

**LOCAL GOVERNMENT ACT 1995**

SHIRE OF BEVERLEY

**ANIMALS, NUISANCE AND ENVIRONMENT LOCAL LAW 2023**

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# LOCAL GOVERNMENT ACT 1995

## SHIRE OF BEVERLEY

### ANIMALS, NUISANCE AND ENVIRONMENT LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Beverley resolved on (Insert DATE) to make the following local law.

#### PART 1—PRELIMINARY

##### 1.1 Citation

This is the *Shire of Beverley Animals, Nuisance and Environment Local Law 2023*.

##### 1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the *Government Gazette*.

##### 1.3 Application

This local law applies throughout the district.

##### 1.4 Interpretation

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

**approved** means approved by the local government;

**Authorised Officer** means a person appointed under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an Authorised Officer under this local law;

**aviary bird** means any bird, other than poultry or pigeons, kept or usually kept in an aviary or cage;

**bee** means an insect belonging to any of the various *hymenopterous* insects of the super family *Apoidea* and commonly known as bee;

**beehive** means a movable or fixed structure, container or object which contains a bee nest containing an independent colony of bees and in which bees are kept;

**beekeeper** has the meaning in regulation 3 of the *Biosecurity and Agriculture Management Regulations 2013*;

**Building Code** means the latest edition of the Building Code of Australia published by, or on behalf of, the Australian Building Codes Board, as amended from time to time, but not including explanatory information published with that Code;

**building permit** means a permit granted under section 20 of the *Building Act 2011*;

**building site** means a lot for which a building permit is current, but does not include a lot on which there exists a commercial, industrial or residential building and the current building permit is issued in respect only of a pergola, patio, shed or other Class 10 building as classified by the Building Code;

**CEO** means the Chief Executive Officer of the local government;

**cow** includes an ox, calf or bull;

**density code** means a number equal to the number of dwellings per hectare of land, as described in State Planning Policy 7.3 Residential Design Codes (volume 1), that is applied to land under a local planning scheme;

**development** has the meaning in the *Planning and Development Act 2005*;

**development site** means—

- (a) a lot or lots for which there is a current development or subdivision approval; and
- (b) a lot or lots on which construction work, earthworks, clearing of scrub, trees or overgrowth or any other site works are taking or have taken place, whether or not the works are subject to a development or subdivision approval;

**district** means the district of the local government;

**dust** means any visible granular or particulate material which has or has the potential to become airborne and includes organic and non-organic matter and sand, but does not include smoke;

**dwelling house** means a place of residence containing at least one sleeping room and includes a room or outbuilding separate from, but ancillary to, the building in which the sleeping room is located;

**food business** has the meaning in the *Food Act 2008*;

**hive** means a moveable or fixed structure, container or object in which a colony of bees is kept;

**horse** includes an ass, mule, donkey or pony;

**land** includes a building or structure on the land;

**large animal** includes an alpaca, cow, horse, sheep, goat, deer, camel, llama, emu, ostrich, kangaroo, pig or other large animal;

**liquid waste** means waste from any process or activity, whether useful or useless, that is in liquid form and includes paint, fuel, grease, fat, oil, degreaser solvent, detergent, chemical, animal waste, food waste, effluent and all discharges of liquid to land, air or water that are not otherwise authorised by a written law but does not include uncontaminated stormwater;

**local government** means the Shire of Beverley;

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

**lot** has the meaning in the *Planning and Development Act 2005*;

**mosquitoes** means any of the two-winged insects constituting the family Diptera Culicidae commonly known as mosquitoes.

(2) **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;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land;
- (c) interference which causes material damage to land or other property on the land affected by the interference; or
- (d) an activity or condition which is deemed a nuisance in the opinion of an Authorised Officer under the provisions of the Act;

**occupier** has the meaning in the *Local Government Act 1995*, but does not include the local government;

**owner** has the meaning in the *Local Government Act 1995*;

**pigeon** means birds that are classified within the family Columbidae and includes doves;

**poultry** includes fowls, peafowls, turkeys, geese, ducks, chickens, bantams and other domestic fowl;

**refuse** includes bricks, lime, cement, concrete, rubble, stones, iron, timber, tiles, bags, plastics, ashes, vegetation, wood or metal shavings, sawdust, and waste food, and includes any broken, used, derelict or discarded matter whatsoever, whether of the same type as or a different type from, those mentioned here;

