

# **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**

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*.

## **Part 2 Permit regulated activities**

### **5 Requirement for a permit**

- (1) For the purposes of section 5(1) (Requirement 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 2Schedule 2.
- (2) For the purposes of section 5(2) (Requirement 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 a permit) 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 10 (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 of registered animals**

- (1) For purposes of section 7 (Identification of registered animals) of the authorising local law, the identification required for a dog that is at a place other than the address stated in the registration notice for the 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.

## **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 the 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 except where that area or apparatus is entirely enclosed;
  - (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 the dog is travelling past while under effective control;
  - (e)     within the whole of premises used as a public swimming pool;
  - (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
  - (m)     Kholo Gardens.

### **12       Dog off-leash areas**

For the purposes of section 12(1) (Dog off-leash areas) of the authorising local law, all areas within the local government's area that are included in the Register of Dog Off-Leash Areas maintained by the local government and made available on the local government's website, are dog 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 enclosure 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 2008* section 4 schedule 1 and *Animal Management (Cats & Dogs) Regulation 2009*, Division 3.

- (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 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 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 38 (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

**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–
  - (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;

- (v) Special Uses Zone;
- (c) within the City Centre –
  - (i) Residential High Density Zone;
- (d) within the Township Areas –
  - (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 Areas —
  - (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 of the *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.

## 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
<b>Dog</b>	(a) 3 or 4 dogs over the age of 3 months on land less than 2,000 m <sup>2</sup> . (b) 5 or more dogs over the age of 3 months. (c) Dogs kept for guarding or security purposes.
<b>Cat</b>	(a) 3 or 4 cats over the age of 3 months on land less than 2,000 m <sup>2</sup> . (b) 5 or more cats over the age of 3 months.
<b>Horse</b>	(a) 1 or more horses on land more than 2,000 m <sup>2</sup> in a residential area. (b) 1 or more horses on land up between 2000 m <sup>2</sup> and up to 4,000 m <sup>2</sup> and designated rural or a similar designation to rural in the Planning Scheme.
<b>Stock (other than horses)</b>	(a) 1 or more head of stock on land more than 2000 m <sup>2</sup> in a residential area. (b) 1 or more head of stock on land between 2000 m <sup>2</sup> and up to 4000 m <sup>2</sup> and designated rural or a similar designation to rural in the Planning Scheme.
<b>Poultry</b>	25 or more head of poultry on land in a residential area.
<b>Birds, other than racing pigeons or poultry</b>	25 or more birds other than racing pigeons or poultry on land in a residential area.
<b>Pigeons</b>	25 or more pigeons on land in a residential area.

## Schedule 3 When permit is not required

Section 5(2)

<b>Column 1 Permit Regulated Activities</b>	<b>Column 2 Activities that do not require a permit</b>
<b>Dog</b>	
Keeping 3 or 4 dogs over the age of 3 months on land less than 2000m <sup>2</sup>	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.
<b>Cat</b>	
Keeping 3 or 4 cats over the age of 3 months on land less than 2000 m <sup>2</sup>	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
Keeping 3 or 4 dogs over the age of 3 months on land less than 2000m <sup>2</sup>	<p>(a) the address of where the dogs 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; the written consent of the owner or their authorised agent to the application.</p> <p>(c) the number of dogs proposed to be kept;</p> <p>(d) type and location of proposed accommodation or shelter for the dogs;</p> <p>(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;</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; and</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>(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>	

<b>Column 1</b> <b>Permit regulated activity</b>	<b>Column 2</b> <b>Application requirements</b>	<b>Column 3</b> <b>Conditions</b>
	<p>the name and address of the applicant;</p> <p>the name and address of the owner of the property where the dogs are to be kept if different from (i);</p> <p>the street address and real property description of the property where the dogs are to be kept;</p> <p>the number and breed of dogs intended to be kept;</p> <p>a description of the type and location of dog housing provided for the dogs;</p> <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>	
Keeping 5 or more dogs over the age of 3 months	<p>(a) the address of where the dogs 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; the written consent of the owner or their authorised agent to the application.</p> <p>(c) the number of dogs proposed to be kept;</p> <p>(d) type and location of proposed accommodation or shelter for the dogs;</p> <p>(e) confirmation in writing that the property where the dogs 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 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>	

