

Ipswich

City Council

*Subordinate Local Law No. 6.1
(Animal Management) 2013*

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No 6.1 (Animal Management) 2013*.

2 Authorising local law

This subordinate local law is made under *Local Law No. 6 (Animal Management) 2013*.

3 Object

The object of this subordinate local law is to further the objects of Local Law No. 6 (Animal Management) 2013 by specifying details that are required to implement *Local Law No. 6 (Animal Management) 2013*.

4 Definitions — the dictionary

The dictionary in Schedule 1 (Dictionary) of this subordinate local law defines particular words used in this subordinate local law.

Part 2 Permit regulated activities

5 Requirement for a permit

(1) For the purposes of section 5 (1) (Requirements for a permit) of the authorising law the keeping of the species or breed of animals specified in column 1 of schedule 2 is a permit regulated activity in the circumstances prescribed in column 2 of schedule 2.

(2) For the purposes of section 5(2) (Requirements for a permit) of the authorising law a permit is not required for the permit regulated activities prescribed in column 1 of schedule 3 in the circumstances prescribed in column 2 of schedule 3

6 Information and material required for permit application

For the purposes of section 6(1)(c)(iv) (Application for a permit) of *Local Law No. 4 (Permits) 2013* an application for a permit to undertake a permit regulated activity specified in column 1 of schedule 4 (unless otherwise required by the local government) must be accompanied by the information, material and documents prescribed in column 2 of schedule 4.

7 Conditions of permit

For the purposes of section 9(3) (Conditions of licence) of *Local Law No. 4 (Permits) 2013*, the conditions set out in column 3 of schedule 4 which relate to the activities specified in column 1 of schedule 4 will apply to any permit granted by the local government unless otherwise specified in the permit document.

Part 3 Keeping of animals

8 Minimum Standards

- (1) For the purposes of section 8 (Minimum standards) of the authorising law schedule 5 prescribes the minimum standards applicable to the activity of animal keeping.
- (2) The minimum standards referred to in section 8(1) do not apply if a standard or requirement is imposed in relation to animal keeping under the Planning Scheme or by virtue of a planning approval which is different from the standards in schedule 5 of this subordinate local law, in which case the planning scheme or planning approval requirements will apply.

9 Prohibited Animals

For the purposes of section 9 (Prohibited animals) of the authorising law the keeping of an animal prescribed in column 1 of schedule 6 is prohibited in the circumstances prescribed in column 2 of schedule 6.

10 Identification for cats and dogs

- (1) For purposes of section 7 (Identification of registered cats and dogs) of the authorising local law, the identification required for a cat or dog that is at a place other than the address stated in the registration notice for the cat or dog is an identification tag issued by the local government or its appointed agent:
 - (a) stating the registration number of the animal;
 - (b) indicating the identification tag has been issued by the local government; and
 - (c) containing such other information as the local government resolves is appropriate.
- (2) The identification tag must be attached to a collar worn by the dog or cat.

10A Animal Registration

For the purposes of section 6 (Requirement to register and identify) of the authorising law the registration of an animal prescribed in column 1 of schedule 8 will apply with the obligations and conditions of registration prescribed in column 2 of schedule 8 and exemptions of registration in column 3 of schedule 8.

Part 4 Control of animals

11 Dogs prohibited in certain public places

- (1) For the purposes of section 11 (Exclusion of animals from public places) of the authorising local law, dogs are prohibited in the following public places –
- (a) the area within a 2 metre radius of the entrance to, any shop, office, or other professional or commercial establishment (other than the premises of a pet shop or veterinary establishment) while the shop, office, or other professional or commercial establishment is open for business and so as to be a hindrance, nuisance or annoyance to any person except for if dog is travelling past while under effective control;
 - (b) the area within a 15 metre radius of any apparatus provided or intended for children to play upon;
 - (c) the area within a 2 metre radius of any fireplace or heating apparatus designed or used for heating water or cooking food;
 - (d) the area within a 2 metre radius of any public toilets, washing or showering rooms, or changing rooms except for if dog is travelling past while under effective control; and
 - (e) within the whole of premises used as a public swimming pool.

12 Off-leash areas

For the purposes of section 12(1) (Off-leash areas) of the authorising local law, all areas within the local government's area that are included in the Register of Off-Leash Areas maintained by the local government are off-leash areas.

13 Enclosures for animal keeping (Dogs)

- (1) For the purposes section 15(2) (Requirements to provide an enclosure) of the authorising local law, a proper enclosures for a dog must meet the following requirements-

- (a) an enclosure should be adequate in order to restrict the dog to the premises.

Example – a pool enclosure, tennis court, balcony, veranda or similar may not be considered suitable.

- (b) if the enclosure abuts public or private property, the fencing should not allow any part of the dog's body to cross the property boundary

Example – the fencing should be such that the dog's paw, snout or any other part of the dog cannot fit through the fence.

- (c) the enclosure must provide a sheltered area from the elements for the dog at all times.

Note:

A runner is not considered a suitable enclosure.

Enclosures for regulated dogs must comply with the requirements of the *Animal Management (Cats & Dogs) Act* section 4 schedule 1 and *Animal Management (Cats & Dogs) Regulation, Division 3*.

