

REGISTER OF SUBORDINATE LOCAL LAWS
LOCAL GOVERNMENT ACT 1993 - SECTION 895

(This Register must contain the particulars prescribed by Section 34(1) of the Local Government Regulation 1994)

1. **LAW NAME:** Local Law Policy No. 4B - Keeping and Control of Animals
2. **PURPOSE AND GENERAL EFFECT:** The objects of this local law policy are to provide detailed information called upon by Local Law No. 4 -Keeping and Control of Animals to regulate the keeping of animals
3. **LAW NAME ALLOWING THE MAKING:** Local Law No. 4 - Keeping and Control of Animals
4. **DATE OF COUNCIL RESOLUTION:** 31 March 1999
5. **PUBLIC NOTICE PUBLISHED IN THE QUEENSLAND TIMES:** 14 April 1999
6. **DATE OF COMMENCEMENT OF LOCAL LAW POLICY:** 14 April 1999

IPSWICH CITY COUNCIL
LOCAL LAW POLICY NO. 4B - KEEPING AND CONTROL OF ANIMALS

Citation

1. This local law policy may be cited as Local Law Policy No. 4B (Keeping and Control of Animals).

Objects

2. The objects of this local law policy are to provide detailed information called upon by Local Law No. 4 (Keeping and Control of Animals) 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 hazard to health or safety; and
 - (c) to prevent pollution and other environmental damage 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 and expectations of the local community.

Division 1 - Keeping of Birds

Division 1A - Keeping of Poultry (including Ducks, Geese and Peacocks and the like)

Minimum standards for the keeping of poultry (including Ducks, Geese and Peacocks and the like) - section 11(1)

3. For the purposes of section 11(1) of the Local Law, the minimum standards for the keeping of poultry are as follows:-

- (a) Poultry must be kept within a suitable enclosure.
- (b) The number of poultry, the corresponding land area of the property required to keep such number and the siting requirements for an enclosure must be in accordance with Table 1.

Table 1

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 m ²	10 metres	1 metre
3-12	700 m ²	15 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)

- (c) In addition to 3(b) the minimum distance that an enclosure must be from a property boundary to a road or land in which the public has access shall be 5 metres. A permit may specify a greater or lesser distance.
- (d) The enclosure shall be 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.
- (e) The enclosure shall be constructed and maintained so as to prevent the harbourage of vermin.
- (f) All feed shall be kept in a vermin proof container.

Permit for the keeping of poultry (including ducks, geese and peacocks and the like) - section 5(1)

4. For the purposes of section 5(1) of the Local Law, a permit is required where:-

- (a) more than 25 head of poultry are to be kept on any land other than land zoned rural, non urban / limited development or land contained within a similar designation or precinct to a rural zone as described within a Structure Plan¹ - (Poultry Permit).

¹ A Structure Plan forms part of the Ipswich City Council town planning scheme and it designates preferred land uses.

- (b) in the opinion of an authorised officer the keeping of a rooster on land is likely to cause a nuisance or annoyance - (Rooster Permit).

Conditions of Permit to keep poultry (including ducks, geese and peacocks and the like) - section 15(3)

5. For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on a permit to keep poultry.

- (a) All poultry are to be kept so as not to cause a nuisance.
- (b) The maximum number of poultry which may be kept.
- (c) The minimum distance that an enclosure must be located from property boundaries.

Division 1B - Keeping of Pigeons

Minimum standards for the keeping of pigeons - section 11(1)

6. For the purposes of section 11(1) of the Local Law, the minimum standards for the keeping of pigeons are as follows:-

- (a) Pigeons must ordinarily be kept within a suitable enclosure.
- (b) The number of pigeons, the corresponding land area of the property required to keep such number and the siting requirements for an enclosure must be in accordance with Table 2.

Table 2

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)

(c) In addition to 6(b) the minimum distance that an enclosure must be from a property boundary to a road or land in which the public has access shall be 5 metres. A permit may specify a greater or lesser distance.

(d) The enclosure shall be 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.

(e) The enclosure shall be constructed and maintained so as to prevent the harbourage of vermin.

(f) All feed shall be kept in a vermin proof container.

Permit for the keeping of pigeons - section 5(1)

7. For the purposes of section 5(1) of the Local Law, a permit is required where more than 25 pigeons are to be kept on any land other than land zoned rural, non urban / limited development or land contained within a similar designation or precinct to a rural zone as described within a Structure Plan.¹ - (Pigeon Permit).

Conditions of Permit to keep pigeons - section 15(3)

8. For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on a permit to keep pigeons.
- (a) All pigeons are to be kept so as not to cause a nuisance.
 - (b) The maximum number of pigeons which may be kept.
 - (c) The minimum distance that an enclosure must be located from property boundaries.