Column 1 Permit regulated activity	Column 2 Application requirements	Column 3 Conditions
	(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.	
Keeping dogs for guarding and security purposes	(a) the name, postal address and contact phone number of the owner of each guard dog, if the owner is not the applicant; (b) the address where the guard dogs will be kept; (c) the number of guard dogs to be kept on the premises; (d) the breed and a description of the dogs to which the permit applies; (e) proof that the dogs are registered; (f) the type and location of proposed dog accommodation or appropriate shelter for the dogs; (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 (h) if any of the dogs proposed to be kept on the property is a regulated dog.	The permit holder must ensure that— (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; (b) the wording on the warning sign is: (i) indelible and permanent (that is incapable of being washed off, rubbed off or otherwise removed); (ii) legible; (iii) black in colour; and (iv) at least 50mm in height; (c) the warning sign includes a 24 hour contact telephone number for a person responsible for the guard/security dog/s; (d) each guard/security dog is confined in an enclosure 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 (e) each guard/security dog wears a collar at all times that is strong enough to restrain the dog when being handled
Keeping 3 or 4 cats over the age of 3 months on land less than 2000 m <sup>2</sup>	(a) the address of where the cats will be kept; and	The permit holder must ensure that —

<b>Column 1</b> <b>Permit regulated activity</b>	<b>Column 2</b> <b>Application requirements</b>	<b>Column 3</b> <b>Conditions</b>
	<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; 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 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"> <li>• the name and address of the applicant;</li> <li>• the name and address of the owner of the property where the cats are to be kept if different from that of the applicant;</li> <li>• the street address and real property description of the</li> </ul>	<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>



<b>Column 1 Permit regulated activity</b>	<b>Column 2 Application requirements</b>	<b>Column 3 Conditions</b>
	<p>property where the cats are to be kept;</p> <ul style="list-style-type: none"> <li>the number and breed of cats intended to be kept;</li> <li>a description of the type and location of cats housing provided for the cats;</li> <li>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.</li> </ul>	
Keeping 5 or more cats over the age of 3 months	<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-</p> <p>(c) the name, postal address and contact phone number of the owner;</p> <p>(d) the written consent of the owner or their authorised agent to the application.</p> <p>(e) the number of cats proposed to be kept;</p> <p>(f) type and location of proposed accommodation or shelter for the cats;</p> <p>(g) 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>(h) the breed and a description of the cats to which the permit applies;</p> <p>(i) the name of the cats to which the permit applies;</p> <p>(j) 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>	

<b>Column 1 Permit regulated activity</b>	<b>Column 2 Application requirements</b>	<b>Column 3 Conditions</b>
Keeping 1 or more horses on land more than 2,000 m <sup>2</sup> in a residential area	<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"> <li>the name, postal address and contact phone number of the owner;</li> <li>the written consent of the owner or their authorised agent to the application;</li> </ul> <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>	
Keeping 1 or more horses on land up between 2000 m <sup>2</sup> and up to 4,000 m <sup>2</sup> and designated rural or a similar designation to rural in the Planning Scheme.	<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"> <li>the name, postal address and contact phone number of the owner;</li> <li>the written consent of the owner or their authorised agent to the application;</li> </ul>	

<b>Column 1 Permit regulated activity</b>	<b>Column 2 Application requirements</b>	<b>Column 3 Conditions</b>
	(c) the number of horses proposed to be kept; (d) the breed and a description of the horses proposed to be kept; (e) the name of the horses proposed to be kept; (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; (g) confirmation in writing that the property where the horses are to be kept has appropriate fencing sufficient to keep the horses contained; and (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.	
Keeping 1 or more head of stock (other than horses) on land more than 2,000 m <sup>2</sup> in a residential area	(a) the address where the horses will be kept; (b) if the applicant is not the owner of the land on which the activity is to occur- <ul style="list-style-type: none"> <li>• the name, postal address and contact phone number of the owner;</li> <li>• the written consent of the owner or their authorised agent to the application;</li> </ul> (c) the number of horses proposed to be kept; (d) the breed and a description of the horses proposed to be kept; (e) the name of the horses proposed to be kept; (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	

<b>Column 1 Permit regulated activity</b>	<b>Column 2 Application requirements</b>	<b>Column 3 Conditions</b>
	proof of all required approvals for construction; (g) confirmation in writing that the property where the horses are to be kept has appropriate fencing sufficient to keep the horses contained; and (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.	
Keeping 1 or more head of stock (other than horses) on land between 2000 m <sup>2</sup> and up to 4,000 m <sup>2</sup> on land designated rural or similar designation to rural in the Planning Scheme	(a) the address where the stock will be kept; (b) if the applicant is not the owner of the land on which the activity is to occur- <ul style="list-style-type: none"> <li>• the name, postal address and contact phone number of the owner;</li> <li>• the written consent of the owner or their authorised agent to the application;</li> </ul> (c) the number of stock proposed to be kept; (d) the breed and a description of the stock proposed to be kept; (e) the name of the stock proposed to be kept; (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; (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 (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.	

