to be a part of. I sincerely hope this change goes through.
26	Please consider an education drive on the benefits of cat containment as a first line approach Promote companies such as CatPad (who build amazing enclosures) I believe (and I'm a cat owner of 6 fully contained cats who have a total back garden enclosure) that encouraging owners to contain their cats for the safety and well being of their loved pets is really achievable through education and providing options for affordable containment systems
27	I fully support this by-law and encourage swift enforcement.
28	This is possibly the silliest and stupidest idea this council has ever proposed. You are completely out of touch with the residents of the council area!!
29	<ul style="list-style-type: none"> <li>limits the number of cats that can be kept on premises (with some exceptions) to two cats; Do not agree with this. If cats are registered and contained, residents should be able to keep more than two cats.</li> <li>creates an offence where a cat causes a nuisance as defined in the By-law, which included if it wanders onto land without the consent of the occupier of the land; Agree</li> <li>enables the Council to establish a registration scheme for cats should it see fit to do so at a later date; and Is this not being done at a state level?</li> <li>as of 1 January 2022, requires cat owners to ensure that at all times, cats are confined to the premises on which they are kept unless they are under effective control by physical restraint (i.e. on a leash or being transported in a carry box or vehicle); and Agree</li> <li>allows the Council to grant exemptions from a requirement of the By-law if this is considered appropriate on a case-by-case basis. See point 1.</li> </ul>
30	Should be introduced much sooner than 2022.
31	As a cat owner myself, I fully support the restriction of cats to the owners premises. Also, the by law makes no mention of the impact cats have on wild life if a cat is allowed to roam free. It's not just about the impact on people.

32	Currently the council does nothing to enforce the bylaws. What do you intend to do this time to enforce them. For instance if I trap a cat on my property, what happens next? Do I phone the council who collects it and deals with it? Or do I still have to deal with it myself? The key point is, it is useless having bylaws that you don't enforce.
33	Reasonable
34	Cats need to be registered like dogs ASAP! I would like to see cats confined to their owners property at all times and I think it would be good to introduce it sooner than the proposed date. Introduction of the by-laws on 01/01/19 would give owners plenty of time to prepare. I would also like to see the Council have a plan to capture and remove unowned and part-owned cats from the hills.
35	I feel it is completely unrealistic to ask people to contain cats that they already own. Cats that are used to open spaces will not cope with the change well and owners will be trying to creep through outer doors as the cats try to get out into areas they have previously been allowed. I am in constant contact with me neighbors and we have no problems with each other's cats. Cats are able to jump normal regulation neighbour friendly fences and the cost to change this would be huge. Not to mention the fact that fences high enough to keep cats confined would be absolutely awful to look at removing any chance of a view. I urge council to reconsider these unrealistic law changes.
36	Cats. Yes, they should be confined. Thank you. And they definitely should have to be registered. Suggestion. Your 24/7 system for lost dogs is great. If cats were registered they could be returned to owners more easily.
37	I believe it would be a money grab to require that cats that are kept indoors be registered. Microchipped, yes, as if a pet cat gets lost or stolen, it's identifiable.
38	Love the idea. But not enforceable.
39	Domestic Cats should be contained in large caged areas etc to protect native species. Cats should have a night time curfew. The council should consider more humane methods of feral cat control.
40	I purchased a property in the Adelaide Hills to be surrounded by bush and wildlife. I have superb blue wrens and rosellas feeding daily on the ground and even the occasional southern brown bandicoot visits. Unfortunately, more regular than the bandicoots are neighbours cats which I see stalking native birds. Apparently it's illegal to shoot cats so I'm just suppose to chase them away with a yell and wave. My question is, what happens when I'm not there to chase them away. I know the answer, they kill the wildlife. If I killed the wildlife the NPWS would prosecute me. If I killed the neighbours cat then the RSPCA and SAPOL would prosecute me. If the neighbour's cat kills 10 blue wrens and half dozen rosellas and the occasional endangered southern brown bandicoot it's "just nature". That scenario, as realistic as it is, is just ridiculous. Keeping cats confined to the owner's properties is the minimum that needs to be regulated and enforced. Prohibiting cat ownership within 500m or even further of within a declared National Park, Conservation Park or Recreation Park under the NPWS Act should be the next phase of cat control in the interest of protecting the remnant native animal/bird populations that we are lucky enough to have in the Adelaide Hills.

41	I definitely agree that these hunting animals should be kept confined to the owner's land and that all strays should be captured and dealt with.
42	I certainly agree that cats should be restricted to roam on their owners properties. They should also be obliged to wear bells on their collars. The mass slaughter of Australian wildlife by cats is such a shame especially in the Hills District where we have such lovely wildlife. Give our native species chance
43	I don't believe it is realistic, practical, enforceable or fair to keep cats confined to a premises at all times. I do agree with registration
44	I support the council's move to make cat owners responsible for keeping their animals on their properties. I would like to see strong penalties for failing to do so, especially repeated failures including confiscation, and the provision for the human disposal of cats found to be off property. I believe property occupiers and landowners who find cats on their properties should be allowed to humanely dispose of those cats and council should provide the facilities to do so or set up a system where occupiers/landowners can access these facilities, the costs of disposal to be passed on to the cat owner where this is known.
45	Hi I have recently supported a Council in the introduction of a Cat Management By Law. They allowed for cat registrations but will review this next year and allow DACO and other changes to settle in first. Plus DACO will generate a database of micro chipped cats and would make registration an easier administrative process should Council move in such a direction. I would suggest AHC follow a similar path if cat registration is to be considered. On the matter of containment Berri Barmerra Council are introducing a requirements for cats to be contained to owner's property between 10pm and 6am. I think that is a compromise between two extremes expressed by those consulted on our draft By Law. I think AHC should not wait 3 years to introduce containment laws. Maybe 18 months would be sufficient for people to prepare / retrain cats. Please note I own and reside frequently in my Lobethal house and would support night containment of cats.
46	I strongly support the new cat nuisance provisions, and suggest including a definition that makes people take ownership responsibility if they feed or otherwise support cats, even though they may not consider the cats theirs (because they didn't purchase them) or have them living in their home. The cat confinement provision should be applied to all cats, regardless of whether they live on a town or farm property. I encourage the Council to introduce a cat registration scheme to help provide a budget to support cat management activities and as a means to communicate with cat owners.
47	I agree. Why does this not commence in January 2019? I see no reason to delay this until 2019. Three years worth of small animals and birds killed unnecessarily.
48	I agree that all cats should be kept within the abode boundary. There must also be a limit on the number of cats in any one abode like there is on dogs. It must also be mandatory to register all cats and pay a licence fee to part cover Council costs. These changes should be from 12 months of the law being introduced. There is no logical reason to delay these introductions for cats.



49	<p>While I strongly agree with the introductions of all of these new provisions for control of cats, the delay in the implementation of the cat confinement is too long. How many native wildlife will be killed by domestic cats during this time and how many endangered species in the Hills will become extinct? I agree that cat owners need to be given time to prepare for this introduction of this measure but 3 1/2 years is far too long. The introduction of this measure should be bought forward. 18 months between announcement and introduction seems a lot more sensible. I also believe that cat registration should be introduced as soon as possible (maybe 1 January 2019) and the proceeds from this be used to fund education and enforcement of the confinement rules when they come into effect.</p>
50	<p>Cat owners should have to register their pets and keep them in at night to help protect wildlife and prevent fighting.</p>
51	<p>I feel very strongly about this and the latest research would indicate we are far behind all other countries in the world around safeguarding our natural species. I feel cat owners have been given far too much leeway around the confinement of cats and believe this should be introduced immediately. I live in an area that backs on to Woorabinda and I daily see at least five or six cats roam into my garden and the adjoining bushland. I believe you need to have more courage, ignore the 'cat lobby' and focus on our environment. This could not come soon enough for me and should be introduced sooner. This is an excessive amount of time and in which more species will be lost. My preference would be for areas adjoining bushland to be 'cat free'. I personally would not have cats in this country unless only indoors.</p>
52	<p>Agree that cats must be kept on the property of the owner. There must also be realistic penalties for not doing so such that they make to owner comply and an easy way for property owners to report transgressions. We have lost too many birds on our property to cats - we do not own one.</p>
53	<p>The North East Hills Environmental Conservation Assn Inc strongly supports the Cat bylaw re the containment of all cats. For more than 30 years our Members have spent a great many hours working as volunteers trying to enhance and restore the natural environment on private and public properties, mostly in the Adelaide Hills Council area. We are fully aware of the damage cats are doing to our fauna, particularly small birds, reptiles and native animals. Science has proved this is a serious problem throughout Australia, one that is almost impossible to control if cats are allowed to continue their killing. We congratulate your Members and Staff on their foresight in proposing this sensible bylaw and very much hope that it will soon be implemented.</p>
54	<p>I have lived in the Adelaide Hills for almost 40 years and have always owned a cat. My cats have always been desexed and the last 2 microchipped. My current cat is kept in at night 6pm - 6am. I do not want a By-law to keep a domestic cat confined 24 hours a day. My yard is swamped with wildlife - lizards, possums, koalas etc, and an abundance of bird life. The only prey my cats have ever delivered to the back door have been the odd mouse or rat. I am more than happy for the Council having a cat register and enforcing desexing and microchipping. However, I believe complete confinement is cruel and in my opinion unnecessary if cat owners act responsibly. Eradication of feral cats should be the Council's first priority before bringing in By-laws that restrict movement of family pets. In my experience, claims of cat nuisance within townships are usually made by disgruntled neighbours seeking an excuse to harass rather than a legitimate concern for wildlife in the area.</p>

55	<p>I would like to see the mandatory desexing and microchipping of all 'pet 'cats 8 years or younger introduced as soon as possible to all Adelaide Hills communities and further more, all cats wear some sort of "pet" identification such as a collar in a contrasting colour to the animal's fur for easy identification that they are in fact a pet, when roaming. That within the next 2 years, curfews begin to be implemented that cats be confined between the 6pm and 6 am and any cat caught roaming or being a nuisance after this time, can be considered feral unless otherwise known. Owners be given this time frame to erect outdoor cat runs of their choice to cater for their pet, before the total confinement to one's property begin. Laws do need to be firmer. Feral and unconstrained pets do cause massive damage to our wildlife.</p> <p>Farms must also be given limits to the amount of cats they allow on their properties.</p>
56	<p>We fully support these changes to the by-laws. In particular, the limit of cats to two per house, and the ensuring of cats being confined to the premises. I John Street Woodside, there are numbers of cats which howl and fight at night, wandering onto our premises, defecating on our vegetable garden and killing native birds. We welcome registration of cats akin to the by-laws for dogs, compulsory desexing and cats to be confined to the owner's property. This can be done easily, by using cat parks which are easily purchased.</p>
57	<p>I strongly support the proposed Cat by-law, particularly that "the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times".</p> <p>The federal government has a prominent strategy to tackle the feral cat problem, and this by-law will assist that aim by reducing the number of pet cats that might become feral. It is well documented that pet cats as well as feral cats predate on native fauna, and I have noted many instances myself of pet cats preying upon native birds and small animals, lizards etc. With our native species declining, especially vulnerable small birds, it is vital that we do everything possible to prevent both pet and feral cats from further endangering them. I applaud Council for taking this strong step, which also accords with the aims of a number of endangered species recovery programs.</p>
58	<p>I welcome this proposed by-law. I have numerous cats visiting my garden, attacking and killing native birds and lizards, and defecating in my vegetable patch which poses a health risk for my family. Cat owners need to take responsibility for their pets and keep them within their own premises</p>
59	<p>Why does it take 3 and a half years to implement this law</p>
60	<p>I whole heartedly support the bylaw "from 1 January 2022 that the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times"</p>
61	<p>I strongly support the proposed changes that enforces the confinement of domestic cats to the owners property.</p>