14 Criteria for declaring dangerous animals other than a dog

For section 18(1) (Declaration of dangerous animal other than a dog) of the authorising local law, the following are the criteria for declaring an animal (other than a dog) a declared dangerous animal—

- (a) there is a high likelihood of the animal causing injury to a person or animal or damage to property, taking into account—
- (i) its prior history of attacking or causing fear to persons or animals or damaging property; and
 - (ii) the extent of injury or damage that could potentially be inflicted by an animal of its size and species or breed;
 - (iii) the authorised person's first-hand assessment of the animal has indicated that the animal has demonstrated aggressive tendencies; or
 - (iv) a high level of concern about the danger posed by the animal has been expressed by neighbours or other persons who have come into contact with the animal.

Note:

The Criteria for Declared Dangerous Dogs is prescribed in the *Animal Management (Cats and Dogs) Act 2008*.

Part 5 Seizure and impounding of animals

15 Place of care for impounded animals

For the purposes of section 23 (Impounding of seized animals) of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government or an agent appointed by the local government.

16 Register of impounded animals

For the purposes of section 28(3) (Register of impounded animals) of the authorising local law, the register of impounded animals will be kept at the local government's public office or at the office of an agent appointed by the local government.

17 Conditions for sale of animals

For the purposes of section 41(2) (Sale of animals) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 7 must comply with the conditions set out in column 2 of schedule 7.

18 Prescribed period for claiming animals

For the purposes of the definition of "***prescribed period***" in the schedule to the authorising local law and s 24(1)(b) (Dealing with animal seized and impounded for wandering) of the authorising local law, the period within which an animal may be reclaimed is—

- (a) if the animal is registered with the local government—5 days; or
- (b) if the animal is not registered with the local government—3 days.

Schedule 1 Dictionary

Section 3

animal keeping or keeping an animal means the custody or care of an animal by a person, including the keeping of animals for which an approval is required.

approval means a consent, permit, licence, authorisation, registration, membership or approval under a Local Government Act or a local law and includes all conditions of a consent, permit, licence, authorisation, registration, membership or approval.

attack, by an animal, means—

- (a) aggressively rushing at or harassing any person or animal; or
- (b) biting, butting, kicking, or otherwise causing physical injury to, a person or an animal;
or
- (c) tearing clothing on, or otherwise causing damage to the property in the immediate possession of, a person.

authorised person for this local law means a person authorised by the local government to exercise the powers of an authorised person under this local law.

cattery has the same meaning as in *Local Law No. 3 (Commercial Licensing) 2013*.

dangerous animal means an animal —

- (a) of a species classified by subordinate local law as a dangerous animal; or
- (b) declared under this local law to be a dangerous animal.

destruction order see section 34 of *Local Law No. 6 (Animal Management) 2013*.

development approval see Sustainable Planning Act 2009, schedule 3.

effective control see section 13(1) of *Local Law No. 6 (Animal Management) 2013*.

guarding and security purposes means a dog released on commercial premises without a handler for the purpose of acting as a deterrent to intruders.

horses includes donkeys and mules.

identifying tag means a mark or object to identify an animal including, for example —

- (a) a metal or plastic disc or plate; or
- (b) a collar; or

- (c) a tattoo or brand; or
- (d) an implant bearing an electronic code.

impoundment notice see section 24(1) of *Local Law No. 6 (Animal Management) 2013*.

kennel has the same meaning as in *Local Law No. 3 (Commercial Licensing) 2013*

leash means a length of strong, flexible, durable material (not longer than two metres) which may comprise of, or include chain, and which is designed and suitable, in the reasonable opinion of an authorised person, to be attached to the collar of an animal for the purpose of physically controlling, restraining or tethering the animal.

Local Government Acts see the Act 2009, section 6 and schedule 4.

local law has the meaning in the Act, section 26, and includes a subordinate local law.

off-leash area see section 12(1) of *Local Law No. 6 (Animal Management) 2013*.

owner of an animal means —

- (a) its registered owner;
- (b) a person who owns the animal, in the sense of it being the person's personal property;
- (c) a person who usually keeps the animal, including through an agent, employee or anyone else;
- (d) if a person mentioned in paragraphs (a) to (c) is a minor - a parent or guardian of the minor.

permit has the same meaning as in *Local Law No. 4 (Permits) 2013*

Planning Scheme means the planning scheme for the Ipswich City Council .

residential area includes areas comprising predominantly residential development and land (other than *roads*), that is situated in one or more of the following zones or other similar designation under a *Structure Plan* under the Planning Scheme—

- (a) within the Urban Areas Locality—
 - (i) Large Lot Residential Zone;
 - (ii) Residential Low Density Zone;

- (iii) Residential Medium Density Zone;
- (iv) Character Areas - Housing Zone;
- (v) Character Areas - Mixed Use Zone;
- (vi) Business Incubator Zone;
- (vii) Bundamba Racecourse Stables Area Zone;
- (viii) Special Uses Zone;
- (ix) Special Opportunity Zone;
- (b) within the Rosewood Locality—
 - (i) Character Areas - Housing Zone;
 - (ii) Residential Low Density Zone;
 - (iii) Residential Medium Density Zone;
 - (iv) Urban Investigation Zone;
 - (iv) Special Uses Zone;
- (c) within the City Centre Locality—
 - (i) Residential High Density Zone;
- (d) within the Township Locality—
 - (i) Township Residential Zone;
 - (ii) Township Character Housing Zone;
 - (iii) Township Character Mixed Use Zone;
 - (iv) Stables Residential Investigation Zone;
 - (v) Special Uses Zone.
- (e) within the Springfield Structure Plan—
 - (i) Community Residential Designation.

