

**LOCAL GOVERNMENT ACT 1995
CAT ACT 2011
CEMETERIES ACT 1986**

SHIRE OF KENT

AMENDMENT LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995*, the *Cat Act 2011*, and *Cemeteries Act 1986* and all other powers enabling it, the Council of the Shire of Kent resolved on _____ to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Kent Amendment Local Law 2024*.

2. Commencement

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

3. Animals, Environment & Nuisance Local Law 2023 amended

The *Shire of Kent Animals, Environment and Nuisance Local Law 2023* published in the *Government Gazette* on 20 November 2023 is amended as follows –

- (a) in clause 4.7(2) delete the word “of” and replace with the word “or”;
- (b) in clause 9.2(1) –
 - (i) in subclause (b) insert the word “be” prior to the word “given”
 - (ii) in subclause (d) insert the word “specify” prior to the word “the”
 - (iii) in subclause (e) insert the word “specify” prior to the word “the”; and
- (c) delete Schedule 1 and replace with –

Schedule 1 – Prescribed offences

[clause 11.3]

Item	Clause	Nature of offence	Modified penalty \$
1	5.2	Failure to provide or maintain a refuse receptacle on a building or development site	500
2	5.3	Failure to control refuse on a building or development site	500
3	5.4	Release or escape of dust or liquid waste from land	500
4	5.5	Commencing works involving clearing of land without an approved Dust Management Plan	500
5	5.8(a)	Storing, or allow to remain on land, more than one vehicle, vessel or machinery in a state of disrepair	500
6	5.8(b)	Storing, or allow to remain on land, any vehicle, vessel or machinery in a state of disrepair for a period in excess of 1 month	500
7	5.8(c)	Storing, or allow to remain on land, any vehicle, vessel or machinery parts (including tyres)	500
8	5.8(d)(i)	Wreck, dismantle or break up any vehicle part or body, vessel or machinery not inside a building	500
9	5.8(d)(ii)	Wreck, dismantle or break up any vehicle part or body, vessel or machinery not behind a sufficient fence or wall	500

Item	Clause	Nature of offence	Modified penalty \$
10	5.8(e)	Wreck, dismantle or break up a vehicle, vessel or machinery so as to cause a nuisance	500
11	6.6	Burning of cleared vegetation or other material from a building or development site	500
12	11.3(1)	Other offence not elsewhere specified	250

4. Cemeteries Local Law 2023 amended

The *Shire of Kent Cemeteries Local Law 2023* published in the *Government Gazette* on 20 November 2023 is amended as follows –

- (a) in clause 1.5 in the definition of grave cover, after the word “covering” insert the word “of”;
- (b) in clause 3.1(2) delete the word "and" prior to the word “shall”; and
- (c) in clause 7.1(1) after the word “resolution” insert the word “of”.

5. Fencing Local Law 2023 amended

The *Shire of Kent Fencing Local Law 2023* published in the *Government Gazette* on 20 November 2023 is amended as follows –

- (a) in clause 2.2(3) delete the words “, the requirements shall be determined by an authorised person”;
- (b) in clause 3.7 delete the word “or”; and
- (c) in clause 6.1(2)(c) insert the word “provide” prior to the word “engineering”.

6. Public Places and Local Government Property Local Law 2023 amended

The *Shire of Kent Public Places and Local Government Property Local Law 2023* published in the *Government Gazette* on 20 November 2023 is amended as follows –

- (a) delete clause 4.8; and
- (b) in Schedule 1 delete Item 10.

Dated _____

The Common Seal of the Shire of Kent was affixed by authority of a resolution of Council in the presence of
–

Kate JOHNSTON, President

Christie SMITH, Chief Executive Officer