62	<p>I commend the Council on the introduction of new and tighter restrictions on domestic cats, bringing this council on par with other leading councils across Australia that are taking the protection of native habitat and native wildlife very seriously. For the past five years I have owned a 7 acre property in the beautiful town of Stirling. My husband and I are lucky enough to have a wonderful hot spot of bandicoots and other wildlife, including koalas, water rats, possums and countless birds. I have watched my neighbours pet cats hunt and kill birds, possums and bandicoots for the past five years, with very little recourse for law abiding citizens such as us to intervene. My husband and I have been forced to stop all weed control and removal in the past two years as the only chance these small marsupials have is to seek refuge in blackberry thickets across the property. It is my hope that this new by law will be enacted swiftly such that protected animals on my property have a better chance of survival and we are able to continue with our plans for beautification of our property and the hills in a safe, responsible manner. I bring the following points to the attention of the Council: - the Adelaide Hills is one of only 15 biodiversity hotspots across Australia, as identified by Australia's Threatened Species Scientific Committee; despite this the continuing decline of vast species of plants and native birds has been well documented and a range of initiatives exist to attempt to scale back the degradation and bolster conservation efforts <a href="http://www.environment.gov.au/biodiversity/conservation/hotspots/national-biodiversity-hotspots#hotspot7">www.environment.gov.au/biodiversity/conservation/hotspots/national-biodiversity-hotspots#hotspot7</a> - According to countless scientific studies across Australia, more than 1 million native Australian birds are killed across the country by cats every day with feral cats estimated to kill 316 million birds a year, while pet cats kill 61 million birds annually. More than 99% are native <a href="https://www.theguardian.com/lifeandstyle/2017/oct/04/cats-kill-1-million-australian-birds-a-day-study-shows">https://www.theguardian.com/lifeandstyle/2017/oct/04/cats-kill-1-million-australian-birds-a-day-study-shows</a> <a href="http://www.abc.net.au/news/2018-05-31/gene-drive-technology-considered-in-the-fight-against-feral-cats/9817124">www.abc.net.au/news/2018-05-31/gene-drive-technology-considered-in-the-fight-against-feral-cats/9817124</a> <a href="http://www.australiangeographic.com.au/topics/wildlife/2013/03/natural-born-killers-the-problem-with-cats">www.australiangeographic.com.au/topics/wildlife/2013/03/natural-born-killers-the-problem-with-cats</a> <a href="http://www.theconversation.com/for-whom-the-bell-tolls-cats-kill-more-than-a-million-australian-birds-every-day-85084">www.theconversation.com/for-whom-the-bell-tolls-cats-kill-more-than-a-million-australian-birds-every-day-85084</a> According to a recent ANU study, the damage done by cats includes: 377 million birds killed annually 99% of birds killed are native birds – 373 million 316 million birds killed by feral cats annually 61 million birds killed annually by domestic cats 338 species of native birds killed, including 71 threatened species - Because of this, the federal government has introduced aggressive new initiatives to combat the predation by feral cats in recent years. Alongside this, councils play a significant role in the confinement and control of domestic cats to support national efforts to protect Australia's own endangered species. <i>Continued below ...</i></p>
	<p><i>Continued from above ...</i> More than 80% of the Adelaide Hills population, according to the council's own survey, support permanent confinement of domestic cats in our local area. National surveys shows that indeed the majority of cat owners already confine pet cats in some measure and are equally concerned about the impact of domestic cats on the native wildlife. Taking this into account, I urge the Adelaide Hills Council the following: 1. to commence the permanent and effective confinement of cats to their owners property within a maximum period of six months, i.e. by 1 January 2019. Council cannot continue to be responsible for the death and destruction of millions of birds and other small animals in our local area for another four years. How many million more birds and animals is council willing to have destroyed, threatened or completely gone during the next four years? It is unthinkable - given all the facts we have - that Council would be willing to pay such a high price. Indeed Council - and each of us as individuals - have a responsibility to our children and our grandchildren to protect this area and everything within it for future generations. The cost of cat confinement options is generally speaking low to medium - responsible pet ownership must ensure owners are able to manage their pet responsibly or else they are in breach of existing laws already. A period of 6 months gives any person sufficient time to save and purchase whatever is required to bring them in compliance with the new by law. 2. to ensure effective and efficient means to monitor and enforce the bylaws, including stringent penalties for breaches. Cat registration and an enforcement of strict penalties will provide Council with the revenue required to monitor and control. Failure to have adequate enforcement and control strategies - currently lacking in this draft - will result in weaker compliance and poorer outcomes for both council and the native flora and fauna. I am happy to discuss any of the above with you in further detail.</p>

63	This looks really good. The Councillors have adopted a realistic approach that will improve the chances of survival of our "protected" native species. I am particularly impressed that the owner of the cat will have the responsibility of preventing his or her cat from wandering onto adjacent properties, rather than the owner of the adjacent property having to keep the cat out. In a perfect world the requirements would prohibit the keeping of cats in bushland environments such as exist in the Adelaide Hills Council area - as is done in some other parts of Australia and New Zealand. Excellent work.
64	This is just the dog bylaw with the word dog crossed out and the word cat written in. You could have and should have done more work in drafting this bylaw. Clause 3.3. I have yet to see instances of roaming cats attacking the public. This clause should be removed. Clause 9.1. Why wait until 2022? This date does not appear in the Council report. It has just been made up arbitrarily. Allowing 3 more years of cats wandering at large is unnecessary and irresponsible. This should be made effective immediately. There is no impediment for cat owners to keeping their cats indoors as of now. The comments made in the Council Report suggest that "an opportunity for community education and the proposed nuisance provisions to produce beneficial change in cat management practices". Given we have never seen success of this strategy for any other antisocial behaviour (dogs, burning, noise, etc), it seems this is just the Council failing its mandate to provide good governance on the grounds that it's hard to do.
65	As an AHC ratepayer I agree with this By-Law. Please count me as a positive voice for this By-Law.
66	It is important that cats be confined to their owners premises exactly the same as any other domestic animal. It must be done for the safety and preservation of our wildlife, the safety of the cats themselves and the amenity of residents who do not own a cat. Why should we have to contend with the dead birds, possums, etc and the nuisance of cat urine on bbq's, vehicles, bird aviaries, outdoor furniture etc.?
67	I am completely in favour of owners being required to keep their cats confined at all times. This is critically important for our native wildlife, and for the health of the cats.
68	This by-law should be strongly supported and "steps to ensure" should be strongly policed. Premises with registered cats should be randomly inspected to assist compliance with the by-law and fines for breaches should be significant. Unconfined cats have no place in the Adelaide Hills.
69	Cats should be kept inside or in cat runs as suggested by council. I am establishing a new nectar-feeding bird park on the unmade road in front of my house. My neighbour's cats come onto our property at night and roam eating lizards and birds. Time for them to stay indoors.
70	I am sick and tired of finding feathers which have been attacked by cats. Cats should not be allowed to wander in other people's property just like dogs.
71	I wholeheartedly endorse the proposed law to keep cats on the owners' properties at all times. Roaming cats are a nuisance, they are constantly in our back yard, which we have tried to cat-proof, as we are trying to encourage native birds. The constant parade of cats makes this impossible, and something has to be done.

72	I support cat confinement full time with no exceptions.
73	I agree numbers of these animals should be restricted and the movement of any cats heavily restricted. These animals pose a huge threat to native wildlife and I look forward to numbers of declined/threatened species increasing and sightings more frequent. High biodiversity makes sense on so many levels and cats play a huge role in decreasing biodiversity! Keep them inside or in cat runs outside, please, for the well-being of our future
74	Registration for cats to definitely be introduced as soon as possible in line with dog registration,( not delayed). As for owners of dogs, requirement for people to carry bag/container to collect cat faeces outside their property. Confinement of cats to owners property to be introduced as soon as possible, definitely not delayed until 2022. Cat fines imposed to be the same as all dog fines.
75	As with all rules, just cast the net wide enough and everyone will be guilty of an offence. Sick to death of being a cash cow for your budget. Registrations always going up, penalties totally disproportionate to a breach of the by-laws, real or imagined. Every year sees more intrusion into ratepayers lives, with the same old reasoning that you know what is best for us. You do not! Every year, more rules, more compliance (i.e policing) required, that in turn means more staff to be paid, and that leads to more rates required to feed the empire building monster. This by law is draconian, especially Part 3 8 to 10.5. It will allow the persecution of ratepayers by the council (aided and abetted by "dobbers") who by the way are encouraged not only by councils, but state and federal govts. with their 'dob in a ..... (insert your choice here). Your councillors may think its their god given right to pass these bylaws and usurp my rights. They do not. If only there was a by law to protect us from the excesses of the totalitarian tendencies of some who think that because they do not like A, no-one will have A.
76	I believe that it will be very useful to have a stricter strategy to confine the cat population, so that they will cause less of a problematic situation for other animals and the natural environment.
77	I fully support the proposed bylaw that cats should be confined to the owners property at all times 24/7 with no exceptions.

78	<p>Given the average life expectancy of a domestic cat is 15 years introducing the change in 2 1/2 years leaves all cat owners (even responsible ones) with unexpected compliance requirements,</p> <p>Has any research be published regarding the damage done by domestic vs feral/stray cats. The research (Australian) we have been able to identify is based on unverified numbers and estimates and represent poor quality science drawing unsupported conclusions. If the council wish to address the feral cat issue then it should develop a program targeted at that rather than a penalty for responsible owners. The federal dept of environment recognises the difference in impact between domestic and feral cats. If the council wishes to have an informed debate, evidence being put forward for public review would be a reasonable expectation. Cats, dogs and a range of other livestock can have adverse impacts, if poorly managed. We agree with responsible management of cats but this is poorly defined, a blanket approach and no evidence has been put forward to support the proposition. Are similar requirements to be implemented for all livestock. Little to no information as to the councils expectation of how cat management should be done. we own cats but they are restricted in range and time outdoors, wear bells and are well feed, never having had a complaint. is this adequate or are we required to install cat containment cages. I question why they council has not been clear and the value of the consultation process if this is not made clear. I think there are a range of alternative measures to promote responsible cat ownership. Micro chipping (as ours are) effective belled collars, curfews, responsible heath care and feeding. financial incentives for responsible management, registration and fines for poor or inappropriate management would appear to be more in line with how dogs are required to be managed.</p>
79	<p>I strongly agree with the proposal that cat owners should be responsible for the control of their cat(s) and take steps to confine them to their premises. I believe that all cats should be registered</p>
80	<p>I commend the council for their foresight in tackling this issue. I live on the banks of Cox Creek opposite a council reserve and have been aware of the depredation of the native species by cats, albeit mainly feral cats, for many years. The resident population of native water rats has been apparently devastated by these hunters, and I have witnessed cats attacking everything from skinks to native black ducks. One of our neighbours had a large black cat, which they believed hardly strayed at all, that I would see slinking in and out of the reserve many mornings and evenings. So anything to keep these hunters out of an ecosystem that has evolved over millions of years without these sorts of predators is a good thing (no matter how compromised that ecosystem naturally is when in part turned to agricultural and residential use). And I would clearly support any initiatives on the council's part - I have been the recipient of such help in the past - to eradicate feral cats from our native bush areas ... well really from the whole council area. Again congratulations for being at the forefront of this attempt to protect our bushland.</p>
81	<p>As a former Hills Resident and a the owner of a cat (who is confined indoors 24/7) I am in total support of this proposed by-law. It is well understood that indoor cats live longer, healthier and happier lives than cats allowed to roam outside. There is no credible argument or evidence that the welfare of cats would be harmed by mandating they be confined to catios or kept inside their owners' homes. While I love my cat, I appreciate it is a non-native hyper predator that sadly instinctively kills for pleasure, not (just) to survive. The impact on native wildlife is very significant, (leading to extinctions of threatened and vulnerable species in the worst cases) as is the annoyance factor for neighbors who have to put up with cats fighting, spaying and defecating in their gardens, and vegetable patches etc. Confining cats is an approach whose time has come but sadly voluntary compliance can not be assumed and hence this proposed by-law is essential. I also support mandatory desexing, microchipping and cat registration. If this is appropriate for dogs then it is simply discrimination not to treat cats the same. While confining cats to catios or on leads may seem novel now, very few people would question treating dogs in a similar manner. The time has come for this by-law to be passed with the ample lead in time allowing for education and awareness campaigns in the lead up. AHC should be commended on their progressive vision that will boost animal welfare for felines and native wildlife alike.</p>

82	<p>I commend council on this amendment and hope other councils take your lead.</p> <p>This law is overdue and should help hugely with protection of our native fauna. As a bonus hopefully cats will be safe from getting hurt on our roads too. Any pet needs to be responsibly cared for by the owner and confined to their property, regardless of what shape size and form it comes in.</p> <p>Thank you for your commitment to positive change.</p>
83	<p>I completely support the proposed changes to better regulate cats in the Adelaide Hills. Only this week we have had two cats on our property, one with a bird it was in the process of killing. However the By-Law does not go far enough or fast enough. Council needs to establish a registration system for cats sooner rather later. And 2022 is too far away for requiring cats to be confined - this needs to be implemented in 2019 at the latest. Cat owners must be responsible for their animals, and held accountable for where they are, particularly as landowners are not authorised to kill roaming cats.</p>
84	<p>By making cats need to be indoors at all times, you are restricting their natural instincts asking owners to change the long term habits of their pets. In my case, this will cause my cats a great deal of stress, I am the owner of two cats that have always been able to go outside to exercise and go to the toilet. Both cats are microchipped, neutered and wear a collar and bell. We have an open plan living area and the configuration of our house is such that we will be obliged to have a cat litter tray in or close to the kitchen or in our family seating area which is both unpleasant and unhygienic. To actually contain our cats at all times will potentially involve us having to build an outdoor cat run to contain them which will both come at considerable expense, again, due to the configuration of our outdoor space, significantly impinge upon our ability to enjoy our outdoor space and change the aesthetic appearance of our property for the worse.</p>
85	<p>Restricting cats to small areas is inhumane and against their natural lifestyle. Currawongs are renown for killing baby birds to feed their young (some take up to 40 baby birds to rear one brood), yet we do not talk of removing them from our region or restricting them in any way. Possums are also predatory and known to kill baby birds and eat eggs in the nest (<a href="http://www.australiangeographic.com.au/blogs/wild-journey/2017/04/killer-possums">http://www.australiangeographic.com.au/blogs/wild-journey/2017/04/killer-possums</a>), yet again we do not talk of controlling their behaviour.</p> <p>While some cats may be predatory this does not mean all cats kill native birds or small animals. Teaching responsible pet ownership (which may include collar and bell) is far preferable to the addition of yet more by laws. There are so many laws introduced which are simply revenue raising. Councils job should be to support and encourage the local community and its environment to grow and live together in harmony rather than to police and punish.</p>
86	<p>1. Surely the requirement to confine cats to property can become effective before 1/1/22! Very soft. In my view cat owners should be expected to have controlling structures and procedures in place within 12 months, 2 years max.</p> <p>And on second reading, that the owner need only "to have taken steps to ensure ...", not "to be responsible for ensuring .....".</p> <p>Weasel Words for sure! Shame!</p> <p>2. Outrageous that the Council plans to do no better than have the capacity to introduce cat registration at any time, sometime, maybe never, in the future. What about having a specific plan (and date) in place in order to give effect to managing the 'contained within premises' obligation referred to above. I'm happy to pay more rates to help finance this essential management initiative, but Cat-owners should too, via registration fees - heavy ones at that, if the predator is not de-sexed.</p> <p>3. Very disappointingly weak response to strongly ratepayer-supported policy.</p>

