

LOCAL GOVERNMENT ACT 1995

City of Bunbury

PARKING AMENDMENT LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Bunbury resolved on 30 January 2024 to make the following local law.

1. Short title

This local law may be cited as the *City of Bunbury Parking Amendment Local Law 2023*.

2. Commencement

This local law comes into operation 14 days after the day of its publication in the *Government Gazette*.

3. Principal Local Law amended

This local law amends the *City of Bunbury Parking Local Law 2023* as published in the *Government Gazette* on 19 June 2023.

4. Clause 1.4 amended

- (1) In clause 1.4 in the definition of ***parking area***, delete the words “or “No Standing or” and replace with “or “No Standing” or”.
- (2) In clause 1.4 in the definition of ***parking session***, delete the word “User” and replace with “user”.

5. Clause 3.2 amended

- (1) In clause 3.2(1)(d) delete the full stop at the end of the clause and replace with “; or”.
- (2) In clause 3.2(1)(e)(ii) delete the word “The” and replace with “the”.
- (3) In clause 3.2(1)(e)(ii) delete the full stop at the end of the clause and replace with “; or”.

6. Clause 4.2 amended

- (1) In clause 4.2(1)(b) delete the full stop at the end of the clause and replace with “; or”.
- (2) In clause 4.2(1)(c) delete the word “On” and replace with “on”.
- (3) In clause 4.2(1)(c) insert a full stop at the end of the clause.

7. Clause 4.4 amended

- (1) In clause 4.4(3)(i), delete the full stop at the end of the clause and replace with “; or”.
- (2) In clause 4.4(3)(j), delete the word “Within” and replace with “within”.
- (3) In clause 4.4(3)(j) insert a full stop at the end of the clause.

8. Clause 6.1 amended

In clause 6.1(1)(e) insert a full stop at the end of the clause.

9. Clause 6.2 amended

Delete clause 6.2(1) and replace with a new clause 6.2(1) as follows—

“(1) A person must not stop or park a vehicle in—

- (a) a paid parking station, unless the appropriate fee as indicated by a sign is paid; or
- (b) a parking station with a posted time restriction for any period exceeding the time allowable on the sign, unless;
 - (i) the vehicle has left the parking station for at least one hour; or
 - (ii) the parking station allows additional time beyond the time restriction posted when a fee is payable for additional time and the fee has been paid.”

10. Clause 7.3 amended

- (1) In clause 7.3(2)(a) delete the word “The” and replace with “the”.
- (2) In clause 7.3(2)(b) delete the word “The” and replace with “the”.
- (3) In clause 7.3(2)(c) delete the word “The” and replace with “the”.

11. Clause 7.8 amended

In clause 7.8(1) delete the phrase “Part 8” and replace with “Part 7”.

12. Clause 9.2 amended

In clause 9.2(3)(b) delete the word “mend” and replace with “amend”.

Dated 7 February 2024.

The Common Seal of the City of Bunbury was affixed under the authority of a resolution of Council in the presence of—

JAYSEN MIGUEL, Mayor.
ALAN FERRIS, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

DOG ACT 1976

City of Nedlands

DOGS LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995*, the *Dog Act 1976* and under all other powers enabling it, the Council of the City of Nedlands resolved on 12 December 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Nedlands Dogs Local Law 2023*.

1.2 Repeal

The *City of Nedlands Dogs Local Law 2012* published in the *Government Gazette* on 11 October 2012 and amended in the *Government Gazette* on 5 July 2013 is repealed.

1.3 Definitions

In this local law unless the context otherwise requires—

Act means the *Dog Act 1976*;

authorised person means a person authorised by the local government to perform all or any of the functions conferred on an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

local government means the City of Nedlands;

local planning scheme means a local planning scheme made by the local government under the *Planning and Development Act 2005*;

Regulations means the *Dog Regulations 2013*;

Schedule means a schedule in this local law; and

thoroughfare has the meaning given to it in section 1.4 of the *Local Government Act 1995*.

1.4 Application

This local law applies throughout the district

PART 2—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

2.1 Dogs to be confined

(1) An occupier of premises on which a dog is kept must—

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
- (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
- (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
- (d) maintain the fence and all gates and doors in the fence in good order and condition; and
- (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.

(2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

(3) Notwithstanding subclauses (1) and (2), the confinement of dangerous dogs is dealt with in the Act and Regulations.

2.2 Limitation on the number of dogs

(1) This clause does not apply to premises which have been—

- (a) licensed under Part 3 as an approved kennel establishment;
- (b) granted an exemption under section 26(3) of the Act; or
- (c) established as a veterinary hospital or a veterinary clinic

(2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act is two (2) dogs over the age of 3 months and the young of those dogs under that age unless—

- (a) the premises are on land situated within a part of the district where kennels are permissible under a Local Planning Scheme of the City; and
- (b) the premises are licensed as an approved kennel establishment.

PART 3—APPROVED KENNEL ESTABLISHMENTS

3.1 Interpretation

In this Part and in Schedule 2—

licence means a licence to keep an approved kennel establishment on premises;

licensee means the holder of a licence;

premises, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

transferee means a person who applies for the transfer of a licence to her or him under clause 3.14.

3.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with—

- (a) evidence of planning approval obtained from the local government—
- (b) plans and specifications of the kennel establishment, including a site plan;
- (c) copies of the notices to be given under clause 3.3;
- (d) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (e) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- (f) the fee for the application for a licence referred to in clause 3.10.

3.3 Notice of proposed use

- (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged—
 - (a) once in a newspaper circulating in the district; and
 - (b) to the owners and occupiers of any premises adjoining the premises.
- (2) The notices in subclause (1) must specify that—
 - (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
 - (b) the application and plans and specifications may be inspected at the offices of the local government.
- (3) Where—
 - (a) the notices given under subclause (1) do not clearly identify the premises; or
 - (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,

then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

3.4 Exemption from notice requirements

- (1) Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a—
 - (a) permitted use; or
 - (b) use which the local government may approve subject to compliance with specified notice requirements,under a local planning scheme, then the requirements of clauses 3.2(c), 3.3 and 3.5(c) do not apply in respect of the application for a licence.
- (2) The local government may require advertising of an application as part of the planning process.

