CAT ACT 2011

LOCAL GOVERNMENT ACT 1995

CITY OF BUNBURY

CATS LOCAL LAW 2018

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 City of Bunbury resolved on 11 December 2018 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation
This local law may be cited as the City of Bunbury Cats Local Law 2018.

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 Definitions
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;
- **authorised person** means a person authorised by the local government 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 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;
- **cattery** means any premises where more than 3 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;
- **City** means the City of Bunbury;
- **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** (commonly referred to as a duplex, villa or townhouse) means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above the other, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property;
- **local government** means the City of Bunbury;
- **multiple dwelling** (often called flats, apartments or units) means a dwelling in a group of more than one dwelling on a lot where any part of a dwelling is vertically above part of any other but—
nuisance means—
(a) excretes or urinates on property where the cat does not normally reside or is registered at;
(b) 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;
(c) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land;
(d) interference which causes material damage to land or other property on the land affected by the interference; or
(e) is, or is likely to be, injurious or dangerous to the health of any person or domestic or native fauna.

owner has the meaning given to it in the Act:

penalty unit has the meaning given in the City of Bunbury Penalty Units Local Law 2018.

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:

Schedule means a schedule to this local law:

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

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

PART 2—CAT CONTROL

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, or where the City receives signed complaints in the form of Schedule 2 from two or more persons each of whom occupy different premises that a cat is creating a nuisance, the City 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 City in the notice or until the City withdraws the notice.
(4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.

2.2 Cat prohibited areas
(1) A cat shall not be in the places specified in Schedule 4 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 the owner of the cat commits an offence unless the owner of the cat has first obtained written authorisation from the City.

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 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 2 cats 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; or

(a) does not include a grouped dwelling; and
(b) includes any dwellings above the ground floor in a mixed use development:
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.

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 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;
   (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
(1) 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 transferrable 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 registered 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 3 is a prescribed offence for the purposes of section 63 of the Act.
(2) If this local law expresses a modified penalty as a number of penalty units, the monetary value of the modified penalty is the number of dollars obtained by multiplying the value of the penalty unit, as specified in the City of Bunbury Penalty Units Local Law 2018, by the number of penalty units specified in this local law.

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
A. Permit to keep more than 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.

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—
   (a) date of admission;
   (b) date of departure;
   (c) breed, age, colour and sex; and
   (d) 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

City of Bunbury—Cats Local Law 2018
Nuisance Form

TAKE NOTICE THAT a cat, believed to be a (1) .................................................................
has created a nuisance by (2) ....................................................................................................
the cat is believed to belong to (3) ..............................................................................................
and is kept at (4) ...........................................................................................................................
and I (5) .................................................................................................................................
of ...........................................................................................................................................
request the City of Bunbury to institute proceedings, if the nuisance does not stop, and undertake—
   (a) to give full information to the City of Bunbury as to this matter; and
   (b) to appear in Court and give evidence as a witness to the truth of this complaint.

Dated this .................. day of ........................................ 20.......

........................................................(to be signed by complainant)
(1) Insert breed or kind of cat and, where possible, its sex and identifying marks.
(2) Describe details of the alleged nuisance, including the kind of nuisance and, where possible, the dates and time on or between which the nuisance occurred, and where the cat was at the time of the nuisance.
(3) State name and address of the person believed to be the owner.
(4) State, if known, where the cat is usually kept.
(5) Insert name and address of complainant.
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Clause No.</th>
<th>Nature of Offence</th>
<th>Penalty Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2.1</td>
<td>Cat causing a nuisance</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>2.2</td>
<td>Cat in prohibited area</td>
<td>20</td>
</tr>
<tr>
<td>3</td>
<td>3.2</td>
<td>Failure of a person to hold a permit when required</td>
<td>20</td>
</tr>
<tr>
<td>4</td>
<td>3.8</td>
<td>Breach of a condition of a permit</td>
<td>20</td>
</tr>
</tbody>
</table>

