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TOWN OF CAMBRIDGE

LOCAL LAWS

ANIMALS LOCAL LAW 2016

**CAT ACT 2011
DOG ACT 1976
LOCAL GOVERNMENT ACT 1995**

TOWN OF CAMBRIDGE

ANIMALS LOCAL LAW 2016

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**CAT ACT 2011
DOG ACT 1976
LOCAL GOVERNMENT ACT 1995**

TOWN OF CAMBRIDGE

ANIMALS LOCAL LAW 2016

Under the powers of the *Cat Act 2011*, *Dog Act 1976*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Town of Cambridge resolved on 22 November 2016 to make the following local law.

PART 1—PRELIMINARY

1.1 Title

This is the *Town of Cambridge Animals Local Law 2016*.

1.2 Purpose and Effect

- (1) The purpose of this local law is to provide for the regulation, control and management of the keeping of dogs, cats, large animals, miniature horses and pigs, poultry, pigeons, and bees within the District.
- (2) The effect of this local law is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep domestic animals and birds, large animals, miniature horses and pigs, and bees and provides the means of enforcing the local law.

1.3 Commencement

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

1.4 Repeal

- (1) The *Town of Cambridge Animals Local Law* published in the *Government Gazette* on 22 March 2002 and all amendments thereto are hereby repealed on the day this local law comes into operation.
- (2) Where a policy was made or adopted by the local government under or in relation to a local law repealed by this local law, then the policy is to be taken to no longer have any effect on and from the commencement day.
- (3) The Local government may resolve that notwithstanding subclause (2), specified policies continue, or are to be taken to have continued, to have effect on and from the commencement day.

1.5 Application

This local law applies throughout the district of the Town of Cambridge.

1.6 Interpretation

- (1) In this local law unless the context otherwise requires—

Act means the *Local Government Act 1995*;

animal includes a fish, bird or reptile and may include cows, cattle, goats, horses, miniature horses, pigs, miniature pigs, poultry, peacock, peahen, llamas, alpacas, deer, sheep, ostriches and emus;

application means the completed form lodged by an applicant as required by this local law;

applicant means a person who has lodged an application for an approval, certificate or licence required for any activity by this local law;

Authorised Person means a person appointed by the local government under section 9.10 of the Act, to perform any of the functions of an Authorised Person under this local law and includes any Environmental Health Officer employed by the local government, and any member of the Western Australian Police Force;

beehive means a moveable or fixed structure, container or object in which a colony of bees is kept;

bees means an insect belonging to any of the various hymenopterous insects of the super family Apoidea and commonly known as a bee;

certificate of registration means a certificate of registration to keep a miniature horse or miniature pig issued pursuant to this local law;

cow includes an ox, calf or bull;

district means the district of the Town of Cambridge;

Dog Act means the *Dog Act 1976*;

Cat Act means the *Cat Act 2011*;

Environmental Health Officer means an Environmental Health Officer appointed under the *Health Act 1911* and includes a principal, acting or assistant Environmental Health Officer;

premises means a premises where food is stored, kept, prepared, manufactured, processed, cooked or served or otherwise dealt with for subsequent sale to the public either directly or indirectly;

Health Act means the *Health Act 1911*;

horse includes an ass, mule, donkey, shetland pony or pony;

kennel establishment means the kennel, yards and premises which is used to house a dog for commercial purposes, gain or reward;

land means land in the district and includes houses, buildings, works and structures, in or upon the land;

large animal includes a sheep, cow, goat, horse (excluding a miniature horse), deer, camel, llama, kangaroo, alpaca, pig (excluding a miniature pig), emu, ostrich or any other animal so classified by the local government;

licence means a licence issued by the local government;

licence holder means a person who holds a valid licence;

livestock means any horse, cattle, sheep, goat, swine, buffalo, deer, camel, emu, ostrich, llama and alpaca;

local government means the Town of Cambridge;

lot has the same meaning given to it in the *Planning and Development Act 2005*;

miniature horse means a horse that does not exceed 870mm in height as an adult and is classified as a miniature by the Miniature Horse Association of Australia;

miniature pig means a pig that does not exceed 650mm in height and does not exceed 55 kilograms in weight as an adult;

miscellaneous bird includes all birds other than poultry and pigeons;

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 nuisance;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

person means any person, company, public body, association or body of persons corporate or unincorporated and includes an owner, occupier, licensee and permit holder, but does not include the local government;

pigeon means birds of the species *columba livia* and includes homing pigeon, racing pigeon and dove;

poultry means any domestic fowl or chicken, bantam, duck, goose, guinea fowl, pheasant, turkey, peahen or peacock and other birds kept for the production of eggs or meat for domestic consumption;

pound means a building or yard established by the local government or Authorised Person for the impounding of dogs or animals for the purposes of this local law;

public place means any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes park lands, squares, reserves, beaches, and other lands set apart for the use and enjoyment of the public, including all lands which belong to or which are vested in, or are under the control or management of, the local government;

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;

residential area means any land situated within a residential zone as classified by the town planning scheme and includes land predominantly used for residential purposes;

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

Schedule means a schedule to this local law;

small animal means small animals kept as pets such as rabbits, ferrets, guinea pigs, rats, mice and any other domestic rodents;

thoroughfare has the meaning given to it in the Act;

town planning scheme means any town planning scheme for the time being applying zoning or classification to land within the district;

vehicle includes—

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven, but excludes—
 - (i) a wheel-chair or any device designed for use by physically impaired persons;
 - (ii) a pram, a stroller or similar device; and
 - (iii) a boat;

vermin means rats, mice, flies, fleas, mites, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or likely to cause damage to human food, habitation or possessions; and

written law has the same meaning given to it by section 5 of the *Interpretation Act 1984* and includes this local law.