**refuse bin(s)** means a container for holding or facilitating the removal of refuse;

**Regulations** means the *Local Government (Functions and General) Regulations 1996*;

**residential zone** means an area zoned "Residential" under a local planning scheme;

**rural zone** means an area zoned "Rural" under a local planning scheme;

**rural residential zone** means an area zoned "Rural Residential" under a local planning scheme;

**Schedule** means a schedule to this local law;

**stormwater**, in relation to a site, means naturally occurring water that results from rainfall on or around the site, or water flowing onto the site;

**street** means any highway, thoroughfare or land used for vehicular or pedestrian traffic, and includes all the land lying between property lines, including the verge and path;

**subdivision approval** means a subdivision approval under the *Planning and Development Act 2005*;

**townsite** means the following townsites constituted under section 26(2) of the *Land Administration Act 1997*, or referred to in clause 37 of the Schedule 9.3 of the *Local Government Act 1995*—

(a) Beverley;

(b) Kokeby; and

(c) Mawson.

- (3) A term that is used in this local law and is not defined in subclause (1) has the meaning in the *Local Government Act 1995*.
- (4) Where in this local law, a duty or liability is imposed on an "owner or occupier" the duty or liability is taken to be imposed jointly and severally on each of the owner or occupier.
- (5) Where under this local law in relation to any premises an act is required to be done or is prohibited, the owner or occupier of the premises has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the prohibited act, as the case may be.
- (6) This local law is subject to sections 3.25, 3.27 and Schedules 3.1 and 3.2 of the *Local Government Act 1995* and any powers of entry exercised by this local government under this local law is subject to Part 3, Division 3, Subdivision 3 of the *Local Government Act 1995*.

## PART 2—KEEPING ANIMALS

### *Division 1—General*

#### **2.1 Cleanliness**

The owner or occupier of premises where an animal or bird is kept shall—

- (a) keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rodents or other vermin and vectors of disease;
- (b) when so directed by an Authorised Officer, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free from flies or other vermin and vectors of disease by spraying with a residual insecticide or other effective means.

## *Division 2—Keeping Large Animals*

### **2.2 Large animals**

- (1) A person shall not keep a large animal on any land unless the land—
  - (a) is in a rural zone or rural residential zone and the animal is kept in accordance with the provisions of any local planning scheme applicable to that zone; or
  - (b) is zoned residential with a density code of R2, R2.5 R5 under a local planning scheme and the animal is kept in accordance with the provisions of any local planning scheme applicable to that zone.
- (2) An owner or occupier of premises shall not permit a large animal to approach or remain within 15 metres of a dwelling house.

## *Division 3—Keeping Poultry, Pigeons and Aviary Birds*

### **2.3 Keeping poultry, pigeons or aviary birds in a residential zone**

- (1) An owner or occupier of premises within a townsite shall not keep a combined total of more than 12 poultry and 12 pigeons on any one lot of land, unless approved by an Authorised Officer.
- (2) An owner or occupier of premises within a townsite shall not keep more than 24 aviary birds on any one lot of land, unless otherwise approved by an Authorised Officer.
- (3) An Authorised Officer may issue a written notice to the owner or occupier of land, whether in a townsite or not, where poultry, pigeons or aviary birds are kept for the number of poultry, pigeons or aviary birds to be reduced to ensure that a health nuisance does not exist.
- (4) An Authorised Officer may increase the number of poultry, pigeons or aviary birds kept on any one lot of land if satisfied that a health nuisance does not exist.
- (5) An owner or occupier shall not keep pigeons, poultry or aviary birds so as to create a nuisance.
- (6) An Authorised Officer may apply relevant conditions, or require a reduction of the approved number of poultry, pigeons, or aviary birds on any premises within the district, or alternatively prohibit the keeping of poultry, pigeons, or aviary birds on a particular premises, if the conditions of this Division are not complied with or if unreasonable noise or a nuisance is being caused.
- (7) An owner or occupier shall comply with a direction of an Authorised Officer under this clause.
- (8) Subclause (a & b) does not apply to premises used for veterinary purposes or as a pet shop.