87	I completely support the restraint of cats 24/7 with no exception. This is something that is extremely overdue. In addition AHC should provide decent support for dealing with non-confined cats when it (inevitably) occurs with decent penalties.
88	After reading the proposed amended bylaw, I would like to submit my strong opposition to the proposed bylaw changes, in particular, the cat nuisance clause. Like the rest of this bylaw, this clause is written in such an ambiguous fashion that it could easily be used in a vexatious manner by the neighbour of a cat owner. I have owned two cats in the past and am on very good terms with my neighbours but expect that other residents within the AHC might not be so lucky. I believe vexatious complaints are a very real possibility with the proposed wording of this bylaw. In summary, I am strongly opposed to this change.
89	<p>Concerns about this confinement because we are on land/acreage and our cats serve a purpose of keeping vermin under control in hay sheds and with seeds and grains. Have recently had a mouse infestation which they have managed for us successfully without having to use poison that could also have an effect on our local wildlife.</p> <p>If contained then will only have the option of using poison.</p> <p>Also the cost of having cats contained is very high currently and I fear many people would not have the money or resources to be able to do this and therefore a lot of cats will be dumped. I know it's about our local wildlife but I think a catch and release after spaying/ euthanasia of feral cats would help control the numbers and then the impact to our wildlife. And with the new laws coming into effect soon re pets to be spayed, microchipped etc this will also decrease the amount of kittens limiting the unwanted pets.</p> <p>It is expensive enough to keep a pet and I am concerned those who need companionship will not be able to afford to keep them, many elderly have a cat for company as they are easy to look after and although most of them have their cats with them inside just the thought of the cost involved to keep a cat contained would worry them depriving them of the joy of having something to care for and talk to. Many pets give people the will to get up in the morning, to keep them going and a reason to live, not just the elderly but the sick and disabled and to be honest many of these people are unable to clean litter boxes or lift them so it would create another issue if the cats had to be confined.</p> <p>I believe we also need an exemption clause for this issue ie if on acreage cats don't have to be confined but there will always be vigilantes out there targeting cats if this is brought in, it concerns me that this issue is almost as inflammatory as cyclists. Every one is angry and hateful. We live on land as stated and I love our wildlife, I am lucky enough to see it every day and we have 2 cats the wildlife don't seem to be diminishing but as I said our cats have a job to do and if they aren't in the hay shed they are in the house.</p> <p>Have no problem with a cat registration scheme, want to find my cat on the of chance they go missing.</p>
90	'+I am in favour of this by-law. However, I would like the confinement aspect to be introduced within 12 months, not in 2022.
91	Cat confinement at all times - welcomed! But please be specific on how this should be done. Also, what will be the laws/consequences for those who ignore the new by-laws, i.e. what options will residents be given to remove these cats off their property? I am hoping Adelaide Hills Council will be strong and bring in stricter laws for pet ownership. Mitcham Council backed out of this about 4 or so years ago in spite of having 90% support for control of cats. One Council has to be first then others will follow. Please be strong and be The First.



92	Native wildlife in the Adelaide Hills is one of the region's greatest attractions. I am a cat owner and have kept my cats indoors to protect birds and other wildlife. The cats are happy and safe from cars and snakes. The native wildlife is happy and able to continue flourishing in our yard. Both things make us happy. I unreservedly endorse a cat curfew and confinement of cats to owner's yards.
93	I see not need for this by-law at all, a just few over the top people, (1% of the population) making rules for the rest. I think if this was to come in to effect, it should only be in town ship areas, eg block sizes 1000m or less, Larger blocks (I Have 20 acers - after all that the cats help reduce rats, mice and snakes, at my home with out the 2 cats, I would have to use a lot more bates to kill the vermin and natives too. so net gain = zero, still end up killing natives and now have more snakes and bates every ware. If this was to come in to effect, I would stand for the next round of elections, to get this by-law removed. Notes Cats are not like dogs, so the same laws do not apply. This sort of law is nuts over the top and unnessarey, in country area's like Longwood, Mylor, etc, Different if we all lived in Burnside but not up here. I have a lot more issues with dog's running loose, and driving my horse in to a fence -\$3000 vet bill. than a cat very done. So sad this is a dumb idea .
94	The car nuisance bylaws are strongly supported on the basis of prioritising native wildlife and the nuisance caused by wandering cats fouling children's play areas, gardens, etc. The research has demonstrated the destructiveness of cats on our native wildlife. This bylaw will assist in protecting our wildlife. I also support the addition of hge ability to register cats. Money raised could be used for public education or initiatives to protect wildlife such as threatened species in the hills.
95	Wish you could introduce this bylaw sooner. Bandicoots, birds, reptiles at my place are having a very hard time from neighbors cats, to date I can identify four different animals.
96	Cats should be closely supervised in owners premises during the day and kept indoors after sundown.
97	I don't agree with the proposal. It may not be affordable or practical for existing owners to confine their cats within a garden. It would be cruel to force cats that are use to being outdoors to be confined to the dwelling. Cats do an important job in reducing mouse and rat numbers especially in townships and rural areas. If the bye law is brought in it should be restricted to Stirling, Crafers, Bridgewater and Aldgate. I also question how the proposed bye-law can be effectively enforced.
98	I fully support the bylaw that requires cats to be confined to the owner's property. I also would support registration for cats and limiting the number that people can have at a location. Cats do enormous damage to native birds and reptiles - surely having one per household is enough.

99	<p>We do not need this bylaw. SA already has a very restrictive Cat &amp; Dog Management Act in place which all responsible cat owners would wish to comply with. Council's own report supports this, with the vast majority of cat owners surveyed stating they already confine their pets from dusk to dawn. Confining cats indoors 24/7 imposes punitive and in many cases impossible costs on older pet owners, who would be forced to relinquish their treasured pets. Few have room on their property to build a cage. Many will be caused untold worry over this. A dog can be walked, exercised in public but are responsible for the overwhelming majority of complaints to Council - read the Council report. So why is Council pursuing this course of action against cats? Are they prepared to cave in to a few activist cat haters and impose this badly thought out bylaw with all its costly side effects on the many responsible cat owners in our area when as Council knows they are already doing the right thing? Where is the logic? Where is the funding for policing this? For litigation? Will cats be seized and destroyed if one should escape a property? Is council prepared to go to court over this?</p> <p>Sadly we do not own a cat anymore but we remain animal lovers, including our wildlife. We want Council to concentrate and use our rates wisely. To halt the wanton destruction of wildlife habitat - vis-à-vis the felling of over a dozen massive century old trees both gum and pine in our neighbourhood alone in the past three months. We submit that there is no cat problem - just hypocritical people who don't like cats.</p>
100	<p>All cats should be confined to owners property 24/7</p> <p>Micro chipped cats at large should be returned to owners with a fine to be paid.</p> <p>Un chipped cats should be regarded as feral and destroyed.</p>
101	<p>I understand the reasoning for this by-law, and care about our native fauna. However, as a cat owner, think it is completely impractical. A cat which has previously been allowed outdoors cannot be kept indoors without an enormous amount of stress on both the cat and the owners. Our family tried this with our cat for several years after moving to an apartment with no ground floor access. The cat cried constantly, destroyed things and we had to take elaborate measures to prevent him escaping every time we opened the door. He was deeply unhappy and the situation caused us an enormous amount of stress. This could perhaps be something that could be phased in over a 10-15 year timeframe, so that as families replace their pets, they raise them as indoor/confined cats. However, I would suggest that a better option is to instead restrict cats to the property at night time, when they are most likely to hunt, fight and cause problems, and allow them to move freely during the daytime as long as they are not being a nuisance to neighbours.</p>
102	<p>1. Waiting until 2022 to ensure cats are confined to only your property is too far away. This should be implemented by Jan 2020 at the latest. 2. Part 3 - exemptions. Do not understand why any exemptions should be granted for this by-law. Part 11.2.2 - exemptions should require annual renewal if a need for exemptions can be explained.</p>
103	<p>Some good ideas, good luck with this one.</p>
104	<p>we got a cat (desexed/chipped) to deal with a rat problem after the new law I trust the council will assist with rat control</p>

105	<p>I wish to register my views against confining cats. I agree cats should be microchipped, desexed and no more than 2 kept. It is people who do the wrong thing that spoil it for responsible car owners. Feral cats should be dealt with however it is cruel to confine cats they mostly sleep but they need to roam. It is cruel to confine them like a rabbit they need more space to run than a house and run can give. Rats and mice will increase if cats are confined, perhaps next the council will have to ban aviary and back yard chooks as there is no denying they attract vermin. Residents will start baiting and that will poison native wildlife and domestic pets.</p>
106	<p>I fully support the proposed cat by-law in relation to preventing them roaming unfettered across neighbouring properties, and further afield. Many is the native bird nest on my property that has been destroyed by marauding cats. And neighbours do not necessarily take kindly to requests that they restrain their pets. In addition I support the registration of cats. Why should cats that have the ability to avoid constraint by fencing not be registered, while it is necessary to register dogs that are easily confined.</p>
107	<p>All cats should be confined to the owners property. The carnage caused by cats on our heritage listed bushland property is distressing.</p>
108	<p>As an owner of indoor only cats, I strongly support the introduction of by-laws to restrict cats to their owners' properties. I am disappointed that this is not coming into effect July 2018, in line with the other changes by the Dog &amp; Cat Management Board, as it is in some other Councils in SA, but I am very glad that the Council is putting a firm date on its introduction. I fully support the Council introducing compulsory cat registration, which should be possible given the compulsory microchipping laws that are coming into effect. I hope that there will be long term targets to limit cat numbers to 2 per property unless permission is given by the Council for more. I hope that with these changes the Council will show some leniency to properties where there are currently more than 2 cats, giving permission to have more until hopefully there is a natural reduction of numbers through death, sale or gifting of cats to other properties. I would like to thank the Council for their efforts to address a highly emotive issue and keep in line with changes in community values, where cats are now seen in a similar category to dogs in terms of conditions for responsible ownership.</p>

109	<p>Section 9 I object to the requirement that cats are to be confined. It is an onerous and unnecessary requirement that has the potential to cause emotional and financial stress on cat owners and division within the community. Section 9.1 is not specific enough and does not provided enough detail in order for cat owners to ensure that they are not in breach of it. There are no guidelines as to what is involved in ensuring that a cat is confined to the owner's premises. Does the AHC require cat runs, cat enclosures, and/or fencing? If so, what are the minimum humane standards of such confinement methods? Is a standard fence enough, or are cat owners required to build cat enclosures? If cat owners are required to build structures to confine their cat/s, this will impose costs that many will find prohibitive. What assistance, if any, will be provided for cat owners who cannot afford to build structures to confine their cats? How will Section 9 be enforced? Will it rely on complaints or will there be inspections? The cost of enforcing the confinement of cats is prohibitive and I do not want my rates to be used for such a pointless activity. To suggest that the AHC intends to be reliant upon cat registration to provide the funds for by-law enforcement seems circular given that I will be paying for the registration that in turn requires me to confine my cat. The bottom line is, I do not want to pay for the enforcement of a by-law that requires the confinement of cats in my community. I am not opposed to the registration of cats as a means to encourage responsible cat ownership, but I am opposed to it if it is purely in order to fund burdensome conditions upon cat ownership. The majority of cat owners, like dog owners, are responsible and do what they can to ensure that their cats do not have a negative impact on their environment. I have not seen any evidence that the Adelaide hills has a cat problem of such magnitude that it would require mitigation through the enforcement of onerous by-laws such as cat confinement. It is disappointing that the AHC is being influenced by a vocal minority of anti-cat lobbyists that seem to be growing in power. It is of concern to me that Sections 8 and 9 will serve to further empower those in our community who simply do not like cats. It may also encourage activities such as trapping, cruelty, and false complaints. I do not want the AHC by-laws to encourage anti-cat behaviours. Responsible cat owners should not have to feel that they are guilty of an offense simply by owning a cat. <i>Continued below ...</i></p>
	<p><i>Continued from above ...</i> The AHC needs to think carefully about the message it is sending to the community. There is a minority of cats that can cause problems such as spraying, hunting native animals, wandering, etc., but this is mostly caused by stray and feral cats; we need to differentiate between domesticated, stray, and feral cats, and apply specific remedies to each specific problem. These remedies should be scientifically informed, considered, appropriate, products of extensive community involvement, properly funded, and phased in by stages so that no distress and financial burdens are imposed upon ratepayers. The vague notions of the confinement of cats outlined in Section 9 of this by-law do not meet these criteria. Therefore, I strongly oppose Section 9. Section 6.5.1 - I object to the Section 6.5.1 definition of effective control by means of physical restraint, as this wording, unless read and fully understood within the context of Section 9.1, seems to require cat owners to restrain their cats using chains and cords in the manner of tethering them to a leash that is to be no more than 2 metres in length. If a person restrains an animal by a chain or cord to a leash of no more than 2 metres in length on a permanent basis, this would constitute animal cruelty. Moreover, to use a chain to restrain any animal under any circumstances is cruel. Cats are small animals and to use chains to restrain them under any circumstances is especially cruel and it is abhorrent that the AHC would be requiring this. My concern is that some cat owners may not read Section 6.5.1 within the context of Section 9.1 and therefore assume that they must restrain their cat/s by means of tethering on a daily basis. This is not something that the AHC should advise or encourage. Section 6.5.1 needs to be reworded to exclude the use of chains and cords, as well as to fully clarify that permanent restraint by a leash is not required and that the only time the use of leashes is required is when cats are being transported to and from the premises. This section is not clear in its meaning and suggests methods of animal restraint that are cruel. I request that Section 9 be scrapped and if 6.5.1 is still required in the absence of Section 9, then it must be reworded.</p>