(2) Any other expression used in this local law and not defined herein must have the meaning given to it in the *Local Government Act 1995*, the *Local Government (Miscellaneous Provisions) Act 1960* or the *Health Act 1911* unless the context requires otherwise.

(3) This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992 (Cth)*.

PART 2—DOGS

2.1 Impounding Dogs

(1) A dog seized by a member of the Police Force or by an Authorised Person may be placed in a pound.

(2) The provisions of section 29 of the *Dog Act* will apply to dogs seized and placed in a pound in relation to—

- (a) Notification of owner;
- (b) Release of dogs from the pound;
- (c) Sale of dogs; and
- (d) Destruction of dogs.

2.2 Dog Exercise Areas

(1) The local government may, by resolution, approve pursuant to sections 31 and 32 of the *Dog Act* public places being places under the care, control and management of the local government, as approved dog exercise areas.

2.3 Prohibited Areas

(1) A person liable for the control of a dog must prevent that dog from entering or being in or on any prohibited place, public building, shop or business premises.

(2) The local government may, by resolution, approve pursuant to sections 31 and 32 of the *Dog Act* public places being places under the care, control and management of the local government, as prohibited places.

(3) Subclause (1) does not apply to—

- (a) a person with a vision impairment accompanied by a bona fide guide dog;
- (b) a person who is a trainer accompanied by a bona fide guide dog or an assistance animal, as defined in the *Disability Discrimination Act 1992 (Cth)*;
- (c) a shop or business premises where dogs are sold; or
- (d) veterinary premises.

2.4 Fouling of Streets and Public Places

Any person liable for the control of a dog, who permits that dog to excrete on any street or public place or on any land, within the local government without the consent of the occupier of that land commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the occupier or in such other manner as the local government may approve.

2.5 Fencing Requirements

A person or occupier of premises on which a dog is kept must—

- (a) cause the portion of those premises on which the dog is kept to be fenced in a manner capable of confining the dog to that portion;
- (b) ensure the fence used to confine a dog and every gate or door in the fence is of a type, height and construction which, having regard to the species, age, size and physical condition of the dog, prevents the dog from passing over, under or through the fence;

- (c) ensure that every gate or door in a 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);
- (d) ensure that every gate or door in a fence is fitted with an effective and operative latching mechanism or system;
- (e) maintain the fence, gates and doors in good working order and condition;
- (f) where no part of the premises consists of open space, yard or garden, or there is no open space, yard or garden to which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than tethering the dog) for effectively confining the dog within the premises.

2.6 Maximum Number of Dogs

A person must not keep or permit to be kept on any premises more than 2 dogs over the age of 3 months and the young of those dogs under that age; unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26 (3) of the *Dog Act*.

2.7 No Breaking Into or Destruction of Pound

A person must not—

- (a) unless he or she is the pound keeper or a person authorised to do so, release or attempt to release a dog from a pound; or
- (b) destroy, break into, damage or in any way interfere with or render not dog-proof
 - (i) any pound; or
 - (ii) any vehicle or container used for the purpose of catching, holding or conveying a seized dog.

2.8 Cleanliness

The owner or occupier of a premises where a dog or dogs are kept must take reasonable measures to—

- (a) keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;
- (b) when so directed by an Authorised Person, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free of flies or vermin and when directed by an Authorised Person, spray the premises with a residual insecticide or use any other effective means to kill and repel flies or vermin.

PART 3—DOG KENNEL ESTABLISHMENT

3.1 Approved Kennel Establishment Licence

A person must not keep a kennel establishment without having first obtained a licence under this local law and a planning approval under the town planning scheme.

3.2 Notice of Application for Kennel Establishment Licence

An applicant for a licence to keep an approved kennel establishment must—

- (a) publish in a newspaper circulating in the district a notice of their intention to submit an application for a licence, being in the form determined by the local government, specifying that any interested person may within 21 days after the date of such publication object to or make representations in respect of the application in writing directly to the local government; and
- (b) forward a notice, being in the form determined by the local government, to the owners and occupiers of all land within a radius of 500 m of the boundaries of the land upon which it is proposed to establish the kennel.

3.3 Application for Kennel Establishment Licence

An application for a licence to keep an approved kennel establishment must be in the form determined by the local government and must be accompanied by—

- (a) evidence that notice of the proposed use of the land has been given in accordance with clause 3.2 (a) and (b);
- (b) a plan showing the details and specifications of all kennels, adjacent yards and the distances from the kennels to the boundaries of the land the subject of the application and all buildings on the land together with such information as the local government may require;
- (c) a report of an acoustic consultant verifying that the various plant, machinery and operational noise levels will comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*; and
- (d) payment of fees and charges as determined by the local government.

3.4 Determination of Application

(1) The local government may refuse an application for a licence—

- (a) that does not comply with the requirements of clause 3.3;
- (b) for which the processes required by clause 3.2 have not been completed;

- (c) after considering any submissions or representations received within the specified period in accordance with clause 3.2 (a);
 - (d) where planning approval for use of the land as an approved dog kennel establishment has not first been obtained under any relevant town planning scheme.
- (2) The local government may, in respect of an application for a licence—
- (a) refuse the application; or
 - (b) approve the application on such terms and conditions, if any, as it sees fit.