### **2.4 Conditions for keeping poultry**

- (1) A person who keeps poultry or permits poultry to be kept shall ensure that:-
  - (a) All poultry is kept in a properly constructed and securely fastened structure or enclosure; and
  - (b) No poultry is able to approach within 6 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, an Authorised Officer has approved a lesser distance.
- (2) A person who keeps poultry or permits poultry to be kept shall ensure no poultry is able to encroach within 9 metres of a dwelling house, public building, or premises where people are employed or premises where food is stored, prepared manufactured or sold.

## **2.5 Rooster, geese, turkeys, peafowl and gamebirds**

- (1) Except in the rural zone, rural residential zone and on lots zoned residential with a density code of R2, R2.5 and R5 under a local planning scheme, an owner or occupier of premises shall not keep or permit to be kept on the premises, any one or more of the following birds without the written approval of the local government
  - 2.5.1 a rooster;
  - 2.5.2 a goose or gander;
  - 2.5.3 a turkey;
  - 2.5.4 a peacock or peahen; and
  - 2.5.5 a gamebird (includes emu and ostriches).
- (2) An Authorised Officer may, upon written application, grant approval with or without conditions to the owner or occupier of premises to keep on the premises a specified number of birds under this clause.
- (3) An Authorised Officer may rescind approval for the keeping of birds under this clause if they cause a nuisance.

## **2.6 Conditions for keeping pigeons**

A person who keeps, or permits, pigeons to be kept shall ensure that—

- (a) Except where homing pigeons are freed for exercise, the pigeons are kept in a properly constructed pigeon loft that is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (b) None is able to approach within 9 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
- (c) No opening to a pigeon loft, including openings for ventilation, is within 9 metres of a dwelling, public building, premises where people are employed or where food is stored, prepared, manufactured or sold.

## **2.7 Conditions for keeping aviary birds**

A person who keeps, or permits to be kept, aviary birds on any premises, shall ensure that the aviary or cage in which the birds are kept is located at least 1 metre from any lot boundary and at least 9 metres from a dwelling house on any other lot.

## **2.8 Exemptions**

- (1) An owner or occupier of premises may apply in writing to the local government for an exemption from any of the requirements of clauses 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7.
- (2) An application for an exemption shall be accompanied by any relevant fees determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.
- (3) The application for an exemption shall include—
  - (a) a statement outlining the reasons why an exemption is sought;
  - (b) the number of birds proposed to be kept;
  - (c) a site plan showing lot size, location of enclosure, and the distance of the enclosure from any boundaries and buildings on adjoining lots; and
  - (d) proof of membership of a poultry or pigeon club (if applicable).
- (4) The CEO or Authorised Officer may give notice of the application to any owner or occupier of adjoining properties who, in the opinion of the CEO or Authorised Officer, are likely to be affected by the granting of the exemption, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to

the person.

- (5) In considering an application for exemption under this clause, the CEO or Authorised Officer is to have regard to the following matters to the extent that, in the opinion of the CEO or Authorised Officer, those matters are relevant to the application—
  - (a) any likely adverse impact of the proposed exemption on the environment or amenity of the neighbourhood;
  - (b) any likely adverse impact of the proposed exemption on any owners or occupier of adjoining premises;
  - (c) any social or educational benefits which may be derived by any person in the district if the application for an exemption is approved;
  - (d) the structural suitability of any enclosure in which any animal is to be kept;
  - (e) any written submissions received within the time specified in subclause (4) on the proposal;
  - (f) whether or not the imposition of and compliance with appropriate conditions of an exemption will mitigate any adverse effects of the approved exemption identified in the preceding paragraphs; and
  - (g) any other matter that the CEO or Authorised Officer considers to be relevant in the circumstances of the application.
- (6) The CEO or an Authorised Officer may, in respect of an application for an exemption—
  - (a) grant the exemption, unconditionally or subject to any conditions that the CEO or Authorised Officer considers appropriate; or
  - (b) refuse the application.
- (7) An exemption granted under this clause is to specify—
  - (a) the owner or occupier to whom the exemption applies;
  - (b) the premises to which the exemption applies;
  - (c) the maximum number of animals or birds which may be kept on the premises; and
  - (d) any terms and conditions under which the animals or birds shall be kept.
- (8) If an exemption is granted subject to conditions, the holder of the exemption shall comply with those conditions.
- (9) If an application for exemption is refused, the CEO or an Authorised Officer shall give written notice of its decision to the applicant.
- (10) The CEO or an Authorised Officer may, at any time, cancel an exemption granted under this clause if—
  - (a) the holder of the exemption has not complied with a condition of the exemption;
  - (b) the holder of the exemption has not complied with a provision of any written law which relates to the exemption; or
  - (c) a law is amended or repealed in a manner which is inconsistent with the terms and conditions of the exemption and which renders the exemption invalid, ineffective or contrary to law.
- (11) If the CEO or an Authorised Officer cancels an exemption, the exemption holder shall be given written notice of the decision and the date of effect of the cancellation.