3.5 When application can be determined

An application for a licence is not to be determined by the local government until—

- (a) planning approval has been given by the local government;
- (b) the applicant has complied with clause 3.2;
- (c) the applicant submits proof that the notices referred to in clause 3.3(1) have been given in accordance with that clause; and
- (d) the local government has considered any written submissions received within the time specified in clause 3.3(2)(a) on the proposed use of the premises.

3.6 Determination of application

In determining an application for a licence, the local government is to have regard to—

- (a) the matters referred to in clause 3.7;
- (b) any written submissions received within the time specified in clause 3.3(2)(a) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;

- (d) the effect which the approved kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

3.7 Where application cannot be approved

The local government cannot approve an application for a licence where—

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a local planning scheme unless prior valid planning approval has been issued by the local government and the application for a licence is consistent with that approval; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

3.8 Conditions of approval

- (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.
- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

3.9 Compliance with conditions of approval

Penalties applicable where a licensee does not comply with the conditions of a licence are contained in the Act and Regulations.

3.10 Fees

- (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.
- (4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.15 to 6.19 of the *Local Government Act 1995*.

3.11 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

3.12 Period of licence

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if the fee referred to in clause 3.10(2) is paid to the local government prior to the expiry of the licence.
- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

3.13 Variation or cancellation of licence

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence—
 - (a) on the request of the licensee;
 - (b) following a breach of the Act, the Regulations or this local law; or
 - (c) if the licensee is not a fit and proper person.
- (3) The date a licence is cancelled is to be, in the case of—
 - (a) paragraph (a) of subclause (2), the date requested by the licensee; or
 - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.

3.14 Transfer

- (1) An application for the transfer of a valid licence from the licensee to another person must be—
 - (a) made in the form determined by the local government;
 - (b) made by the transferee;
 - (c) made with the written consent of the licensee; and
 - (d) lodged with the local government together with—
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in clause 3.10(3)
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).
- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.

- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 3.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

3.15 Notification

The local government is to give written notice to—

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 3.13(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 3.13(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 3.13(2), which notice is to be given in accordance with section 27(6) of the Act.

3.16 Inspection of kennel

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

PART 4—MISCELLANEOUS

4.1 Offence to excrete

- (1) A dog must not excrete on—
- (a) any thoroughfare, any dog exercise area or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

PART 5—ENFORCEMENT

5.1 Interpretation

In this Part—

infringement notice means the notice referred to in clause 5.3; and

notice of withdrawal means the notice referred to in clause 5.7(1).

5.2 Offences and general penalty

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not less than \$500 and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

5.3 Modified penalties

The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.

5.4 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 8 of the First Schedule of the Regulations.

5.5 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

5.6 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

5.7 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 9 of the First Schedule of the Regulations.
- (2) A person authorised to issue an infringement notice under clause 5.4 cannot sign or send a notice of withdrawal.

**SCHEDULE 1—APPLICATION FOR A LICENCE FOR AN
APPROVED KENNEL ESTABLISHMENT**

(clause 3.2)

DOGS LOCAL LAW 2023

I/we (full name)
of (postal address)
(telephone number)
(facsimile number)
(E-mail address)
Apply for a licence for an approved kennel establishment at (address of premises)
.....
For (number and breed of dogs)
* (insert name of person) will be residing at the premises on and
from (insert date)
* (insert name of person) will be residing (sufficiently close to the
premises so as to control the dogs and so as to ensure their health and welfare)
at (insert address of residence)
on and from (insert date).

Attached are—

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside—
 - (i) at the premises; or
 - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as, in the keeping of dogs at the proposed kennel establishment.

Signature of applicant

Date

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months—section 27.5 of the Dog Act.

OFFICE USE ONLY

Application fee paid on *[insert date]*.

**SCHEDULE 2—CONDITIONS OF A LICENCE FOR AN
APPROVED KENNEL ESTABLISHMENT**

(clause 3.8(1))

An application for a licence for an approved kennel establishment may be approved subject to the following conditions—

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than—
 - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
 - (ii) 10m from any dwelling; and

- (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be—
 - (i) at least 100mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;
 - (v) slip resistant;
 - (vi) resistant to corrosion;
 - (vii) non-toxic;
 - (viii) impervious;
 - (ix) free from cracks, crevices and other defects; and
 - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of—
 - (i) 2m; or
 - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheeted internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside—
 - (i) at the premises; or
 - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

SCHEDULE 3—OFFENCES IN RESPECT OF WHICH MODIFIED PENALTY APPLIES

(clause 5.3)

Offence	Nature of offence	Modified penalty \$
2.1	Failing to provide means for effectively confining a dog	200

4.1(2)	Dog excreting in prohibited place	200
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Dated 13th February 2024.

The Common Seal of the City of Nedlands was affixed by authority of a resolution of the Council in the presence of—

FIONA ARGYLE, Mayor.
TONY FREE, Acting Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

Shire of Williams

CATS LOCAL LAW 2024

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Williams resolved on 7 February 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Williams Cats Local Law 2024*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

This local law repeals the *Shire of Williams Health Local Law 2000* clause 5.2.4.

1.5 Terms Used

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

applicant means the occupier of the premises who makes an application for a permit under this local law;

application means an application for a permit;

authorised person means a person authorised by the local government, under section 9.10 of the *Local Government Act 1995* to perform the functions conferred on an authorised person under this local law;

cat has the meaning given to it in the Act;

cat management facility has the meaning given to it in the Act;

cat prohibited area means an area as outlined in Schedule 3;

cattery means any premises where more than 6 cats are kept, bred, boarded, housed, or trained temporarily, whether for profit or otherwise, and where the occupier of the premises is not the ordinary owner of the cats;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

effective control in relation to a cat means any of the following methods—

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape;

grouped dwelling as defined by the Scheme;

local government means the Shire of Williams;

multiple dwelling as defined by the Scheme;

nuisance means—

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

occupier has the meaning given to it in the *Local Government Act 1995*;

owner has the meaning given to it in the Act;

permit means a permit issued by the local government under Part 3;

permit holder means a person who holds a valid permit under Part 3;

premises has the meaning given to it in the Act;

public place means any place to which the public has lawful access;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

scheme means a planning scheme of the local government made by it under the *Planning and Development Act 2005* and its antecedents;

set fee means fees and charges imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*; and

townsite means the following townsites constituted under section 26(2) of the *Land Administration Act 1997*—

- (a) Williams; and
- (b) such portion of Quindanning townsite as is in the district.