3.5 Licence and Fees

- (1) A licence to keep an approved kennel establishment, and the application to renew or transfer such licence, must be in the form determined by the local government.
- (2) A licence must be valid commencing on the date of its issue and expire on 30 June the following year, or on the cancellation of the licence by the local government.
- (3) Fees and charges as determined by the local government must be payable for licence applications, renewals and transfers.

3.6 Duties of Licence Holder

The holder of a licence to keep an approved kennel establishment must—

- (a) maintain the establishment in a clean, sanitary and tidy condition;
- (b) dispose of all refuse, excreta and food waste daily in a manner approved by the local government; and
- (c) take all practical measures for the destruction of fleas, flies and other vermin.

3.7 Limit on Number and Breed of Dogs

A person who conducts an approved kennel establishment must not keep or permit to be kept thereon, more than the number of dogs specified in the licence, or dogs of a breed different to the breed or breeds (if any) specified in the licence without the written approval of the local government.

3.8 Kennel Establishment Requirements

Dogs in an approved kennel establishment must be kept in kennels and yards appropriate to the breed or kind in question, be sufficiently secured, sited and maintained to a standard not less than the following—

- (a) each kennel must have an adjacent yard;
- (b) each kennel and each yard and every part thereof must be at a distance of not less than 15m from the boundaries of the land in the occupation of the occupier;
- (c) each kennel and each yard and every part thereof must be at a distance of not less than 25m from the front road or street;
- (d) each kennel and each yard and every part thereof must be at a distance of not less than 20m from any dwelling house;
- (e) each yard must be secured with a fence not less than 1.8m in height;
- (f) the upper surface of the floor of each kennel must be set at least 100mm above the surface of the surrounding ground and must be constructed of granolithic cement finished to a smooth surface and must have a fall of not less than 1 in 100. The entire yard must be surrounded by a drain which must be properly laid, ventilated and trapped. Floor washing must pass through this drain and must be disposed of in accordance with the health requirements of the local government;
- (g) the floor of any yard must be constructed in the same manner as the floor of any kennel and as provided in paragraph (f);
- (h) for each dog kept therein every kennel must have not less than 1.8m² of floor space and every yard not less than 2.5m²;
- (i) all kennels and yards, and all feeding and drinking vessels, must be maintained in a clean condition and cleaned and disinfected when so ordered by an Authorised Person.

PART 4—CATS

4.1 Interpretation

- (1) In this Part, unless the context otherwise requires—

Act means the *Cat Act 2011*;

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

cat management facility means—

- (a) a facility operated by a local government that is, or may be, used for keeping cats; or
- (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;

cattery means any premises where more than 3 cats are boarded, housed or trained temporarily, usually for profit, and where the occupier of the premises is not the ordinary keeper of the cats;

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;

owner in relation to a cat means any of the following persons—

- (a) the owner of the cat as defined in the Act;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in her or his possession for the time being;
- (e) a person who occupies any premises in which a cat is ordinarily kept or ordinarily permitted to live; or
- (f) a holder of a licence which relates to the cat; or
- (g) the holder of an exemption issued in relation to the cat.

(2) In this Part, and for the purposes of applying the definition of “cattery” in Part 4—a cat does not include a cat less than 6 months old.

4.2 Keeping of Cats for which a licence is required

(1) Subject to subclause (3) and the *Cat (Uniform Local Provisions) Regulations 2013*, a person is required to have a licence to—

- (a) keep more than 3 cats; or
- (b) use any premises as a cattery.

(2) A person who breeds cats may, with the written approval of the local government, keep up to 6 adult breeding cats on any land in the district, subject to—

- (a) each cat being permanently confined in an effective cage system on the property; and
- (b) under such terms and conditions that may be imposed by the local government from time to time.

(3) A licence is not required under subclause (1) if the premises concerned are—

- (a) a refuge of the RSPCA or any other incorporated animal welfare organisation;
- (b) a cat management facility which has been approved by the local government;
- (c) a veterinary surgery; or
- (d) a pet shop.

4.3 Cleanliness

The owner or occupier of a premises where a cat or cats are kept must take reasonable measures to—

- (a) keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;
- (b) when so directed by an Authorised Person, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free of flies and when directed by an Authorised Person, spray the premises with a residual insecticide or use any other effective means to kill and repel flies.

4.4 Application for licence

An application for a licence under clause 4.2 must be—

- (a) be made in writing, by an occupier of 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, to the specification and satisfaction of the local government;
- (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;
- (f) accompanied by the application fee for the licence determined by the local government from time to time.

4.5 Refusal to determine application

The local government may refuse to determine an application for a licence if it is not made in accordance with clause 4.4.

4.6 Factors relevant to determination of application

(1) In determining an application for a licence 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 town planning scheme which applies to the premises for the 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 a 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 environment 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 other nearby landowners; and
 - (b) advise other adjoining landowners that they may make submissions to the local government on the application for the licence within 14 days of receiving that advice, before determining the application for the licence.
- (3) The local government may specify the extent of the consultation with nearby residents and may specify which properties should be consulted.

4.7 Decision on application

- (1) The local government may—
- (a) approve an application for a licence, as it was submitted, in which case it must approve it subject to the conditions in clause 4.8 and may approve it subject to any other conditions it considers 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 licence.
- (2) If the local government approves an application under subclause (1), then it must issue to the applicant a licence in the form determined by the local government.
- (3) If the local government refuses to approve an application under subclause (1), then it must advise the applicant accordingly in writing.