110	<p>OK with limiting the number of cats. OK with creating a registration scheme for cats. However, the cat confinement and cat nuisance by laws will be costly (and arguably, impossible) to enforce, and council resources would be better assigned elsewhere.</p>
111	<p>I highly appreciate the introduction of the cat nuisance clause and hope it will indeed be effective from January 1, 2019. This - I sincerely hope - will help us to get our neighbour's 8 cats under control and to preserve the natural fauna and flora on our premises and beyond. Our neighbour's 8 cats definitely constitute a nuisance as they kill birds, bandicoots and lizards on our premises, and generally lead great parts of their outdoor lives on our premises, which of course does include relieving themselves. To hold the owner of cats responsible for their whereabouts and keep them confined to the owner's premises seems to be a great solution to the nuisance caused by the felines, so the question is why will it take council so long to ratify this new by law and start acting on it.</p>
112	<p>I highly appreciate and support the by-law 6 in regard to cats with the cat nuisance clause. My wife and I love the Adelaide Hills and in particular our property on Vantage Way, which shares a border with the Cleland Conservation Park. When we moved n more than 10 years ago we had a bandicoot living in our garden and bird life in abundance. This changed when one of our direct neighbors got a first cat. Since then the number of cats owned by this neighbor increased significantly, there are so many cats that we are unable to count them - although they spend a considerable amount of time on our property. Needless to say that the bandicoot is gone and that birds visit out garden only occasionally. We can also observe frequently cats hunting for birds and other wildlife on our property.</p> <p>Because of the above (and other, less important reasons) I don't want any cat to be present on our property, hence my strongest support for this by-law. If I had to decide I would make the by-law effective much earlier than 2022! What is the point to wait for such a long time, when the average cat live span is well above 10 years!</p>

113	<p>There is evidence that the enthusiasm for making money from development is the greatest threat to native species, much more than pet cats. And that pet cats save health and welfare funding (research available). But, research based evidence is being ignored in favour of the 'trendy' scapegoating of cats, particularly associating and combining pet cats with feral cats, when they are actually completely different animals, especially with regard to their targeting of native birds and animals. If you are on a government pension through the aged pension, disability pension or unemployment pension (remember there are less job vacancies in Australia than there are people on unemployment benefits, this does not take into account the large number of people that are underemployed) you can't afford to build a cat enclosure. Similarly, if you are part of the 'working poor' you can't afford this extra impost. Cats are nimble and not contained by regular fences so keeping them on your own property is impossible. And finally, for those who say 'just don't have a cat', you have not met the many people (often older) for whom their pet cat is their only companion and next of kin, without which they would rather die. As a humane society that values social justice we must acknowledge the different needs of people.</p> <p>With regard to the councils use of 'consultation' I recommend you acquaint yourselves with Arnstein's "Ladder of citizen participation" and you will find that your approach falls in the non-participatory and tokenistic range, I quote below: "The bottom rungs of the ladder are (1) Manipulation and (2) Therapy. These two rungs describe levels of "non-participation" that have been contrived by some to substitute for genuine participation. Their real objective is not to enable people to participate in planning or conducting programs, but to enable powerholders to "educate" or "cure" the participants. Rungs 3 and 4 progress to levels of "tokenism" that allow the have-nots to hear and to have a voice: (3) Informing and (4) Consultation. When they are proffered by powerholders as the total extent of participation, citizens may indeed hear and be heard. But under these conditions they lack the power to insure that their views will be heeded by the powerful. When participation is restricted to these levels, there is no follow-through, no "muscle," hence no assurance of changing the status quo. Rung (5) Placation is simply a higher level tokenism because the ground rules allow have-nots to advise, but retain for the powerholders the continued right to decide." The 'information session' at the library on 7/6/18 was badly planned and handled. Marc came across as defensive regarding this by-law which seemed to indicate that this was a fait accompli. A real problem was Marc stating, a number of times, that this by-law would not be acted upon anyway and/or only addressed if someone complained, and even then, nothing would happen except the imposition of a fine. Hence the question; why create this by-law if it will not be acted upon. Marc seemed to be attempting to placate us with a promise that he could not possibly keep. It was unwise and unfair to send Marc to this without support. I will be seeking to address the council on this issue prior to any decision making. Particularly regarding the merits, or not, of this by-law, it's impact on vulnerable people and other options that could be implemented.</p>
114	<p>I agree that cats need to be desexed, registered and contained. I am a cat owner and do this out of responsibility to my cat and the surrounding wildlife. I do acknowledge that this could create a rat and mouse nuisance, however.</p>
115	<p>I heard Bill Spragg on the radio, talking about the Plan to try and make cat owners restrict their animals to their property (I think that is the idea) and want to register my misgivings. I think this is likely to distress the animals, for very little purpose. I don't own a cat myself, but have in the past and if they are desexed the number of animals they harm is minimal. And as a resident, I have had zero trouble from cats, while dogs wander through my block, defecate on it, bark constantly and have even been harassing kangaroos (I videoed this and offered to show tin to the Duty Ranger, who didn't seem that interested). I think there is a clear 'anti-cat' agenda going on - dressed up as concern for wildlife - and confinement would just mean the cats suffer. Is it also a bit arbitrary, in that if you have a big block the cats basically do what they would do anyway?</p>
116	<p>I fully support the Council's action in restricting cat movement. I fail to see as a land owner why I must at present tolerate cats roaming through my property killing native birds and ringtailed possums. Keep up the good work.</p>

117	<p>I disagree with the requirement in Part 3, Paragraph 9 for Effective Confinement of Cats. It should not be necessary as people should be able to get on without imposing their will on others. In general cats are not a problem to others but some choose to be upset when there is no need. The specifics of the negative impact of cats upon native species has not been justified scientifically, but their position as a natural predator of introduced rodents has. To remove this natural predator from the environment could have a significant impact upon native, including protected, species. I disagree with the registration of cats proposed in paragraph 10. If the community wishes to impose its will on individuals then the community as a whole should be aware of the associated costs and be prepared to foot the bill.</p>
118	<p>Disagree with registration scheme and requiring cat owners to confine to premises at all times or under effective control. Extra management and costs unnecessary as most of this covered by other laws or government agencies.</p>
119	<p>Disagree with confinement regulation. Cats can't take leashes, only practical cat fence is at Warrawong so for cats that escape when a door is opened these will now be categorised as illegal and a new source of revenue.</p>
120	<p>I began to rescue moggies 8 or 9 years ago to save them from the cruelty of people that were abusing them from kitten hood onward. In the years that followed I rubbed shoulders with other rescuers and members of various cat societies and gradually became aware that there is a "war on cats" I took it on myself to educate myself on this subject and I guess you could say I have made this my mission in life. I have studied one scientific report after another, and one thing I do know for an absolute certainty is that cats are much misunderstood. Like most other people I had been of the opinion that cats exist only as pets or if they were unlucky then as "strays." I now understand things much better and hope that you will also take to heart the things I learned and now seek to share. Cats simply cannot be intelligently legislated for in the same way as dogs. They are different species with different origins. Unlike dogs which have been bred down from grey wolves for domesticity, cats have and continue to be the free living creatures that they have always been from Egyptian times until now – they have not changed much in their size, demeanour or behaviour over all the centuries. We may think we "own" a cat but the reality is that the cat never enters into any such agreement, although more often than not chooses to stay if the conditions are good but leaves if the treatment is not dignified. To confine a cat is to "jail" this intelligent animal in the same way as a zoo cell is a "jail" for an animal. We should not do this just because we can or just because lesser educated people on the subject complain about patrolling cats. I find it so confronting that the people who argue for bird protection from cats, do not raise their voices when a council announces a bird cull because they have become plentiful in number and have become noisy or destructive. My cat friends and I are amongst the loudest protesters for these birds often initiating the campaign against the cull. This is because of our respect for animal equality and sadly this same equality does not exist in the mind of all so called "animal lovers" If it did we would never be needing to have this discussion. To me it is clearly obvious that all animals, whether they are my favourite or not, are sentient and they can all suffer. You may not think that it is "suffering" to spend all your days indoors but being deprived of all natural stimulation is it is a psychological torture. The cats may "look fine" but would not survive this and would give up and die slowly. <i>Continued below ...</i></p>

*Continued from above ...* My own would certainly not be able to endure this treatment. I have 1 patrolling female cat who defends the fence line against the neighbours cats (cats are territorial as you must know) and another cat who prefers to hide but non the less wants to look brave, so he brings up the rear. In my own personal life I have moved heaven and earth to be able to give them this freedom and could not think about taking it away from them. I would also find it financially unachievable to provide a cat run nor would I want this limitation for them when I have worked so hard to provide more freedom than the flat I was in. I wanted also to spend some time talking about the category of cats we refer to as “strays”. These are urban cats that hunt for survival or take opportunistic advantage of living in the same territory as humans feeding from rubbish bins around factory sites etc (not to be confused with the wild cat category.) These cats do not have the same life of ease as a pet. They are not fawned over as are many pets but they are living exactly as nature intended before we humans decided we needed them for our own pleasure and company. Their role is to prevent mice and rats from multiplying and their place in the food chain makes perfect biological sense. This is in fact how they found their way to this country on the sea going vessels that carried foods and grains that were subject to the interest of the rodents that ate these foods. We should not persecute the offspring of these sea-faring cats by labelling them with such titles as “Introduced species” This sets them apart for persecution and has led to the legalization of every form of abuse. In today’s human society we no longer tolerate the singling out of any race for negative reasons and ever a slur or negative comment creates a fever pitch of attention and the perpetrator becomes a “racist.” In the animal world this preference of one animal to the detriment of another is “specieism.” It is exactly the same. The problem is not the animal – it is the lack of understanding in the head of the complainer that is at fault. I believe that what we need to be doing is educating people in the matter of animal equality, not jumping to resolve every cat complaint. The complainers will NEVER go away and are more then likely complainers over a number of issues. How good would it be if we could educate them to become the change they seek to find. You may ask how such a change would be achieved from a Council level. There are many things that can be done. Cats have the unlucky condition of being prolific breeders so desexing the strays is the immediate answer. It solves a whole host of problems and there are many avenues in our community to do this with many vets giving of their time to achieve this at a reasonable cost. Secondly when these “stray” cats are returned to their home area (where there will no doubt be other cats – that has been my experience) a registered colony can be formed and volunteer feeders can look after the colony each evening. This pacifies those that want to stop a perceived feeding on the bird population (cats do eat birds – lets be real but their preferred diet are rodents) These volunteers can look out for new attachments so that these too can be desexed. This has been very successfully practised both here and also in the US. To get more information in this regard the US group is known as Allie Cat Allies and they have much information on their web site but also welcome personal contact. I have found that all groups that share the passion of saving these creatures are very willing to enter discussions and share information. Well my intention was to be brief, but it is impossible to talk about a subject you are passionate about with brevity. I look to your sense of fairness and balance to resolve and dissolve this cruel idea of containment. I am quite certain that there will be many others who will write on the impossibilities of a “containment” sytsem working, so I will leave it to them to explain the science.



