



**District Council
of Coober Pedy**

By-law made under the Local Government Act 1999

CATS BY-LAW 2012

By-law No. 7 of 2012

To limit the number of cats that can be kept on premises and to provide for the management and control of cats in the Council's area.

1. Definitions

In this by-law unless the context otherwise requires:

- 1.1 'approved kennel establishment' means a building, structure, premises or area approved by the relevant authority pursuant to the Development Act 1993 or otherwise lawfully established for the keeping of cats and/or dogs on a temporary or permanent basis;
- 1.2 'cat' has the same meaning as in the Dog and Cat Management Act 1995;
- 1.3 'keep' includes the provision of food or shelter;
- 1.4 'identified cat' means a cat identified in the manner set out in Regulation 9 of the Dog and Cat Management Regulations 2010;
- 1.5 'notified cat' means a cat that has been formally reported in writing to the Council and identified in the manner set out in Regulation 9 of the Dog and Cat Management Regulations 2010;
- 1.6 'premises' includes land and part of any premises or land whether used or occupied for domestic or non-domestic purposes;
- 1.7 'unidentified cat' means a cat that is not identified in the manner set out in Regulation 9 of the Dog and Cat Management Regulations 2010.

2. Cats Not to Be a Nuisance

No person shall keep or allow to remain on any premises of which he or she is the owner or occupier, any cat or cats so as to be a nuisance or injurious to health by reason of:

- 2.1 the noise or odour generated by the presence of the cat or cats;
- 2.2 the aggressive nature of the cat or cats; or
- 2.3 the cat or cats being allowed to wander from the land.

3. Limit on Cat Numbers

- 3.1 No person shall, without permission:
- 3.1.1 keep a cat of or over the age of four months unless the cat is an identified cat;
 - 3.1.2 keep more than two cats on any premises.
- 3.2 The limit set out in subparagraph 3.1.2 of this by-law does not apply to a person who is keeping more than two cats on any premises at the time this by-law comes into effect provided that:
- 3.2.1 all the cats being kept on the premises are
 - 3.2.1.1 notified cats; and
 - 3.2.1.2 desexed; and
 - 3.2.1.3 identified cats;
 - 3.2.2 no insanitary condition is being caused by the cats or the keeping of the cats on the premises; and
 - 3.2.3 no nuisance is being caused by the cats or by the keeping of the cats on the premises.
- 3.3 Notwithstanding subparagraph 3.2 of this by-law, the limit set out in subparagraph 3.1.2 of this by-law will apply where the number of cats kept on any premises increases after the time this by-law comes into effect.
- 3.4 The limit set out in subparagraph 3.1.2 of this by-law does not apply to:
- 3.4.1 an approved kennel establishment operating in accordance with all approvals and consents; or
 - 3.4.2 where the Council otherwise grants permission.
- 3.5 The desexing of a cat set out in subparagraph 3.2.1.2 will not be required if the Council receives confirmation in writing from a fully qualified veterinarian surgeon indicating that the desexing of the cat would jeopardise the health of the cat.

4. Identification of Cats

- 4.1 Subject to subclause 4.2 all cats in the Council's area above the age of four months must be desexed (proof of which must be provided to the Council upon registration or by the submission of a statutory declaration from the cat's owner at the time of registration, declaring that the cat has been desexed).
- 4.2 All cats which have been desexed must be marked appropriately by the fully qualified veterinarian surgeon with the appropriate desexing tattoo.
- 4.3 Subclause 4.1 shall not apply if the Council receives confirmation from a fully qualified veterinarian surgeon indicating that the desexing of the cat would jeopardise the health of the cat.

5. Notice to Remedy

- 5.1 If the Council, or such other person as the Council may authorise for that purpose, is satisfied that any cat kept or allowed to remain on any premises is or is likely to become a nuisance or injurious to health, the Council, or such other person as the Council may authorise for that purpose, may by notice in writing require the owner or occupier of those premises, within the time stated in the notice, to take such measures as the Council, or such other person as the Council may authorise for that purpose, considers necessary to prevent the cat from being or continuing to be a nuisance or injurious to health.
- 5.2 Any person to whom notice is given shall comply with the requirements of the notice.
- 5.3 If any person to whom notice is given fails to comply with the requirements thereof, the Council, or such other person as the Council may authorise for that purpose, may carry out the requirements and recover the cost of so doing from the person who failed to comply with the notice.

The foregoing by-law was duly made and passed at a meeting of the District Council of Coober Pedy held on the 18 day of DECEMBER 2012 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

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Mr Phil Cameron
Chief Executive Officer