4.8 Conditions

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

4.9 Duration of licence

Unless otherwise specified, in a condition on a licence, a licence commences on the date of issue and is valid for a period of 12 months from the date of issue unless and until—

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

4.10 Revocation

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

4.11 Licence not transferable

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

4.12 Licence to be kept at the premises and available for view

A licence issued by the local government must be kept at the premises to which it applies and must be provided to an Authorised Person on demand. In the case of a registered cattery, the licence must be displayed in a prominent place within the premises.

PART 5—ANIMALS AND LIVESTOCK

5.1 Leaving Large Animal or Dog in Public Place or on Local Government Property

- (1) A person must not leave a large animal or a dog in a public place or on local government property so that it obstructs the use of any part of that public place or local government property, unless that person has first obtained a permit or is authorised to do so under a written law.

(2) A person contravenes subclause (1) where the large animal or dog is secured or tethered for a period exceeding 1 hour.

5.2 Prohibitions relating to Large Animal

(1) In subclause (2), "owner" in relation to a large animal includes—

- (a) an owner of it;
- (b) a person over the age of 16 years in possession of it;
- (c) a person over the age of 16 years who has control of it; and
- (d) a person over the age of 16 years who ordinarily occupies the premises where the animal is permitted to stay.

(2) An owner of a large animal must not—

- (a) subject to subclause (2) (e), allow the large animal to enter or remain for any time on any thoroughfare except for the use of the thoroughfare as a thoroughfare and unless it is led, ridden or driven;
- (b) allow a large animal which has a contagious or infectious disease to be led, ridden or driven in a public place;
- (c) train or race the large animal on a thoroughfare;
- (d) ride, drive, lead or bring a large animal onto any reserve, park or foreshore, unless that person does so under a permit or under the authority of a written law; or
- (e) ride, drive or lead any large animal onto, or over any lawn or garden planted or maintained in any thoroughfare, unless that person does so under a permit or under the authority of a written law.

5.3 Livestock Not to Stray

A person in charge of livestock must not permit that livestock to stray or to be at large in a street, public place or upon private property without the consent of the property owner.

5.4 Property to be Fenced

The owner or occupier of a property on which livestock is kept, must cause the property or a portion of the property to be fenced in a manner capable of confining the livestock to that portion where the livestock is kept.

5.5 Livestock may be impounded

(1) An Authorised Person may impound livestock found at large or straying in contravention of clause 5.3.

(2) Impounded livestock must be placed in—

- (a) a pound established and maintained by the local government; or
- (b) a secured portion of private property with the consent of the property owner.

(3) The owner of impounded livestock must pay the impounding and maintenance fees determined by the local government prior to the recovery of any impounded livestock.

(4) Where impounded livestock are not reclaimed within 3 days, and the local government has made all reasonable endeavors to contact the owner of the livestock, the local government may sell or otherwise dispose of the impounded livestock as it deems appropriate.

5.6 Fouling of Streets and Public Places

Any person liable for the control of livestock who permits that livestock to excrete on any public place or on any land within the local government without the consent of the occupier of that land commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the occupier or in such other manner as the local government may approve.

5.7 Keeping of Large Animals

An owner or occupier of premises must—

- (a) not keep a large animal on any land less than 2000m² in area;
- (b) not permit any large animal to approach within 10m of a habitable room, shop, church or any premises where food is stored, manufactured or sold.

5.8 Keeping a Miniature Horse

(1) An owner or occupier of a premises may keep a sterilised miniature horse on land of not less than 1000m² in area, provided it is registered with the local government and the approved annual registration fee is paid.

(2) An owner or occupier of premises must—

- (a) not keep more than one miniature horse on land zoned residential, without the written approval of the local government; and
- (b) not permit a miniature horse within 10m of any house.

(3) The local government may prohibit the keeping of a miniature horse on any land or may state the conditions under which a miniature horse may be kept.

5.9 Keeping of Pigs

(1) Except for a miniature pig, a person must take reasonable measures to not keep a pig or pigs on any land in the district.

- (2) The local government may prohibit the keeping of a miniature pig on any land or state the conditions under which they may be kept.
- (3) A person may keep one miniature pig in any residential area provided it is registered with the local government and the approved annual registration fee is paid.
- (4) The occupier of any premises where a miniature pig is kept must—
- only keep a sterilised animal and retain written proof of its sterilisation;
 - confine the animal on the property at all times;
 - ensure the animal does not cause a nuisance to any neighbour regarding noise, dust or odour; and
 - maintain documentary evidence that the animal's veterinary treatment against roundworm and tapeworm is current.

5.10 Keeping of Horses

The owner or occupier of any land where a stable is erected for the keeping of horses must—

- not permit a stable within 10m of a house or other building;
- have a floor area of 6m² per animal;
- ensure the stable has walls and a roof, constructed of impervious material;
- have on all sides of the building between the walls and the roof, a clear opening of at least 50mm in height; and
- provide a floor, which must have an upper surface—
 - at least 75mm above the ground; and
 - be constructed of cement, concrete, compacted limestone or similar approved material.

5.11 Keeping of Small Animals

A person who keeps a small animal or permits a small animal to be kept must—

- not permit that small animal to stray or to be at large in a street, public place or upon private property without the consent of the property owner;
- ensure that the small animal is kept in a properly constructed and securely fastened structure or enclosure.