PART 2—CAT CONTROL

2.1 Cats not to be a nuisance

- (1) An owner shall not allow a cat to be or create a nuisance.
- (2) Where in the opinion of an authorised person, a cat is creating a nuisance, the local government may give written notice to the owner of the cat requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government in the notice which shall not exceed 28 days.
- (4) An owner given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.
- (5) A cat control notice under subclause 2.1(2) shall be in the form of Schedule 1, Form 3 of the *Cat Regulations 2012*.

2.2 Cat prohibited areas

- (1) A cat shall not be in places specified in Schedule 3 at any time, whether or not under effective control.
- (2) If a cat is in a cat prohibited area in contravention of subclause (1), then—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat in accordance with the Act.

2.3 Interference with cat traps

Where a trap has been set for cats in or on any public place or premises lawfully entered, a person other than an authorised person or the land owner or occupier shall not—

- (a) interfere with, remove or relocate, or damage the trap; or
- (b) release any cat from the trap.

PART 3—PERMITS FOR KEEPING CATS

3.1 Interpretation

In this part, *cat* does not include a cat less than 6 months old.

3.2 Prescribed premises

For the purposes of the definition of prescribed premises in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, this local law limits the number of cats that may be kept at any premises within the district except—

- (a) a cat management facility operated by a body prescribed as a cat management facility operator under the *Cat Regulations 2012*;
- (b) a cat management facility operated by the local government; or
- (c) a veterinary clinic or veterinary hospital as defined under section 2 of the *Veterinary Surgeons Act 1960*.

3.3 Standard number of cats

For the purposes of the definition of *standard number of cats* in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, no more than—

- (a) two (2) cats may be kept on any premises within a townsite; or
- (b) six (6) cats may be kept on any premises outside a townsite.

3.4 Cats for which a permit is required

- (1) Subject to subclause (2), a person is required to have a permit to—
 - (a) keep more than two (2) cats on any premises within a townsite;
 - (b) keep more than six (6) cats on any premises outside a townsite; or
 - (c) use any premises as a cattery or cat management facility.
- (2) Approval may be given by the local government for up to two (2) additional cats, where the total cats kept on the prescribed premises—
 - (a) within a townsite will not exceed four (4) cats; or
 - (b) outside a townsite will not exceed eight (8) cats.
- (3) A permit is not required under subclause (1) if the premises concerned are—
 - (a) a refuge of the RSPCA or any other body prescribed in regulation 4 of the *Cat Regulations 2012*;
 - (b) a cat management facility which has been approved by the local government; or
 - (c) a veterinary surgery.

3.5 Application for permit

An application for a permit under clause 3.4—

- (a) shall be made in writing by an occupier of the premises in relation to those premises;
- (b) shall be in a form approved by the local government, describing and specifying the number of cats to be kept on the premises;
- (c) shall be accompanied by a brief reason and justification for the request;
- (d) may be required by an authorised person to be accompanied by the plans of the premises to which the application relates;
- (e) shall be accompanied by the consent in writing of the owner of the premises where the occupier is not the owner of the premises to which the application relates; and
- (f) shall be accompanied by the set fee.

3.6 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 3.5.

3.7 Factors relevant to the determination of application

- (1) In determining an application for a permit, the local government may have regard to—
 - (a) the reasons and justification provided for the request;
 - (b) the physical suitability of the premises for the proposed use;
 - (c) the suitability of the zoning of the premises under any scheme which applies to the premises for the proposed use;
 - (d) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (e) the structural suitability of any enclosure in which any cat is to be kept;
 - (f) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
 - (g) the likely effect on the amenity of the surrounding area of the proposed use;
 - (h) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the use;
 - (i) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (j) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) The local government may require an applicant to—
 - (a) consult with nearby landowners; or
 - (b) advise nearby landowners that they may make submissions to the local government on the application for a permit within 14 days of receiving that advice, before determining the application for the permit.
- (3) The local government may specify the extent of consultation with nearby residents, as specified in subclause 3.7(2)(a) and may specify which properties should be consulted.

3.8 Decision on application

- (1) The local government may—
 - (a) approve an application for a permit as it was submitted, in which case it shall approve it subject to the conditions in clause 3.9 and may approve it subject to any other conditions it sees fit;
 - (b) approve an application but specify an alternative number of cats permitted to be housed at the address; or
 - (c) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue a permit to the applicant in the form determined by the local government.
- (3) If the local government refuses to approve an application under subclause (1), then it shall advise the applicant accordingly in writing.
- (4) A permit may only be issued by the local government for a maximum of 6 cats on any premises other than a cattery or cat management facility or a premises specified in clause 3.4(2).

3.9 Conditions of permit

- (1) Every permit is issued subject to the following conditions—
 - (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act;
 - (b) the permit holder will provide adequate space for the exercise of the cats;
 - (c) the premises shall be maintained in good order and in a clean and sanitary condition; and
 - (d) those conditions contained in Schedule 1.
- (2) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.

3.10 Compliance with conditions of permit

Where an application for a permit has been approved subject to conditions, the permit holder shall comply with each of those conditions, as amended.

3.11 Duration of a permit

Unless otherwise specified in a condition on a permit, a permit commences on the date of issue and expires—

- (a) if it is revoked; or
- (b) the permit holder ceases to reside at the premises to which the permit relates.

3.12 Renewal of permit

- (1) A permit holder may apply to the local government for the renewal of a permit for an application under clause 3.4(1)(c).
- (2) An application for renewal shall—
 - (a) be in the form determined by the local government;
 - (b) be signed by the permit holder;
 - (c) provide the information required by the local government;
 - (d) be forwarded to the local government no later than 28 days before the expiry of the permit, or within a shorter period that the local government in a particular case permits; and
 - (e) be accompanied by any set fee.
- (3) The provisions of this Part that apply to an application for a permit also apply to an application for the renewal of a permit as though it were an application for a permit.