and includes land approved for residential development pursuant to a development approval, including a development which is recorded on the Planning Scheme pursuant to section 3.5.27 *Integrated Planning Act* 1997 or section 391 of the *Sustainable Planning Act* 2009.

responsible person, for an animal, means—

- (a) the person, or the person's employee acting within the scope of the employment, who has immediate control or custody of the animal; or
- (b) the parent or guardian of a minor who has immediate control or custody of the animal; or
- (c) the person who occupies the place at which the animal is usually kept,

but does not include—

- (a) a person who occupies the place at which the animal is usually kept, if an adult who lives at the place keeps the animal; or
- (b) a person who has the control or custody of or keeps the animal as an employee of someone else, if the person is acting within the scope of the employment.

road means —

- (a) a road as defined in the Act, section 59; and
- (b) a State-controlled road.

stock means alpacas, buffalo, cattle, deer, donkeys, goats, horses, llamas, sheep and pigs and such other animals as the local government, may by subordinate local law, prescribe to be stock for the purpose of this definition.

the Act means the *Local Government Act 2009*.

Schedule 2

Permit regulated activities

Section 5)(1)

Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals is a permit regulated activity
Dog	<ul style="list-style-type: none"> (a) 3 or 4 dogs over the age of 3 months on land less than 2,000 m². (b) 5 or more dogs over the age of 3 months. (c) Dogs kept for guarding or security purposes.
Cat	<ul style="list-style-type: none"> (a) 3 or 4 cats over the age of 3 months on land less than 2,000 m². (b) 5 or more cats over the age of 3 months.
Horse	<ul style="list-style-type: none"> (a) 1 or more horses on land more than 2,000 m² in a residential area. (b) 1 or more horses on land up between 2000 m² and up to 4,000 m² and designated rural or a similar designation to rural in the Planning Scheme.
Stock (other than horses)	<ul style="list-style-type: none"> (a) 1 or more head of stock on land more than 2000 m² in a residential area. (b) 1 or more head of stock on land between 2000 m² and up to 4000 m² and designated rural or a similar designation to rural in the Planning Scheme.
Poultry	25 or more head of poultry on land in a residential area.
Birds, other than racing pigeons or poultry	25 or more birds other than racing pigeons or poultry on land in a residential area.
Pigeons	25 or more pigeons on land in a residential area.

Schedule 3 When permit is not required

Section 5(2)

Column 1 Permit Regulated Activities	Column 2 Activities that do not require a permit
Dog	
Keeping 3 or 4 dogs over the age of 3 months on land less than 2000m ²	A permit is not required if the dogs are being kept in a kennel which has all requisite approvals.
Keeping 5 or more dogs over the age of 3 months	A permit is not required if the dogs are being kept in a kennel which has all requisite approvals.
Keeping dogs for guarding and security purposes	A permit for keeping dogs for guarding and security purposes is not required for dogs owned and kept for guarding and security purposes by or on behalf of the local government, State or Commonwealth.
Cat	
Keeping 3 or 4 cats over the age of 3 months on land less than 2000 m ²	A permit is not required if the cats are being kept in a cattery which has all requisite approvals.
Keeping 5 or more cats over the age of 3 months	A permit is not required if the cats are being kept in a cattery which has all requisite approvals.

Schedule 4 Information for permits and conditions of permits

Sections 6 and 7

Column 1 Permit regulated activity	Column 2 Application requirements	Column 3 Conditions
<p>Keeping 3 or 4 dogs over the age of 3 months on land less than 2000m²</p>	<p>(a) the address of where the dogs will be kept; and (b) if the applicant is not the owner of the land on which the activity is to occur- the name, postal address and contact phone number of the owner; the written consent of the owner or their authorised agent to the application. (c) the number of dogs proposed to be kept; (d) type and location of proposed accommodation or shelter for the dogs; (e) confirmation in writing that the property where the dogs are to be kept has appropriate fencing sufficient to keep the dogs contained, taking into account their breed and nature; (f) if any of the dogs proposed to be kept on the property is a regulated dog; (g) the breed and a description of the dogs to which the permit applies; (h) the name of the dogs to which the permit applies; and (i) a sketch plan to scale showing the design of the accommodation for the adequate housing of the dogs, and its location</p>	

	<p>in relation to other buildings on the land, the property boundaries and all building on adjoining properties.</p> <p>(j) confirmation that the applicant has written to all occupants of properties within 100m of where the dogs are intended to be kept advising the following-</p> <ul style="list-style-type: none"> the name and address of the applicant; the name and address of the owner of the property where the dogs are to be kept if different from (i); the street address and real property description of the property where the dogs are to be kept; the number and breed of dogs intended to be kept; a description of the type and location of dog housing provided for the dogs; <p>that the person being notified of the application has 14 days from the date of the written objection to the local government stating in full the grounds of the objection.</p>	
<p>Keeping 5 or more dogs over the age of 3 months</p>	<ul style="list-style-type: none"> (a) the address of where the dogs will be kept; and (b) if the applicant is not the owner of the land on which the activity is to occur- the name, postal address and contact phone number of the owner; the written consent of the owner or their authorised agent to the application. (c) the number of dogs proposed to be kept; (d) type and location of proposed accommodation or shelter for the dogs; (e) confirmation in writing that the property where the dogs are to be kept has appropriate fencing 	