5.12 Manure Receptacle

An owner or occupier of premises where a large animal, miniature horse or miniature pig is kept must take reasonable measures to—

- provide in a convenient position, an impervious receptacle with a tight fitting lid, for storage of manure;
- keep the lid of the receptacle closed except when manure is being deposited or removed;
- cause the receptacle to be emptied at least once a week and more often as necessary to prevent it becoming offensive or a breeding place for vermin, flies or other insects; and
- cause all manure produced on the premises to be collected daily and placed in the receptacle.

5.13 Cleanliness

The owner or occupier of premises where a large animal or other animal is kept must take reasonable measures to—

- keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;
- when so directed by an Authorised Person, clean and disinfect the premises; and
- keep the premises, so far as possible, free of flies or vermin and when directed by an Authorised Person, spray the premises with a residual insecticide or use any other effective means to kill and repel flies or vermin.

5.14 Disposal of Dead Animals

(1) The owner or occupier must immediately remove and dispose the carcass of any dead livestock, miniature horse or pig, dog, cat, poultry, pigeon or bird at an approved disposal site.

(2) An owner or a person having care of any animal or bird that dies or is killed in a public or private place must immediately remove and dispose of the carcass of the dead animal or bird at an approved disposal site.

PART 6—POULTRY, PIGEONS AND MISCELLANEOUS BIRDS

6.1 Limitation on Numbers of Poultry and Pigeons

(1) In this clause, "Affiliated Person" means a person who is a member of a properly constituted Poultry or Pigeon Club.

(2) An owner or occupier of land—

- who is not an Affiliated Person, must not keep a total of more than 6 poultry and 6 pigeons; and
- who is an Affiliated Person, must not keep a total of more than 50 pigeons and 12 poultry, on any one lot of land.

(3) An owner or occupier of land must not keep or suffer to remain in a residential area a rooster, turkey, goose, peacock or peahen.

6.2 Conditions of Keeping Poultry

A person who keeps poultry or permits poultry to be kept must ensure that—

- (a) no poultry is able to approach within 10m of a dwelling, public building or food premises;
- (b) no poultry is able to approach within 10m of a public place other than a right of way unless, in the case of land at the junction of two or more streets, the local government has approved a lesser distance;
- (c) all poultry are kept in a properly constructed and securely fastened structure or enclosure;
- (d) no poultry is able to approach within 1m of any boundary;
- (e) the structure or enclosure does not exceed 2m in height;
- (f) there is a floor beneath the roofed area of the structure or enclosure which is constructed of smooth, impervious material and with a gradient of at least 1 in 50 to the front of the structure or enclosure;
- (g) the structure and enclosure is kept in a clean condition and good repair at all times;
- (h) all feed for the poultry is stored in vermin proof containers; and
- (i) the structure or enclosure must be in the yard having an otherwise unobstructed area of at least 30m².

6.3 Conditions of Keeping Pigeons

A person who keeps, or permits to be kept, pigeons or doves must ensure that—

- (a) no pigeon is able to approach within 10m of a dwelling, public building, food premises or public place; and
- (b) except where homing pigeons are freed for exercise, the pigeons or doves are kept in a properly constructed structure or enclosure that—
 - (i) is located so that no pigeon is able to approach within 1m of any boundary;
 - (ii) does not exceed 2m in height;
 - (iii) there is a floor beneath the roofed area of the structure or enclosure which is constructed of smooth, impervious material and with a gradient of at least 1 in 50 to the front of the structure or enclosure;
 - (iv) the structure and enclosure is kept in a clean condition and good repair at all times;
 - (v) all feed for the pigeons is stored in vermin proof containers; and
 - (vi) is in a yard having an otherwise unobstructed area of at least 30m².

6.4 Conditions of Keeping a Miscellaneous Bird

A person who keeps, or permits to be kept a miscellaneous bird must ensure that—

- (a) no miscellaneous bird is able to approach within;
 - (i) 1m of any boundary;
 - (ii) 10m of a residential house on any other lot; and
 - (iii) 10m of a public building, food premises or public place; and
- (b) the miscellaneous bird is kept in a properly constructed structure or enclosure that—
 - (i) does not exceed 2m in height;
 - (ii) has a floor beneath the roofed area of the structure which is constructed of smooth, impervious material and with a gradient of at least 1 in 50 to the front of the structure;
 - (iii) the structure and enclosure is kept in a clean condition and good repair at all times;
 - (iv) all feed for the birds is stored in vermin proof containers; and
 - (v) is in a yard having an otherwise unobstructed area of at least 10m².

6.5 Removal of Non-Conforming Structure or Enclosure

If a structure or enclosure is used for the keeping of poultry, pigeons, doves or miscellaneous birds contrary to the provisions of clauses 6.2, 6.3 or 6.4, the local government may give written notice to the owner or occupier to remove it.

6.6 Restrictions on Pigeons Nesting, Perching or Habitually Feeding

The local government may give written notice to an owner or occupier of land or a house in or on which pigeons are, or are in the habit of, nesting, perching or habitually feeding to take adequate steps to prevent them continuing to do so.

6.7 Restrictions on Feeding of Birds

A person must not feed a pigeon or miscellaneous bird—

- (a) so as to cause a nuisance, or
- (b) with a food or substance that is not a natural food of a pigeon or miscellaneous bird.