3.13 Revocation

The local government may revoke a permit if—

- (a) the permit was obtained improperly;
- (b) the permit holder has persistently or frequently contravened a term or condition of the permit, or a provision of this local law; or
- (c) the permit holder fails to observe any provision of this local law or a condition of a permit.

3.14 Permit not transferable

A permit issued under clause 3.8(1)(a) or (b) is not transferable either in relation to the permit holder or the premises.

3.15 Permit to be kept at premises and available for view

- (1) A permit issued by the local government shall be kept at the premises to which it applies and shall be provided to an authorised person on demand.
- (2) In the case of a registered cattery or cat management facility, the permit shall be displayed in a prominent place within the premises.

3.16 False or misleading statement

A person shall not make a false or misleading statement in connection with an application in respect of a permit under this local law.

PART 4—MISCELLANEOUS

4.1 Giving of a notice

A notice given under this local law may be given to a person—

- (a) personally;
- (b) by postal mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

PART 5—OBJECTIONS AND APPEALS

5.1 Objections and appeal rights

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 6—ENFORCEMENT

6.1 Offences

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

6.2 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

6.3 Prescribed offences

- (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the Act.

- (2) The amount of a modified penalty for a prescribed offence is the number specified adjacent to the clause in Schedule 2.

6.4 Form of infringement notices

- (1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Division 4 of Part 4 of the Act.
- (2) An infringement notice in respect of an offence against this local law may be given under section 62 of the Act and is to be in the form of Schedule 1, Form 6 of the *Cat Regulations 2012*.
- (3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Schedule 1, Form 7 of the *Cat Regulations 2012*.

Schedule 1—Additional Conditions Applicable to Particular Permits

[Clause 3.9(1)(e)]

A. Permit to keep 2 or more cats in a townsite.

Additional conditions

- (1) In the case of a grouped dwelling where there is no suitable dividing fence or multiple dwellings on the same level, the written consent to the application for a permit of the occupier of the adjoining dwellings has been obtained.
- (2) Without the consent of the local government, the permit holder will not substitute or replace any cat that is the subject of a permit once that cat—
- dies; or
 - is permanently removed from the premises.

B. Permit to use premises as a cattery or cat management facility

Additional conditions

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
- (2) There is to be a feed room, wash area, isolation cages and maternity section.
- (3) Materials used in structures are to be approved by the local government.
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices, and other defects.
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
- (6) Washing basins with a minimum of running cold water are to be available to the satisfaction of the local government.
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
- (8) A register is to be kept recording in respect of each cat the—
- date of admission;
 - date of departure;
 - breed, age, colour, and sex; and
 - name and residential address of the owner.
- (9) The register is to be made available for inspection on the request of an authorised person.
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
- (11) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats kept on the premises.
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

Schedule 2—Prescribed offences

[clause 6.3]

Item	Clause	Nature of offence	Modified penalty \$
1	2.1(1)	Cat causing a nuisance	250
2	2.1(2)	Failure to abate a nuisance	250
3	2.2(2)(a)	Cat in prohibited area	500

Item	Clause	Nature of offence	Modified penalty \$
4	2.3(a)	Unauthorised interference with a trap	250
5	2.3(b)	Unauthorised release of a cat from a trap	250
6	3.4(1)(a)	Failure of a person to hold a permit when keeping more than 2 cats within a townsite	250
7	3.4(1)(c)	Failure of a person to hold a permit for a cattery or cat management facility	250
8	3.10	Failure to comply with conditions of a permit	250
9	3.16	Making a false or misleading statement in an application	500
10	6.1	Other offences not specified	250

Schedule 3—Cat prohibited areas

[clause 2.2]

Term used—

bushland means uncultivated land that is covered with trees, shrubs, or other natural vegetation whether native or not.

Reserve name	Reserve number	Physical lot boundaries	Description of prohibition
Williams Waste Site	R 43389	Lot 40 on Plan 218536, Narrogin Road, Williams	Whole of Reserve
Williams Waste Water Treatment Plant	R 50700	Lot 501 on DP 422656, Cemetery Road, Williams	Whole of Reserve
Water Supply	R 17309	Lot 550 on DP 422656, Cemetery Road, Williams	Whole of Reserve
Parklands	R 28716	Lots 319, 361, 321, 322, 323, 324, 325, 326, 502 and 503 Narrogin and Glenfield Roads, Williams	Whole of Reserve
Water Supply Pumping Station	R 10194	Lot 222 on Plan 223210	Whole of Reserve
Williams Cemetery	R 13147	Lots 505 and 505 on DP 66270, Cemetery Road, Williams	Whole of Reserve
Public Recreation	R 46719	Lots 15999 and 16000 on Plan 23391, Pinjarra Williams Road, Williams	All bushland within reserve
Old Williams Cemetery	R 13434	Lot 701 on DP 84541, Albany Highway, Williams	Whole of Reserve
Government Requirements	R 4303	Lots 506 and 507 on DP 416522, Albany Highway, Williams	Whole of Reserve
Williams Primary School	R 4307	Lot 9 on Plan 223209, Rosselloty Street, Williams	Whole of Reserve
Recreation and Parkland	R 31310	Lot 509 on DP 416523, Albany Highway and Williams Street, Williams	Whole of Reserve

Dated 7th February 2024.

The Common Seal of the Shire of Williams was affixed by authority of a resolution of Council in the presence of—

JARRAD LOGIE, President.
PETER STUBBS, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

DOG ACT 1976

Shire of Serpentine Jarrahdale

DOGS LOCAL LAW 2023

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the *Shire of Serpentine Jarrahdale* resolved on 16 October 2023 to make the following local law.

PART 1—DEFINITIONS AND OPERATION

1.1 Citation

This local law may be cited as the *Shire of Serpentine Jarrahdale Dogs Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The *Shire of Serpentine Jarrahdale Local Law Relating to the Keeping of Dogs* published in the *Government Gazette* on 13 February 2004 is hereby repealed.