## **PART 3—PEST AND BEE MANAGEMENT**

### *Division 1—General*

#### **3.1 Premises to be kept free of mosquito breeding matter**

An owner or occupier of premises shall keep the premises free of water that is, or is liable to become, the breeding place of mosquitoes as outlined in the provisions of the *Shire of*



### **3.2 Measures to be taken to eradicate rodents**

- (1) If there are indications of the presence of rodents in, on or about premises, and while the indications continue, the owner or occupier of the premises shall take effective measures to keep the premises free from rodents including—
  - (a) protecting food stuffs;
  - (b) using a rodenticide bait or a properly baited trap; and
  - (c) preventing rodents having access to water on the premises.
- (2) An Authorised Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action, in the opinion of the Authorised Officer, is necessary to prevent the presence of rodents in or on the premises.

### *Division 2—Bee Keeping*

### **3.3 Conditions for keeping bees**

- (1) A person shall not keep or permit the keeping of bees in more than 2 beehives on any land anywhere in the district unless approval to do so has been given by an Authorised Officer.
- (2) An Authorised Officer may, upon written application, consent, with or without conditions, to a person keeping bees in more than 2 hives on a lot.
- (3) A person shall comply with any conditions imposed by an Authorised Officer under subclause (2).
- (4) If the local government grants the application, it is to issue to the approved person an approval in the form determined by the CEO.
- (5) If the local government refuses to grant the application, it shall advise the applicant in writing of its decision.
- (6) Notwithstanding subclauses (1) and (2), a person shall not keep, or permit to be kept, bees in beehives on any lot unless at all times—
  - (a) an adequate and permanent supply of water in a receptacle is provided on the lot within 3 metres of the beehive;
  - (b) no more than 2 hives are kept on land of less than 2,000 square metres unless otherwise approved;
  - (c) the beehive is kept not closer than 10 metres from a footpath, street or public place and not closer than 5 metres from the boundary of the lot;
  - (d) the beehive is kept not closer than 10 metres from, a dwelling house on any other lot; and
  - (e) the person is registered as a beekeeper if required by the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

### **3.4 Bees which cause a nuisance not to be kept**

- (1) A person shall not keep, or permit the keeping of, bees which cause a nuisance.
- (2) An Authorised Officer may direct any person to remove any bees or beehives which in the opinion of the Authorised Officer are causing a nuisance.

## PART 4—BUILDING, DEVELOPMENT AND LAND CARE

### *Division 1—Litter and Refuse on Building Sites*

#### 4.1 Interpretation

In this Division, unless the context otherwise requires—

**occupier**, in respect of a building or development site, includes a person who is in control of all or part of the site, or who is authorised by the owner, lessee, licensee or other person empowered to exercise control in relation to the site to perform any work in relation to the site and, for the avoidance of doubt, includes a builder or contractor.

#### 4.2 Control of refuse

- (1) The owner or occupier of a building or development site shall at all times provide and maintain available for use on the site adequate refuse bins, to the satisfaction of an Authorised Officer, of such design as will contain any refuse likely to be produced on the site.
- (2) From the time of commencement of works on a building site until the time of completion of the works, the owner or occupier of the site must—
  - (a) ensure all refuse on the site is placed and contained in a bin and prevented from being blown from the site by wind;
  - (b) keep the site as free as is reasonably practicable from any refuse;
  - (c) maintain the street verge, and any other reserve, immediately adjacent to the site free of refuse from the site, unless otherwise approved by the local government; and
  - (d) ensure the refuse bin(s) is emptied when full.