6.8 Cleanliness of Poultry, Pigeon and Miscellaneous Bird Structures

The owner or occupier of premises where poultry, pigeons or miscellaneous birds are kept must take reasonable measures to—

- (a) keep the structure or enclosure in a clean condition, free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;
- (b) clean and disinfect the structure or enclosure, when so directed by an Authorised Person, and
- (c) keep the structure or enclosure, so far as possible, free of flies or vermin and when directed by an Authorised Person, spray the structure or enclosure with a residual insecticide or use any other effective means to kill and repel flies or vermin.

6.9 Nuisance caused by Poultry, Pigeons and Miscellaneous Birds

(1) Notwithstanding any of the provisions of Clauses 6.1, 6.2, 6.3, 6.4, and 6.8, where any poultry, pigeons or miscellaneous birds has or have, in the opinion of the local government's Principal Environmental Health Officer, been found to have been the cause of—

- (a) a nuisance as defined by this local law; or
- (b) the emission of unreasonable noise as defined by the *Environmental Protection Act 1986*;

an Authorised Person may by notice in writing direct the owner or occupier of the land on which the poultry, pigeons, bird or birds is or are kept to take such action as the Authorised Person deems necessary, within a time specified in the notice, to prevent the nuisance or the emission of unreasonable noise.

(2) The notice referred to in subclause (1) may require removal of a specified bird or specified birds, or specified species of birds, from the land, irrespective of whether the local government has previously issued a permit authorising the keeping of such a bird or such birds.

PART 7—KEEPING OF BEES

7.1 Limitation on numbers of Hives

- (1) A person must not keep or permit the keeping of bees except on a lot in accordance with this Part.
- (2) Subject to subclauses (3) and (4), a person must not keep or permit the keeping of bees in more than 2 hives on a lot.
- (3) The local government may, upon written application, consent, with or without conditions, to a person keeping bees in more than 2 hives on a lot which is not zoned for residential purposes.
- (4) A person must comply with any conditions imposed by the local government under subclause (3).

7.2 Restrictions on keeping Bees in Hives

A person must not keep or permit the keeping of bees in a hive on a lot unless, at all times—

- (a) an adequate and permanent supply of water is provided on the lot within 10m of the beehives;
- (b) the beehive is kept—
 - (i) outside, and at least 15m from, any building other than a fence;
 - (ii) at least 15m from any public place; and
 - (iii) at least 5m from the boundary of the lot; and
- (c) the beehive is enclosed on all sides by a fence, wall or other enclosure.

7.3 Bees which cause a nuisance not to be kept

- (1) A person must take reasonable measures to not keep, or permit the keeping of bees, which cause a nuisance.
- (2) Whenever in the opinion of the local government, the keeping of bees is causing a nuisance, the local government may give written notice to an owner or occupier requiring him or her to remove any bees or beehives from the land within the time specified in the notice.

PART 8—MISCELLANEOUS

Division 1—General

8.1 Pound

The local government may establish and maintain a pound or pounds for the impounding of animals, dogs or livestock seized pursuant to the provisions of the *Dog Act* or this local law.

8.2 Pound Fees

- (1) The fees and charges in relation to the seizure and impounding of an animal or dog and maintenance thereof in a pound payable under section 29 (4) of the *Dog Act*, are those approved by the local government from time to time.
- (2) The fees and charges in relation to the seizure, impounding and maintenance of large animals, livestock or any other animal and the maintenance thereof in a pound payable under the Act, are those approved by the local government from time to time.

8.3 Fees and Charges

All fees and charges applicable under this local law must be as determined by the local government from time to time in accordance with sections 6.16-6.19 of the Act.

8.4 False or Misleading Statement

A person must not make a false or misleading statement in connection with any application, requirement or demand under this local law.

8.5 Offence to fail to comply with notice

Whenever the local government gives a notice under this local law requiring a person to do anything, if a person fails to comply with the notice, that person commits an offence.

8.6 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 8.5, the local government may do the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in so doing.

Division 2—Right of Appeal and Review

8.7 Appeal and review rights

When the local government makes a decision as to whether it will—

- (a) grant a person a permit, licence or certificate of registration under this local law; or
- (b) renew, vary, or cancel a licence or certificate of registration that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulations 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision; or
- (c) give a person a notice,

the provisions of Division 1 of Part 9 of the Act and regulations 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision.

PART 9—ENFORCEMENT

9.1 Offences and Penalties

(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) Any person who commits an offence under Part 2 of this local law must be liable, upon conviction, to a penalty not exceeding—

- (a) \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued; or
- (b) \$2,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$200 for each day or part of a day during which the offence has continued in relation to a dangerous dog.

(3) Any person who commits an offence under Parts 3, 4, 5, 6, 7, 8 or 9 of this local law must be liable, upon 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 a day during which the offence has continued.

9.2 Modified Penalties and Offence Description

(1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16 (1) of the Act.

(2) The amount of the modified penalty for a prescribed offence—

- (a) in relation to Part 2, is the amount specified in—
 - (i) the third column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog;
 - (ii) the fourth column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is not a dangerous dog; and
- (b) in relation to Parts 3, 4, 5, 6, 7, 8 and 9, is the amount specified in the fourth column of Schedule 1.