	<p>sufficient to keep the cats contained, taking into account their breed and nature;</p> <p>(f) if any of the dogs proposed to be kept on the property is a regulated dog;</p> <p>(g) the breed and a description of the dogs to which the permit applies;</p> <p>(h) the name of the dogs to which the permit applies;</p> <p>(i) a sketch plan to scale showing the design of the accommodation for the adequate housing of the dogs, and its location in relation to other buildings on the land, the property boundaries and all building on adjoining properties.</p>	
<p>Keeping dogs for guarding and security purposes</p>	<p>a) the name, postal address and contact phone number of the owner of each guard dog, if the owner is not the applicant;</p> <p>(b) the address where the guard dogs will be kept;</p> <p>(c) the number of guard dogs to be kept on the premises;</p> <p>(d) the breed and a description of the dogs to which the permit applies;</p> <p>(e) proof that the dogs are registered;</p> <p>(f) the type and location of proposed dog accommodation or appropriate shelter for the dogs;</p> <p>(g) confirmation that the property where the dogs are to be kept has appropriate fencing sufficient to keep dogs of the specific breed contained; and</p> <p>(h) if any of the dogs proposed to be kept on the property is a regulated dog.</p>	<p>The permit holder must ensure that—</p> <p>(a) a warning sign, the size and lettering of which has been approved by the Chief Executive Officer is clearly displayed adjacent to each entrance to the property where a guard/security dog/s is being kept or used;</p> <p>(b) the wording on the warning sign is:</p> <p>(i) indelible and permanent (that is incapable of being washed off, rubbed off or otherwise removed);</p> <p>(ii) legible;</p> <p>(iii) black in colour; and</p> <p>(iv) at least 50mm in height;</p> <p>(c) the warning sign includes a 24 hour contact telephone number for a person responsible for the guard/security dog/s;</p> <p>(d) each guard/security dog is confined in an enclosure</p>

		<p>that is adequate and secure in the opinion of an authorised person, when the premises are open to the public or the public has lawful access to the premises; and</p> <p>(e) each guard/security dog wears a collar at all times that is strong enough to restrain the dog when being handled</p>
<p>Keeping 3 or 4 cats over the age of 3 months on land less than 2000 m²</p>	<p>(a) the address of where the cats will be kept; and</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur- the name, postal address and contact phone number of the owner;</p> <p>the written consent of the owner or their authorised agent to the application.</p> <p>(c) the number of cats proposed to be kept;</p> <p>(d) type and location of proposed accommodation or shelter for the cats;</p> <p>(e) confirmation in writing that the property where the cats are to be kept has appropriate fencing sufficient to keep the cats contained, taking into account their breed and nature;</p> <p>(f) if any of the cats proposed to be kept on the property is a regulated cat;</p> <p>(g) the breed and a description of the cats to which the permit applies;</p> <p>(h) the name of the cats to which the permit applies; and</p> <p>(i) a sketch plan to scale showing the design of the accommodation for the adequate housing of the cats, and its location in relation to other buildings on the</p>	<p>The permit holder must ensure that —</p> <p>(a) all cats must be desexed; and</p> <p>(b) all cats must be kept in a manner so as not to cause a nuisance; and</p> <p>(c) all cats must be vaccinated as appropriate for the age of the animal;</p> <p>(d) the permit holder has the ability to confine the cats to their premises when required to do so by the council; and</p> <p>(e) all pet food must be stored in vermin proof containers.</p>

	<p>land, the property boundaries and all building on adjoining properties.</p> <p>(j) confirmation that the applicant has written to all occupants of properties within 100m of where the cats are intended to be kept advising the following-</p> <ul style="list-style-type: none"> • the name and address of the applicant; • the name and address of the owner of the property where the cats are to be kept if different from that of the applicant; • the street address and real property description of the property where the cats are to be kept; • the number and breed of cats intended to be kept; • a description of the type and location of cats housing provided for the cats; • that the person being notified of the application has 14 days from the date of the written objection to the local government stating in full the grounds of the objection. 	
<p>Keeping 5 or more cats over the age of 3 months</p>	<p>(a) the address of where the cats will be kept; and</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur- the name, postal address and contact phone number of the owner;</p> <p>the written consent of the owner or their authorised agent to the application.</p> <p>(c) the number of cats proposed to be kept;</p> <p>(d) type and location of proposed accommodation or shelter for the cats;</p> <p>(e) confirmation in writing that</p>	

	<p>the property where the cats are to be kept has appropriate fencing sufficient to keep the cats contained, taking into account their breed and nature;</p> <p>(f) the breed and a description of the cats to which the permit applies;</p> <p>(g) the name of the cats to which the permit applies;</p> <p>(h) a sketch plan to scale showing the design of the accommodation for the adequate housing of the cats, and its location in relation to other buildings on the land, the property boundaries and all building on adjoining properties.</p>	
<p>Keeping 1 or more horses on land more than 2,000 m² in a residential area</p>	<p>(a) the address where the horses will be kept;</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur-</p> <ul style="list-style-type: none"> • the name, postal address and contact phone number of the owner; • the written consent of the owner or their authorised agent to the application; <p>(c) the number of horses proposed to be kept;</p> <p>(d) the breed and a description of the horses proposed to be kept;</p> <p>(e) the name of the horses proposed to be kept;</p> <p>(f) the type of proposed shelter in which the horses will be housed giving consideration to the type, breed and number of horses it is to house and if not yet constructed proof of all required approvals for construction;</p> <p>(g) confirmation in writing that the property where the horses are to be kept has appropriate fencing sufficient to keep the horses</p>	