### *Division 2—Prevention of Dust and Liquid Waste*

#### 4.3 Prohibited activities

- (1) An owner or occupier of land shall take all reasonable steps to—
  - (a) stabilise dust on the land;
  - (b) contain all liquid waste on the land; and
  - (c) ensure no dust or liquid waste is released or escapes from the land, whether by means of wind, water or any other cause.
- (2) Where the local government is satisfied that—
  - (a) an owner or occupier of land has not complied with paragraph (a) or (b) of subclause (1); or
  - (b) dust or liquid waste has been released or escaped from the land, the local government may serve on the owner or occupier of the land a notice requiring the owner or occupier to do one or more of the following—
    - (c) comply with paragraph (a) or (b) of subclause (1);
    - (d) clean up and properly dispose of any released or escaped dust or liquid waste;
    - (e) clean up and make good any damage resulting from the released or escaped dust or liquid waste; and
    - (f) take reasonable steps to stop any further release or escape of dust or liquid waste.
- (3) The requirements set out in a notice served under subclause (2) shall be complied with—
  - (a) within 48 hours of service of the notice where no other time is specified;
  - (b) within such other period as is specified in the notice; or
  - (c) immediately, if the notice so specifies.
- (4) Where the local government is satisfied that dust or liquid waste has escaped or has been released from an activity undertaken on land or as a consequence of the use of

equipment on land, the local government may serve a notice on the owner or occupier of the land or the operator of the equipment, as the case may be, requiring that the activity or use of the equipment on the land be ceased immediately, for such period as is specified in such notice, which shall not exceed 28 days.

- (5) In subclause (4)—  
**equipment** includes machinery or vehicles.

#### *Division 3—Stormwater and Wastewater Disposal*

#### **4.4 Containment of stormwater**

- (1) Subject to subclause (2), the owner or occupier of a lot shall take all reasonable steps to ensure that all stormwater received by any building, house, other structure or any paved or sealed or other surfaced areas including any vehicle access ways on the lot is contained within the lot and is not permitted to discharge onto or run-off onto adjacent land.
- (2) Subclause (1) does not prevent the discharge of stormwater from a lot into a local government approved stormwater drain.
- (3) The owner or occupier of a lot shall ensure that all stormwater drainage systems on the lot are maintained in a good state of repair and free from obstruction.

### **PART 5—ENFORCEMENT**

#### *Division 1—Infringement Notices*

#### **5.1 Form of infringement notices**

- (1) The form of the infringement notice referred to in section 9.16 of the *Local Government Act 1995* is that of Form 2 in Schedule 1 of the Regulations; and
- (2) The form of the infringement withdrawal given under section 9.20 of the *Local Government Act 1995* is that of Form 3 in Schedule 1 of the Regulations.

#### *Division 2—Undertaking of Work Required by Notice*

#### **5.2 When local government may undertake work required by notice**

- (1) This clause applies only in respect of a notice issued under subclauses 4.3(2) of this local law.
- (2) Where a person fails to comply with a notice referred to in subclause (1) the local government may, subject to compliance with the requirements of subdivision 3 of Division 3 of Part 3 of the *Local Government Act 1995*, do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given.
- (3) The local government may recover the cost of anything it does under subclause (2) as a debt due from the person who failed to comply with the notice.

### **PART 6—OFFENCES, PENALTIES AND FEES**

#### *Division 1—General*

#### **6.1 Offences**

- (1) A person who—
  - (a) fails to do anything required or directed to be done under this local law;

- (b) fails to comply with a notice issued to the person under this local law; or
  - (c) does an act or omits to do an act contrary to this local law, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction—
- (a) to a penalty not exceeding \$5,000; and
  - (b) if the offence is a continuing offence, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued

## **6.2 Prescribed offences**

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- (2) The amount appearing in the final column of Schedule 1 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

## **6.3 Fees**

If a fee is prescribed by this local law, that fee is to be pro rata, calculated on a monthly basis for any period to 30 June each year.

# **PART 7—OBJECTION AND APPEAL**

## **7.1 Objection and appeal rights**

When the local government makes a decision under this local law as to whether it will—

- (a) grant a person an approval or exemption;
- (b) vary or cancel an approval or exemption; or
- (c) give a person a notice,

the provisions of Division 1 of Part 9 of the *Local Government Act 1995* and regulation 33 of the Regulations shall apply to that decision.

