LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

Shire of Toodyay

Cat Local Law 2026

Gazette Date: T.B.A.

Table of Contents

PART 1. PRELIMINARY 4
1.1 Citation 4
1.2 Commencement 4
1.3 Repeal 4
1.4 Application 4
1.5 Interpretation 4
PART 2. NUMBER OF CATS THAT MAY BE KEPT 7
2.1 Interpretation 7
2.2 Standard number of cats 7
2.3 Cats to which an approval is required 7
2.4 Application for approval 7
2.5 Determining an application 8
2.6 Conditions 9
2.7 Renewal of an approval 9
2.8 Transfer of an approval 10
2.9 Variation or cancellation of an approval 10
2.10 Objection and review rights 11
PART 3. CONTROL OF CATS 11
3.1 Cat not to be a nuisance 11
3.2 Cat prohibited places 12
PART 4. DESIGNATED CAT MANAGEMENT FACILITIES 12
4.1 Interpretation 12
4.2 Operating a Cat Management Facility without a licence 12
4.3 Application for a licence to be designated as a Cat Management Facility ... 13
4.4 Determination of an application 13
4.5 Where applications cannot be approved 13
4.6 Conditions of approval 14
4.7 Compliance with conditions of approval 14
4.8 Fees 14
4.9 Exemption from requirement to pay fees 15
4.10 Form of licence 15
4.11 Period of licence 15
4.12 Variation or cancellation of licence 15

4.13 Transfer of licence 16
4.14 Notification 16
4.15 Inspection of Cat Management Facilities 17
4.16 Record Keeping 17
PART 5. ENFORCEMENT, OFFENCES AND PENALTIES 17
5.1 Interpretation 17
5.2 Offences 17
5.3 Modified penalties 18
5.4 Issue of infringement notice 18
5.5 Withdrawal of an infringement notice 18
5.6 Objections and appeal rights 18
SCHEDULE 1 – APPLICATION FOR A LICENCE FOR A DESIGNATED CAT MANAGEMENT FACILITY 19
SCHEDULE 2 – MINIMUM CONDITIONS OF A DESIGNATED CAT MANAGEMENT FACILITY 21
SCHEDULE 3 – CAT PROHIBITED PLACES 24
SCHEDULE 4 – OFFENCES IN RESPECT OF WHICH A MODIFIED PENALTY APPLIES 25
AUTHORISATION 26

Under the powers conferred by the *Local Government Act 1995* and the *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Toodyay resolved on 5 March 2026 to make the following local law.

PART 1. PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Toodyay Cat Local Law 2026*.

(1) Purpose: to regulate the keeping, identification, control and management of cats within the district, including matters relating to responsible cat ownership, cat confinement, nuisance behaviour, cat-prohibited areas, approvals for additional cats, and the operation of cat management facilities, as permitted under section 79 of the *Cat Act 2011*. It also provides additional measures to support the Shire in addressing cat nuisance and enhancing permit conditions, definitions, prohibited places and penalties.

(2) Effect: to provide a clear regulatory framework for responsible cat ownership and the management of cats and cat facilities, protect environmental values, and enable enforcement of nuisance behaviours. It establishes obligations for cat owners, supports enforcement of the *Cat Act 2011*, and equips the Shire with the regulatory tools necessary to administer cat management within the district.

1.2 Commencement

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

1.3 Repeal

The Shire of Toodyay *Cat Local Law 2018*, as published in the Government Gazette on 12 October 2018 (No. 155), is repealed.

1.4 Application

This local law applies throughout the district.

1.5 Interpretation

(1) In this local law, unless the context otherwise requires -

Act means the *Cat Act 2011*;

animal establishment has the meaning given to that term in the local government's local planning scheme;

applicant means a person who applies for an approval or a licence under this local law;

application means an application for approval granted under this local law;

approval means an approval granted under Part 2 of this local law;

approved person means the person to whom an approval is granted under this local law;

authorised person means a person appointed by the local government under the Act or the *Local Government Act 1995* to perform all or any of 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 has the meaning given to it in the Act and, where used in this local law, includes any premises which is the subject of a licence under Part 4;

cat prohibited place means a place identified as a cat prohibited place in Schedule 3 or otherwise designated as such under this local law;

cattery means any premises where more than 2 cats are boarded, housed or trained temporarily, usually for profit, for fee or reward and where the occupier of the premises is not the ordinary keeper of the cats;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

infringement notice *means a notice referred to in clause 5.4;*

keeper *in relation to a cat means any of the following persons –*

(a) The owner of the cat as defined in the Act;

