Livestock in Public Places And Wandering at Large Local Law

Local Government Act 1995

Council Adopted – 29 September 2015 CS80/9/15
Government Gazette – 23 October 2015 No 160.
Effective Date – 6 November 2015

Amendments

Council Adoption	Government Gazette	Effective Date

LOCAL GOVERNMENT ACT
1995

City of Armadale

LIVESTOCK IN PUBLIC PLACES AND WANDERING AT LARGE LOCAL LAW 2015

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Armadale resolved on the 29 September 2015to make the following local law

PART 1 – PRELIMINARY

1.1 Citation.
This local law may be cited as the *City of Armadale Local Law Relating to Livestock in Public Places and Wandering at Large 2015.*

1.2 Commencement
This local law will commence 14 days after the date of the 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 *Local Government Act 1995* as amended;
district means the district of the local government;
local government means the City of Armadale;
livestock means buffalo, horse, bull, oxen, steer, heifer, calf, ass, mule, deer, goat, ostrich, pig, sheep or South American camelid;
Owner means-
(1) a person who legally owns the livestock,
(2) a person in possession of the livestock,
(3) a person in control of the livestock,
(4) a person who ordinarily occupies the Land where the livestock is permitted to stay.
public place means any land or lands which are vested or within the management or control of the local authority which is accessed by the public: being facilities, reserves, road reserves, public accessways, public open space or other lands as designated or determined by Council;

Wander at large means entering public property without the consent of the local government or entering any other property without the consent of the property owner.

PART 2 – GENERAL

2.1 Livestock prohibitions
An owner shall not -
(a) allow any livestock which has a contagious or infectious disease, parasitic

infection to be in any public place at any time or to come from any quarantined premises, property or district without veterinary clearance;

(b) train or race any livestock in a thoroughfare or public place that has not been designated, vested or leased for that purpose;

(c) allow livestock to be tethered in any public place without written approval from the local government;

(d) allow livestock to be tethered or kept in any thoroughfare or accessway;

(e) allow livestock to be unsupervised in any public place; or

(f) cause or allow livestock to wander at large.

2.2 Exemptions;

(1) Droving of livestock is permitted under certain conditions:

(a) in accordance with the *Local Government (Miscellaneous Provisions) Act* 1960 as amended;

(b) in accordance with regulations 276 and 277 of the *Road Traffic Code 2000.*

(2) Grazing of livestock may be permitted where written approval has been granted by the local government to tether or fence livestock to graze certain public lands during daylight hours and will be subject to the following conditions;

(a) that the subject land is not a thoroughfare or accessway.

(b) that the subject land is not classified for conservation.

(c) subject livestock does not exceed the prescribed stocking limit.

(d) subject livestock is compatible with land subject of the application.

(e) a local government employee may withdraw or cancel an approval to graze or tether livestock in public places immediately and without notice.

(f) the grazing or tethering of livestock in public places may only occur during daylight hours, being between the hours of 0630 and 1730. The subject livestock shall be placed within the owners property boundary at all other times.

PART 3 - PENALTIES

3.1 Offences and General Penalty

Any person who contravenes this local law commits an offence and is liable, upon conviction, to a penalty not exceeding $200

3.2 Contravention leading to impound and recovery of charges, fees and costs.

(1) Contravention of this local law may result in offending livestock being impounded by the local government in accordance with the *Local Government (Miscellaneous Provisions) Act 1960.*

(2) The owner is responsible for charges, fees and other reasonable costs for the impounding, maintenance and sustenance of the livestock in accordance with poundage and sustenance fees prescribed by the *Local Government (Miscellaneous Provisions) Act 1960.*

Dated: 14 October 2015.

The Common Seal of the City of Armadale was affixed by the authority of a resolution of the Council in the presence of -

H A ZELONES JP – Mayor
R S TAME – Chief Executive Officer