	<p>contained; and</p> <p>(h) a sketch plan to scale showing the location of the horse shelter in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.</p>	
<p>Keeping 1 or more horses on land up between 2000 m² and up to 4,000 m² and designated rural or a similar designation to rural in the Planning Scheme.</p>	<p>the address where the horses will be kept;</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur-</p> <ul style="list-style-type: none"> • the name, postal address and contact phone number of the owner; • the written consent of the owner or their authorised agent to the application; <p>(c) the number of horses proposed to be kept;</p> <p>(d) the breed and a description of the horses proposed to be kept;</p> <p>(e) the name of the horses proposed to be kept;</p> <p>(f) the type of proposed shelter in which the horses will be housed giving consideration to the type, breed and number of horses it is to house and if not yet constructed proof of all required approvals for construction;</p> <p>(g) confirmation in writing that the property where the horses are to be kept has appropriate fencing sufficient to keep the horses contained; and</p> <p>(h) a sketch plan to scale showing the location of the horse shelter in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.</p>	
<p>Keeping 1 or more head of stock (other than</p>	<p>(a) the address where the horses will be kept;</p>	

<p>horses) on land more than 2,000 m² in a residential area</p>	<p>(b) if the applicant is not the owner of the land on which the activity is to occur-</p> <ul style="list-style-type: none"> • the name, postal address and contact phone number of the owner; • the written consent of the owner or their authorised agent to the application; <p>(c) the number of horses proposed to be kept;</p> <p>(d) the breed and a description of the horses proposed to be kept;</p> <p>(e) the name of the horses proposed to be kept;</p> <p>(f) the type of proposed shelter in which the horses will be housed giving consideration to the type, breed and number of horses it is to house and if not yet constructed proof of all required approvals for construction;</p> <p>(g) confirmation in writing that the property where the horses are to be kept has appropriate fencing sufficient to keep the horses contained; and</p> <p>(h) a sketch plan to scale showing the location of the horse shelter in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.</p>	
<p>Keeping 1 or more head of stock (other than horses) on land between 2000 m² and up to 4,000 m² on land designated rural or similar designation to rural in the Planning Scheme</p>	<p>(a) the address where the stock will be kept;</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur-</p> <ul style="list-style-type: none"> • the name, postal address and contact phone number of the owner; • the written consent of the owner or their authorised agent to the application; <p>(c) the number of stock</p>	

	<p>proposed to be kept;</p> <p>(d) the breed and a description of the stock proposed to be kept;</p> <p>(e) the name of the stock proposed to be kept;</p> <p>(f) the type of proposed shelter in which the stock will be housed giving consideration to the type, breed and number of stock it is to house and if not yet constructed proof of all required approvals for construction;</p> <p>(g) confirmation in writing that the property where the cows or bulls are to be kept has appropriate fencing sufficient to keep the stock contained; and</p> <p>(h) a sketch plan to scale showing the location of the stock shelter in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.</p>	
<p>Keeping 25 or more head of poultry on land in a residential area</p>	<p>(a) the address where the poultry will be kept;</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur-</p> <ul style="list-style-type: none"> • the name, postal address and contact phone number of the owner; • the written consent of the owner or their authorised agent to the application; <p>(c) the number of poultry proposed to be kept;</p> <p>(d) the type of proposed enclosure for the poultry and if not yet constructed proof of all required approvals for construction;</p> <p>(e) confirmation in writing that the property where the poultry are to be kept has appropriate fencing sufficient to keep the poultry contained; and</p>	

	(f) a sketch plan to scale showing the location of the enclosures in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.	
Keeping 25 or more birds other than poultry or pigeons on land in a residential area	<p>(a) the address where the birds will be kept;</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur-</p> <ul style="list-style-type: none"> • the name, postal address and contact phone number of the owner; • the written consent of the owner or their authorised agent to the application; <p>(c) the number of birds proposed to be kept;</p> <p>(d) the type of proposed enclosure in which the birds will be housed giving consideration to the species of birds it is to contain and if not yet constructed, proof of all required approvals for construction; and</p> <p>(e) a sketch plan to scale showing the location of the enclosure in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.</p>	
Keeping 25 or more pigeons on land in a residential area	<p>(a) the address where the pigeons will be kept;</p> <p>(b) if the applicant is not the owner of the land on which the activity is to occur-</p> <ul style="list-style-type: none"> • the name, postal address and contact phone number of the owner; • the written consent of the owner or their authorised agent to the application; <p>(c) the number of pigeons proposed to be kept;</p>	

	<p>(d) the type of proposed enclosure in which the pigeons will be housed and if not yet constructed proof of all required approvals for construction; and</p> <p>(e) a sketch plan to scale showing the location of the pigeon enclosure in relation to other buildings on the land, the property boundaries and all buildings on adjoining properties.</p>	
<p>Keeping animals in caravan parks</p>	<p>a) if the applicant is not the owner of the animal the name and address of the owner of each animal;</p> <p>(b) proof of the consent of the manager of the caravan park to the keeping of the animals;</p> <p>(c) the breed/species and a description of each animal to which the permit applies;</p> <p>(d) the location of where the animal will be housed in the caravan park;</p> <p>(e) evidence that the applicant has advised the owners and the occupiers, if the occupiers are not the owners of all premises or properties adjoining the caravan park, that an application is intended to be made to the local government to keep an animal on the premises; and</p> <p>(f) a copy of any responses received from the owners and occupiers.</p>	