(3) Before giving an infringement notice to a person in respect of the commission of a prescribed offence, an Authorised Person should be satisfied that—

- (a) commission of the prescribed offence is a relatively minor matter; and
- (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

9.3 Form of Notices

For the purposes of this local law—

- (a) the form of the infringement notice referred to in section 9.13 of the Act is to be in or substantially in the form of Form 1 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
- (b) the form of the notice referred to in section 9.17 of the Act is to be in the form of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
- (c) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is to be in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;

- (d) for the purposes of Part 4, the issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Division 4 of Part 4 of the Cat Act;
- (e) for the purposes of Part 4, an infringement notice given under the Act is to be in the form of Form 6 of Schedule 1 of the *Cat Regulations 2012*;
- (f) for the purposes of Part 4, a notice sent under the *Cat Act 2011* withdrawing an infringement notice is to be in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012*.

Schedule 1

OFFENCES AND MODIFIED PENALTIES

[Clause 9.2]

Item No.	Clause No.	Nature of offence	Modified penalty– Dangerous Dog \$	Modified Penalty \$
1.	2.3(1)	Permit a dog to be in a prohibited place, public building, shop or business premises	400	200
2.	2.4	Permit a dog to excrete on a street, public place or other land and failing to remove excreta in an approved manner	150	150
3.	2.5(a)	Failing to install a fence capable of confining a dog to the premises or fence not adequate to confine	500	250
4.	2.5(b)	Fence not adequate to confine to the premises a dog having regard to the species, age, size and physical condition of the dog	500	250
5.	2.5(c)	Failing to keep gate or door closed when the dog is on the premises	400	200
6.	2.5(d)	Failing to have a gate or door fitted with effective and operative latching mechanism or system	400	200
7.	2.5(e)	Failing to maintain fences, gates and doors in good working order and condition.	400	200
8.	2.5(f)	Failing to ensure other means exist for effectively confining a dog within premises	400	200
9.	2.6	Keeping more than the permitted number of dogs without approval	400	200
10.	2.7(a)	Attempting to or causing the unauthorised release of a dog from a pound	500	250
11.	2.7(b)(i)	Destroy, break into, damage or interfere with any pound	500	250
12.	2.7(b)(ii)	Destroy, break into, damage or interfere with any vehicle or container used for the purpose of catching, holding or conveying dogs	500	250
13.	2.8(a)	Failing to keep premises free from excrement, filth, food waste and other matter likely to be offensive or injurious to health, or attract rats, vermin or insects	200	200
14.	2.8(b)	Failing to clean and disinfect premises when directed by an Authorised Person	200	200
15.	2.8(c)	Failing to keep premises free of flies or when directed by an Authorised Person spray premises with residual insecticide or other means to kill or repel flies	200	200

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
16.	3.1	Keeping a kennel establishment without a licence	250
17.	3.6(a)	Failing to maintain kennel establishment in a clean, sanitary and tidy condition	250

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
18.	3.6(b)	Failing to dispose of refuse, excreta and food waste daily in approved manner	250
19.	3.6(c)	Failing to take practical measures to destroy fleas, flies and other vermin	200
20.	3.7	Keeping a greater number or breed of dogs than specified in the licence	200
21.	4.2(1)(a)	Keeping more than 3 cats over the age of 6 months	200
22.	4.2(1)(b)	Keeping a cattery without a licence	500
23.	4.2(2)(a)	Failing to confine cats in effective cage system on the property	200
24.	4.2(2)(b)	Failing to comply with conditions imposed by the local government	250
25.	4.3(a)	Failing to keep premises free of excrement, filth, food waste and other matter likely to be offensive or injurious to health or attract rats, vermin or insects	200
26.	4.3(b)	Failing to clean and disinfect premises when directed by an Authorised Person	200
27.	4.3(c)	Failing to keep premises free of flies or when directed by an Authorised Person spray premises with residual insecticide or other means to kill or repel flies	200
28.	5.1(1)	Without a permit, leave a large animal or dog in a public place or local government property so as to cause an obstruction	200
29.	5.2(2)(a)	Allow a large animal to enter or remain on a thoroughfare	200
30.	5.2(2)(b)	Allow a large animal which has a contagious or infectious disease to be ridden or driven in a public place	200
31.	5.2(2)(c)	Train or race a large animal on a thoroughfare	200
32.	5.2(2)(d)	Ride, drive lead or bring a large animal onto a reserve, park or foreshore without a permit	200
33.	5.2(2)(e)	Ride, drive lead or bring a large animal onto or over any lawn or garden planted in any thoroughfare without a permit	200
34.	5.3	Permit livestock to stray or be at large in a street, public place or private property without the owner's consent	200
35.	5.4	Failing to keep property fenced in a manner capable of confining livestock	200
36.	5.6	Permit livestock to excrete on a street, public place or other land and failing to remove excreta in an approved manner	200
37.	5.7(a)	Keeping a large animal on land less than 2000m ² in area	200
38.	5.7(b)	Permit large animal to approach within 10m of habitable room, shop, church, or premises where food is stored, manufactured or sold	200
39.	5.8(1)	Keeping an unregistered miniature horse on land less than 1000 m ² and/or not pay registration fee	200
40.	5.8(2)(a)	Keeping more than one miniature horses on land zoned residential	200
41.	5.8(2)(b)	Permit a miniature horse within 10m of a house	200
42.	5.9(1)	Keeping a pig on any land in the district	200
43.	5.9(3)	Keeping an unregistered miniature pig in a residential area and/or not pay registration fee	200
44.	5.9(4)(a)	Keeping an unregistered miniature pig or failing to retain proof of sterilisation	200
45.	5.9(4)(b)	Failing to confine miniature pig on property at all times	200
46.	5.9(4)(c)	Failing to ensure miniature pig does not cause a nuisance to any neighbor through noise, dust or odour.	200
47.	5.9(4)(d)	Failing to maintain documentary evidence that miniature pig's veterinary treatment against roundworm and tapeworm is current	200
48.	5.10(a)	Permit a stable within 10m of house or other building	200
49.	5.10(b)	Failing to have stable floor area of 6m ² per animal	200

