

**LOCAL GOVERNMENT ACT 1995**

*Shire of Kalamunda*

**KEEPING AND CONTROL OF ANIMALS AND NUISANCE  
AMENDMENT LOCAL LAW 2012**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Kalamunda resolved on 16 April 2012 to make the following local law.

**1. Citation**

This local law may be cited as the *Shire of Kalamunda Keeping and Control of Animals and Nuisance Amendment Local Law 2012*.

**2. Commencement**

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

**3. Principal local law**

In this local law the *Shire of Kalamunda Keeping and Control of Animals and Nuisance Local Law 2011*, published in the *Government Gazette* on 5 September 2011 is referred to as the principal local law. The principal local law is amended.

**4. Clause 3.1 amended**

In clause 3.1 delete “not cause or permit” and insert “take reasonable and effective measures to prevent”.

**5. Clause 3.2 amended**

In clause 3.2—

- (a) delete “not cause or permit” and insert “take reasonable and effective measures to prevent”;
- (b) delete “to be” and insert “being”; and
- (c) delete “to escape” and insert “escaping”.

**6. Clause 3.4 amended**

In clause 3.4(2)(b) delete “, green garden materials”.

**7. Clause 4.5 amended**

In clause 4.5(1)—

- (a) delete paragraph (e); and
- (b) renumber the remaining paragraphs accordingly.

**8. Clause 4.1 amended**

In clause 4.1 after “*animal* includes any large animal, dog, cat,” insert—  
restricted poultry,

**9. Clause 4.7 amended**

Delete clause 4.7 and insert—

**4.7 Keeping of cats**

- (1) A person may keep up to 3 cats without obtaining approval of the local government.
- (2) A person shall not keep more than 3 cats unless—
  - (a) it is for the purpose of boarding or breeding ; and
  - (b) the person has the approval from the local government in accordance with clause 4.8.
- (3) For the purpose of this clause, the number of cats kept does not include any cats less than 6 months in age.

**10. Clause 4.8 amended**

Delete clause 4.8 and insert—

**4.8 Keeping of more than 3 cats for the purpose of breeding or boarding**

- (1) An owner or occupier of land who intends to keep more than 3 cats and not more than 6 cats for the purpose of breeding must first obtain approval of the local government in accordance with clause 4.5.
- (2) An owner or occupier of land who intends to keep more than 3 cats for the purpose of boarding or more than 6 cats for the purpose of breeding, must first obtain approval of the local government to register a cattery in accordance with clause 4.10.

**11. Schedule 2 amended**

In schedule 2, column 1 of table delete the number 4.7 and insert 4.7(2).

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Dated: 24 April 2012.

The common seal of the Shire of Kalamunda was affixed by authority of a resolution of Council in the presence of—

DONALD McKECHNIE, Shire President.  
JAMES TRAIL, Chief Executive Officer.

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