Schedule 5 Minimum Standards – Animal Keeping

Section 8

Column 1 Type of Activity	Column 2 Minimum standards
<p>Keeping any type of animal</p>	<p>The owner or responsible person must ensure that—</p> <ul style="list-style-type: none"> (a) the animal is adequately identified so that the keeper's name, address and telephone number are readily ascertainable; (b) an adequate supply of food and water is provided; (c) water containers are kept free of mosquitoes and flies; (d) all faeces, urine, food scraps, and other waste are disposed of so as not to cause a nuisance; (e) animals are kept in a manner so as not to be injurious to the health of a person; (f) animals are kept in a manner so as not to cause a nuisance including to the occupiers of adjoining premises or premises in the immediate vicinity of the place where the animal is kept; (g) all feed is kept in a vermin and fly proof container or facility; (h) the animal has adequate freedom to exercise having due regard to the species, breed, size and nature of the animal; (i) the animal is vaccinated and inoculated having regard to the age of the animal; (j) any animals offered for sale or given away are vaccinated and inoculated as appropriate having regard to the age of the animal; (k) any animal suffering from a transmissible or communicable disease is prevented from interacting with other vector animals; (l) an animal does not create excessive noise. <p>Animal noise is considered excessive</p> <ul style="list-style-type: none"> 1. If: <ul style="list-style-type: none"> (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 (ii) in the opinion of an authorised person it unreasonably disrupts or inhibits an activity ordinarily carried out on residential premises. <p>or</p> <ul style="list-style-type: none"> 2. If: <ul style="list-style-type: none"> (i) it is made or can be heard in a residential area for

	<p>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>(m) the animal is provided with a suitable shelter from the elements having regard to the breed, size and nature of the animal;</p> <p>(n) any shelter is -</p> <p>(i) constructed and maintained so as to prevent the harbourage of vermin; and</p> <p>(ii) is maintained and kept at all times in a clean and sanitary condition.</p>
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Keeping Specific Types of Animals	<p>Note: Minimum Standards for <i>keeping Any Type of Animal</i> (listed above) must be complied with in addition to the Minimum Standards for <i>Keeping specific Types of Animals</i> (listed below).</p>																								
Keeping Poultry	<p>The owner or responsible person must ensure that —</p> <p>(a) the number of poultry, the corresponding land area of the property required to keep such number and the siting requirements for an enclosure are in accordance with the requirements in Table 1;</p> <table border="1" data-bbox="513 1211 1264 1809"> <caption>Table 1</caption> <thead> <tr> <th>Number of Poultry</th> <th>Minimum Land Area required</th> <th>Minimum required distance of an enclosure from any residential building or premises</th> <th>Minimum required distance of enclosure from any property boundary.</th> </tr> </thead> <tbody> <tr> <td>1- 2</td> <td>350 m2</td> <td>10 metres</td> <td>1 metre</td> </tr> <tr> <td>3-12</td> <td>700 m2</td> <td>15 metres</td> <td>1 metre</td> </tr> <tr> <td>13 - 20</td> <td>1000 m2</td> <td>20 metres</td> <td>1 metre</td> </tr> <tr> <td>21 - 25</td> <td>1000 m2</td> <td>25 metres</td> <td>1 metre</td> </tr> <tr> <td>More than 25</td> <td>Conditions of permit (if applicable)</td> <td>Conditions of permit (if applicable)</td> <td>Conditions of permit (if applicable)</td> </tr> </tbody> </table> <p>(b) the minimum distance of the enclosure from a property boundary to a road or public land is 5 metres unless a permit for the activity specifies a greater or lesser distance; and</p> <p>(c) the enclosure is thoroughly cleaned and effectively treated with an insecticide at least twice in every year or at such other</p>	Number of Poultry	Minimum Land Area required	Minimum required distance of an enclosure from any residential building or premises	Minimum required distance of enclosure from any property boundary.	1- 2	350 m2	10 metres	1 metre	3-12	700 m2	15 metres	1 metre	13 - 20	1000 m2	20 metres	1 metre	21 - 25	1000 m2	25 metres	1 metre	More than 25	Conditions of permit (if applicable)	Conditions of permit (if applicable)	Conditions of permit (if applicable)
Number of Poultry	Minimum Land Area required	Minimum required distance of an enclosure from any residential building or premises	Minimum required distance of enclosure from any property boundary.																						
1- 2	350 m2	10 metres	1 metre																						
3-12	700 m2	15 metres	1 metre																						
13 - 20	1000 m2	20 metres	1 metre																						
21 - 25	1000 m2	25 metres	1 metre																						
More than 25	Conditions of permit (if applicable)	Conditions of permit (if applicable)	Conditions of permit (if applicable)																						