(b) A person who has or appears to have immediate custody or control of the cat;

(c) A person who keeps the cat, or has the cat in his or her possession for the time being;

(d) A person who occupies any premises in which a cat is ordinarily kept or permitted to live and who has care and control of the cat;

(e) A permit holder of a permit which relates to the cat;

(f) an approved person in relation to an approval which relates to the cat; or

(g) The holder of an exemption issued in relation to the cat.

licence *means a Cat Management Facility licence issued under Part 4;*

licensee *means the holder of a licence issued under Part 4;*

local government *means the Shire of Toodyay;*

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

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

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; or

(b) an unreasonable interference with the use and enjoyment by a person of his or her ownership or occupation of land; or

(c) an interference which causes material damage to land or other property on the land affected by the interference;

owner *has the meaning given in the Act;*

Regulations *means the Cat Regulations 2012;*

RSPCA *means the Royal Society of the Prevention of Cruelty to Animals (Inc) of Western Australia;*

Schedule *means a Schedule to this local law;*

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

transferee *means a person who applies for the transfer of a licence to him or her under clause 4.13.*

(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.*

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 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 three (3) cats may be kept on premises at which a member of a prescribed cat organisation is not ordinarily resident.

2.3 Cats to which an approval is required

(1) Subject to subclause (2) a person is required to have an approval -

(a) to keep more than three (3) cats on any premises; or

(b) to use any premises as a cattery**.**

(2) An approval is not required under subclause (1) if the premises concerned are –

(a) a refuge of the RSPCA or any other body prescribed in the Regulations;

(b) a Cat Management Facility operated by or on behalf of the local government;

(c) a Cat Management Facility which has been approved by the local government;

(d) A veterinary surgery; or

(e) a pet shop.

2.4 Application for approval

(1) An application for approval to keep an additional number of cats at prescribed premises is to be made and dealt with in accordance with 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 from time to time.

2.5 Determining an application

(1) For the purposes 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 suitability of the zoning of the premises under the local planning scheme which applies to the premises for the proposed use;

(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;

(h) any other factors which the local government considers to be relevant in the circumstances of the application; and

(i) any submissions received under subclause (2) within the time specified in subclause (2).

(2) Before determining an application for approval, the local government may –

(a) consult with owners or occupiers of adjoining or nearby land; and

(b) advise those adjoining owners that they may make submissions to the local government on the application for the approval within 14 days of receiving that advice.

(3) The local government may –

(a) approve an application for a permit in which case it may approve it subject to the conditions in clause 2.6 and any other conditions it considers fit; or

(b) refuse to approve the application.

(4) If the local government approves an application under subclause (3)(a), it is to issue to the applicant an approval in the form determined by the CEO.

(5) If the local government refuses to approve an application under subclause (3)(b), it is to advise the applicant in writing.

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 conditions –

(a) that each cat on the premises to which the approval relates shall comply with the registration, microchipping and sterilisation requirements of the Act;

(b) that the premises must be maintained in good order and in a clean and sanitary condition;

(c) that the premises must have adequate enclosures for the confinement and exercise of the cats;

(d) that there must be adequate space for the exercise of the cats;

(e) that, where the premises comprise multiple dwellings and there is no suitable dividing fence, the applicant must obtain the written consent of each current occupier of the adjoining multiple dwellings; and

(f) that the approved person must not, without the consent of the local government, substitute or replace any cat that dies or is permanently removed from the premises if this would increase the total number or change the nature of the approval; and

(g) any other condition that, in the opinion of the local government, is reasonably necessary to prevent a nuisance.

(2) An approved person who does not comply with a condition of the approval, commits an offence.

Penalty: a fine of $5,000.

2.7 Renewal of an approval

(1) An approval may 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 an 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 in full,.

(2) On the renewal of an approval, the conditions of the approval that applied immediately before the renewal continue to have effect unless varied under clause 2.9.

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 CEO;

(b) made by the proposed transferee;

(c) accompanied by the written consent of the approved person; and

(d) lodged with the local government together with the fee for imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995.*

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 approved person and specifying the date on which the variation takes effect.

