

2004

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**DOMESTIC ANIMALS (CAT CURFEW AREA) DECLARATION
2004 (NO 1)**

DISALLOWABLE INSTRUMENT DI2004-201

EXPLANATORY STATEMENT

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Bill Wood MLA
Minister for Urban Services

AUSTRALIAN CAPITAL TERRITORY
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EXPLANATORY STATEMENT

The *Domestic Animals Act 2000* (the Act) governs the duties of owners, carers and keepers of domestic animals within the ACT. Under section 81(1) of the Act, if the Minister is satisfied that cats in an area are a serious threat to native flora or fauna in the area, the Minister may declare the area to be an area where cats must be confined to their keepers or carer's premises during stated times. A declaration is a Disallowable Instrument for the purposes of section 9 of the *Legislation Act 2001*.

This declaration provides 24 hours a day cat curfew in the suburbs of Bonner and Forde, as well as for the adjacent Mulligans Flat and Gorooyarroo Nature Reserves (the Declared Cat Curfew Area) as defined in the Territory Plan. No other cat curfew area has been declared for the ACT. However, it is envisaged that the area east of Horse Park Drive will also be declared a cat curfew area sometime in the future. This area is the proposed site of the future suburb of Throsby, which is also contiguous with Mulligans Flat and Gorooyarroo Nature Reserves.

The ACT Government recognises the importance of protecting biodiversity, threatened species and reducing the impact of residential development on important remnant woodland in the ACT. The impact on native wildlife in the Declared Cat Curfew Area by stray cats is of particular concern. This Disallowable Instrument identifies the need for owners and carers of cats in the Declared Cat Curfew Area to confine their cats to their premises, which will help to reduce the impact from urban encroachment on Canberra's native wildlife.

This declaration seeks to ensure that cats are permanently confined to premises, either indoors, or if outdoors, in cat runs (enclosures), in the Declared Cat Curfew Area. The provision of an environment for cats that is safe and secure will have positive outcomes for cat owners. Problems with unwanted cats 'trespassing', fouling, fighting and hunting will also be better managed.

Under section 82(1) of the Act, a keeper or carer of a cat must not, without reasonable excuse, allow a cat to be in a declared area in contravention of a declaration under section 81. The maximum penalty for this offence is 10 penalty units.

Maps of the Declared Cat Curfew Area will be available at all ACT Government Shopfronts and libraries, as well as from the offices of Domestic Animal Services.