

LG304*

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995
Shire of Derby/West Kimberley
DOGS AMENDMENT LOCAL LAW 2011

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 Derby/West Kimberley resolved on 16th December, 2010 to make the following local law.

1. Citation

This local law is the *Shire of Derby/West Kimberley Dogs Amendment Local Law 2011*.

2. Commencement

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

3. Principal local law amended

The *Shire of Derby/West Kimberley Dogs Local Law* as published in the *Government Gazette* on 14 December 2001 is referred to as the principal local law. The principal local law is amended.

4. Preliminary

- (a) Delete “authorized” wherever it is mentioned in the local law and substitute “authorised”.
- (b) Delete “town planning scheme” wherever it is mentioned in the local law and substitute “local planning scheme”.

5. Clause 1.3 amended

In clause 1.3—

- (a) in the definition “*authorised person*” delete “person authorised by the local government” and insert “person appointed by the local government”.
- (b) delete the definition “*town planning scheme*” and insert in the appropriate alphabetical order the following new definitions—
 - 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 Shire of Derby/West Kimberley;
 - local planning scheme* means a local planning scheme of the local government made under the *Planning and Development Act 2005*.

6. Clause 2.1 amended

In clause 2.1, delete “sections 6.16—6.19 of the *Local Government Act 1995*” and insert “sections 6.16 to 6.19 of the *Local Government Act 1995*”.

7. Clause 4.10 amended

In clause 4.10(4) delete “sections 6.16—6.19 of the *Local Government Act 1995*” and insert “sections 6.16 to 6.19 of the *Local Government Act 1995*”.

8. Clause 5.1 amended

In clause 5.1—

- (a) in subclause (1), delete “Dogs” and insert “Subject to section 8 of the Act and section 66J of the *Equal Opportunity Act 1984*, dogs”.
- (b) in subclause(1)(c) delete “the requirements of the *Health (Food Hygiene) Regulations 1993*” and insert “the requirements of the *Food Standards Code*”.

9. Schedule 1 amended

In Schedule 1 delete “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”.

10. Schedule 3 amended

In Schedule 3 delete “2.4(b) & (c)” in the first column of the second row of offences and insert “2.4(b)”.

Dated: 31st March, 2011.

The Common Seal of the Shire of Derby/West Kimberley was affixed under the authority of a resolution of Council in the presence of—

**E. M. ARCHER, Shire President.
S. BURGE, Chief Executive Officer.**
