

**THE BAROSSA COUNCIL**

*By-law made under the Local Government Act 1999 and the
Dog and Cat Management Act 1995*

CATS BY-LAW 2021**By-Law No. 6 of 2021**

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

Part 1 – Preliminary**1. Short Title**

This by-law may be cited as the *Cats By-law 2021*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law:

- 3.1 **approved kennel establishment** means a building, structure, premises or area approved by the relevant authority pursuant to the *Planning, Development and Infrastructure Act 2016* or otherwise lawfully established for the keeping of cats on a temporary or permanent basis;
- 3.2 **cat** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.3 **authorised person** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.4 **keep** includes the provision of food or shelter;
- 3.5 **premises** includes land and a part of any premises or land whether used or occupied for domestic or non-domestic purposes except an approved kennel establishment.

Part 2 – Cat Management and Control

4. Limit on Cat Numbers

- 4.1 A person must not on any premises, without Council's permission, keep more than two cats over 6 months in age.
- 4.2 The limit in subparagraph 4.1 of this by-law does not apply:
 - 4.2.1 to an approved kennel establishment; or
 - 4.2.2 to pet shops approved by the relevant authority pursuant to the *Planning, Development and Infrastructure Act 2016* or otherwise lawfully established; or
 - 4.2.3 to a veterinary practice approved by the relevant authority pursuant to the *Planning, Development and Infrastructure Act 2016* or otherwise lawfully established; or
 - 4.2.4 where:
 - 4.2.4.1 an authorised person of the Council is satisfied that no insanitary condition is being caused by cats being kept on the premises; and
 - 4.2.4.2 an authorised person of the Council is satisfied that no nuisance is being caused to any occupant of a nearby premises by reason of odour from cat urine or by reason of any of the cats wandering from the premises; and
 - 4.2.4.3 all the cats over the age of 6 months (or such later age as is considered appropriate and advised in writing by a veterinary surgeon) kept on the premises are desexed.

Part 3 – Miscellaneous

5. Notices

- 5.1 An authorised person may serve a notice on the occupier of premises or the owner of a cat requiring specific action to be taken to ensure compliance with this by-law.
- 5.2 The person to whom a notice is given pursuant to this by-law must comply with the requirements of the notice.
- 5.3 If the person to whom a notice is given fails to comply with the requirements of the notice, an authorised person may then carry out the requirements of the notice and recover the costs of doing so from that person.

6. Revocation

Council's *By-law No. 6 – Cats*, published in the *Gazette* on 9 January 2014, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of The Barossa Council held on the 21 day of SEPTEMBER 2021 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 Matt Elding
Acting Chief Executive Officer