Division 1C - Keeping of Birds (other than poultry or pigeons)

Minimum standards for the keeping of birds (other than poultry or pigeons) - section 11(1)

9. For the purposes of section 11(1) of the Local Law, the minimum standards for the keeping of birds (other than poultry or pigeons) are as follows:-
- (a) All birds must be effectively contained within a suitable enclosure.
 - (b) The number of birds, the corresponding land area of the property required to keep such number and the siting requirements for an enclosure must be in accordance with Table 3.

Table 3

Number of Birds	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)

¹ A Structure Plan forms part of the Ipswich City Council town planning scheme and it designates preferred land uses.

- (c) In addition to 9(b) the minimum distance that an enclosure must be from a property boundary to a road or land in which the public has access shall be 5 metres. A permit may specify a greater or lesser distance.
- (d) The enclosure shall be 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.
- (e) The enclosure shall be constructed and maintained so as to prevent the harbourage of vermin.
- (f) Feed for birds shall be kept in a vermin proof container.

Permit for the keeping of birds (other than poultry or pigeons) - section 5(1)

10. For the purposes of section 5(1) of the Local Law, a permit is required where more than 25 birds (other than poultry or pigeons) are to be kept on any land other than land zoned rural, non urban / limited development or land contained within a similar designation or precinct to a rural zone as described within a Structure Plan¹ - (Bird Permit)

Conditions of Permit to keep birds (other than poultry or pigeons)- section 15(3)

11. For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on a Bird Permit.
- (a) The birds are to kept so as not to cause a nuisance.
 - (b) The maximum number of birds which may be kept.
 - (c) The minimum distance that an enclosure must be located from property boundaries.

Division 2 - Keeping of Horses (including donkeys and mules)

Minimum standards for the keeping of horses (including donkeys and mules) - section 11(1)

12. For the purposes of section 11(1) of the Local Law, the minimum standards for the keeping of horses are as follows:-
- (a) Manure or urine shall not cause a nuisance.
 - (b) All feed is to be stored in a vermin proof manner.
 - (c) A minimum of 800 m² of open land, unencumbered by buildings, shall be available for each horse kept on the premises.
 - (d) Where the grazing behaviour of a horse kept on land is likely to cause damage to neighbouring property, the occupier of the land where the horse is kept shall take all

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reasonable measures to effectively isolate the horse from the property at risk, to the satisfaction of an authorised person.

- (e) Where the grazing behaviour of a horse kept on land is causing damage to neighbouring property, the occupier of the land where the horse is kept shall take all reasonable measures to effectively isolate the horse from the affected property to the satisfaction of an authorised person.
- (f) Reasonable measures under section 13(d) or 13(e) may include the construction of a fence to achieve a 3 metre set-back from affected property boundaries. The fence is to be constructed to the satisfaction of an authorised person.

Permits for the keeping of horses (including donkeys and mules)- section 5(1)

13. For the purposes of section 5(1) of the Local Law, a permit is required where a horse is to be kept on :-

- (a) land other than land zoned rural, non urban / limited development or land contained within a similar designation or precinct to a rural zone as described within a Structure Plan¹ and where the land has an area less than 4000m² - (Horse permit); or
- (b) land used for :-
 - (i) racing or trotting stables; or
 - (ii) breeding of horses for sale; or
 - (iii) boarding of horses for fee or reward - (i, ii & iii - Stable Permit).

Conditions of Permit to keep a horse (including donkeys and mules) - section 15(3)

14. (1) For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on a horse permit.

- (a) All manure, urine and or other waste is to be managed in such a manner so as not to cause any odour, fly breeding or nuisance.
- (b) Collected manure is to be stored in a receptacle that is weatherproof and fly proof. The receptacle must also prevent any seepage of the contents.
- (c) All feed is to be stored in a vermin proof manner.
- (d) Horses are to be kept in a nuisance free manner.
- (e) The minimum land area unencumbered by buildings to be set aside for the keeping of the horse.

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- (f) Any stable or shelter provided shall be constructed and maintained so as to prevent the harbourage of vermin.
- (g) The maximum number of horses to be kept.

14. (2) For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on a stable permit.

- (a) All manure, urine and or other waste is to be managed in such a manner so as not to cause any odour, fly breeding or nuisance.
- (b) Collected manure is to be stored in a receptacle that is weatherproof and fly proof. The receptacle must also prevent any seepage of the contents. Collection and removal of manure is to be to the satisfaction of an authorised person.
- (c) All feed is to be stored in a vermin proof manner.
- (d) The premises is to be kept in a nuisance free manner.
- (e) The stable building shall be constructed and maintained so as to prevent the harbourage of vermin.
- (f) The maximum number of horses to be kept.
- (g) The stable is to be maintained in good repair, structurally sound and in a clean condition.
- (h) The floor, walls and ceiling of the stable are to be capable of being easily cleaned.
- (I) The stables and surrounding area are to be kept free from any accumulation of manure or standing water.