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
50.	5.10(c)	Failing to have stable floor or roof constructed of impervious material	200
51.	5.10(d)	Failing to have on all sides of stable building clear opening 50mm in height between walls and roof	200
52.	5.10(e)(i)	Failing to have upper surface of stable floor at least 75mm above ground.	200
53.	5.10(e)(ii)	Failing to have upper surface of stable floor constructed of cement, concrete or other approved material	200
54.	5.11(a)	Failing to prevent a small animal from being in a street, public place or on private property without the consent of the owner	200
55.	5.11(b)	Failing to a small animal in a properly constructed enclosure	200
56.	5.12(a)	Failing to keep an impervious receptacle for the storage of manure, where a large animal, miniature horse or miniature pig is kept	200
57.	5.12(b)	Failing to keep the lid of an impervious receptacle for the storage of manure closed, except when manure is being deposited or removed, where a large animal, miniature horse or miniature pig is kept	200
58.	5.12(c)	Failing to cause the receptacle to be emptied at least once a week or more often as necessary to prevent it becoming a nuisance	200
59.	5.12(d)	Failing to cause manure produced on the premises to be collected daily and placed in a receptacle	200
60.	5.13(a)	Failing to keep the premises where a large animal or other animal is kept free of excrement, filth or food waste	200
61.	5.13(b)	Failing to clean and disinfect the premises when directed to do so by an Authorised Person	200
62.	5.13(c)	Failing to keep the premises, as far as possible free of flies or other vermin when directed to do so by an Authorised Person	200
63.	5.14(1)	Failing to dispose of dead animals or birds at an approved disposal site	200
64.	6.1(2)(a)	Keep or suffer to remain a combined total of more than 6 poultry and 6 pigeons on a lot	200
65.	6.1(2)(b)	Keep or suffer to remain more than 50 pigeons and 12 poultry on a lot	200
66.	6.1(3)	Keep or suffer to remain in a residential area a rooster, turkey, goose or geese, peacock or a peahen	200
67.	6.2(a)	Permit poultry to approach within 10m of a dwelling, public building or food premises	200
68.	6.2(b)	Permit poultry to approach within 10m of a public place	200
69.	6.2(c)	Failing to keep poultry in a properly constructed or secure structure	200
70.	6.2(i)	Keep poultry in yard having an unobstructed area of less than 30m ²	200
71.	6.3(a)	Permit pigeons to approach within 10m of a dwelling, public building, food premises or public place	200
72.	6.3(b)	Failing to keep pigeons in a properly constructed structure or enclosure	200
73.	6.4(a)	Failing to keep a miscellaneous bird the required distance away from a boundary, residential house, public building, food premises or a public place	200
74.	6.4(b)	Failing to keep miscellaneous birds in a properly constructed structure or enclosure	200
75.	6.5	Failing to comply with a direction to remove a structure or enclosure used for the keeping of poultry, pigeons or miscellaneous birds	200
76.	6.6	Failing to comply with a notice to prevent pigeons from perching	200
77.	6.7(a)	Feeding pigeons or other birds so as to cause a nuisance	200
78.	6.7(b)	Feeding pigeons or other birds with a food or substance that is not a natural food of pigeons or other birds	200

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
79.	6.8(a)	Failing to keep structure or enclosure free from excrement, filth, food waste and other material likely to be offensive or injurious to health or attract rats, vermin or insects	200
80.	6.8(b)	Failing to clean and disinfect structure or enclosure when directed by an Authorised Person	200
81.	6.8(c)	Failing to keep premises free of flies or when directed by an Authorised Person spray premises with residual insecticide or other means to kill or repel flies	200
82.	7.1(2)	Keeping more than 2 beehives on a lot without approval from the local government	200
83.	7.2(a)	Failing to provide an adequate and permanent water supply within 10m of a hive	200
84.	7.2(b)(i)	Failing to keep a beehive at least 15m from any building	200
85.	7.2(b)(ii)	Failing to keep a beehive at least 15m from any public place	200
86.	7.2(b)(iii)	Failing to keep a beehive at least 5m from any boundary	200
87.	7.2(c)	Failing to keep a beehive fenced or in an enclosure	200
88.	7.3(2)	Failing to remove a beehive when directed	200
88.	8.6	Failing to comply with a notice issued under this local law	500
89.	9.1	All other offences not specified	200

—————

Schedule 2

LICENCE TO USE PREMISES AS A CATTERY

[Clause 4.8]

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) Wash basin with the minimum of cold water to be available.
- (7) The maximum number of cats to be kept on the premises stated on the licence is not to be exceeded.
- (8) An entry book 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) the name and residential address of the keeper.
- (9) The entry book 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) No sick or ailing cat to be 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).

Dated this 30th day of November 2016.

The Common Seal of the Town of Cambridge was affixed by authority of a resolution of the Council in the presence of—

KERI SHANNON, Mayor.

JASON BUCKLEY, Chief Executive Officer.