	intervals and in such other manner as an authorised person may require.																								
Keeping Pigeons	<p>The owner or responsible person must ensure that—</p> <p>(a) the pigeons are ordinarily contained within a suitable enclosure;</p> <p>(b) the number of pigeons, the corresponding land area of the property required to keep such number and the sitting requirements for an enclosure are in accordance with the requirements in Table 2;</p> <p>Table 2</p> <table border="1"> <thead> <tr> <th>Number of Pigeons</th> <th>Minimum Land Area required</th> <th>Minimum required distance of an enclosure from any residential building or premises</th> <th>Minimum required distance of an enclosure from any property boundary.</th> </tr> </thead> <tbody> <tr> <td>1 - 2</td> <td>Nil</td> <td>Nil</td> <td>1 metre</td> </tr> <tr> <td>3 - 12</td> <td>700 m²</td> <td>10 metres</td> <td>1 metre</td> </tr> <tr> <td>13 - 20</td> <td>1000 m²</td> <td>20 metres</td> <td>1 metre</td> </tr> <tr> <td>21 - 25</td> <td>1000 m²</td> <td>25 metres</td> <td>1 metre</td> </tr> <tr> <td>More than 25</td> <td>Conditions of permit (if applicable)</td> <td>Conditions of permit (if applicable)</td> <td>Conditions of permit (if applicable)</td> </tr> </tbody> </table> <p>(c) the minimum distance of an enclosure from a property boundary to a road or public land is 5 metres unless a permit for the activity specifies a greater or lesser distance; and</p> <p>(d) the enclosure is thoroughly cleaned and effectively treated with an insecticide at least twice in every year or at such other intervals and in such other manner as an authorised person may require.</p>	Number of Pigeons	Minimum Land Area required	Minimum required distance of an enclosure from any residential building or premises	Minimum required distance of an enclosure from any property boundary.	1 - 2	Nil	Nil	1 metre	3 - 12	700 m ²	10 metres	1 metre	13 - 20	1000 m ²	20 metres	1 metre	21 - 25	1000 m ²	25 metres	1 metre	More than 25	Conditions of permit (if applicable)	Conditions of permit (if applicable)	Conditions of permit (if applicable)
Number of Pigeons	Minimum Land Area required	Minimum required distance of an enclosure from any residential building or premises	Minimum required distance of an enclosure from any property boundary.																						
1 - 2	Nil	Nil	1 metre																						
3 - 12	700 m ²	10 metres	1 metre																						
13 - 20	1000 m ²	20 metres	1 metre																						
21 - 25	1000 m ²	25 metres	1 metre																						
More than 25	Conditions of permit (if applicable)	Conditions of permit (if applicable)	Conditions of permit (if applicable)																						
Keeping Birds other than pigeons or poultry	<p>The owner or responsible person must ensure that—</p> <p>(a) all birds are effectively contained within a suitable enclosure;</p> <p>(b) the number of birds, the corresponding land area of the property required to keep such number and the sitting requirements for an enclosure are in accordance with the requirements in Table 3;</p> <p>Table 3</p> <table border="1"> <thead> <tr> <th>Number of Birds</th> <th>Minimum Land Area required</th> <th>Minimum required distance of an enclosure from any</th> <th>Minimum required distance of an enclosure</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Number of Birds	Minimum Land Area required	Minimum required distance of an enclosure from any	Minimum required distance of an enclosure																				
Number of Birds	Minimum Land Area required	Minimum required distance of an enclosure from any	Minimum required distance of an enclosure																						

			residential building or premises	from any property boundary
	1 – 2	Nil	Nil	1 metre
	3 – 12	700 m ²	10 metres	1 metre
	13 – 20	1000 m ²	20 metres	1 metre
	21 – 25	1000 m ²	25 metres	1 metre
	More than 25	Conditions of permit (if applicable)	Conditions of permit (if applicable)	Conditions of permit (if applicable)
	<p>(c) In addition, the minimum distance of an enclosure from a property boundary to a road or public land is 5 metres unless a permit for the activity specifies a greater or lesser distance; and</p> <p>(d) the enclosure is thoroughly cleaned at least once in every week and effectively treated with an insecticide twice at least in every year or at such other intervals and in such other manner as an authorised person may require.</p>			
Keeping Horses	<p>The owner or responsible person must ensure that—</p> <p>(a) a minimum of 800 m² of open land, unencumbered by buildings, is available for each horse kept on the premises, other than in the Bundamba Racecourse Stables Zone or the Stables Residential Investigation Zone in the Planning Scheme; and</p> <p>(b) where the grazing behaviour of a horse kept on land is causing or is likely to cause damage to a neighbouring property, the keeper takes all reasonable measures to effectively isolate the horse from the property at risk, to the satisfaction of an authorised person. "Reasonable measures" may include the construction of a fence to the satisfaction of an authorised person to achieve a 3 metre set-back from affected property boundaries.</p>			
Keeping Pigs	<p>The owner or responsible person must ensure that—</p> <p>(a) all manure and other waste is managed in such a manner so as not to cause any odour, fly breeding or nuisance. Collection and removal of manure is to be undertaken to the satisfaction of an authorised person;</p> <p>(b) all pigs are kept within an enclosure suitably constructed for the purpose of restricting the movement of pigs; and an enclosure in which the pigs are kept is located:</p> <p>(i) not less than 60 metres from any dwelling house or road; and</p> <p>(ii) not less than 30 metres from any property boundary unless otherwise approved pursuant to an existing approval.</p>			
Keeping Stock (other than horses and pigs)	<p>The owner or responsible person must ensure that—</p> <p>(a) a minimum of 800 m² of open land, unencumbered by buildings, is available for each animal kept on the premises;</p> <p>(b) where the grazing behaviour of stock kept on land is causing</p>			