(2) The local government may cancel an approval –

(a) on the written request of the approved person;

(b) if the approved person breaches the Act, the Regulations, the *Cat (Uniform Local Provisions) Regulations 2013* or this local law; or

(c) if the approved person is not, in the opinion of the local government, 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 any unexpired portion of the term of the approval.

2.10 Objection and review rights

(1) Any person who is aggrieved by a decision of the local government under this Part, including a decision –

(a) To refuse an approval;

(b) To impose or vary a condition of an approval; or

(c) To cancel an approval;

may object to or appeal against the decision under Division 1, Part 9 of the *Local Government Act 1995*.

PART 3. CONTROL OF CATS

3.1 Cat not to be a nuisance

(1) An owner or keeper must not allow a cat to be, or create, a nuisance.

(2) For the purposes of this local law, a cat is taken to create a nuisance if the cat

(a) causes damage to property, whether public or private, including but not limited to garden beds, structures, vehicles or wildlife habitat;

(b) harasses, attacks, threatens or chases any person or animal;

(c) repeatedly enters nearby premises without the consent of the occupier;

(d) causes excessive or persistent noise that unreasonably interferes with the peace, comfort or convenience of any person;

(e) emits excessive or persistent odour that interferes with the reasonable enjoyment of another person's land;

(f) unreasonably interferes with the use or enjoyment of land by another person; or

(g) causes material damage to land, vegetation, fauna or property on land affected by the cat's actions.

(3) Where an authorised person is satisfied that a cat is creating a nuisance, the local government may give written notice to the owner or keeper requiring the nuisance to be abated within the period specified in the notice, which must not exceed 28 days.

(4) An owner or keeper who fails to comply with a notice issued under subclause (3) commits an offence.

Penalty: a fine of $2,000.

3.2 Cat prohibited places

(1) A cat must not be in any cat prohibited place listed or described in Schedule 3.

(2) If a cat is at any time in a place in contravention of subclause 3.2(1) –

(a) the keeper of the cat commits an offence; and

(b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

Penalty: a fine of $2,000.

(3) The owner or keeper of a cat seized under subclause (2)(b) may reclaim the cat upon payment of the prescribed fees and compliance with the registration and microchipping requirements of the Act.

PART 4. DESIGNATED CAT MANAGEMENT FACILITIES

4.1 Interpretation

In this part and in *Schedule* 2 –

licence means a Cat Management Facility licence issued under this local law;

licensee means the holder of a licence issued under this local law;

premises, in addition to the meaning given to it in section 3 of the Act, means the premises described in the ***application*** to be licensed as a Cat Management Facility;

animal establishment has the meaning given to the term in the local planning scheme;

transferee means a person who applies for the transfer of a licence to him or her under clause 4.13.

4.2 Operating a Cat Management Facility without a licence

Unless exempt as an organisation prescribed in the Regulations, a person who operates a premises as a Cat Management Facility within the district without a licence issued under this Part commits an offence.

Penalty: a fine of $5,000 .

4.3 Application for a licence to be designated as a Cat Management Facility

An application for a licence must: -

(a) be made in the form set out in Schedule 1 or in a form determined by the local government;

(b) be lodged with the local government together with –

(i) plans and specifications of the premises, including a site plan;

(ii) proposed details of how the facility will be kept secure;

(iii) written evidence that either the applicant or another person who will have the charge of the cats, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the cats and ensure their health and welfare;

(iv) a written acknowledgement that the applicant has read and agrees to comply with any code of practise relating to the keeping of cats which may be nominated from time to time by the local government; and

(v) the fee for the application for a licence referred to in clause 4.8(1).

4.4 Determination of an application

In determining an application to be designated as a Cat Management Facility, the local government is to have regard to –

(a) the matters referred to in clause 4.5;

(b) any written submissions received on the proposed use of the premises;

(c) the effect which the Cat Management Facility may have on the environment or amenity of the neighbourhood;

(d) whether the Cat Management Facility will create a nuisance for the owners and occupiers of adjoining or nearby premises; and

(e) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the Cat Management Facility identified in the preceding paragraphs.

4.5 Where applications cannot be approved

The local government must not approve an application for a licence where –

(a) the facility is proposed to be located in an area where an animal establishment is and not a permitted use under the Local Planning Scheme; or

(b) an applicant or another person who will have the charge of the cats will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the cats and so as to ensure their health and welfare.

4.6 Conditions of approval

(1) The local government may approve an application for a licence subject to: -

(a) the conditions contained in Schedule 2; and

(b) such other conditions as the local government considers appropriate.

