

# **Charters Towers Regional Council**

## **Subordinate Local Law No. 2 (Animal Management) 2011**

### **CONSOLIDATED VERSION NO. 1**

As in force on 21 July 2021

Adopted by Charters Towers Regional Council on 21 July 2021 pursuant to section 32 of the *Local Government Act 2009*

# Subordinate Local Law No. 2 (Animal Management) 2011

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 2 (Animal Management) 2011*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 2 (Animal Management) 2011*, which provides for regulation of the keeping and control of animals within the local government's area.
- (2) The purpose is to be achieved by providing for—
  - (a) the circumstances in which the keeping of animals is prohibited or requires approval; and
  - (b) requirements for keeping animals, including minimum standards, mandatory desexing, proper enclosures, koala conservation and identification; and
  - (c) the control of animals in public places; and
  - (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and
  - (e) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and
  - (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2011* (the **authorising local law**).

### 4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 15 defines particular words used in this subordinate local law.

## Part 2 Keeping of animals

### 5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1)

For section 5(1) of the authorising local law, keeping an animal or animals mentioned in column 1 of schedule 1 is prohibited in the circumstances described in column 2 of schedule 1.

**6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1)**

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in the circumstances described in column 2 of schedule 2.

**7 Animals that must be desexed—Authorising local law, s 7**

For section 7 of the authorising local law, an animal of the species or breed mentioned in column 1 of schedule 3 must be desexed once it reaches the age specified in column 2 of schedule 3 except in the circumstances described in column 3 of schedule 3.

**8 Minimum standards for keeping animals—Authorising local law, s 8(1)**

- (1) For section 8(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 4.
- (2) For section 8(1) of the authorising local law, column 2 of schedule 5 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 5.

**9 Identification for dogs in certain circumstances—Authorising local law, s 9**

For section 9 of the authorising local law, the identification required for dog is a tag for the collar of a dog.

**Part 3 Control of animals****10 Public places where animals are prohibited—Authorising local law, s 10(1)**

For section 10(1) of the authorising local law, the species or breeds of animals mentioned in column 2 of schedule 6 are prohibited in the public places described in column 1 of schedule 6.

**11 Dog off-leash areas—Authorising local law, s 11(1)**

For section 11(1) of the authorising local law, the areas described in schedule 7 are designated as dog off-leash areas.

**12 Animal faeces in public places—Authorising local law, s 13**

For section 13 of the authorising local law, the following animals are prescribed as an animal whose faeces must be removed from a public place in an urban area and disposed of in a sanitary way—

- (a) an alpaca;

- (b) a buffalo;
- (c) a camel;
- (d) a cat;
- (e) a cow or bull;
- (f) a donkey;
- (g) an emu;
- (h) a goat;
- (i) a horse;
- (j) a llama;
- (k) an ostrich;
- (l) a sheep.

### **13 Requirements for adequate enclosure for keeping animals—Authorising local law, s 14(2)**

For section 14(2) of the authorising local law, column 2 of schedule 8 sets out the requirements for an adequate enclosure for an animal of the species or breed mentioned in column 1 of schedule 8.

### **14 Koala conservation—Authorising local law, s 15**

- (1) For section 15(1) of the authorising local law, schedule 9 sets out the requirements for keeping a dog on land that is within a koala area.
- (2) For section 15(4) of the authorising local law, each area described in schedule 10 is designated as a koala area.

### **15 Criteria for declared dangerous animals—Authorising local law, s 19(1)**

For section 19(1) of the authorising local law, the criteria for declaring an animal as a declared dangerous animal are set out in schedule 11.

## **Part 4                      Seizure, impounding or destruction of animals**

### **16 Place of care for impounded animals—Authorising local law, s 24**

For section 24 of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government or a contractor of the local government.

