

12 June 2024

Your Ref:  
Our Ref: PSK/SXP/10055-512066/2835083

By Email: [dcmb@sa.gov.au](mailto:dcmb@sa.gov.au)

The Chairperson  
Dog and Cat Management Board  
GPO Box 1047  
ADELAIDE SA 5001

Attention: Mr David Parkin

Dear Sir

**Corporation of the City of Adelaide – Draft Dogs By-law 2024 and Cats By-law 2024**

The Corporation of the City of Adelaide has caused to be prepared draft by-laws dealing with dogs and cats within its area.

We **enclose** draft By-law 7 of 2024, being the draft *Dogs By-law 2024* and draft By-law 8 of 2024, being the draft *Cats By-law 2024* and reports to the Board in respect of the by-laws.

We confirm the draft by-laws are provided to you at least 42 days before the Council resolves to make the by-laws and consequently at least 21 days before public notice of the proposed by-laws, in accordance with Section 90(5) of the *Dog and Cat Management Act 1995*.

The Council is preparing to commence public consultation of the draft by-laws starting on 4 July 2024. Whilst we acknowledge and respect the legislated timeframe of 21 days for receiving feedback, we kindly request that, if possible, you provide your feedback before 4 July 2024.

Receiving your input ahead of this date will significantly assist the Council in ensuring that it meets the scheduled timeframe for the public consultation process.

Please do not hesitate to contact the writer should you have any queries.

Yours faithfully  
Norman Waterhouse



**Paul Kelly**  
Principal  
Direct Line: +61 8 8210 1248  
Email: [pkelly@normans.com.au](mailto:pkelly@normans.com.au)

Enc

**Norman Waterhouse Lawyers Pty Ltd ACN 621 909 395**

Level 11, 431 King William Street, Adelaide SA 5000  
GPO Box 639, Adelaide SA 5001  
[www.normans.com.au](http://www.normans.com.au)

T +61 8 8210 1200

## CORPORATION OF THE CITY OF ADELAIDE

### DRAFT DOGS BY-LAW 2024

**Report to:** The Dog and Cat Management Board pursuant to Section 90(5) of the *Dog and Cat Management Act 1995*.

#### **Objectives**

The draft *Dogs By-law 2024* seeks to establish requirements for the management and control of dogs within the area of Corporation of the City of Adelaide (**the Council**) by imposing a limit on the number of dogs that can be kept on certain premises and by controlling and managing dogs on land owned by the Council or under the care, control and management of the Council.

#### **Clauses**

- Clause 1:** Creates a short title for the by-law namely the 'Dogs By-law 2024'.
- Clause 2:** Creates the commencement date for the by-law namely four months after the day on which it is published in the Gazette.
- Clause 3:** Defines certain terms for the purposes of the by-law.
- Clause 4:** Places a limit on the number of dogs that may be kept in premises and provides for exemptions from the limit.
- Clause 5:** Sets out exemptions where the limits on the number of dogs on premises will apply.
- Clause 6:** Enables the Council to create areas where dogs are prohibited.
- Clause 7:** Enables the Council to create areas where dogs must be on a leash at all times.
- Clause 8:** Enables the Council to create areas where dogs can enter and be exercised provided they remain under effective control as defined.
- Clause 9:** Directs that certain parts of the by-law shall apply in such portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.
- Clause 10:** Revokes the Council's previous Dogs By-law.

#### **Implementation and Enforcement**

The by-law will be policed by inspection, the issue of warnings, expiation notices and by prosecution if necessary. It is anticipated that complaints by members of the public will bring a breach of most parts of the by-law to the Council's attention.

#### **Comparison with other similar By-laws**

- The Council submits there is no difference in the draft by-law from other similar by-laws of other councils within South Australia.
- The restriction on the number of dogs kept at premises is made pursuant to Section 90(2)(a) of the *Dog and Cat Management Act 1995* and is consistent with the objects of that Act, namely to encourage responsible dog ownership, to reduce public environmental nuisance caused by dogs and to promote the effective management of dogs by the Council.

## CORPORATION OF THE CITY OF ADELAIDE

### DRAFT CATS BY-LAW 2024

**Report to:** The Dog and Cat Management Board pursuant to Section 90(5) of the *Dog and Cat Management Act 1995*.

#### **Objectives**

The draft *Cats By-law 2024* seeks to establish requirements for the management and control of cats within the area of Corporation of the City of Adelaide (**the Council**) by imposing a limit on the number of cats that can be kept on certain premises and by controlling and managing cats on land owned by the Council or under the care, control and management of the Council.

#### **Clauses**

- Clause 1:** Creates a short title for the by-law namely the 'Cats By-law 2024'.
- Clause 2:** Creates the commencement date for the by-law namely four months after the day on which it is published in the Gazette.
- Clause 3:** Defines certain terms for the purposes of the by-law.
- Clause 4:** Limits the number of cats over four months of age that may be kept on premises. Written permission is required to keep any cat on premises where the prescribed limit will be exceeded. This clause creates an exemption where the limit on cat numbers does not apply.
- Clause 5:** Enables Council to serve notice on an occupier of premises to ensure compliance with the by-law.
- Clause 6:** Revokes the Council's previous Cats By-law.

#### **Implementation and Enforcement**

The by-law will be policed by inspection, the issue of warnings, expiation notices and by prosecution if necessary. It is anticipated that complaints by members of the public will bring a breach of most parts of the by-law to the Council's attention.

#### **Comparison with other similar By-laws**

- The Council submits there is no difference in the draft by-law from other similar by-laws of other councils within South Australia.
- The restriction on the number of cats kept at premises is made pursuant to Section 90(2)(a) of the *Dog and Cat Management Act 1995* and is consistent with the objects of that Act, namely to encourage responsible cat ownership, to reduce public environmental nuisance caused by cats and to promote the effective management of cats by the Council.



Level 9  
81-95 Waymouth Street  
Adelaide SA 5000  
GPO Box 1047  
Adelaide SA 5001

Ph: 08 8124 4962  
ABN 48100971189  
[www.dogandcatboard.com.au](http://www.dogandcatboard.com.au)

25 June 2024

Paul Kelly  
Norman Waterhouse

E: PKelly@normans.com.au

Dear Paul,

**ADELAIDE CITY COUNCIL – DOGS BY-LAW NO. 7 OF 2024 AND CATS BY-LAW  
NO.8 OF 2024**

Thank you for the email dated 12 June 2024 enclosing relevant information for Adelaide City Council's draft by-laws for dogs and cats.

The Dog and Cat Management Board (the Board) has delegated its power under section 90(5) of the *Dog and Cat Management 1995 Act* (the Act) to make recommendations on draft by-laws to the Manager, Dog and Cat Management.

Having reviewed the draft by-laws, I am satisfied they are broadly consistent with those of other councils with similar by-laws, and have no recommendations to make.

Yours sincerely,

A handwritten signature in blue ink that reads 'A Gee'.

Ann Gee  
**Manager**  
**Dog and Cat Management**