

## LOCAL GOVERNMENT ACT 1995

*City of Fremantle*

## CAT MANAGEMENT AMENDMENT LOCAL LAW 2022

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the Council of the City of Fremantle resolved on 22 June 2022 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Fremantle Cat Management Amendment Local Law 2022*.

**2. Commencement**

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

**3. Principal Local Law amended**

This local law amends the *City of Fremantle Cat Management local law 2020* as published in the *Government Gazette* on 25 May 2020.

**4. Clause 1.4 amended**

In clause 1.4, insert, in alphabetical order following the definition “**local government** means the City of Fremantle”—

“**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;
- (c) interference which causes material damage to land or other property on the land affected by the interference;”

**5. Part 2 amended**

Insert new clause 2.2 after clause 2.1—

**“2.2 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 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) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.”

**6. Schedule 2 amended**

Delete Schedule 2 and insert—

Schedule 2 Prescribed Offences [Clause 2.2]			
Item No.	Clause No.	Nature of Offence	Modified Penalty
1	2.1	Cat in prohibited area	\$200
2	2.2	Cat causing a nuisance	\$200
3	3.2	Failure of a person to hold a permit when required	\$200
4	3.8	Breach of a condition of a permit	\$200

**7. Schedule 3 amended**

Delete Schedule 3 and insert—

Schedule 3 Cat Prohibited Areas [clause 2.1]	
Places where cats are prohibited— All City of Fremantle owned and managed property.	

Dated this 24th day of June 2022.

The common seal of the City of Fremantle was affixed by authority of a resolution of the Council in the presence of—

HANNAH FITZHARDINGE, Mayor.  
GLEN DOUGALL, Chief Executive Officer.