SCHEDULE 4—CAT PROHIBITED AREAS

Places where cats are prohibited—

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Physical Boundaries</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Big Swamp Reserve</td>
<td>Prince Phillip Drive and Tuart Street</td>
<td>Wetlands and vegetation, including boardwalks, in the area contained within the concrete footpath around the perimeter of the Big Swamp Reserve.</td>
</tr>
<tr>
<td>Maidens Reserve</td>
<td>Ocean Drive, Maiden Park Road, Nyabing Road, Lefroy Place, Costello Court, Dermer Place, and Collins Way</td>
<td>Eastern Boundary: all bushland along physical boundaries and rear of residential properties on these roads. Northern extent: car park on Ocean Drive at Hastie Street/Ocean Drive intersection. Southern Extent: City Boundary adjacent to Water Corporation site. Western Extent: High tide mark along beach.</td>
</tr>
<tr>
<td>Manea Park</td>
<td>Bussell Highway, Somerville Drive, Peppermint Boulevard, Malaleuca Drive, Lakeside Drive, Robertson Drive, Halifax Drive, Worcester Bend, South West Highway, Bubury Airport, and Centenary Road</td>
<td>All bushland along physical boundaries and rear of residential and industrial properties on these roads.</td>
</tr>
<tr>
<td>Hartley Anderson Park</td>
<td>Crowea Street, Sturt Street, Parkdale Avenue, Ocean Drive, Kalari Rise, and Mindalong Close</td>
<td>All bushland along physical boundaries and rear of residential properties on these roads.</td>
</tr>
<tr>
<td>Hay Park</td>
<td>Bussell Highway, Rotary Avenue, and Fire Brigade Running Track</td>
<td>All bushland within boundaries of the listed roads.</td>
</tr>
<tr>
<td>Loughton Park</td>
<td>Brittian Road, Palmer Crescent, Armanta Drive, Young Close, and Godwin Street</td>
<td>All bushland along physical boundaries and rear of residential and industrial properties on these roads.</td>
</tr>
<tr>
<td>Katherine Chauhan Reserve</td>
<td>Parade Road, Westwood Street, Sweeting Way, and Guile Fairway</td>
<td>All bushland along physical boundaries and rear of residential properties on these roads.</td>
</tr>
<tr>
<td>Brother Valentine Flynn Reserve</td>
<td>Dunstan Street, Remilles Street, Nile Place, Mangles Street, Ashbank Green, Ione Street, Mansfield Street, and West Road</td>
<td>All bushland along physical boundaries and rear of residential properties on these roads.</td>
</tr>
<tr>
<td>Irwin Reserve</td>
<td>Irwin Street, Macnish Close, Swansen Place, Sherry Place, and Roberts Crescent</td>
<td>All bushland along physical boundaries and rear of residential properties on these roads.</td>
</tr>
<tr>
<td>Horseshoe Lake Reserve</td>
<td>Sandridge Road, Bunning Boulevard, and Fairway Court</td>
<td>All bushland and parkland within boundaries of the listed roads.</td>
</tr>
<tr>
<td>Dodson Lake Reserve</td>
<td>Dodson Road, Eades Street, South Western Highway, and the Railway</td>
<td>All bushland and parkland within boundaries of the listed roads.</td>
</tr>
<tr>
<td>Charterhouse Reserve</td>
<td>Charterhouse Close, Flynn Street, and Robertson Drive</td>
<td>All bushland and parkland within boundaries of the listed roads.</td>
</tr>
</tbody>
</table>

Dated 11 December 2018.
The Common Seal of the City of Bunbury was affixed by authority of a resolution of the City in the presence of—

GARY BRENNAN, Mayor.
MAL OSBORNE, Chief Executive Officer.
Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Rockingham resolved on 27 November 2018 to make the following local law.

**PART 1—PRELIMINARY**

1.1 Title
This is the *City of Rockingham Cats Local Law 2018*.

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

1.3 Repeal
Division 4 of Part 6 of the *City of Rockingham Health By-Laws 1996* published in the *Government Gazette* 4 October 1996, is deleted.

1.4 Terms used
(1) In this local law, unless the context otherwise requires—

*Act* means the *Cat Act 2011*;

*applicant* means a person who applies for an approval;

*application* means an application for an approval;

*approval* means approval under regulation 9 of the *Cat (Uniform Local Provisions) Regulations 2013* and Part 2 of this local law;

*approved person* means the person to whom an approval is granted;

*authorised person* means a person appointed by the local government to perform the functions conferred on an authorised person under this local law;

*cat* has the meaning given to it in the Act;

*CEO* means the Chief Executive Officer of the local government;

*district* means the district of the local government;

*local government* means the City of Rockingham;

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

*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;

*premises* has the meaning given to it in the Act; and

*veterinarian* has the meaning given to it in the Act.

(2) A term that is used in this local law and is not defined in subclause (1) has the same meaning given to it in the Act or, if not defined in the Act, the same meaning given to it in the *Cat Regulations 2012*, the *Cat (Uniform Local Provisions) Regulations 2013* or the *Local Government Act 1995*.

1.5 Application
This local law applies throughout the district.

**PART 2—NUMBER OF CATS THAT MAY BE KEPT**

2.1 Interpretation
For the purposes of applying this Part, a cat does not include a cat less than 6 months old.
2.2 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, but only in relation to cats kept on those premises for treatment.

2.3 '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 2 cats may be kept on premises at which a member of a cat organisation is not ordinarily resident.

2.4 Application for approval
(1) An application for approval to keep an additional number of cats at prescribed premises is dealt with in regulation 8 of the Cat (Uniform Local Provisions) Regulations 2013.
(2) An application for approval must be accompanied by the application fee determined by the local government.

2.5 Determining an application
(1) For the purpose of determining whether to grant approval for an application to keep an additional number of cats at prescribed premises, the local government must have regard to—
(a) the zoning of the land under the local planning scheme;
(b) the physical suitability of the premises for the proposed use;
(c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
(d) the structural suitability of any enclosure in which any cat is to be kept;
(e) the likelihood of a cat causing a nuisance, inconvenience or annoyance to an occupier of adjoining land;
(f) the likely effect on the amenity of the surrounding area of the proposed use;
(g) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the proposed use; and
(h) any other factors which the local government considers to be relevant in the circumstances of the application.
(2) An approval is to be in the form determined by the local government and is to be issued to the approved person.