1.5 Interpretation

In this local law unless the context otherwise requires—

Act means the *Dog Act 1976*;

authorised person means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

dangerous dog means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog;

district means the district of the local government;

dog exercise area means an area set aside by the local government under section 31(3A) of the Act;

foster carer means a person who has a dog or dogs placed in their care by a registered animal rescue body;

local government means the Shire of Serpentine Jarrahdale;

local planning scheme means a local planning scheme made by the local government under the *Planning and Development Act 2005* which applies throughout the whole or a part of the district.

pound keeper means a person authorised by the local government to perform all or any of the functions conferred on a “pound keeper” under this local law;

Regulations means the *Dog Regulations 2013*;

Schedule means a schedule in this local law; and

thoroughfare has the meaning given to it in section 1.4 of the *Local Government Act 1995*.

PART 2—IMPOUNDING OF DOGS

2.1 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure, maintenance and impounding of a dog; and
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

2.2 Attendance of pound keeper at pound

The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

2.3 Release of impounded dog

- (1) A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to the CEO.
- (2) The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence—
 - (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
 - (b) that he or she is the person identified as the owner on a microchip implanted in the dog.

PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

- (1) An occupier of premises on which a dog is kept must—
 - (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
 - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
 - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
 - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) A person who fails to comply with clause 3.1(1) of this local law commits an offence.
Penalty: \$2,000.
- (3) The confinement of Dangerous Dogs is dealt with in the Act.

3.2 Notice to rectify fencing

- (1) Where an authorised person considers that portion of a premises on which a dog is kept is not sufficiently fenced or secured to confine the dog to that portion of the premises in accordance with clause 3.1(1), the authorised person may give a notice to a person liable for the control of the dog requiring that person to install or modify fencing or implement other specified measures to confine the dog to the relevant portion of the premises in accordance with clause 3.1(1), within the time specified in the notice.
- (2) A person to whom a notice is issued under subclause (1) must comply with the notice during the period in which it has effect.
Penalty: \$5,000.
- (3) This clause does not apply to a dog while that dog is kept at an establishment licensed as an approved kennel establishment under section 27 of the Act.

3.3 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been—
 - (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26(3) of the Act and clause 3.4 of this local law.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act—
 - (a) in areas zoned under a local planning scheme as urban development, residential, commercial, light industry or general industry, showroom/ warehouse, special residential, special rural, rural living A and B, farmlet, special use, conservation zone or any other land usage not listed in 3.3(2)(b)— two (2) dogs over the age of three (3) months and the young of those dogs under that age; or
 - (b) in areas zoned rural under a local planning scheme— four (4) dogs over the age of three (3) months and the young of those dogs under that age.

3.4 Keeping more than the prescribed number of dogs

- (1) A person wishing to keep more than the number of dogs as prescribed in section 3.3(2), but not greater than six (6) dogs on any premises, may apply for an exemption for those premises under section 26(3) of the Act and this clause 3.4.
- (2) An application for exemption shall be made in the form of Schedule 3, and must be lodged with the local government together with the fee for the application for an exemption as referred to in clause 3.4(6).
- (3) In determining an application for exemption the local government is to have regard to—
 - (a) any relevant policy adopted by the local government in respect of the keeping of dogs;
 - (b) the effect which approval of the proposed may have on the environment or amenity of the neighbourhood; and
 - (c) whether approval of the application will create a nuisance for the owners and occupiers of adjoining premises.
- (4) The local government may—
 - (a) approve or refuse an application for exemption; and
 - (b) where it approves an application for exemption may do so subject to any conditions considered appropriate and specified in the approval.
- (5) Where the local government approves an application for exemption the approval—
 - (a) only relates to the premises specified in the application for exemption;

- (b) is personal to the applicant and may not be transferred to any other person;
- (c) shall not operate or authorise the keeping of more than six (6) dogs on those premises; and
- (d) may be revoked or varied at any time by Council.
- (6) The fee for an application for exemption under clause 3.4(1) is to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.
- (7) The Shire may exempt payment of a permit as detailed in 3.4(6) where an applicant is a bona fide dog foster carer.

PART 4—APPROVED KENNEL ESTABLISHMENTS

4.1 Interpretation

In this Part and in Schedule 2—

approved kennel establishment means a kennel establishment approved under section 27(1) of the Act and this Part 4;

licence means a licence to keep an approved kennel establishment on premises;

licensee means the holder of a licence; and

premises, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence.

4.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with—

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to the control and maintenance of the dogs, and so as to ensure their health and welfare and;
- (d) a written acknowledgement that the applicant has read and agrees to comply with the conditions detailed within the kennel establishment approval and licence conditions relating to the keeping of dogs detailed by the local government; and
- (e) the fee for the application or renewal for a licence referred to in clause 4.9(1).

4.3 Notice of proposed use

- (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application has been lodged—
 - (a) once in a newspaper circulating in the district; and
 - (b) to the owners and occupiers of any premises adjoining or within the specified distance the premises.
- (2) The notices in subclause (1) must specify—
 - (a) the nature of the proposed use and address of the premises;
 - (b) the number of dogs proposed to be kept;
 - (c) that the application and plans and specifications may be inspected at the offices of the local government; and
 - (d) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given.

4.4 When application can be determined

An application for a licence is not to be determined by the local government until—

- (a) the applicant has complied with clause 4.3;
- (b) the applicant submits proof to the local government that the notices referred to in clause 4.3 have been given in accordance with that clause; and
- (c) the local government has considered any written submissions received within the time specified in clause 4.3(2)(d) on the proposed use of the premises.

4.5 Determination of application

In determining an application for a licence, the local government is to have regard to—

- (a) the matters referred to in clause 4.6;
- (b) any written submissions received within the time specified in clause 4.3(2)(d) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises, and

- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

4.6 Where application cannot be approved

The local government cannot approve an application for a licence where—

- (a) an approved kennel establishment cannot be permitted by the local government on the land or premises under a local planning scheme; or
- (b) an applicant for a licence, or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare and, compliance with any conditions of approval.

4.7 Conditions of approval

- (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.
- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

4.8 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: \$2,000 and a daily penalty of \$200.

4.9 Fees

- (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) The fees referred to in subclauses (1) and (2) are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.