<b>Column 1 Permit regulated activity</b>	<b>Column 2 Application requirements</b>	<b>Column 3 Conditions</b>
Keeping 25 or more head of poultry on land in a residential area	(a) the address where the poultry will be kept; (b) if the applicant is not the owner of the land on which the activity is to occur- <ul style="list-style-type: none"> <li>the name, postal address and contact phone number of the owner;</li> <li>the written consent of the owner or their authorised agent to the application;</li> </ul> (c) the number of poultry proposed to be kept; (d) the type of proposed enclosure for the poultry and if not yet constructed proof of all required approvals for construction; (e) confirmation in writing that the property where the poultry are to be kept has appropriate fencing sufficient to keep the poultry contained; and (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	(a) the address where the birds will be kept; (b) if the applicant is not the owner of the land on which the activity is to occur- <ul style="list-style-type: none"> <li>the name, postal address and contact phone number of the owner;</li> <li>the written consent of the owner or their authorised agent to the application;</li> </ul> (c) the number of birds proposed to be kept; (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	

<b>Column 1 Permit regulated activity</b>	<b>Column 2 Application requirements</b>	<b>Column 3 Conditions</b>
	(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.	
Keeping 25 or more pigeons on land in a residential area	(a) the address where the pigeons will be kept; (b) if the applicant is not the owner of the land on which the activity is to occur- <ul style="list-style-type: none"> <li>• the name, postal address and contact phone number of the owner;</li> <li>• the written consent of the owner or their authorised agent to the application;</li> </ul> (c) the number of pigeons proposed to be kept; (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 (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.	
Keeping animals in caravan parks	(a) if the applicant is not the owner of the animal the name and address of the owner of each animal; (b) proof of the consent of the manager of the caravan park to the keeping of the animals; (c) the breed/species and a description of each animal to which the permit applies; (d) the location of where the animal will be housed in the caravan park; (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	

<b>Column 1</b> <b>Permit regulated activity</b>	<b>Column 2</b> <b>Application requirements</b>	<b>Column 3</b> <b>Conditions</b>
	government to keep an animal on the premises; and (f) a copy of any responses received from the owners and occupiers.	

## Schedule 5 Minimum Standards – Animal Keeping

### Section 8

Column 1 Type of Activity	Column 2 Minimum standards
Keeping any type of animal	<p>The owner or responsible person must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the animal is adequately identified so that the keeper's name, address and telephone number are readily ascertainable;</li> <li>(b) an adequate supply of food and water is provided;</li> <li>(c) water containers are kept free of mosquitoes and flies;</li> <li>(d) all faeces, urine, food scraps, and other waste are disposed of so as not to cause a nuisance;</li> <li>(e) animals are kept in a manner so as not to be injurious to the health of a person;</li> <li>(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; <ul style="list-style-type: none"> <li>Animal noise is a nuisance if it— <ul style="list-style-type: none"> <li>(a) is made by a domestic animal; and</li> <li>(b) occurs more than once; and</li> <li>(c) in the opinion of an authorised person, unreasonably disrupts or inhibits an activity ordinarily carried out on a residential premises.</li> </ul> </li> </ul> </li> </ul> <p><i>Example for paragraph (c) – The barking of a dog, which disrupts a person –</i></p> <ul style="list-style-type: none"> <li>(a) holding a conversation; or</li> <li>(b) watching television; or</li> <li>(c) listening to a radio or recorded material; or</li> <li>(d) sleeping.</li> </ul> <ul style="list-style-type: none"> <li>(g) all feed is kept in a vermin and fly proof container or facility;</li> <li>(h) the animal has adequate freedom to exercise having due regard to the species, breed, size and nature of the animal;</li> <li>(i) the animal is vaccinated and inoculated having regard to the age of the animal;</li> <li>(j) any animal suffering from a transmissible or communicable disease is prevented from interacting with other vector animals;</li> <li>(k) the animal is provided with a suitable shelter from the elements having regard to the breed, size and nature of the animal;</li> <li>(l) any shelter is – <ul style="list-style-type: none"> <li>(i) constructed and maintained so as to prevent the harbourage of vermin; and</li> <li>(ii) is maintained and kept at all times in a clean and sanitary condition.</li> </ul> </li> </ul>
Keeping Specific Types of Animals	<p>Note:</p> <p>Minimum Standards for keeping Any Type of Animal (listed above) must be</p>