2.6 Conditions
(1) For the purpose of ensuring that the premises to which an application relates are suitable for the additional number of cats, the local government may impose any condition that it considers to be reasonably necessary for that purpose, including—
(a) that the premises must be adequately fenced (and premises will be taken not to be adequately fenced if there is more than one escape of a cat from the premises);
(b) that there must be adequate space for the exercise of the cats;
(c) that, in the case of multiple dwellings where there is no suitable dividing fence, each current occupier of the adjoining multiple dwellings must give their written consent to the approval; and
(d) that, without the consent of the local government, the approved person must not substitute or replace any cat that dies or is permanently removed from the premises.
(2) An approved person who does not comply with a condition of the approval, commits an offence. Penalty: a fine of not less than $1,000 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.

2.7 Renewal of an application
(1) An application is to be renewed if—
(a) the approved person has not breached the conditions of the approval;
(b) the approval would have been granted if a fresh application for approval had been made; and
(c) the renewal fee, imposed and determined by the local government under sections 6.16 to 6.19 of the Local Government Act 1995, is paid to the local government before the expiry of the approval.
(2) On the renewal of an approval, the conditions of the approval that applied immediately before the renewal continue to have effect.

2.8 Transfer of an approval
(1) An approval relates only to the premises specified in the approval, and only to the approved person specified in the approval, and is transferrable only in accordance with this clause 2.8.
(2) An application for the transfer of an approval from the approved person to another person must be—
(a) made in the form determined by the local government;
(b) made by the proposed transferee;
(c) made with the consent of the approved person; and
(d) lodged with the local government together with the fee for the application for the transfer of an approval that is imposed and determined by the local government under sections 6.16 to 6.19 of the Local Government Act 1995.

(3) The local government is not to determine an application for the transfer of an approval until the proposed transferee has complied with subclause (2).

(4) The local government may grant, or refuse to grant, an application for the transfer of an approval, and this approval will be subject to such conditions as the local government may impose under Regulation 9(3) of the Cat (Uniform Local Provisions) Regulations 2013.

(5) Where the local government grants an application for the transfer of an approval—
(a) it is to issue to the transferee an approval in the form determined by the CEO; and
(b) on the date of approval, unless otherwise specified in the approval, the transferee becomes the approved person for the purposes of this local law.

2.9 Variation or cancellation of an approval
(1) The local government may, at any time, vary the conditions of an approval by giving written notice to the permit holder and specifying the date on which the changes will become effective.

(2) The local government may cancel an approval—
(a) on the request of the approved person;
(b) if the approved person breaches the Act, the Cat Regulations 2012, the Cat (Uniform Local Provisions) Regulations 2013 or this local law; or
(c) if the approved person is not a fit and proper person to provide for the health and welfare of the cats.

(3) If an approval is cancelled, the fee paid for the approval is not refundable for the term of the approval that has not yet expired.

2.10 Objection and review rights
A decision of the local government made under clauses 2.7, 2.8 or 2.9 is a decision to which Division 1, Part 9 of the Local Government Act 1995 applies.

PART 3—ENFORCEMENT

3.1 Infringement notices
(1) An offence against clause 2.6(2) is a prescribed offence for the purposes of section 62(1) of the Act and the modified penalty for the offence is a fine of $200.
(2) The form of an infringement notice is Form 6 in the Cat Regulations 2012, Schedule 1.
(3) The form of withdrawal of the infringement notice is Form 7 in the Cat Regulations 2012, Schedule 1.

Dated: 5 December 2018.
The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—

B. SAMMELS, Mayor.
M. PARKER, Chief Executive Officer.
Under the powers conferred by the Local Government Act 1995, Cat Act 2011 and under all the other powers enabling it, the Council of the Shire of York resolved on 17 December 2018 to make the following local law.

1. Citation
This local law shall be cited as the Shire of York Cat Amendment Local Law 2018.

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

3. Principal local law

4. Clause 1.4 amended
In clause 1.4, in the definition for permit, delete “clause 2.6” and replace with “clause 2.4”.

5. Clause 3.1(3) amended
In clause 3.1(3) delete “or until the local government withdraws the notice” and replace with “which period shall not exceed 28 days”.

6. Clause 4.3(3) amended
In clause 4.3(3) delete “identified” and replace with “unidentified”.

7. Clause 6.2 deleted
Clause 6.2 is deleted.

8. Clause 6.3(2) amended
In clause 6.3(2) delete “Section 84” and replace with “Section 62”.

9. Schedule 2 amended
Schedule 2 is amended as follows—
(a) In item 2 delete “2.6(c)” and replace with “2.6(1)(e)”;
(b) delete “Clause 7.3” and replace with “Clause 6.3”.


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

Cr DAVID WALLACE, Shire President.
PAUL MARTIN, Chief Executive Officer.