4.10 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

4.11 Period of licence

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if—
 - (a) an authorised person has undertaken an inspection of the kennel establishment under clause 4.15 and has determined the licensee is not in breach of any condition of the licence at the time of renewal; and
 - (b) the fee referred to in clause 4.9(2) is paid to the local government prior to the expiry of the licence.
- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

4.12 Variation or cancellation of licence

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence—
 - (a) on the request of the licensee, or the estate of a deceased licensee;
 - (b) following a substantiated breach of the Act, the Regulations, this local law or the licence conditions.
- (3) The date a licence is cancelled is to be, in the case of—
 - (a) paragraph (a) of subclause (2), the date requested by the licensee; or
 - (b) paragraphs (b) of subclause (2), the date determined under section 27(6) of the Act.
- (4) If a licence is cancelled, the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

4.13 Licence not transferable

- (1) A licence granted under this Part 4 is—
 - (a) personal to the applicant and is not transferable to any other person or entity; and
 - (b) is applicable only to the premises described in the application for licence and is not transferable to any other property, premises or land.

4.14 Notification

The local government is to give written notice to—

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a licensee of any variation made under clause 4.12(1);
- (c) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (d) a licensee when her or his licence is renewed;

- (e) a licensee of the cancellation of a licence under clause 4.12(2)(a); and
- (f) a licensee of the cancellation of a licence under clause 4.12(2)(b), which notice is to be given in accordance with section 27(6) of the Act.

4.15 Inspection of a kennel establishment

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any agreed reasonable time.

PART 5—MISCELLANEOUS

5.1 Offence to excrete

- (1) A dog must not excrete on—
 - (a) any thoroughfare or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (4), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) Notwithstanding clause 6.2(2), the penalty for an offence under this clause is \$2000.
- (4) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person and disposed of either on private land with the consent of the occupier of that land, or in a suitable waste receptacle.

PART 6—ENFORCEMENT

6.1 Interpretation

In this Part—

infringement notice means the notice referred to in clause 6.4; and

notice of withdrawal means the notice referred to in clause 6.6(1).

6.2 Offences

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Unless otherwise specified, a person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

6.3 Modified penalties

- (1) The offences contained in Schedule 4 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 4 directly opposite an offence is the modified penalty payable in respect of that offence if—
 - (a) the dog is not a dangerous dog; or
 - (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 4 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

6.4 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 8 of the First Schedule of the Regulations.

6.5 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

6.6 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

6.7 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 9 of the First Schedule of the Regulations.
- (2) A person authorised to issue an infringement notice under clause 6.4 cannot sign or send a notice of withdrawal.

6.8 Service

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

Schedule 1—Application for a licence for an approved kennel establishment
(clause 4.2)

I/we (full name)
of (postal address)
(telephone number)
(facsimile number)
(E-mail address)
Apply for a licence for an approved kennel establishment at (address of premises)
.....
For (number and breed of dogs).....
* (insert name of person) will be residing at the premises on and from (insert date)
* (insert name of person)will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at (insert address of residence) on and from (insert date).

Attached are—
(a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
(b) plans and specifications of the kennel establishment;
(c) copy of notice of proposed use to appear in newspaper;
(d) copy of notice of proposed use to be given to adjoining premises;
(e) written evidence that a person will reside—
 (i) at the premises; or
 (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
(f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Licence conditions, and provisions of the Shire of Serpentine Jarrahdale Dogs Local Law 2023 and Schedules in the keeping of dogs at the proposed kennel establishment.

Signature of applicant.....

Date

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months—section 27(5) of the Dog Act.

OFFICE USE ONLY

Application fee paid on *[insert date]*.

Schedule 2—Conditions of a licence for an approved kennel establishment
[clause 4.7(1)]

An application for a licence for an approved kennel establishment may be approved subject to the following conditions—

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than—
 - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;

- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
 - (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
 - (f) the upper surface of the kennel floor must be—
 - (i) at least 100mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;
 - (v) slip resistant;
 - (vi) resistant to corrosion;
 - (vii) non-toxic;
 - (viii) impervious;
 - (ix) free from cracks, crevices and other defects; and
 - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
 - (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
 - (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
 - (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
 - (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of—
 - (i) 2m; or
 - (ii) four times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
 - (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheeted internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
 - (l) all external surfaces of each kennel must be kept in good condition;
 - (m) the roof of each kennel must be constructed of impervious material;
 - (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
 - (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
 - (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
 - (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
 - (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside—
 - (i) at the premises; or
 - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.
-

Schedule 3—Exemption application to keep more than two dogs

[clause 3.4(2)]

I/we (full name)
of (postal address)
(telephone number)
(E-mail address)
Apply for an exemption to keep more than two dogs at
(address of premises)
Lot No: Property Size
Area the dogs have access to (yard, house, patio etc)

DETAILS AND NUMBERS OF DOGS TO BE KEPT

	Breed	Age	Sex	Sterilised Y/N
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
5	_____	_____	_____	_____
6	_____	_____	_____	_____

Reason for the exemption.....
Signature of applicants
Date

OFFICE USE ONLY Application fee paid on
Officer.....

Schedule 4—Offences in respect of which modified penalty applies

[clause 6.3]

Offence	Nature of offence	Modified penalty \$	Dangerous Dog Modified Penalty \$
3.1	Failing to provide means for effectively confining a dog	200	
3.2	Failure to comply with notice to rectify fencing	200	
4.8	Failing to comply with the conditions of a licence	200	
5.1(2)	Dog excreting in prohibited place	200	
6.2	Failing to do anything required or directed to be done or doing prohibited act	200	

Dated 8th January 2024.

The Common Seal of the Shire of Serpentine Jarrahdale was hereunto affixed by a resolution of Council and in accordance with the provisions of the *Local Government Act 1995* (WA) in the presence of—

ROBERT FRANCIS COALES, President.
FRAZER SULLIVAN, A/Chief Executive Officer.

**LOCAL GOVERNMENT ACT 1995
CAT ACT 2011**

Shire of Serpentine Jarrahdale

CAT LOCAL LAW 2023

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and by all other powers enabling it, the Council of the Shire of Serpentine Jarrahdale resolved on 16 October 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Serpentine Jarrahdale Cat Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The *Shire of Serpentine Jarrahdale Kennel and Cattery Local Law* published in the *Government Gazette* on 13 February 2004 is repealed.