(2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

(3) Operators of a Cat Management Facility must comply with their obligations as specified in Division 3 of Part 3 of the Act in addition to the conditions of a licence.

4.7 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: a fine of $2,000 .

4.8 Fees

(1) On lodging an application for a licence, the applicant is to pay a fee imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995.*

(2) On renewal of a licence, the licensee is to pay a renewal fee imposed and determined by the local government.

(3) On lodging an application for the transfer of a valid licence, the transferee is to pay the transfer fee imposed and determined by the local government.

4.9 Exemption from requirement to pay fees

(1) In this clause –

charitable organisation means –

(a) An institution, association, club, society or body whether incorporated or not -

(i) Where its objectives are charitable, benevolent, educational, or of a similar nature concerned with the welfare of cats; and

(ii) From which any members do not receive any pecuniary profit.

(2) The local government may waive any fee required to be paid by the applicant for the issue or renewal of a licence, to a charitable organisation.

4.10 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

4.11 Period of licence

(1) The period of effect of a licence is 12 months from the date of issue unless it is cancelled earlier under clause 4.12.

(2) A licence may be renewed if the fee referred to in clause 4.8(2) is paid to the local government prior to the expiry of the licence.

(3) On the renewal of a licence, the conditions of the licence at the time of its renewal continue to have effect unless varied under clause 4.12.

4.12 Variation or cancellation of licence

(1) The local government may vary the conditions of a licence by giving written notice to the licensee specifying the variation and the date on which it takes effect.

(2) The local government may cancel a licence –

(a) on the written request of the licensee;

(b) following a breach of the Act, the Regulations or this local law; or

(c) if, in the opinion of the local government, the licensee is not a fit and proper person to hold a licence.

(3) The date of cancellation of a licence is –

(a) in the case of subclause (2)(a), the date requested by the licensee or such later date as is specified in the notice of cancellation ; or

(b) in the case of subclause (2)(b) or (c), the date specified in the notice of cancellation.

(4) If a licence is cancelled the licence fee paid for that licence is not refundable for any unexpired portion of the term of the licence.

4.13 **Transfer of licence**

(1) An application for the transfer of a valid licence from the licensee to another person must be –

(a) made in the form determined by the local government;

(b) made by the transferee;

(c) accompanied by the written consent of the licensee; and

(d) lodged with the local government together with –

(i) written evidence that a person to whom the licence is proposed to be transferred will reside at, or sufficiently close to, the premises the subject of the licence; and

(ii) the transfer fee for the application for the transfer of a licence referred to in clause 4.8(3).

(2) The local government is not to determine an application for the transfer of a valid licence until the transferee has compiled with subclause (1).

(3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence and may impose conditions on the transferred licence.

(4) Where the local government approves an application for the transfer of a valid licence, the transferee becomes the licensee on and from the date specified on the notice of the approval.

4.14 **Notification**

The local government is to give written notice to –

(a) an applicant for a licence of its decision on the application;

(b) a transferee of its decision on an application for the transfer of a valid licence;

(c) a licensee of any variation to the conditions of a licence;

(d) a licensee when the licence is due for renewal and the manner in which it may be renewed;

(e) a licensee upon renewal of a licence; and

(f) a licensee of the cancellation of a licence;

4.15 Inspection of Cat Management Facilities

Subject to the power to enter premises under the Act, and the *Local Government Act 1995,* an authorised person may inspect a Cat Management Facility to assess compliance with this local law and the conditions of a licence.

4.16 Record Keeping

All Cat Management Facilities are required to keep and maintain a register of all cats entering and leaving the facility, and an authorised person may inspect the register during any inspection carried out under clause 4.15.

PART 5. ENFORCEMENT, OFFENCES AND PENALTIES

5.1 Interpretation

In this Part –

infringement notice means the notice referred to in clause 5.3; and

notice of withdrawal means the notice referred to in clause 5.4.

5.2 Offences

(1) A person who –

(a) fails to do anything required or directed to be done under this local law; or

(b) does anything which under this local law that person is prohibited from doing,

commits an offence.

(2) Unless otherwise specified, a 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 $500 for each day or part of a day during which the offence continues after written notice of the offence has been given.

5.3 Modified penalties

(1) The offences contained in Schedule 4 are offences for which a modified penalty may be imposed under section 62 of the Act.