	complied with in addition to the Minimum Standards for <i>Keeping specific Types of Animals</i> (listed below).																								
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> <p>Table 1</p> <table><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 property boundary</th></tr><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></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 intervals and in such other manner as an authorised person may require.</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 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 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)																						
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><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 enclosure from any property boundary.</th></tr><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></table>	Number of pigeons	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	Nil	Nil	1 metre	3 - 12	700 m2	10 metres	1 metre	13 - 20	1000 m2	20 metres	1 metre	21 - 25	1000 m2	25 metres	1 metre				
Number of pigeons	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	Nil	Nil	1 metre																						
3 - 12	700 m2	10 metres	1 metre																						
13 - 20	1000 m2	20 metres	1 metre																						
21 - 25	1000 m2	25 metres	1 metre																						

	<table><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></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>	More than 25	Conditions of permit (if applicable)	Conditions of permit (if applicable)	Conditions of permit (if applicable)																				
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; 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><tr><td>Number of Birds</td><td>Minimum Land Area required</td><td>Minimum required distance of an enclosure from any residential premises</td><td>Minimum required distance of an enclosure</td></tr><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></table> <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>	Number of Birds	Minimum Land Area required	Minimum required distance of an enclosure from any residential premises	Minimum required distance of an enclosure	1 – 2	Nil	Nil	1 metre	3 – 12	700 m2	10 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 Birds	Minimum Land Area required	Minimum required distance of an enclosure from any residential premises	Minimum required distance of an enclosure																						
1 – 2	Nil	Nil	1 metre																						
3 – 12	700 m2	10 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)																						
Keeping Horses	<p>The owner or responsible person must ensure that—</p> <p>(a) a minimum of 800 m<sup>2</sup> 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</p>																								

	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.
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 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</p> <p>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 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>

## Schedule 6 Prohibitions on Animal Keeping

### Section 9

Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
<b>Dog</b>	<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"> <li>(i) American pit bull terrier or pit bull terrier;</li> <li>(ii) Dogo Argentino;</li> <li>(iii) Fila Brasileiro;</li> <li>(iv) Japanese tosa;</li> <li>(v) Perro de Presa Canario or Presa Canario; and</li> <li>(vi) any other breed as may be determined by the local government by resolution,</li> </ul> <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 &amp; 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>
<b>Horse</b>	A horse on an allotment less than 2000m <sup>2</sup> other than in the Bundamba Racecourse Stables Zone or the Stables Residential Investigation Zone in the Planning Scheme.
<b>Stock (except for deer, pigs or horses)</b>	Stock on an allotment less than 2000m <sup>2</sup> .
<b>Deer</b>	<p>(a) The density of animals is greater than one animal per 1000 m<sup>2</sup>.</p> <p>(b) in a residential area</p>
<b>Pig</b>	<p>(a) on an allotment less than 2000m<sup>2</sup>; or</p> <p>(b) in a residential area.</p>

## Schedule 7   Conditions for sale of animals

### Section 17

<b>Column 1 Species or breed of animal</b>	<b>Column 2 Conditions that must be complied with when offering animal for sale</b>
All Animals	<p>(a) 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"><li>(i) all animals sold or otherwise disposed of including the name and address of the new keeper of the animal; and</li><li>(ii) a full description of each animal sold or otherwise disposed of; and</li><li>(iii) the date of sale or disposal of each animal.</li></ul> <p>(b) 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> <p>(c) Any animals offered for sale must be vaccinated and inoculated as appropriate having regard to the age of the animal.</p>

## Endnotes

### 1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
- 4 Table of reprints
- 5 List of Legislation

### 2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before 1 November 2019

### 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 –

Reprint No.	Amending Local Law	Date of commencement
1	<i>Subordinate Local Law (Amending) Subordinate Local Law No.6.1 (Animal Management) 2019</i>	01.11.2019

### 5 List of Legislation

#### Original Local Law

*Subordinate Local Law No.6.1 (Animal Management)*  
2013 date of gazettal 5 July 2013