121	<p><b>Effective cat management</b> - What is important is to achieve effective cat management which achieves your goals. Unfortunately mandatory cat legislation has been found to fail wherever it has been tried; Mitcham Council [in SA] after years of compulsory registration only achieves less than a third of the actual number of cats living in the area; Queensland State Government brought in compulsory cat legislation including confinement and repealed the legislation after 4 years because it did not work and the difficulties and expense of policing the legislation made it inoperable; Victoria State cat legislation has resulted in unplanned monumental failure – especially the “stray cat population explosion” as a direct result of the two cat limit per household. NSW legislation regarding cat numbers and registration has been very widely ignored by the public - averaging 22% [Cat Management Survey of Sydney Metropolitan Councils Nov 2007 – March 2008; Burton and Associates 2008]. Both the Cat Management Survey of Melbourne Nov 2007 – March 2008 [Burton and Associates 2008] and the Cat Management Survey of Sydney Metropolitan Councils Nov 2007 – March 2008 revealed that councils found ‘policing’ the implementation to be both impossible to achieve and extremely costly. Council spokespersons in both states made it very clear that what did work effectively was mediation and community education – this very individualised approach without the perceived threat of legislation and punitive action targeted the actual individual problem and enabled neighbours to sort out their own individual solution. The spokesperson from Frankston, Victoria stated that this approach “achieved far more than all of the combined cat management legislation”. <b>Mandatory Cat Confinement</b> - Council have stated that their objectives are: to achieve community harmony by preventing cats from going on other residents’ properties; to protect wildlife. <i>Will it work:</i> to keep cats on a property will require a fence that is 2.2M [8 ft] above the ground and to be sent into the ground about 0.3M [1 ft] – whether galvanised steel or ‘good neighbour’ colorbond this will be a very expensive exercise especially for larger properties; the use of high fencing all round houses and gardens in townships will be extremely ugly and totally destroy the beauty and character of Adelaide Hills small townships; smaller properties might have to consider either a large ‘cage’ or a room set aside as a play or activity area for the cat/s – Dr Trevor Baker, Veterinarian, former director of Vets4Pets has stated that the minimum size of room or outside area would need to be 20 square metres and if outside would need to incorporate some form of protection from the elements – price quoted by a local company in 2004 was \$3000 which may be beyond the capacity of cat owners on low fixed incomes; cat owners living in units or homettes on shared blocks or rental properties may not be able to do this. <i>Questions for Council:</i> any sort of compulsory legislation requires administration and policing – this results in a rate rise –are residents happy that everyone must pay for this legislation not just the cat owners?; will there be any financial assistance for elderly or disabled residents or others on a small fixed income to assist them to pay for the new structures to confine cats?; would it not be fairer and more achievable to ‘grandfather’ this proposal? It is unrealistic to expect fully mature cats to adjust from freedom to imprisonment?; there is a great deal of evidence which proves that permanently confined cats suffer from both physical, emotional and psychological damage – is Council prepared to cope with future court cases and the cost and the loss of community harmony this will cause?; since the majority of cats cannot be exercised on a lead like dogs cats could be deemed as being treated less favourably and thus the proposed legislation could be in breach of existing SA law. <i>Continued below ...</i></p>
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*Continued from above ...* Have Council investigated this and how they will handle such complaints from residents?; what are the numbers and types of enquiries from residents regarding cats? How many are actual complaints? How many are cat welfare related concerns? Tim Harrison in his 2006 survey and recommendations for cat management by SA councils [authorised by the Dog and Cat Management Board] stated that the cost of one full time member of staff to implement and police this would cost on average \$100,000 PA. The costs will have increased significantly now; is Council prepared to finance this cost? What would be the cost per cat related complaint? Is this viable and/or fair to ratepayers?; Why put cat owners to very high levels of cost when there is no demonstrated problem?; Why outprice pet ownership from the most vulnerable members of our society who need the health benefits of pet ownership?; all cat experts and informed cat owners recommend night curfew for pet cats. Everyone knows the obvious benefits of protecting the cat from car and other accidents. Cats do not hunt greatly at night – most of their prey is asleep! Cats should be taken inside before dark and not let out until well after dawn when birds and other animals will have had time to feed – which is when they are most vulnerable to attack from any predator; what arrangements will Council offer owners of horses, birds and other seed feeders? The spilled seeds attract mice and rats which in turn attract snakes – cats are essential to kill the rodents and pre-empt snake invasions and snake bites. Confining pet cats will put residents at risk if they have seed eating animals or birds in their back yard or even a balcony; Council could be liable; Tea Tree Gully has also considered cat confinement: after analysing the number and types of residents' phone calls it was revealed that the majority of calls revealed a need for cat desexing [which also results in cats not wandering off their property because they are no longer searching for a mate; they become more 'home bodies' and become focussed on their human family]. They decided that in view of the small number of complaints which would have worked out at about \$1000 per complaint that the most effective route was to outsource all complaints, welfare concerns, mediation and community education to the well reputed and long established Cats Assistance To Sterilise [CATS] Inc. Used by the majority of SA metro councils with an enviable record of 99.9% user satisfaction and well documented expertise Tea Tree Gully Council opted for this solution which has proved to be both effective cat management and cost effective. Councils using their service document a steady decline in cat related issues and Unley, Norwood Payneham and St Peters and Burnside report that they no longer have a recognisable problem as the few problems that arise are referred and swiftly dealt with. Will cat confinement reduce the loss of native wildlife? Evidence from the Reark Report [Australian national survey], experts in wildlife survival rates such as Tim Flannery, Jane Goodall and others all say that the scientific evidence proves conclusively that loss of colonies, weakening of the gene pool and extinction is caused by loss of habitat: eg building houses, roads, extending farmland – any activity which destroys trees and bush. The small number of deaths caused by desexed owned [fed] cats has no lasting effect – the cats take the sick, old or abandoned young which otherwise would be taken by other predatory animals and large predatory birds. [This should not be confused with the problems of undesexed, unfed wild cats living in outback desert areas of Australia.] Loss of native species is distressing and scientific evidence shows that it is happening in Australia at an unprecedented rate – caused by loss of habitat, not caused by cats in suburban and semi-rural areas. It is worth pointing out that unowned cats if desexed and fed by carers are no threat to wildlife [in the same way as described for owned companion animals]. *Continued below ...*

*Continued from above ...* What does work - Desex all owned and unowned cats: control the cat population to keep nature in balance; desexing results in cats becoming home based [dramatically reducing any friction between neighbours; ensure cats are free and able to reduce the rodent population and thus control snake populations and pre-empt snake bites; use CATS Inc – cost effective for both council and residents: offer discount vouchers for cat desexing for low income earners; offer councils a very reasonable financial arrangement. The extremely effective methods of education and mediation used by the expert staff of CATS Inc. CATS Inc records [dating back to 1989] show that it is extremely rare that they are unable to satisfactorily solve a situation – averaging 99.9% successful outcomes. Summary and Conclusion: Legislation of itself cannot bring about good outcomes; robust information shows that no council or state government\* has brought in compulsory cat confinement because it produces negative outcomes: bad neighbour relations and community disharmony; high costs; impossible to successfully implement; perceived by residents to be a failure because it has not achieved the desired results: implementation and 'policing' likely to cost \$100,000 PA; Victoria and NSW state that cat confinement is impossible to control; \*Queensland repealed their state legislation for cat confinement because they said it was costly and totally ineffective; Councils in SA Metro have found that their compulsory legislation has been costly and ineffective; TTG Council and others [including Prospect and Walkerville] analysed their cat related complaints and chose the far more cost effective and far more successful approach of referring all cat related problems to CATS Inc; spokesperson for Frankston, Victoria stated that targeted individual mediation and education "achieved far more than all of the combined cat management legislation". In consideration of the above evidence, is the increased costs, community disharmony and upset worthwhile? Particularly when there are well proven alternative methods and strategies that are far less expensive with proven successful outcomes? Again and again compulsory cat legislation especially confinement has been an expensive failure. South Australia is the only state to benefit from an organisation like CATS Inc which offers services that are both extremely effective in sorting out cat related problems including good neighbour relations and is very cost effective for councils and ratepayers. Concerns about loss of native wildlife are very important: it is now proved without doubt that such losses are caused by loss of habitat and feed areas, all concerned councils need to know the health of their wildlife colonies including birds and factor this in when planning future building expansion which will involve removal of bush and trees.

I cannot speak strongly enough against the idea of permanent confinement of cats to owners' properties with a cat bylaw to enforce this and no doubt fines and seizure of cats. Although I do not live in the Adelaide Hills Council area I do have friends who do and they are very concerned about this proposed plan. Unfortunately my cat owning friends will not send in submissions for fear that they will be targeted by the Council if the bylaw is introduced. I am therefore responding on behalf of my friends and putting their views forward. I trust that this will be acceptable as I am in agreement with my friends in understanding their concerns. I have seen this happen on many occasions and know the fear that owners have. This is the reason why there is always a large percentage of pro the cat- laws and a much smaller percentage of anti the -cat laws, as the cat-haters have nothing to lose and the cat owners have their babies to lose as they consider their cats as children. Councils will deny this but I know it is the case because I have seen it many times and this is why many cat owners do not respond to cat related Council surveys. There are many reasons why permanent confinement of cats to owners' properties is impractical as well as costly. 1. Cats are not dogs and cannot be treated like dogs. In fact cats should not be in the same Act as dogs. They are small and can slither through tiny spaces, they can climb up trees, bushes, fences and almost anything where they can get a grip. They can jump quite long distances which means they can jump from rooftops to the top of fences and they can also jump from the vegetation. Cats can also scale at least 2 meter high iron fences. 2. Clearly from reading point 1, it can be seen that many people would have to have an enclosure with some kind of roof. This means that many cats would be enclosed in a space well under the necessary size of what they require and also lacking the requirement that cats need for satisfying their basic needs. In other words cat runs of this size are cruel, similar to keeping a lion in a zoo. 3. Many residents would not even have either the finances or the ability to have a cat run of any size so they would be forced to keep the cat indoors permanently leading to, not only an unhealthy situation for the cats, but also the occupants of the house. Cat trays are soon soiled and where the elderly or infirmed or even when owners are sick, the trays become dirty as they are not cleaned and in no time the carpets and furnishings are fouled. I have been to many homes where cats have been confined and believe me you would not like to have to live in them. 4. Even if the cost of providing a suitable cat run of the necessary size and enclosing plenty of vegetation and necessities for the cat, was met, Council's own building regulations would probably be contravened. Is Council going to wave the building regulations to accommodate this. If these enclosures are going to be all over the Adelaide Hills District it is certainly not going to enhance either the value of these properties or be aesthetically pleasing. Does Council wish to devalue the Adelaide Hills District? 5. Now we get to the cost to Council. After the initial costs of surveys and lawyers and consultants to get the draft bylaw up (no small change) the ratepayers will be footing the bill for the costs of the final bylaw to be assessed and passed by Parliament. These costs can run into hundreds of thousands of dollars. 6. Once the bylaw is passed and implemented is Council planning on enforcing it. This will require a considerable amount of staff time; staff time is ratepayers' money. It is going to be difficult to catch the escapees in any case so is Council going to spend many days and nights trapping the cats, scanning them for microchips (microchips often don't work anyway as microchips can move about in the cats' bodies or fail to be read as they become faulty. Microchips can also fall out) If a cat that has been registered with a microchip (but the microchip has failed) is trapped and destroyed, is Council going to be able to handle the expensive law suits? I have seen councils take people to court over cat issues and lose. (Expensive for the councils too) In fact I don't know of any Council that has won a law suits against a cat owner. *Continued below ...*

*Continued from above ...* 7. Now that leaves the main point of what is to be done with the free-living cats. If these are going to be trapped and destroyed, because let's be honest, nearly all cats taken to the Animal Welfare League and the RSPCA and many shelters, don't make it out alive. This leaves a vacuum so that new cats just move in, and in time, breed to restore or increase the original numbers. Scientific studies now show that in these cases, there are more cats after a cat eradication program than before because big cats that hold the territory have built up a large area so the ratio of cat per area is lower. The new cats which are often younger, cannot hold such large territories, so there are more cats per area. In addition the new, younger, usually undesexed cats are more likely to be more sexually active. We only have to look at the baby boom after the Second World War to see the explosion in the population after mass killing. 8. Regarding the wildlife, this imbalance is extremely dangerous for the native fauna and the new cats, which have not built up a rapport with the resident wildlife, are much more likely to be a threat to them. The constant removing of the resident free-living cats means that there is never a stable balance and is forever changing; this is not desirable for native fauna. 9. The results of cats being confined and cats being removed so that there are not enough cats to control the rats and mice also results in a large increase in rodent numbers. Rats are far more of a danger to native wildlife than cats and eat the fledglings and the birds' eggs. Birds can build on the ends of branches (provided the habitat is left intact) where cats cannot go; but rats can. As far as I know, the only council in the whole of SA that has a permanent cat confinement bylaw is Kangaroo Island and it has failed there. This Council is now planning on killing cats and I read that they plan to spray the cats with 1080 poison. Can you imagine the damage that 1080 poison would do in the Adelaide Hills, not only to the native animals and pets but the environment. If the Adelaide Hills Council is using 1080 then it should seriously rethink this. Any baiting is dangerous to all living things and it gets into the waterways as well as poisons the land. If the cat confinement worked why has Kangaroo Island still got such a big problem now? There are so many issues that I could go into to illustrate the consequences related to permanent cat confinement but it would cover many pages so I have been brief. Regarding cat registration I will summarise it in one paragraph as it is pointless. Only about 6 or 7 SA Councils have been stupid enough to introduce it and none have any evidence to prove any success. The RSPCA does not recommend it and also says they have no reports of it being successful. Mitcham City Council has had cat registration for many years and it has failed miserably with the income from the fees being well under the costs to run it. The ratepayers' have to pay for the deficit. Mitcham still has well under a third of its estimated owned cats registered and there are kittens born all over the district every year. Cat registration is a big NO NO!

**Permanent Cat Confinement** - Confining all cats to owners' properties and presumably "getting rid" of free-roaming cats will result in a plague of rats and mice and will attract snakes. The next step is that new undesexed cats infiltrate and breed to restore numbers. Scientific evidence is available which clearly illustrates that the numbers of new cats can exceed the original number. One such study is the Lazenby one; (Google "Culling cats may do more harm than good"). This imbalance and all the changes that are caused is particularly bad for the native wildlife and seriously affects them with a higher death rate as the natives are not familiar with the new cats and visa versa. A Cat Management Plan will only be successful if we deal with cats in a scientific and humane manner, noting and adjusting their behavior in connection to the "Vacuum Effect". The most important scientific principle is the proven "Vacuum Effect" phenomenon. Councils which fail to recognise the Vacuum Effect are failing to resolve their cat-related problems and their complaints are increasing. **The Vacuum Effect - "Confinement, trapping and killing and trapping and removal of cats fail to control numbers because these actions create habitat vacuums. Nature abhors a vacuum. Individuals of the same species from areas surrounding a newly created vacuum move in to recolonise it. This is a scientifically recognised occurrence among animal populations . The fact is that eradication can only exist in a closed system such as an island."** The Adelaide Hills is not a closed system. There is no such thing as a cat-free zone in an area that can sustain cats unless there is a cat proof barrier or something that prevents the infiltration of felines on a 24/7 basis. This has been proved in scientific studies so I ask that the Council does the work of investigating the required research before undertaking this disastrous approach. Cats are still the safest and best controllers of introduced rodents yet known and without them the introduced animals (including rabbits) breed out of all proportion. Baiting is a huge environmental danger and results in killing native fauna both directly from eating the baits and from eating the baited mice and rats. A whole family of tawny frogmouths was wiped out from eating baited mice and this is just one example. In the Port Adelaide Council area council has been baiting rats and there have been numerous complaints published in the Messenger Community Weeklies about pets being poisoned and dying. To my knowledge, no council in South Australia with the exception of Kangaroo Island, which is not relevant to the Adelaide Hills Council, has been unwise enough to introduce permanent cat confinement. Even on Kangaroo Island the cat confinement bylaw has failed as it has not made any impact on the feral cats. Many councils have looked at this issue and all have realised that is it not successful in reducing either cat numbers or cat related problems; all but KI have discarded the idea and Ki is now planning on using 1080 poison to kill the cats, which is such an environmental danger that it is banned in most overseas countries. Apart from the fact that it is unworkable, permanent cat confinement leads to insanitary houses, unhealthy cats and cruelty. Have councillors checked to see the state of a house where cats are confined and the occupant of the house has been ill and unable to managed cleaning the cat litter trays? Cats are fastidiously clean and they will not use soiled trays, hence they use the floor or worse, the couch or bed. Confined cats are susceptible to fleas and almost all confined cats have to be treated for these parasites. Flea control is expensive and on a pensioner's budget, is a considerable cost. (Check what vets are charging for flea control per month). *Continued below ...*