(2) The amount appearing in the fourth column of Schedule 4 directly opposite an offence is the modified penalty payable in respect of that offence.

5.4 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, the authorised person may issue to that person an infringement notice in the form of Form 6 of Schedule 1 of the Regulations.

5.5 Withdrawal of an infringement notice

An infringement notice may be withdrawn by giving written notice in the form of Form 7 in Schedule 1 of the Regulations.

5.6 Objections and appeal rights

A person who is aggrieved by a decision of the local government under this local law may object to or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

SCHEDULE 1 – APPLICATION FOR A LICENCE FOR A DESIGNATED CAT MANAGEMENT FACILITY

[clause 4.3]

APPLICANT DETAILS

Full Name: _____ Assessment No.: _____

Main Address: _____
(Residential / Premises Address including Suburb and Postcode)

Postal Address: _____
(if different from above)

Phone (H): _____ (M): _____ (W): _____

Email: _____

May the Shire use the above email address for correspondence purposes?: ☐ Yes ☐ No

Privacy Notice The Shire of Toodyay collects personal information in accordance with the *Privacy and Responsible Information Sharing Act 2024* for the purpose of assessing your application to operate a designated cat management facility under the *Cat Act 2011* and associated local laws.

Your information may be used to contact you, verify compliance, and inform internal decision-making. It may be shared with relevant government agencies, or third parties where required or authorised by law.

You have the right to request access to, and correction of, your personal information. For privacy enquiries, contact the Shire's Privacy Officer at: records@toodyay.wa.gov.au (08) 9574 9300.

CAT MANAGEMENT FACILITY DETAILS

Address: _____
(Residential / Premises Address including Suburb and Postcode)

For Number of cats located at premises: _____

Person will reside (tick appropriate box) *evidence to be provided

☐ At the premises ☐ sufficiently close to the premises so as to control the cats and so as to ensure their health and welfare

Name of Person (if not the applicant(s)): _____

Address (if not residing at premises): _____

Is the applicant or custodian a member of a prescribed exempt organisation? If yes, provide the name of the organisation below: ☐ Yes ☐ No

Organisation Name: _____ ABN: _____

CAT MANAGEMENT FACILITY DETAILS

Further Details of the prescribed exempt organisation:

_____

_____

Are you already an approved breeder? ☐ Yes ☐ No

If not, complete the application for an approved breeder available separately on the Shire's website.

Prior to approval the following must be attached

(a) A site plan of the premises showing the location of the buildings, cages, runs, structures and fences;

(b) Plans and specifications of the Cat Management Facility;

(c) Proposed details of how the facility will be kept secure;

(d) Evidence that a person will reside–

(i) at the premises; or

(ii) sufficiently close to the premises so as to control the cats and so as to ensure their health and welfare; and

(iii) if the person in item (d) is not the applicant, evidence that the person is a person in charge of the cats.

APPLICANT DECLARATION

I declare that the information provided in this form is true and correct.

Signature: _____ Date: _____

A signature is not required to effect the form when the form is lodged through the local government internet site.

Note: A licence, if issued, will have effect for a period of 12 months, effective from the date of issue unless and until it is revoked or it is determined by the local government non-compliance with the conditions of the Shire of Toodyay Cat Local Law 2024 justifies this.

OFFICE USE ONLY

Application No: _____ Date: _____

Fees payable: $200.00 ☐ Registration approved

Conditions of approval attached: ☐ Yes ☐ No

Receipt No: _____ Assigned Registration No: _____

Date received: _____ Signature of Registration Officer: _____

SCHEDULE 2 – MINIMUM CONDITIONS OF A DESIGNATED CAT MANAGEMENT FACILITY

[clause 4.6(1)]

An application for a licence within the district may be approved subject to the following minimum conditions –

1. Building, fixtures, equipment and appliances

1.1. All buildings and enclosures must be structurally sound, have impervious flooring where appropriate, be well lit and ventilated, and otherwise comply with applicable building, health and planning legislation.

1.2. The Cat Management Facility must have a feed preparation area, wash area, isolation facilities and, where required, a maternity section.

1.3. Materials used in structures are to be approved by the local government. Internal wall surfaces are, where possible, to be smooth, free from cracks, crevices and other defects.

1.4. All fixtures, fittings and appliances must be capable of being easily cleaned, resistant to corrosion and constructed to prevent harbourage of vermin.

