

Ipswich

City Council

Draft

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

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law (Amending) Subordinate Local Law No. 6.1 (Animal Management) 2019*.

2 Commencement

This subordinate local law commences on the date notice of the making of the subordinate local law is published in the gazette.

3 Subordinate local laws amended

This subordinate local law amends *Subordinate Local Law No. 6.1 (Animal Management) 2013*.

Part 2 Amendment of Subordinate Local Law No. 6.1 (Animal Management) 2013

4 Amendment of s 3 (Object)

Section 3, 'Local Law No. 6 (Animal Management) 2013' –

omit, insert –

Local Law No. 6 (Animal Management) 2013

5 Amendment of s 4 (Definitions – the dictionary)

Section 4 –

omit, insert –

Particular words used in this subordinate local law are defined in:

(1) Schedule 1 (dictionary) of this subordinate local law; and

(2) *Local Law No. 6 (Animal Management) 2013.*

6 Amendment of s 5 (Requirement for a permit)

(1) Section 5(1), 'Requirements' –

omit, insert –

Requirement

(2) Section 5(2), 'Requirements' –

omit, insert –

Requirement

7 Amendment of s 7 (Conditions of permit)

Section 7, 'of licence' –

omit, insert –

of a permit

8 Amendment of s 9 (Prohibited animals)

Section 9, 'section 9' –

omit, insert –

section 10

9 Amendment of s 10 (Identification for cats and dogs)

(1) Section 10, heading –

omit, insert –

Identification of registered animals

- (2) Section 10(1), '(Identification of registered cats and dogs)' –

omit, insert –

(Identification of registered animals)

- (3) Section 10(1), 'required for a cat or dog' –

omit, insert –

required for a dog

- (4) Section 10(1), 'registration notice for the cat or dog' –

omit, insert –

registration notice for the dog

- (5) Section 10(2), 'or cat' –

omit.

10 Omission of s 10A (Animal registration)

Section 10A –

omit.

11 Amendment of s 11 (Dogs prohibited in certain public places)

- (1) Section 11(1), 'places))' –

omit, insert –

places)

- (2) Section 11(1), subsection (a), after 'except for if' –

insert –

the

- (3) Section 11(1), subsection (b), after 'upon' –

insert –

except where that area or apparatus is entirely enclosed

- (4) Section 11(1), subsection (d), after 'except for if' –

insert –

the

- (5) Section 11 (1), subsection (d), 'and' –

omit.

- (6) Section 11(1), subsection (e), '.' –

omit, insert –

; and

- (7) Section 11(1), after subsection (e) –

insert –

(f) Flinders – Goolman Conservation Estate;

(g) White Rock – Spring Mountain Conservation Estate;

- (h) Mt Grandchester Conservation Estate;
- (i) Purga Nature Reserve;
- (j) Kholo Enviroplan Reserve;
- (k) Sapling Pocket;
- (l) Stirling Road Reserve; and
- (k) Kholo Gardens.

12 Amendment of s 12 (Off-leash areas)

- (1) Section 12, heading –

omit, insert –

Dog off-leash areas

- (2) Section 12, '(Off-leash areas) –

omit, insert –

(Dog off-leash areas)

- (3) Section 12, 'are off-leash areas' –

omit, insert –

are dog off-leash areas

- (4) Section 12(2), before 'off-leash' –

insert –

dog

- (5) Section 12, after 'maintained by the local government' –

insert –

and made available on the local government's website,

13 Amendment of s 13 (Enclosures for animal keeping (Dogs))

- (1) Section 13(1), 'enclosures' –

omit, insert –

enclosure

- (2) Section 13(1), subsection (b), 'boundar' –

omit, insert –

boundary.

- (3) Section 13(1), subsection (b), Example, 'dogs' –

omit, insert –

dog's.

- (4) Section 13(1), subsection (c), Note, after 'Act' –

insert –

2008

- (5) Section 13(1), subsection (c), Note, after 'Regulation' –

insert –

2009

- (6) Section 13(1), after subsection (c) –

insert –

- (d) The enclosure must provide a physical barrier between the animal and any adjoining premises.

Note – Invisible dog fences, wireless fences, electric dog collars and other similar devices are not considered suitable.

14 Amendment of s 15 (Place of care for impounded animals)

Section 15, 'the local government or' –

omit.

15 Amendment of s 17 (Conditions for sale of animals)

Section 17, 'section 41(2)' –

omit, insert –

section 38

16 Replacement of sch 1 (Dictionary)

Schedule 1 –

omit, insert –

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

development approval see the *Planning Act 2016 (Qld)*, section 49.

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

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

Planning Act means the *Planning Act 2016* (Qld) and includes the predecessor legislation to that Act.

planning scheme means the planning scheme made or amended from time-to-time under the Planning Act.

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 Area –
 - (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 Area –
 - (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 Area –
 - (i) Residential High Density Zone;

- (d) within the Township Area –
 - (i) Township Residential Zone;
 - (ii) Township Character Housing Zone;
 - (iii) Township Character Mixed Use Zone;
 - (iv) Special Uses Zone.

- (e) within the Springfield Structure Plan--
 - (i) Community Residential Designation.

- (f) within the Rural Area--
 - (i) Rural C (Rural Living) Zone.

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*, section 391 of the *Sustainable Planning Act 2009* or section 89 of the *Planning Act 2016*.

road means –

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

17 Amendment of sch 5 (Minimum standards – animal keeping)

- (1) Schedule 5, item 1, column 2, subsection (f), after 'kept;' –

insert –

Animal noise is a nuisance if it—

- (a) is made by a domestic animal; and
- (b) occurs more than once; and
- (c) in the opinion of an authorised person, unreasonably disrupts or inhibits an activity ordinarily carried out on a residential premises.

Example for paragraph (c) – The barking of a dog, which disrupts a person –

- (a) *holding a conversation; or*
- (b) *watching television; or*
- (c) *listening to a radio or recorded material; or*
- (d) *sleeping.*

(2) Schedule 5, item 1, column 2, subsection (j) –

omit.

(2) Schedule 5, item 1, column 2, subsection (l) –

omit.

(3) Schedule 5, item 1, column 2, subsections (k) to (n) –

renumber as subsections (j) to (m), respectively.

18 Amendment of sch 6 (Prohibitions on animal keeping)

Schedule 6, item 1, column 2, subparagraph (iii), 'Filo' –

omit, insert –

Fila

19 Amendment of sch 7 (Conditions for sale of animals)

(1) Schedule 7, column 2, before 'If a law' –

insert –

(a)

(2) Schedule 7, column 2, before 'A person who offers' –

insert –

(b)

(3) Schedule 7, column 2, after 'condition.' –

insert –

- (3) Any animals offered for sale must be vaccinated and inoculated as appropriate having regard to the age of the animal.

20 Omission of sch 8 (Animal registration)

Schedule 8 –

omit.

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