*Continued from above ...* The cost of building an enclosure which is big enough and can provide all that cats need to satisfy their basic needs is out of the reach of the average person. In most cases the building of an adequate cat confinement area would contravene the Council's building regulations. Trying to keep a cat on a property is not comparable with keeping a dog confined. Cats are more like possums and even birds. They can climb, they can jump and they can crawl through tiny spaces. We have seen a cat scale the sheer side of an 8 metre bonded iron fence and this is a fact. All trees have to be guarded to stop the cat climbing out and even if high 8 to 9 foot fences are permitted by council, cats can jump from buildings and bushes across to the top of the fence. We have studied this for decades. Provided that cats are desexed, well fed (with fresh raw meat and canned food added (and NOT dry cat food, which does not satisfy their needs) and managed, permanent cat confinement is not required. Instead of confinement Council should recommend the following: 1 Having the cats desexed; 2 Providing cat toilets - either freshly turned earth or leaves or an outside, covered litter tray; 3 Providing fresh grass either garden or pot plants; 4 Providing an adequate diet of raw, fresh meat with tinned food added; 5 Consider 2 cats that know each other so they don't wander from loneliness; 6 Encourage owners to keep tame cats inside at night, where practical, for the cats' own safety. Council should acknowledge that many cats cannot be confined. It has been proved that cats which have their basic needs satisfied are more content and happier to stay at home. Desexing - Desexing eliminates almost all the problems that give rise to complaints and the cats, in return, control the mice and rats, deter snakes and reduce the snake population by removing the snakes' preferred food, while keeping out new undesexed cats.+ Council should focus on the desexing of cats as this has proved to be the most successful control method for reducing cat numbers and cat-related problems. (although making desexing mandatory is counterproductive and not recommended by the Australian Veterinary Association – the new government regulations are ineffective). Although only new generation cats born from 1 July 2018 are required to be desexed at age of 6 six months, Council should encourage the desexing of all cats. Desexing solves almost all of the problems that give rise to complaints: Desexing female cats: 1 Prevents unwanted kitten births; 2 Stops female cats from coming into season and attracting many undesexed male cats; 3 Improves quality of life and health and stops cats from becoming weakened by continually having babies; 4 Stops cats from wandering in search of mates. Desexing male cats: 1 Stops cats from spraying strong smelling tom cat urine; 2 Stops cats from fighting over mates which leads to loud caterwauling all night; 3 Stops the injuries from fighting over mates; 4 Stops cats from wandering in search of mates and reduces cats being killed while crossing roads. Council to strongly encourage residents who feed cats, to get them desexed. Cat Registration - The RSPCA states "Although some councils have introduced mandatory registration, there are no reports of its successful implementation". Apart from the unwarranted financial costs, cat registration is not advantageous in the management of cats. Mitcham Council introduced cat registration many years ago and still well under a third of its estimated owned cats are registered. The registration fees do not cover the costs and the ratepayer is left to foot the bill. Only about half a dozen of all SA Councils have been wise enough to introduce registration and none have provided any scientific evidence that it has reduced cat numbers. Information received from the other states shows more problems than there were before cat registration and the Queensland Government has repealed its cat management laws, citing this legislation to be ineffective and costly for councils.

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## **Appendix 4**

### *By-Law Review Schedule*

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# By-Law Review Schedule

January – December 2018

V1.0 (17/1/18) – Please note that this is an indicative timetable only and is subject to updates as the project progresses.

Date	Key Activity
February - April	Development (drafting) of by-law content (through workshops planned in each month)
24 April (Ordinary Council)	Proposed by-laws are approved for agency referral and public consultation
1 May- 12 June	Agency referrals (42 days) – the Dog & Cat Management Board requires the referral at least 21 days before the by-laws are released for public consultation
29 May – 21 June	Public consultation (21 days) - s249(1)
3 July (Special Council)	Council considers submissions and amends by-laws as required - s249(2) - If substantial changes are required to be made to the proposed by-laws, it will be necessary to re-consult.
17 July	Certification of by laws by legal practitioner - s249(4)
23 July (Ordinary Council)	By-laws made by resolution of the Council (two thirds of the members of the council must be present and the resolution must be supported by an absolute majority of members of the council) - s294(3)
7 August	Publish by-laws in the Gazette - s249(5)
7 August – 7 December	By-laws cannot come into operation less than four months after the day in which it is published in the Gazette or from a later day or days - s249(5)
7 December	By-laws can come into effect from this date

**ADELAIDE HILLS COUNCIL  
SPECIAL COUNCIL MEETING  
Tuesday 17 July 2018  
AGENDA BUSINESS ITEM**

**Item:** 6.3

**Originating Officer:** Dennis Rainsford, Team Leader Regulatory Services

**Responsible Director:** Marc Salver, Director Development & Regulatory Services

**Subject:** Cat Registration

**For:** Information

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**SUMMARY**

Information received via Council's *Dog and Cat Animal Management Plan 2018-2022* consultation, along with the current By-law review, identified community interest to tighten cat controls within the Adelaide Hills Council.

The recent By-law review included a nuisance provision to begin on commencement of the By-law together with a confinement clause due to begin 1 January 2022, subject to Council endorsing the proposed Cats By-law at the 24 July 2018 meeting. The draft Cats By-law also included a provision for Council to introduce a cat registration scheme, by resolution, at any time.

The purpose of this report is to provide Council with an analysis of introducing a cat registration scheme including potential fee options and resource implications in regards to implementing tighter cat controls in the future.

**RECOMMENDATION**

**Council resolves that the report be received and noted.**

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**1. GOVERNANCE**

➤ **Strategic Management Plan/Council Policy**

Goal 3	Place
Strategy 3.6	We will reduce the impact of Cats on native flora and fauna.

Cat registration is a tool which would assist Council in resourcing cat management activities, which in turn will assist in minimising the impact of cats on native flora and fauna.

Community feedback received during the development of Council's *Dog and Cat Animal Management Plan 2018-2022* supported upgraded cat management controls. The overwhelming concern with respect to wandering cats was the impact of cats on native fauna.

➤ **Legal Implications**

Section 246 of the *Local Government Act 1999* provides councils with the ability to make By-laws.

Section 90 (1) of the *Dog and Cat Management Act 1995* states “A district or municipal council may make by-laws for the control or management of dogs or cats within its area.”

➤ **Risk Management Implications**

The draft Cats By-law released for community consultation contained a number of new clauses relating to tighter cat controls. These additional clauses related cat nuisance, confinement and registration. Subject to Council adopting By-law No. 6 – Cats at the 24 July 2018 meeting community confidence in Council to manage cats may be negatively impacted should resources not be available to manage community expectation.

The Council receiving the cat registration information contained within this report will assist in mitigating the risk of:

*Insufficient resources dedicated to the cat management function leading to an inability/ineffectiveness in enforcing the provisions of the by-laws*

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (2D)	Low (2E)

Council adopting the Cats By-law at the 24 July 2018 meeting and then ultimately introducing a cat registration scheme will be a new mitigation action towards tightening cat controls and reducing the impact of cats on native flora and fauna.

➤ **Financial and Resource Implications**

The analysis section of this report describes in detail the financial and resource ramifications regarding cat registration.

➤ **Customer Service and Community/Cultural Implications**

Community feedback received during Council’s *Dog and Cat Animal Management Plan 2018-2022* consultation showed 77% of respondents were in favour of cat registration. By receiving this report on the resourcing implications of implementing cat registration, Council is ensuring community views are recognised.

➤ **Environmental Implications**

It is well recognised that free roaming cats cause damage to native flora and fauna. Considering, and at some stage in the future ultimately adopting, a registration scheme as a tool to facilitate tighter cat controls would have direct environmental benefits.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Community feedback received through the development of Council's Dog and Cat Animal Management Plan and the By-law review has been considered in formulating this report. Should Council consider implementing cat registration in the future, community consultation may be required in line with the Consultation Policy.

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Biodiversity Advisory Group (indirectly, refer to details below)

Administration: Acting Manager Financial Services  
Manager Waste, Health and Regulatory Services

Community: Dog and Cat Animal Management Plan (undertaken in two phases in February and August 2017) and the By-law review process (conducted from 18 May to 9 June 2018)

Feedback was sought from Council's Biodiversity Advisory Group in relation to the draft Cats By-law that was released for community consultation in April 2018. This feedback was primarily sought to inform the 'By-law Consultation Results' report to be presented to Council at the 17 July 2018 Special Council meeting. However, feedback received from the Biodiversity Advisory Group in relation to cat registration is specifically relevant to this report.

In summary the Biodiversity Advisory Group strongly supports that a cat registration scheme be implemented as soon as practical as a mechanism to provide resources for future cat management activities.

## **2. BACKGROUND**

In 2017 Council adopted the *Dog and Cat Animal Management Plan 2018-2022* which included actions to review and amend the existing Cats By-law and to explore tighter cat controls such as confinement and registration. In response to these actions, the draft Cats By-law contained the following key elements that are not contained in the existing Cats By-law:

- A nuisance provision to begin when the new By-law comes into effect (anticipated to be late 2018 or early 2019)
- A confinement clause to commence on 1 January 2022 as previously resolved by Council to include in the draft Cats By-law
- The provision for Council to introduce, by resolution, a cat registration scheme at any time in the future

A report presented at the 24 April 2018 Council meeting introduced draft By-laws and sought Council endorsement to release them for community consultation. At the April meeting Council resolved the following:

**Moved Cr Lynton Vonow**  
**S/- Cr Kirrilee Boyd**

**87/18**

1. That the report be received and noted.
2. The draft By-laws contained within Appendix 1 through to Appendix 6 (inclusive) of this report be released for community consultation for a period of at least twenty one clear days.
3. The draft Dogs By-law No. 5 and draft Cats By-law No. 6 be referred to the Dog and Cat Management Board at least 21 days before being released for community consultation.
4. To authorise the Chief Executive Officer to make any minor changes to the draft By-laws that the Chief Executive Officer deems fit prior to the agency referral and commencement of community consultation.
5. That the Administration undertakes an analysis of introducing a cat registration scheme including options and potential fees and a further report in this regard be provided to Council in July 2018.
6. That Clause 9.1 of the draft Cats By-law be amended to read 'As of 1 January 2022 the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times', and that Clause 9.2 be removed.

**AMENDMENT**

**Moved Cr Linda Green**  
**S/- Cr John Kemp**

6. That Clause 9.1 of the draft Cats By-law be amended to read 'As of 1 January 2022 the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times, unless the cat is under effective control by physical restraint', and that Clause 9.2 be removed.

Carried Unanimously
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Leave of the meeting was granted for Cr John Kemp to speak again to the motion.

**Motion as Amended:**

1. That the report be received and noted.
2. The draft By-laws contained within Appendix 1 through to Appendix 6 (inclusive) of this report be released for community consultation for a period of at least twenty one clear days.
3. The draft Dogs By-law No. 5 and draft Cats By-law No. 6 be referred to the Dog and Cat Management Board at least 21 days before being released for community consultation.
4. To authorise the Chief Executive Officer to make any minor changes to the draft By-laws that the Chief Executive Officer deems fit prior to the agency referral and commencement of community consultation.
5. That the Administration undertakes an analysis of introducing a cat registration scheme including options and potential fees and a further report in this regard be provided to Council in July 2018.
6. That Clause 9.1 of the draft Cats By-law be amended to read 'As of 1 January 2022 the owner or person responsible for the control of a cat must take steps to ensure that the cat is confined to the premises occupied by that person at all times, unless the cat is under effective control by physical restraint', and that Clause 9.2 be removed.

Carried Unanimously
---------------------

Information received from the community consultation process regarding the draft Cats By-law identified support from respondents to increase cat management within the Council area. In total, there were 123 respondents to the Cats By-law of which 87 were in support of the By-law and 36 were against the tighter cat controls. Full details of the results of the

consultation undertaken on the draft By-laws are contained in the 'By-law Consultation Information' report to be considered at the 17 July 2018 Special Council meeting.

Noting the fifth resolution above, this report provides information in relation to cat registration for Council's consideration.

### **3. ANALYSIS**

As previously identified in this report, clauses for cat nuisance and cat confinement have been included in the proposed Cats By-law. If the Cats By-law is endorsed by Council at the 24 July 2018 meeting in its current form, then the nuisance provision will come into effect in late 2018 or early 2019. The cat confinement clause is proposed to come into effect on 1 January 2022.

Subject to Council ultimately adopting a Cats By-law that includes the nuisance clause as proposed, along with confinement, it is anticipated that there will be an increased community demand to enforce the new provisions. Council's Animal Management function is currently resourced for dog management activities only, funded through dog registration and other fees, and has limited capacity to undertake any meaningful cat management activities, including education and enforcement of the proposed nuisance provisions within the current budget provisions.

Noting the above, Council has received informal advice from the Dog and Cat Management Board that income raised through dog registration fees can be used to fund cat management activities. However, prior to making any decisions based on this advice, formal confirmation from the Dog and Cat Management Board would be required. Furthermore, Council would need to consider the appropriateness and potential negative feedback from dog owners funding cat management activities.