Division 3 - Pet Shops

Conditions of Permits - section 15(3)

15. For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on a pet shop permit.

- (a) The whole of any pet shop including all enclosures are to be kept clean at all times.
- (b) All animal waste and other refuse is to be stored and disposed of in a manner to the satisfaction of an authorised person.
- (c) All animals are to be kept in a manner so as not to cause a nuisance.
- (d) All food is to be stored in vermin proof containers.
- (e) The operation of the pet shop is not to cause a noise nuisance.

- (f) All cats and dogs offered for sale must be vaccinated as appropriate to the age of the animal prior to any sale being completed.

Division 4 - Keeping of Pigs

Minimum standards for the keeping of pigs - section 11(1)

16. For the purposes of section 11(1) of the Local Law, the minimum standards for the keeping of pigs are as follows:-

- (a) All manure and other waste is to be managed in such a manner so as not to cause any odour, fly breeding or nuisance. Collection and removal of manure is to be to the satisfaction of an authorised person.
- (b) All feed is to be kept in vermin proof receptacles or other vermin proof storage facilities.
- (c) The keeping of pigs shall not cause a noise, odour or fly nuisance.
- (d) All pigs must be kept within an enclosure suitably constructed for the purpose of restricting the movement of pigs.
- (e) An enclosure must be located :-
 - (i) not less than 60 metres from any dwelling house or road; and
 - (ii) not less than 30 metres from any property boundary.

Permit for the keeping of pigs - section 5(1)

17. For the purposes of section 5(1) of the Local Law, a permit is required where a pig is to be kept on any land other than land zoned rural, non urban / limited development or land contained within a similar designation to a rural zone as described within a Structure Plan.¹ - (Pig Permit)

Conditions of Permit for keeping of pigs - section 15(3)

18. For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on a pig permit.

- (a) All manure, urine and or other waste is to be managed in such a manner so as not to cause any odour, fly breeding or nuisance. Collection and removal of manure is to be to the satisfaction of an authorised person.
- (b) All feed is to be stored in a vermin proof manner.
- (c) Pigs are to be kept in a nuisance free manner.
- (d) The maximum number of pigs which may be kept.

¹ A Structure Plan forms part of the Ipswich City Council town planning scheme and it designates preferred land uses.

Division 5 - Keeping of Animals

19. In this Division the term animal is defined as cattle, camels, sheep, goats, llama and deer.

Minimum standards for the keeping of animals - section 11(1)

20. For the purposes of section 11(1) of the Local Law, the minimum standards for the keeping of an animal is as follows:-

- (a) Manure or urine shall not cause a nuisance.
- (b) All feed is to be stored in a vermin proof manner.
- (c) A minimum of 800 m² of open land, unencumbered by buildings, shall be available for each animal kept on the premises.
- (d) The keeping of an animal shall not cause a noise, odour or fly nuisance.
- (e) Where the grazing behaviour of an animal kept on land is likely to cause damage to neighbouring property, the occupier of the land where the animal is kept shall take all reasonable measures to effectively isolate the animal from the property at risk, to the satisfaction of an authorised person.
- (f) Where the grazing and behaviour of an animal kept on land is causing damage to neighbouring property, the occupier of the land where the animal is kept shall take all reasonable measures to effectively isolate the animal from the affected property to the satisfaction of an authorised person.
- (g) Reasonable measures under section 21(e) or 21(f) may include the construction of a fence to achieve a 3 metre set-back from affected property boundaries. The fence is to be constructed to the satisfaction of an authorised person.

Permit for the keeping of animals - section 5(1)

21. For the purposes of section 5(1) of the Local Law, a permit is required to keep an animal on any land other than land zoned rural, non urban / limited development or land contained within a similar designation to a rural zone as described within a Structure Plan.¹ - (Animal Permit)

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Conditions of Permit for the keeping of animals - section 15(3)

- 22.** For the purposes of section 15(3) of the Local Law the following are conditions which must be imposed on an animal permit.
- (a) Accumulation of manure and other waste is not to cause a nuisance.
 - (b) All feed is to be stored in a manner so as not to cause an attraction for vermin.
 - (c) All animals are to be kept in a manner so as not to cause a nuisance.
 - (d) The minimum land area unencumbered by buildings to be set aside for the keeping of animals.
 - (e) The maximum number of animals which may be kept.

Division 6 - Miscellaneous Provisions

Term of all permits - section 14(1)

- 23.** For the purposes of section 14(1) of the Local Law, a permit shall expire on 30 June each year.

Sale of animals - section 24(1)

- 24. (1)** For the purposes of section 24(1) of the Local Law the following conditions must be complied with by persons who offer animals for sale:-

- (a) 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.

Exemptions

- 25.** The Council or an authorised person may exempt, in writing, any person from any provisions of this Local Law Policy for such period and in accordance with such conditions as the Council may determine from time to time.
- 26.** The Council or an authorised person may relax any of the provisions of this Local Law Policy, generally or in particular cases, where the circumstances warrant such relaxation.