1.5 Definitions and Interpretation

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

Animal Establishment means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry—intensive or veterinary centre;

applicant means the occupier of the premises who makes an application for a permit under this local law;

authorised person means a person authorised by the local government, under section 9.10 of the *Local Government Act 1995* to perform the functions conferred on an authorised person under this local law;

cat means an animal of the species *felis catus* or a hybrid of that species;

cat enclosure means an enclosure designed and built in close proximity to a dwelling to contain a cat, or cats, and to secure and prevent the cat or cats from roaming at large, unsecured and uncontained;

Cat Haven means Cat Welfare Society Inc., trading as “Cat Haven”;

cat management facility means—

- (a) a facility operated by a local government that is, or may be, used for keeping cats;
- (b) a facility for keeping cats that is operated by a person or body prescribed; or
- (c) a facility for keeping cats that is operated by a person or body approved in writing by a local government;

cat prohibited area means an area identified in the table contained in Schedule 3 as being ‘Prohibited’ under the fourth column of the table entitled ‘Status’;

cattery means any premises where cats are kept, boarded, housed or trained temporarily for profit, and where the occupier of the premises is not the ordinary owner of the cats, or the keeping of more than six (6) cats;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

effective control in relation to a cat means any of the following methods—

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape;

foster carer means a person who has a cat or cats placed in their care by Cat Haven, RSPCA, SAFE or other bona fide cat rescue group as a non-permanent arrangement;

grouped dwelling as defined by the Residential Design Codes;

local government means the Shire of Serpentine Jarrahdale;

local planning scheme means a local planning scheme of the local government made by it under the *Planning and Development Act 2005* and its antecedents;

multiple dwelling as defined by the Residential Design Codes;

nuisance means—

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

owner has the meaning given to it in the Act;

permit means a permit issued by the local government under Part 3;

permit holder means a person who holds a valid permit under Part 3;

premises includes the following—

- (a) land (whether or not vacant);
- (b) the whole or part of a building or structure (whether of a permanent or temporary nature); and
- (c) a vehicle;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

SAFE means any of the following—

- (a) Saving Animals from Euthanasia Incorporated (ABN 59 337 498 934);
- (b) S.A.F.E. Hedland Inc (ABN 23 865 056 223);
- (c) Saving Animals from Euthanasia Busselton Inc (ABN 21 692 235 008);

Schedule means a schedule to this local law; and

Veterinarian means a registered veterinary surgeon as defined in the *Veterinary Surgeons Act 1960* section 2.

PART 2—CONTROL OF CATS

2.1 Cat not to be a nuisance

- (1) An owner shall not allow a cat to be or create a nuisance.
- (2) Where in the opinion of an authorised person, a cat is creating a nuisance, the local government may give a cat control notice to the owner of the cat requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government in the notice which shall not exceed 28 days.
- (4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.
- (5) A cat control notice under clause 2.1(2) shall be in the form of Schedule 1, Form 3 of the *Cat Regulations 2012*.

2.2 Cat prohibited areas

- (1) A cat shall not be in a cat prohibited area at any time, whether or not under effective control.

PART 3—PERMITS FOR KEEPING CATS

3.1 Interpretation

In this Part, and for the purposes of applying the definition of ‘cattery’, *cat* does not include a cat less than six (6) months old.

3.2 Cats for which a permit is required

- (1) Subject to subclause (2) a person is required to have a permit to—
 - (a) keep more than two (2) cats, but not more than six (6) on any premises; or
 - (b) use any premises as a cattery or cat management facility.
- (2) A permit is not required under subclause (1) if the premises concerned are—
 - (a) a refuge of the RSPCA or any other body prescribed in regulation 4 of the *Cat Regulations 2012*;
 - (b) a cat management facility which has been approved by the local government; or
 - (c) a veterinary surgery.
 - (d) a cat management facility operated by a local government

3.3 Application for permit

- (1) An application for a permit under clause 3.2 shall be—
 - (a) made in writing by an occupier of the premises in relation to those premises;
 - (b) in a form approved by the local government, describing and specifying the number of cats to be kept on the premises;
 - (c) accompanied by a brief reason and justification for the request;
 - (d) accompanied by the plans of the premises to which the application relates in the form determined by the local government from time to time;

- (e) accompanied by the consent in writing of the owner of the premises where the occupier is not the owner of the premises to which the application relates; and
 - (f) accompanied by the application fee for the permit determined by the local government from time to time.
- (2) Shire may exempt payment of a permit detailed in 3.3(1)(f) where applicant is a—
- (a) registered cat breeder; or
 - (b) bona fide cat foster carer; or
 - (c) cattery applicant.

3.4 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 3.3.

3.5 Factors relevant to the determination of application

- (1) In determining an application for a permit, the local government may have regard to—
- (a) the reasons and justification provided for the request;
 - (b) the physical suitability of the premises for the proposed use;
 - (c) the suitability of the zoning of the premises under any local planning scheme which applies to the premises for the proposed use;
 - (d) the environmental sensitivity and general nature of the location, surrounding the premises for the proposed use;
 - (e) the structural suitability of any enclosure in which any cat is to be kept;
 - (f) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
 - (g) the likely effect on the amenity of the surrounding area of the proposed use;
 - (h) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the use;
 - (i) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (j) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) The local government may require an applicant to—
- (a) consult with nearby landowners; or
 - (b) advise nearby landowners that they may make submissions to the local government on the application for a permit within 14 days of receiving that advice,
- before determining the application for the permit.
- (3) The local government may specify the extent of consultation with nearby residents, as specified in subclause 3.5(2)(a) and may specify which properties should be consulted.

3.6 Decision on application

- (1) The local government may—
- (a) approve an application for a permit as it was submitted, in which case it shall approve it subject to the conditions in clause 3.7 and may approve it subject to any other conditions it sees fit;
 - (b) approve an application but specify an alternative number of cats permitted to be housed at the address; or
 - (c) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue a permit to the applicant in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1), then it shall advise the applicant accordingly in writing.

3.7 Conditions

- (1) Every permit is issued subject to the following conditions—
- (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act, and conditions detailed within this Local Law;
 - (b) each cat shall be contained on the premises unless under the effective control of a person;
 - (c) the permit holder will provide adequate space for the exercise of the cats;
 - (d) the premises shall be maintained in good order and in a clean and sanitary condition; and
 - (e) those conditions contained in Schedule 1.
- (2) In addition to the conditions in subclause (1) of this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.