Given the above, consideration can be given to funding additional resources to undertake community-wide cat education and when required, enforcement with the introduction of the proposed cat nuisance and confinement provisions. The introduction of a registration scheme, similar to that in place for dogs, is a mechanism for obtaining revenue to fund and resource increased and meaningful cat management activities.

The introduction of a cat registration scheme alone will not lead to any improved cat management activities as registration is simply a tool to raise income to fund activities that will lead to improved cat management outcomes. Therefore, the first step is to consider and identify what type of tighter cat controls Council wishes to introduce. For example, the following cat management activities could be undertaken:

- Heightened and targeted education of cat owners in regard to cat ownership / responsibility and the tighter cat controls proposed under the new Cats By-law
- Community wide educational programs targeted at schools and community group presentations and the distribution of educational literature and material
- Cat microchipping days
- Impounding wandering cats (when possible)
- Investigating and enforcing nuisance allegations
- Enforcing confinement provisions from 1 January 2022

Once activities such as those listed above have been identified they can be costed and a registration scheme can then be established to fund these activities. Noting that nuisance

and confinement provisions are contained within the draft Cats By-law, Council has already, to a degree, identified these actions as cat management activities to be pursued subject to the proposed Cats By-law being adopted by Council on 24 July 2018. If the Cats By-law is adopted as proposed, with nuisance, confinement and registration provisions within in it, Council needs to consider at some point resourcing these activities so they can be carried out at meaningful levels.

Resourcing the cat activities within the proposed Cats By-law, and any other activities identified by Council, could be addressed by implementing a cat registration scheme that meets the resource requirements of the cat management activities Council elects to undertake. The table below shows two examples of costs to employ a Cat Management Officer based on a Full Time Equivalent (FTE) of 1.00 and 0.50.

FTE	Salary and on Costs	Vehicle	Sundries	Total
1.00	\$77,468	\$12,000	\$15,000	\$104,468
0.50	\$38,734	\$6,000	\$7,500	\$52,234

The above table shows the recurrent operating costs associated with an increase in resourcing of 1.00 FTE and 0.5 FTE. Please note however that these costs do not include the purchase cost of a vehicle (approximately \$30,000) or potential capital costs of approximately \$20,000 to construct a cat impounding facility.

To determine the registration fee for cats the total costs need to be divided by the number of cats anticipated as being required to be registered.

Recent changes to the *Dog and Cat Management Act 1995* require all cats to be microchipped and their details to be recorded on Dogs and Cats Online. This requirement has only been in place since 1 July 2018 and will result, over time, in an increasingly accurate list of cats within the Council area. However, as this requirement only came into effect recently there are no accurate numbers on cat ownership within the Adelaide Hills Council area.

Australian Veterinary Association figures from 2016 indicate that 29% of households across Australia own a cat. Using these figures, this equates to potentially 3,755 households owning a cat within the Adelaide Hills Council. For comparison, the City of Mitcham introduced cat registration in 2010/11 and has 2,633 cats registered for the 2017/18 financial year.

Based on the above figures in relation to costs and estimated cat numbers the following table provides an example cat registration fee under a 1.00 FTE and 0.50 FTE resource scenarios. A variety of cat numbers has also been included to demonstrate the impact this variable has on the annual fee.

### Cat Registration Example

Resource Level	Costs	Number of Cats Registered	Yearly Fee
1.00 FTE	\$104,468	3755	\$28
0.50 FTE	\$52,234	3755	\$14
1.00 FTE	\$104,468	2816	\$37
0.50 FTE	\$52,234	2816	\$19
1.00 FTE	\$104,468	1877	\$56
0.50 FTE	\$52,234	1877	\$28
1.00 FTE	\$104,468	939	\$111
0.50 FTE	\$52,234	939	\$56

The table above assumes costs remain fixed as potential cat numbers decrease. In reality however costs would reduce slightly with each incremental decrease in cat numbers predominantly in the sundries area. However, for this example and recognising the bulk of the costs are fixed employment costs, the costs have been shown as fixed. The figures provided in the above table demonstrate the strong relationship between registered cat numbers and the annual registration fee.

If Council were to consider implementing a cat registration scheme, more thorough and detailed work in relation to cat numbers likely to be registered would need to be undertaken to maximise the accuracy of this variable given its strong influence on determining a cat registration fee. Note that the above figures do not include the capital costs referred to earlier in this report.

To encourage cat owners to register their cats, a reduced fee, or no fee, could apply for a number of years. For example, when the City of Mitcham introduced cat registration the initial fee was \$0 in order to encourage residents to have their cats registered.

Adelaide Hills Council is currently resourced with four Animal Management Officers who provide education, encouragement and enforcement in regards to dog management. Dog registration fees provide funds for Council to provide over 40 dog litter bag dispensers throughout the area, dog parks such as Wright Road Crafers, and several off leash areas such as Upper Sturt, Carripook Park and Gilleston reserve at Balhannah. Council also maintains a dog pound facility at Heathfield. This facility and associated resources are funded via dog registration fees.

Given the majority of the dog services listed above would not apply to cats, it is reasonable that any registration fee for cats should be less than that for dogs. Furthermore, it is important to recognise that dog registration fees and cat registration fees should be set independent of each based on the cost of providing each of the services independently.

Currently all councils collecting dog registration fees are required under the *Dog and Cat Management Act 1995* to pay 24% for metropolitan councils and 12% for rural councils to the Dog and Cat Management Board each year. Under the *Dog and Cat Management Act 1995* all fees collected from dog registrations must be utilised solely for activities in relation to administering the Act e.g. either on dogs or cat activities.



In contrast, there is no legislative requirement as outlined in the above paragraph in regards to cat registration fees. Therefore, whilst not recommended, any fees raised through cat registration could be spent on other council activities, services or programmes.

In considering the introduction of a potential cat registration scheme, the following information is provided in relation to the cat management activities undertaken by other councils. Currently within South Australia five councils require cats to be registered. These councils, and their respective cat controls currently in place, are:

<b>Council</b>	<b>Cat Control</b>
City of Mitcham	<ul style="list-style-type: none"> <li>• Limit on cat numbers to two without permission</li> <li>• Nuisance</li> </ul>
City of Victor Harbor	<ul style="list-style-type: none"> <li>• Limit on cat numbers to two without permission</li> <li>• Nuisance</li> </ul>
Kangaroo Island Council	<ul style="list-style-type: none"> <li>• Limit on cat numbers to two without permission</li> <li>• Nuisance</li> <li>• 24 hour confinement</li> </ul>
Roxby Downs Council	<ul style="list-style-type: none"> <li>• Limit on cat numbers to two without permission</li> <li>• Nuisance</li> </ul>
City of Whyalla	<ul style="list-style-type: none"> <li>• Limit on cat numbers to two without permission</li> <li>• Nuisance</li> <li>• Confinement between 10pm and 6am</li> </ul>

Cat management fees charged from the above councils are as follows:

<b>Council</b>	<b>Standard Cat</b>	<b>Standard Concession</b>	<b>Non Standard</b>	<b>Non Standard Concession</b>
City of Mitcham	\$45.00	\$22.50	\$90.00	\$45.00
City of Victor Harbor	\$20.00	\$10.00	\$40.00	\$20.00
Kangaroo Island Council 2017/18	\$40.00	\$20.00	\$1000	NA
Roxby Downs Council	\$33.00	\$16.50	NA	NA
City of Whyalla	\$5.50	NA	\$11.00	NA

The fees above vary from \$5.50 for a microchipped and desexed cat up to \$1,000 for a non-desexed, non-microchipped cat.

In conclusion, the cat registration information presented in this report is for Council Member consideration when contemplating adoption or otherwise of the proposed Cats By-law at the 24 July 2018 Ordinary meeting of Council.

**4. OPTIONS**

Council has the following options:

- I. To receive the report noting the report information when considering the draft By-laws which will be tabled at the 24 July 2018 Council meeting (Recommended)
- II. To not receive the report and not consider the resource implications when considering and adopting By-law No. 6 - Cats. (Not Recommended)

**5. APPENDIX**

Nil

**ADELAIDE HILLS COUNCIL  
SPECIAL COUNCIL MEETING  
Tuesday 17 July 2018  
AGENDA BUSINESS ITEM**

**Item:** 6.4

**Originating Officer:** Sharon Leith, Sustainability Officer

**Responsible Director:** Peter Bice, Director Infrastructure & Operations

**Subject:** LED Street lighting Program Update

**For:** Information

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**SUMMARY**

An important strategic direction for Council is to 'strive for carbon neutrality as an organisation'. A reduction in power use is something Council has been progressively investigating and implementing. Further reductions can be achieved through the transition to more efficient LED street-lighting.

SA Power Networks (SAPN) presently provides street-lighting services to councils in South Australia and typically owns the infrastructure on council or state land. Councils bear the cost of the energy (estimated or metered) consumed by the lights in addition to a tariff paid to SAPN to maintain and replace the light globes, poles and fixtures. The installation of LED lights would result in a reduction to carbon emissions and also provide an electricity cost saving for Council. To calculate the actual cost savings that would be available is very complex and reliant on the model adopted and contractual agreement for the provision of the LED infrastructure and subsequent tariff options offered by SAPN.

It is estimated that a changeover to LED street lighting could reduce the carbon emissions by 330T per annum. There will also be a reduction in electricity cost, however the whole of life cost comparisons will vary depending on the tariff/ contract model that is adopted. Only 23% of Council's current annual spend of \$200,000 is electricity use costs. The remaining costs are associated with tariff payment and contribution to public lighting outcomes on main arterial roads managed by the Department of Planning, Transport and Infrastructure (DPTI).

The Local Government Association of South Australia (LGASA) has been investigating the SAPN tariffs and developing other LGASA and/or Council operated street lighting models. The LGASA has identified that significant savings could be generated for the sector as a whole if a new model can be adopted and agreed with SAPN and Government. However, the LGASA have now "...resolved not to proceed with the establishment of a public lighting company as the risk to the Association was considered too great". They will continue to assist councils that wish to transition to LED lighting and look for opportunities to negotiate and standardise agreements with SAPN on behalf of councils.

In the Council report on the 28 November 2017 the endorsed recommendation was “that Council waits on the outcomes from the LGASA process and for the outcomes of this report to inform a transition to LED street lighting”. As this has now been undertaken and LGASA have informed Council of their position it is recommended that Council now investigate and undertake their own LED street lighting transition.

## RECOMMENDATION

### Council resolves:

1. That the report be received and noted
2. That further investigation is undertaken to understand the best approach and tariff structure for transitioning to LED street lighting.

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## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal 3                      Places for people and nature  
Strategy 3.2              We will strive for carbon neutrality as an organisation and encourage our community to do likewise

Carbon neutrality has long been on the agenda for Council and included in the past two Strategic Plans. The intent of the current Strategic Plan and strategy is to continually undertake works which reduce AHC carbon footprint and the transition to LED street lights would contribute to this reduction.

### ➤ Legal Implications

No applicable

### ➤ Risk Management Implications

This is a complex space and a high level understanding is required of the legislative framework and cost benefits associated with the different models to enable Council to proceed. Now that the LGASA will not act on the behalf of all councils, further information and advice is sought to best understand how to mitigate the risk to Adelaide Hills Council.

*Undertaking further investigation into the most appropriate approach and best tariff will help prevent unfavourable environmental and financial outcomes.*

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Medium (2C)	Medium (2C)

➤ **Financial and Resource Implications**

Council currently spends around \$200,000 annually on streetlights. This cost is divided approximately into 65% electricity network charges (including tariff), 12% for a contribution to lighting on DPTI roads and the remaining 23% is for Council electricity use.

The installation of LED lighting will result in a reduction of energy use and an overall cost savings to 23% of the budget. However, the final cost savings is dependent on the agreed tariffs, infrastructure purchase arrangement and ongoing maintenance with SAPN and retail suppliers.

➤ **Customer Service and Community/Cultural Implications**

Not applicable

➤ **Environmental Implications**

Changing all streetlights to LED luminaires will result in a reduction to carbon emissions and ensure Council is working towards carbon neutrality. Current carbon emissions of approximately 330 tonnes per annum have been calculated for the 23% of AHC street-lighting electricity use. On the introduction of LED luminaires this would result in a reduction of approximately 80% of the current carbon emissions.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Advisory Groups: A PowerPoint presentation on the outcomes of the LGASA investigation was presented to the Sustainability Advisory Group on Thursday 7th June 2018 for discussion on the implications and next steps.

Administration: The report has also been discussed with the Chief Executive Officer, Director Engineering and Assets and the Manager Sustainable Assets.

Community: Not Applicable

## **2. BACKGROUND**

A key strategic direction for Council is that 'we will strive for carbon neutrality as an organisation and encourage our community to do likewise'. Numerous greenhouse gas emission reduction initiatives have been implemented for Council's main buildings within the past few years including installing solar PV panels, sensor light systems, changed lighting to LED's and instantaneous hot water systems. Council has reduced emissions by over 12% with the intention to continue to reduce emissions by investigating the emission savings for changing street lights to more efficient LED lights within the district.

The broader local government sector has been trying for a number of years to make changes to the type of street lighting, the ongoing management and repair of this infrastructure. In July 2016 SAPN released a number of new tariffs for LED street-lighting which has resulted in further investigations by numerous councils and the LGASA. A number of councils have now progressed within the past few months to sign contracts with SAPN and negotiate tariffs to enable a changeover to LED lights for street lighting. The LGASA have prepared a business case, which investigates the SAPN tariffs and includes other LGASA and/or Council operated street lighting models.

However LGASA have recently contacted all councils to inform them that ongoing deliberations around the business case has resulted in the LGA Board with recommendation by the LGA Secretariat that the LGASA “not proceed with the establishment of a public lighting company as the risk to the Association was considered too great.” The LGASA will “continue to provide assistance to councils that wish to transition to LED lighting, and will be looking at opportunities to negotiated and standardise agreements with SAPN on behalf of councils.”