## SCHEDULE 1—PRESCRIBED OFFENCES

[Clause 6.2]

Item No.	Clause No.	Nature of Offence	Modified Penalty
1	2.1 (a)	Failure to keep premises free from matter likely to be offensive or injurious to health or attracts rodents	\$250
2	2.1 (b)	Failure to clean and disinfect premises when directed by an authorised officer	\$250
3	2.2 (1)	Keep large animal on land outside of rural zoned land, rural residential zoned land or land zoned residential with a density code of R2, 2.5, R5	\$250
4	2.2 (2)	Failure to keep large animals 15 metres from a dwelling	\$250
5	2.3 (1)	Keep or permit to be kept on the premises more than 12 poultry and/or 12 pigeons	\$250
6	2.3 (2)	Keep or permit to be kept on the premises more than 24 aviary birds	\$250
7	2.3 (3)	Failure to comply with written notice issued.	\$250
8	2.4 (1a)	Fail to keep poultry in a properly constructed poultry coop, except where poultry are freed for exercise.	\$250
9	2.4 (1b)	Poultry kept within 6 metres of a street, public building or right of way.	\$250
10	2.4 (b)	Poultry kept less than 9 metres from an opening to a dwelling house on any other lot, public building or commercial food premises.	\$250
11	2.5 (1)	Keeping a rooster, goose or gander, turkey, peacock, peahen, or gamebird on premise	\$250
12	2.6 (a)	Failure to keep pigeons in a properly constructed pigeon loft, except when pigeons are freed for exercise and have unobstructed area.	\$250
13	2.6 (b)	Pigeons enclosure not within 9 metres of a street, public building, commercial premises or food business.	\$250
14	2.6 (c)	Opening to a pigeon loft, including an opening for ventilation, is within 9 metres of a street, public building, commercial premises or food business	\$250
15	2.7	Failure to keep aviary or cage in which birds are kept located at least 1 metre from any lot boundary and at least 9 metres from a dwelling house on any other lot	\$250
16	2.8 (8)	Failure to comply or cause compliance with conditions of exemption	\$250
17	3.1	Fail to keep premises free of water that is, or is liable to become, the breeding place of mosquitoes	\$250
18	3.2	Fail to take effective measures to keep the premises free from rodents	\$250
19	3.3 (1)	Keep or permit to be kept, bees in more than 2 beehives on land without written approval from the local government	\$250
20	3.3 (4)	Fail to comply with conditions of written approval to keep bees	\$250
21	3.3 (6) (a)	When keeping bees in beehives failing to provide adequate and permanent supply of water in a receptacle within 3 metres of the beehive	\$250
22	3.3 (6) (b)	Beehive kept less than 10 metres from any footpath, street, street or public place and not closer than 5 metres from any lot boundary	\$250
23	3.3 (6) (c)	Beehive is kept closer than 10 metres from any dwelling house on any other lot	\$250
24	3.4	Bees kept or permitted to be kept causing a nuisance	\$250
25	4.2(1)	Failure to provide or maintain adequate refuse bins on a building or development site	\$250

26	4.2(2)(a)	Failure to place and contain all refuse on a building or development site in a bin(s) and prevent refuse blowing off site	\$250
27	4.2(2)(b)	Failure to keep the building or development site as free as is reasonably practicable from any refuse	\$250
28	4.2(2)(c)	Failure to maintain the street verge and any other reserve immediately adjacent to the site free of refuse from the site	\$250
29	4.2(2)(d)	Failure to ensure a bin(s) on a building or development site is emptied when full	\$250
30	4.3(1)	Release or escape of dust or liquid waste from land	\$250
31	4.4(1)	Failure to ensure that all rainwater or storm water received by a lot and any building, house or structure on the lot, is contained	\$250
32	4.4 (3)	Failure to ensure that all stormwater drainage systems on the lot are maintained in a good state of repair and free from obstruction	\$250

Dated this (Insert Date)

The Common Seal of the Shire of Beverley was affixed by authority of a resolution of the Council in the presence of—

Shire President

Chief Executive Officer