1.5. A hand-washing facility with a supply of water is to be provided in or conveniently accessible to the building.

1.6. The facility must have a secure area for cats to be housed and exercised. Boundary Setbacks to be determined under Clause 32(1) and (2) of the Local Planning Scheme

1.7. Adequate measures must be in place to minimise the risk of unauthorised entry into the facility.

1.8. Where floor washing is required, washings must pass through drains and be piped to an approved apparatus for the treatment of sewage and liquid waste, in accordance with applicable health legislation and the requirements of the local government.

1.9. All external surfaces must be impervious and kept in good condition.

1.10. The facility must have sufficient ventilation to keep housing areas free of dampness, noxious odours and draughts, and to prevent accumulation of gases.

1.11. Where forced ventilation is used, there must be adequate air exchange rates.

1.12. The facility is to be located away from sources of excessive noise or pollution or draughts that could cause injury or stress to animals.

1.13. Adequate natural lighting or lighting that simulates a natural day/night cycle must be provided.

1.14. All cages and outdoor enclosures are to have adequate shelter, including roofing constructed of impervious material.

1.15. A mix of cages must be provided to enable individual housing where required, with cages or modules constructed of impervious, washable materials.

1.16. All cages, enclosures and drinking vessels must be maintained in a clean condition and cleaned and disinfected as often as necessary and when so directed by an authorised person.

2. Operations and maintenance

2.1 Enclosures are to be thoroughly cleaned each day and disinfected at least once a week, or more frequently as directed by an authorised person.

2.2 All refuse; faeces and food waste must be removed and disposed of daily in a manner acceptable to the local government.

2.3 Noise, odours, vermin, fleas, flies and other vectors of disease must be effectively controlled.

2.4 Suitable water for both cleaning and drinking must be available at all times.

2.5 The maximum number of cats kept at the premises must not exceed the number specified in the licence.

2.6 An entry register is to be kept recording, for each cat –

(a) the date of admission;

(b) the date of departure;

(c) breed, age (if known), colour and sex; and

(d) the name and residential address of the keeper.

2.7 The entry register must be made available for inspection on request by an authorised person.

2.8 The licensee or the person nominated in the application must continue to reside –

(a) at the premises; or

(b) in the opinion of the local government, sufficiently close to the premises so as to control the cats and ensure their health and welfare.

3. Additional conditions

3.1 The local government may impose any other condition that it considers necessary for the health and welfare of cats, the safety of persons, the protection of the environment, or the amenity of the area.

SCHEDULE 3 – CAT PROHIBITED PLACES

[clause 3.2(1)]

Cats are prohibited from the following areas within the district:

1. **Conservation lands managed by the State**

   All lands within the district that are reserved, vested or managed for conservation purposes under State legislation,

2. **Wildlife protection and fauna conservation areas**

   Any lands within the district that are formally designated as wildlife protection areas, fauna sanctuaries or equivalent conservation classifications under State legislation or by DBCA.

3. **Other areas designated by local government**

   Those lands that are Vacant Crown Land, State Forrest, Cemetery's, Picnic Sites. Camping Grounds, Showgrounds, and Public Recreation reserves.

SCHEDULE 4 – OFFENCES IN RESPECT OF WHICH A MODIFIED PENALTY APPLIES

[clause 5.3]

ITEM	CLAUSE	NATURE OF OFFENCE	MODIFIED PENALTY $
1	2.6(2)	Failing to comply with the conditions of an *application* for additional *cat*s	5,000
2	3.1(4)	Failure to comply with a notice to abate a cat nuisance	2,000
3	3.2(1) & (2)	Cat in a cat Prohibited Place	2,000
4	4.2	Operating a *Cat Management Facility* without a licence	5,000
5	4.7	Failing to comply with the conditions of a Cat Management Facility licence	2,000
6	Sch. 2, 2.1–2.3	Failure to maintain cleanliness, hygiene or vector control when directed	500
7	Any other provision	Any other offence under this local law not otherwise specified	500

AUTHORISATION

Under the powers conferred by the *Local Government Act 1995* and the *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Toodyay resolved on 5 March 2026 to make the following local law.

Dated this ..... day of 2026

The Common Seal of the)
Shire of Toodyay was)
affixed by authority of a)
resolution of the Council)
in the presence of)

Cr Michael McKeown Shire President	Aaron Bowman JP Chief Executive Officer
Date	Date