### **3. ANALYSIS**

This is a complex space and a high level understanding is required of the legislative framework and cost benefits associated with the different models and associated tariffs. Whilst it is environmentally beneficial to transfer to LED street lighting Council should consider the best option to achieve this aim also from a cost benefit analysis. The three options below result in either Council contributing funds upfront to purchase the street light infrastructure or transferring immediately to LED lights with tariffs and costs set by SAPN.

For Council to proceed with any of the options, which includes SAPN negotiation, additional investigation and analysis will be required. This would include the preparation of a Business Plan to analyse the energy and cost savings for the street-lighting network options and provide a preferred option tailored to the Adelaide Hills.

The model chosen should consider the ability for Council to have some flexibility in the future given the rapidly changing electricity market and LED technology. The ability for IoT (Internet of Things) and smart controllers on LED lighting would be one example of potential future flexibility for the deployment of infrastructure that could have other community benefits.

Options	Benefits	Disadvantages
1. Negotiate with SAPN to organise a changeover to LED – SAPN funded and managed	No upfront cost Commence immediately Less risk for council Can transition to LGA model in the future	Lower net value savings Long contract terms but can exit from contract but will need to pay unpaid capital costs to SAPN Limited to LED options by SAPN (no smart controllers)
2. Negotiate with SAPN to organise a changeover to LED – Council funded and gift the infrastructure with SAPN undertaking ongoing maintenance and repair	Good net savings over the 20 years Can choose LED and opportunity to have smart controllers	Light globe replacement with Council (out of warranty) Upfront high costs for changeover Requires direct negotiation with SAPN in complex environment
3. Negotiate with SAPN to organise a changeover to LED – Council funded and responsible for end of life replacement with SAPN undertaking maintenance and management	Highest net savings over the 20 years	Light globe replacement with council (out of warranty) Upfront high costs for changeover Requires direct negotiation with SAPN in complex environment

#### 4. OPTIONS

Council has the following options:

- I. That Council undertake further investigation into the most appropriate approach and tariff structure to transition to LED street lighting. (Recommended)
- II. That Council not proceed with a transition to LED street lighting (Not Recommended)

**ADELAIDE HILLS COUNCIL  
SPECIAL COUNCIL MEETING  
Tuesday 17 July 2018  
AGENDA BUSINESS ITEM**

**Item:** 6.5

**Originating Officer:** Natalie Westover, Manager Property Services

**Responsible Director:** Terry Crackett, Director Corporate Services

**Subject:** Revocation of Community Land – Closed Road Dunnfield Development Mt Torrens

**For:** Decision

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**SUMMARY**

The purpose of this report is to seek a resolution of Council to revoke the community land classification of the land described as Allotment 1 in Filed Plan No. 252674 located in Mt Torrens and contained in Certificate of Title Volume 6193 Folio 572 (“Land”) (**Appendix 1**).

The Chief Development Officer, Development Division from the Department of Planning, Transport and Infrastructure, as delegate for the Minister for Planning, approved the revocation of community land for the Land by letter dated 5 June 2018 (**Appendix 2**).

**RECOMMENDATION**

**Council resolves:**

1. That the report be received and noted.
  2. That the community land classification over the land comprised in Certificate of Title Volume 6192 Folio 572 being Allotment 1 in Filed Plan No. 252674 be revoked.
- 

**1. GOVERNANCE**

➤ **Strategic Management Plan/Council Policy**

Goal 3	Places for People and Nature
Strategy 3.5	We will take a proactive approach and a long term view to infrastructure maintenance and renewal
Strategy 3.9	We will encourage community led place making approaches to enhance townships and public spaces



➤ **Legal Implications**

The revocation of community land is to be undertaken in accordance with Section 194 of the *Local Government Act 1999*.

➤ **Risk Management Implications**

The revocation of the community land classification affecting the Land will enable the progression of the Dunnfield Estate residential development in Mt Torrens by ensuring that a portion of the Land is capable of being declared as public road which will assist in mitigating the risk of:

Inability to complete the Dunnfield Estate development leading to loss of community confidence in Council and potential financial loss to the developer.

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Low (1E)	Low (1E)

➤ **Financial and Resource Implications**

Nil

➤ **Customer Service and Community/Cultural Implications**

Nil

➤ **Environmental Implications**

Nil

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* The Property Advisory Group was consulted in relation to the broader issue of the development of the open space at the Dunnfield Estate development and in relation to the requirement to revoke the community land classification to enable a portion of the Land to be vested as public road

*Administration:* Not Applicable

*Community:* Not Applicable

## 2. BACKGROUND

The Dunnfield Development in Mt Torrens includes the requirement for a new section of public road to service the internal allotments. The new section of public road is identified in blue on the plan attached as **Appendix 1** (New Road).

The New Road will be situated on a parcel of land which is legally closed road, having been closed as public road on 12 February 1852. The closed road order is unable to be located by the Surveyor-General so the agreed default position is that the closed road be vested in Council when closed. The closed road land is identified in red on **Appendix 1** (Closed Road Land).

A new plan and title for the Closed Road Land have been issued and is attached as **Appendix 2**, the land is now legally described as Allotment 1 in Filed Plan No. 252674.

As the Closed Road Land was not excluded as community land upon the introduction of the *Local Government Act 1999* (the Act), the Closed Road Land is deemed Community Land as defined in the Act. The Community Land classification must be revoked before the New Road can be declared as public road.

To enable any variations to be made of the New Road location on the approved plans (or any subsequent approved plans), it is preferable for the whole of the Closed Road Land to be revoked as Community Land. Any section of the Closed Road Land not required for the New Road will be vested back in Council as reserve (and therefore Community Land) as part of the land division process.

At the meeting of 22 August 2017, Council resolved as follows:

### 14.3. Revocation of Community Land – Closed Road Dunnfield Development Mt Torrens

Moved Cr Malcolm Herrmann  
S/- Cr Ron Nelson

181/17

Council resolves:

1. That the report be received and noted
2. To commence a revocation of community land process for the land described as Allotment 1 in Filed Plan No. 252674 contained in Certificate of Title Volume 6193 Folio 572 ("Closed Road Land") including consultation in accordance with Council's Public Consultation Policy and the *Local Government Act 1999* with the intention of declaring a portion of the Closed Road Land as public road to facilitate access to the Dunnfield Development with the balance of the Closed Road Land to vest in Council as reserve.
3. That a further report be presented to Council at the completion of the consultation.

Carried Unanimously

At the meeting of 28 November 2017, Council resolved as follows:

**12.8. Revocation of Community Land – Dunnfield Development Mt Torrens**

Moved Cr Malcolm Herrmann  
S/- Cr Ian Bailey

**284/17**

**Council resolves:**

- 1. That the report be received and noted**
- 2. A report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 1 in Filed Plan No. 252674 contained in Certificate of Title Volume 6193 Folio 572 being a closed road ("Land").**

**Carried Unanimously**

**3. ANALYSIS**

The Chief Development Officer, Development Division from the Department of Planning, Transport and Infrastructure, as delegate for the Minister for Planning, approved the revocation of community land for the Land by letter dated 5 June 2018.

The recommendation will complete the community land revocation process and allow the next stage of the Dunnfield Development to progress.

**4. OPTIONS**

Council has the following options:

- I. Resolve to revoke the community land classification of the Land (Recommended)
- II. Resolve not to exclude the community land classification of the Land which will result in the inability to progress the next stage of the Dunnfield Development) (Not Recommended)

**5. APPENDICES**

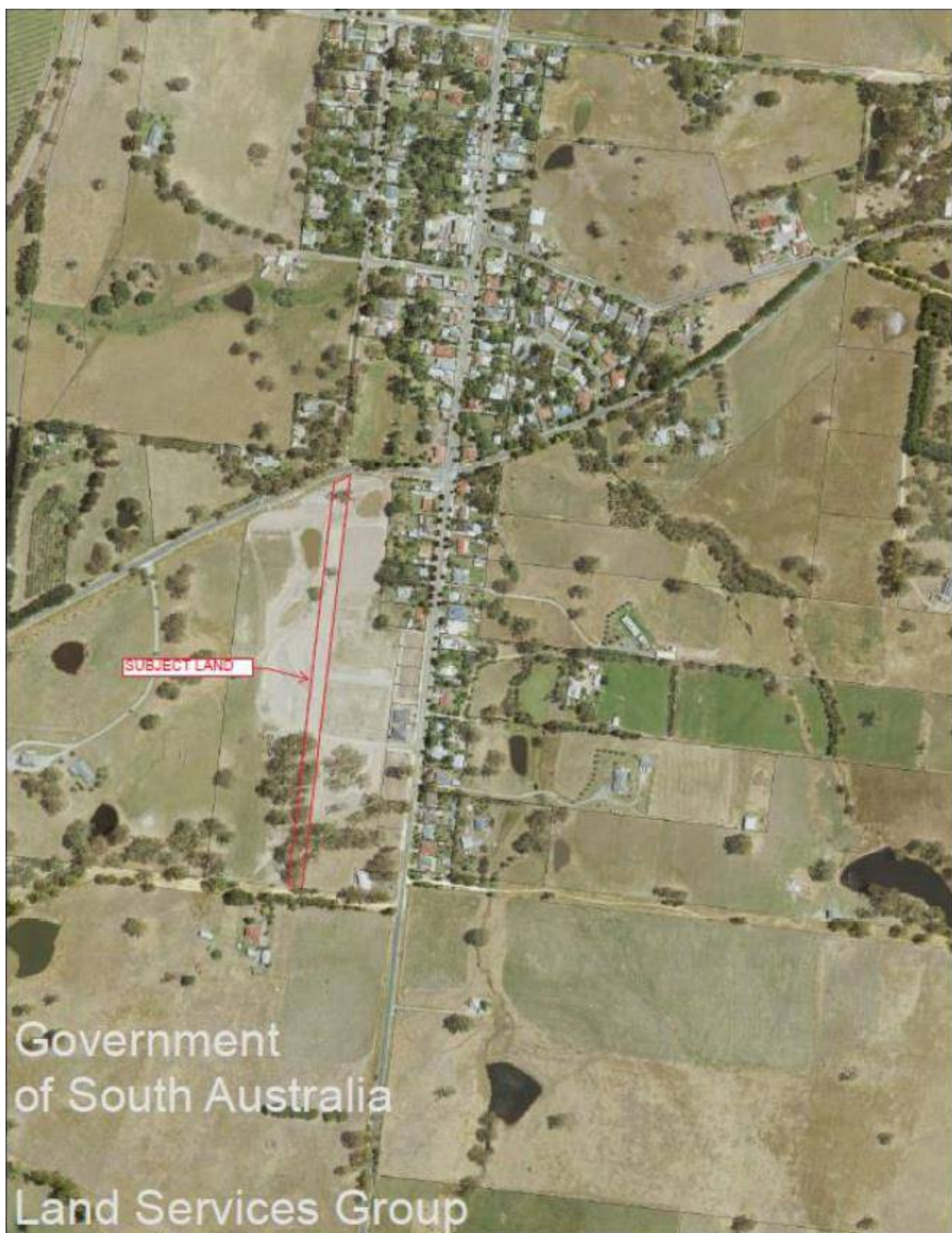
- (1) Location of the Land
- (2) Letter from Department of Planning, Transport and Infrastructure

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# Appendix 1

*Location of the Land*

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Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search (CT 6193/572)
Date/Time	25/07/2017 06:22PM
Customer Reference	NRW Mt Torrens
Order ID	20170725012421
Cost	\$28.25

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



## Certificate of Title - Volume 6193 Folio 572

Parent Title(s)

Creating Dealing(s) VM 12742667

Title Issued	12/07/2017	Edition	1	Edition Issued	12/07/2017
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### Estate Type

FEE SIMPLE

### Registered Proprietor

ADELAIDE HILLS COUNCIL  
OF PO BOX 44 WOODSIDE SA 5244

### Description of Land

ALLOTMENT 1 FILED PLAN 252674  
IN THE AREA NAMED MOUNT TORRENS  
HUNDRED OF TALUNGA

### Easements

NIL

### Schedule of Dealings

NIL

### Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

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## **Appendix 2**

*Letter from Department of Planning, Transport and  
Infrastructure*

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**Government of South Australia**

Department of Planning,  
Transport and Infrastructure

*In reply please quote* 18PLN0220  
*Enquiries to* David Whiterod  
*Telephone* 7109 7142

**DEVELOPMENT DIVISION**

50 Flinders Street  
Adelaide SA 5000

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Mr Andrew Aitken  
Chief Executive Officer  
Adelaide Hills Council  
PO Box 44  
WOODSIDE SA 5244

Dear Mr Aitken *Andrew*

I write in response to a letter seeking approval for the Adelaide Hills Council's (the Council's) proposal to revoke the community land classification of the whole of the land contained in Certificate of Title Volume 6193 Folio 572, Allotment 1 in Filed Plan 252674, being a closed road located in Mt Torrens.

I have considered the information provided to me by the Council and in making my decision (under delegation) I have taken into account the nature of the public consultation undertaken by the Council.

After carefully considering the effect of the revocation on the area and the local community, I am of the opinion that, on balance, the revocation will be more positive than not in its effect. I approve the Council's proposal to revoke the classification as community land of the whole of the land contained in Certificate of Title Volume 6193 Folio 572, Allotment 1 in Filed Plan 252674.

If the Council wishes to proceed with the revocation it will need to pass a motion to revoke the community land classification pursuant to section 194(3)(b) of the *Local Government Act 1999*.

Yours sincerely

Andrew McKeegan  
Chief Development Officer  
Development Division  
DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE

5 June 2018