

Animal Management – Local Law (Amending) Local Law No. 6 (Animal Management 2019 and Subordinate Local Law (Amending) Subordinate Local Law No. 6.1 (Animal Management) 2019

Local Law No. 6 (Animal Management) 2013 and Subordinate Local Law No. 6.1 (Animal Management) 2013

This documents relates to Council's current *Local Law No. 6 (Animal Management) 2013* and *Subordinate Local Law No. 6.1 (Animal Management) 2013* whose objective is to regulate the keeping of animals:

- a) to protect the community against risk of injury and damage; and
- b) to ensure that animals do not create a nuisance or a risk to human health or safety; and
- c) to prevent environmental harm and environmental nuisance resulting from the keeping of animals and to protect the amenity of the local environment; and
- d) to ensure that animals are kept and used in a way that is consistent with the rights, expectations and enjoyment of the local community.

Have your say

Council has reviewed the existing laws and is seeking your feedback on the proposed amendments.

The consultation period will be from 6.00 am on Wednesday 17 July to 6.00 am on Wednesday 7 August.

To have your say a written submission must be received supporting or objecting to the proposed local laws on or before the last day of the consultation period stating:

- your personal details
- The grounds for your submission (if you support/object to the proposed amendments)
- The facts and circumstances relied on in support of the grounds (the reasons why you support/object the proposed amendments)

The submission can be made by visiting ipswich.qld.gov.au/locallawreview and

- electronically using the 'Have Your Say' link which will be available from 6.00 am on Wednesday 17 July to 6.00 am on Wednesday 7 August
- or completing the form provided and
 - delivering to council's Administration Building at 45 Roderick Street, Ipswich during office hours
 - send to council at PO Box 191, Ipswich QLD 4305

All submissions must be formally received at Council no later than 6.00 am on Wednesday 7 August.

To review a copy of *Local Law No. 6 (Animal Management) 2013* and *Subordinate Local Law No. 6.1 (Animal Management) 2013* and the amending laws please visit ipswich.qld.gov.au/locallawreview or collect a copy from council's Administration Building at 45 Roderick Street, Ipswich during office hours.

Note: you will need to read the amending laws in conjunction with the existing laws.

Local law review

The local law review has resulted in the preparation of *Local Law (Amending) Local Law No. 6 (Animal Management) 2019* and *Subordinate Local Law (Amending) Subordinate Local Law No. 6.1 (Animal Management) 2019*. It is noted that there have been anti-competitive provisions identified in the amended subordinate local law and as such a public interest test will be conducted as part of the public consultation process.

A review has been conducted and drafting undertaken to:

- a. correct typographical errors and inconsistencies; and an improved layout and formatting to the law to assist with greater readability, especially when following seizure, impoundment, declaration and destruction processes;

- b. clearer requirements of owners responsibilities to have dogs under effective control in dog off-leash areas to ensure a dog is not engaging in any behavior which could reasonably harass, cause damage or other injury to another person or animal in the off-leash area. Council receives many complaints about dog behavior in these areas where the owner may not have effective control of their dog including having the dog under their supervision at all times to control the dog;
- c. inclusion of a civil remedy clause (new S32A in the local law) if a sale or disposal of an animal under section 32 does not realise a sufficient amount to pay any prescribed fee owing to the Council in relation to the animal, the Council may recover the shortfall as a debt.
- d. Other key changes in the subordinate local law as described in the table below:

Related Section	What is changing?	Why is it changing?	Enforcement expectations
Amendment of Section 11 (Dogs prohibited in certain public places)	<p>Inclusion of the following areas where dogs are prohibited:</p> <ul style="list-style-type: none"> ▪ Flinders – Goolman Conservation Estate; ▪ White Rock – Spring Mountain Conservation Estate; ▪ Mt Grandchester Conservation Estate; ▪ Purga Nature Reserve; ▪ Kholo Enviroplan Reserve; ▪ Sapling Pocket; ▪ Stirling Road Reserve; and ▪ Kholo Gardens. 	<p>Conservation estates and reserves are managed for the preservation of their unique natural environmental values (e.g. habitat for koalas). They contain vegetated areas which provide habitat for a wide variety of the City’s biodiversity. The main reasons dogs are to be prohibited from these areas are:</p> <ul style="list-style-type: none"> ▪ Barking and scents left by dogs can scare wildlife and attract other predatory animals. ▪ The smell and sight of dogs may be enough to disturb wildlife, cause stress and even in some cases causing young to be abandoned. ▪ Native animals are vulnerable to diseases, viruses and parasites that dogs may carry on them and in their fecal matter. ▪ Their presence can limit Councils ability to undertake pest animal control, particularly on wild dogs. ▪ Even the most docile dogs are predatory animals and are therefore a threat to protected wildlife. They may escape, chase after wildlife and not return. <p>There are a range of places and spaces that dogs can be taken whilst under effective control and Council has a large number of off leash areas available as well.</p>	<p>Council currently undertakes patrols in conservation estates and these will continue.</p>

Related Section	What is changing?	Why is it changing?	Enforcement expectations
<p>Change to minimum standards for animal keeping (Schedule 5, item 1)</p>	<p>Current laws state that:</p> <p>Animal noise is considered excessive:</p> <p>1. If:</p> <p>(i) it is made or can be heard within a residential area for more than a total of 6 minutes whether continually or intermittently in any hour from 7 a.m. to 10 p.m. on any day; and</p> <p>(ii) in the opinion of an authorised person it unreasonably disrupts or inhibits an activity ordinarily carried out on residential premises; or</p> <p>2. If:</p> <p>(i) it is made or can be heard in a residential area for more than a total of 3 minutes whether continually or intermittently in any 30 minute period on any day after 10 p.m. but before 7 a.m.; and</p> <p>(ii) in the opinion of an authorised person it unreasonably disrupts or inhibits an activity ordinarily carried out on residential premises.</p> <p>The proposed laws state that:</p> <p>Animal noise is a nuisance if it:</p> <p>a) is made by a domestic animal; and</p> <p>b) occurs more than once; and</p> <p>c) in the opinion of an authorised officer unreasonably disrupts or inhibits an activity ordinarily carried out on a residential premises.</p> <p>Example for paragraph (c) – The barking of a dog, which disrupts a person –</p> <p>a) holding a conversation; or</p> <p>b) watching television; or</p> <p>c) listening to a radio or recorded material; or</p> <p>d) sleeping.</p>	<p>Current laws make it difficult to for an effective resolution to be reached for both the complainant and animal owner. Investigations on impact to quality of life for complainants and for the owner to understand motivations for the animal to make excessive noise will drive a better outcome for all involved. Animal noise is subjective in that what may be a nuisance for one person may not be for the next. The proposed drafting is similar to other Councils across SEQ as most are moving away from prescriptive minutes in an hour type monitoring.</p>	<p>No changes to current enforcement processes – on complaint.</p>