	<p>or is likely to cause damage to neighbouring property, the keeper must take all reasonable measures to effectively isolate the stock from the property at risk, to the satisfaction of an authorised person. "Reasonable measures" may include the construction of a fence to the satisfaction of an authorised person to achieve a 3 metre set-back from affected property boundaries.</p>
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Schedule 6 Prohibitions on Animal Keeping

Section 9

Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
Dog	<p>(a) Any of the following breeds or a dog of mixed breed with at least one element of the following breeds anywhere in the local government area-</p> <ul style="list-style-type: none"> (i) American pit bull terrier or pit bull terrier; (ii) Dogo Argentino; (iii) Filo Brasileiro; (iv) Japanese tosa; (v) Perro de Presa Canario or Presa Canario; and (vi) any other breed as may be determined by the local government by resolution, <p>unless the dog is registered with the local government and a restricted dog permit has been issued and is current under the <i>Animal Management (Cats & Dogs) Act 2008</i>.</p> <p>(b) Keeping more than 1 dog in multiple dwelling premises or premises in a caravan park unless with prior written permission of the owner and in the case of dwellings regulated under the <i>Body Corporate and Community Management Act 1997</i>, the Body Corporate.</p>
Horse	A horse on an allotment less than 2000m ² other than in the Bundamba Racecourse Stables Zone or the Stables Residential Investigation Zone in the Planning Scheme.
Stock (except for deer, pigs or horses)	Stock on an allotment less than 2000m ² .
Deer	<p>(a) The density of animals is greater than one animal per 1000 m².</p> <p>(b) in a residential area</p>
Pig	<p>(a) on an allotment less than 2000m²; or</p> <p>(b) in a residential area.</p>

Schedule 7 Conditions for sale of animals

Section 17

Column 1 Species or breed of animal	Column 2 Conditions that must be complied with when offering animal for sale
All Animals	<p>If a law requires registration of an animal then the person selling the animal must register the animal before offering it for sale or alternatively keep a register giving full details of:</p> <ul style="list-style-type: none">(i) all animals sold or otherwise disposed of including the name and address of the new keeper of the animal; and(ii) a full description of each animal sold or otherwise disposed of; and(iii) the date of sale or disposal of each animal. <p>A person who offers for sale any animal suffering from a transmissible or communicable disease must provide a person intending to buy the animal with a report from a qualified veterinarian indicating the animal's present condition.</p>

Schedule 8 Animal Registration

Section 10A

Column 1 Animal	Column 2 Obligations and conditions of registration	Column 3 Registration Exemptions
Cat	<p>Registration Obligations</p> <ol style="list-style-type: none"> 1. An owner of a cat must register the cat within 14 days after starting to keep the cat unless the person has a reasonable excuse. 2. A person who becomes an owner of a cat must register the cat within 14 days unless the person has a reasonable excuse. <p>Identification</p> <ol style="list-style-type: none"> 1. The person who keeps the cat must ensure it bears the identification prescribed under a local law unless the person has a reasonable excuse. <p>What owner must do</p> <ol style="list-style-type: none"> 1. To register a cat, the owner of the cat must— <ol style="list-style-type: none"> a. give the local government a prescribed registration form; and b. ensure the registration form is accompanied by— <ol style="list-style-type: none"> i. the registration fee for the cat; and ii. if it is desexed—a signed veterinary surgeon’s certificate stating, or other evidence that, it has been desexed; and c. The chief executive officer of the local government may, by notice, require the owner to give other information or documents reasonably 	<p>Registration does not apply to—</p> <ol style="list-style-type: none"> (a) the operator of a pound or shelter; or (b) the owner of a cat less than 12 weeks old.

	<p>required to register the cat.</p> <p>d. The notice must state a reasonable period of at least 7 days to comply with the notice.</p> <p>Duration of registration</p> <p>1. Registration of a cat is for the period of one year . The registration period is from 1 July to 30 June.</p> <p>Amendment of Registration</p> <p>1. The owner of the cat must, within 7 days, give the local government notice of the changed information.</p> <p>2. The notice must be—</p> <ol style="list-style-type: none"> a. in the prescribed form; and b. accompanied by other information or documents to enable the local government to record the changed information in the appropriate register. <p>Registration Renewals – What the Owner must do</p> <p>1. This section applies to the owner of a cat whether or not the owner has been given a renewal notice.</p> <p>2. The owner of the cat must, before the period of registration for the cat expires—</p> <ol style="list-style-type: none"> a. if any information on the renewal notice has changed—give the local government notice of the change (the <i>changed information</i>); and b. pay the registration fee for the cat; and c. if it is desexed—ensure the fee is accompanied by a signed veterinary surgeon’s certificate stating, or other evidence 	
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	<p>that, it has been desexed.</p> <p>d. However, if a registration form for a cat has already been accompanied by the certificate or evidence for the cat, the certificate or evidence need not accompany the fee.</p>	
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Endnotes

1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
- 4 Table of reprints
- 5 List of legislation
- 6 List of annotations

2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before the

3 Key

Key to abbreviations in list of legislation and annotations

Key Explanation

amd = amended
ch = chapter
def = definition
div = division
hdg = heading
ins = inserted
om = omitted
p = page
pt = part
renum = renumbered
rep = repealed
s = section
sch = schedule
sdiv = subdivision

4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this local law – no amendments

5 List of legislation

Original Local Law

Subordinate Local Law No.6.1 (Animal Management) 2013

date of gazettal 5 July 2013

6 List of annotations