3.8 Compliance with conditions of permit

A permit holder shall comply with each condition of a permit.

3.9 Duration of a permit

Unless otherwise specified in a condition on a permit, a permit commences on the date of issue and expires—

- (a) if it is revoked; or
- (b) if the permit holder ceases to reside at the premises to which the permit relates.

3.10 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

3.11 Permit not transferable

A permit is not transferable either in relation to the permit holder or the premises.

3.12 Permit to be kept at premises and available for view

- (1) A permit issued by the local government shall be kept at the premises to which it applies and shall be provided to an authorised person on demand.
- (2) In the case of a cattery or cat management facility, the permit shall be displayed in a prominent place within the premises.

PART 4—MISCELLANEOUS

4.1 Giving of an infringement notice

- (1) A notice given under this local law may be given to a person—
 - (a) personally;
 - (b) by postal mail addressed to the person; or
 - (c) by leaving it for the person at her or his address.

PART 5—OBJECTIONS AND APPEALS

5.1 Objections and appeal rights

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit, may object or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 6—OFFENCES AND PENALTIES

6.1 Offences

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Unless otherwise specified, any person who commits an offence under this local law is liable on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to a further penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.

6.2 Prescribed offences

- (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of Section 63 of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the item in Schedule 2.

6.3 Forms

- (1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Division 4 of Part 4 of the Act.
 - (2) An infringement notice in respect of an offence against this local law may be given under section 62 of the Act and is to be in the form of Schedule 1, Form 6 of the *Cat Regulations 2012*.
 - (3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Schedule 1, Form 7 of the *Cat Regulations 2012*.
-

SCHEDULE 1—ADDITIONAL CONDITIONS APPLICABLE TO PARTICULAR PERMITS

[Clause 3.7]

A. Permit to keep more than two (2) cats

Additional conditions—

- (1) In the case of a grouped dwelling where there is no suitable dividing fence or multiple dwellings on the same level, the written consent to the application for a permit of the occupier of the adjoining dwellings has been obtained.
- (2) Without the consent of the local government, the permit holder will not substitute or replace any cat that is the subject of a permit once that cat—
 - (a) dies; or
 - (b) is permanently removed from the premises.
- (3) Approved breeders are subject to limitation on the considered number of unsterilised cats on a property. Where an approved single dwelling exists, Land zoned—
 - (a) Residential, Urban Development, Neighbourhood Centre, District Centre, Mixed Use and Rural Townsite will allow a maximum of three unsterilised cats to be considered.
 - (b) Rural Residential, Rural and Rural Smallholdings where the lot size is less than two hectares will allow a maximum of four unsterilised cats to be considered.
 - (c) Rural Residential, Rural and Rural Smallholdings where the lot size is at least two hectares will allow a maximum of six unsterilised cats to be considered.
 - (d) The keeping of cats as per schedule 1 A(3)(a), A(3)(b) or A(3)(a) will be considered as a home business.

B. Permit to use premises as a cattery or cat management facility

Additional conditions will include—

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
- (2) There is to be a feed room, wash area, isolation cages and maternity section.
- (3) Materials used in structures are to be approved by the local government.
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects.
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
- (6) Washing basins with a minimum of running cold water are to be available to the satisfaction of the local government.
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
- (8) Catteries are only able to be considered on properties zoned Rural and Rural Smallholdings, and where development approval has been granted for an Animal Establishment.
- (9) Approved breeders are subject to a maximum of 12 unsterilised cats being considered.
- (10) A register is to be kept recording in respect of each cat the—
 - (a) date of admission;
 - (b) date of departure;
 - (c) breed, age, colour and sex; and
 - (d) name and residential address of the owner.
- (11) The register is to be made available for inspection on the request of an authorised person.
- (12) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease, with all effluent disposal compliant with any conditions imposed by the health services department of the local government.
- (13) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats kept on the premises.
- (14) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

Note: Any cattery, cat management facility, including within a veterinary facility may additionally require planning approval

SCHEDULE 2—PRESCRIBED OFFENCES

[Clause 6.2]

Item	Clause	Description	Modified Penalty
1.	2.1(1)	Cat causing a nuisance	\$200
2.	2.1(4)	Failure to comply with an abatement notice	\$200
3.	2.2(2)	Cat in a prohibited area	\$200
4.	3.2(1)	Failure of a person to hold a permit when required	\$200
5.	3.8	Breach of a condition of a permit	\$200
6.	6.1(2)	Other offences not specified	\$200

SCHEDULE 3—CAT PROHIBITED AREAS

[Clause 2.2]

Places where cats are prohibited

Official/Common Site Name	Subject Land Information	Site Description	Status
Lot 2857 Linton Street North	Shire Land—Lot 2857 Linton Street North	Shire Bush land	Prohibited
Lot 4490 King Jarrah Circle	Shire land—Lot 4490 King Jarrah Circle	Shire Bush land	Prohibited
Chestnuts Estate, Jarrahdale	Chestnuts Estate Shire land Lot 156, 163, 4426, 4488, 4490, 4495, 4504, 4522, 4890, 4891, 5028, 5029, 5035, 8001	Shire land	Prohibited
Woodland Plot, Jarrahdale	Lot 199 Jarrahdale Road, Jarrahdale. AMD 179 GG18/12/15	Special Use	Prohibited
Brickwood Reserve	Lot 5567 Turner Road, Byford (Reserve 17490)	Conservation Reserve (Type 3R)	Prohibited
Brickwood Reserve	Lot 111 Turner Road, Byford (Reserve 17490)	Conservation Reserve (Type 3R)	Prohibited
Lowlands Reserve	Lots 300 and 301 Lowlands Road,	Conservation Reserve (Type 3R)	Prohibited
Elliott Road & Yangedi Road South, Conservation Reserves	Lot 77 Yangedi Road South and Lot 1 Elliott Road, Keysbrook	Bush Forever site 77	Prohibited

Dated 8th January 2024.

The Common Seal of the Shire of Serpentine Jarrahdale was hereunto affixed by a resolution of Council and in accordance with the provisions of the *Local Government Act 1995* (WA) in the presence of—

ROBERT FRANCIS COALES, President.
FRAZER SULLIVAN, A/Chief Executive Officer.