## **17 Animals that may be disposed of without auction or tender—Authorising local law, s 32(1)(b)**

For section 32(1)(b) of the authorising local law, the species, breeds or classes of animal that may be sold by private agreement, destroyed or disposed of in some other way are the following—

- (g) a cat; and
- (h) a dog; and
- (i) a goat; and
- (j) a sheep; and
- (k) other small domestic animals; and
- (l) poultry, including any species of fowl, duck, goose, pigeon, turkey, peafowl or guineafowl.

## **18 Register of impounded animals—Authorising local law, s 33(3)**

For section 33(3) of the authorising local law, the register of impounded animals will be kept at —

- (a) if the place of care for animals has a public office — the public office; or
- (b) if the place of care for animals does not have a public office — the public office of the local government.

## **Part 5 Appeals against destruction orders**

*This part in the authorising local law does not contain any matters to be provided for by subordinate local law.*

## **Part 6 Miscellaneous**

### **19 Conditions regarding sale of animals—Authorising local law, s 42(1)**

For the purposes of section 42(1) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 12 must comply with the conditions set out in column 2 of schedule 12.

### **20 Animals excluded from application of the local law—Authorising local law, schedule**

For the purposes of the definition of “*animal*” in the schedule to the authorising local law, animals of the fish species are excluded from the application of the authorising local law.

**21 Species that are declared dangerous animals—Authorising local law, schedule**

For the purposes of the definition of “*declared dangerous animal*” in the schedule to the authorising local law, no species of animal is declared to be a declared dangerous animal.

**22 Prescribed period for reclaiming animals—Authorising local law, schedule**

For the purposes of the definition of “*prescribed period*” in the schedule to the authorising local law, the period within which an animal may be reclaimed is 3 business days.



## Schedule 1 Prohibition on keeping animals

### Section 5

	<b>Column 1 Animal</b>	<b>Column 2 Circumstances in which keeping of animal or animals is prohibited</b>
1	Dog	(a) More than 3 dogs over the age of 3 months on an allotment in the city area or a designated town area.  (b) Any of the following breeds anywhere in the local government area: American pit bull terrier or pit bull terrier; dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario.
2	Cat	More than 3 cats over the age of 3 months on an allotment in the city area.
3	Horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel	A horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel on an allotment with an area less than 4,000m <sup>2</sup> .
4	Sheep, goat, alpaca, llama, ostrich or emu	A sheep, goat, alpaca, llama, ostrich or emu on an allotment with an area less than 4,000m <sup>2</sup> .
5	Rooster	A rooster on an allotment with an area less than 4,000m <sup>2</sup> .
6	Poultry (other than a rooster) duck or goose	(a) More than 6 birds on an allotment with an area less than 1,000m <sup>2</sup> .  (b) More than 12 birds on an allotment with an area between 1,001m <sup>2</sup> and 4,000m <sup>2</sup> .
7	Pig	(a) A pig on an allotment with an area less than 10,000m <sup>2</sup> .  (b) More than 2 pigs on an allotment with an area between 10,000m <sup>2</sup> and 100,000m <sup>2</sup> .

## Schedule 2 Requirement for approval to keep animal

### Section 6

	<b>Column 1</b> <b>Species or breed of animal</b>	<b>Column 2</b> <b>Circumstances in which keeping of animal or animals requires approval<sup>1</sup></b>
1	Dog	(a) 3 dogs over the age of 3 months on an allotment in the city area or a designated town area.  (b) Any of the following breeds anywhere in an allotment in the city area with an area less than 4,000m <sup>2</sup> :  (i) Maremano-Abruzzese Sheepdog.
2	Cat	3 cats over the age of 3 months on an allotment in the city area or a designated town area.
3	Horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel	More than 2 animals on an allotment with an area between 4,001m <sup>2</sup> and 10,000m <sup>2</sup> .
4	Sheep, goat, alpaca, llama, ostrich or emu	More than 4 animals on an allotment with an area between 4,001m <sup>2</sup> and 10,000m <sup>2</sup> .
5	Cockatoo, galah or other bird of a similar size, peahen or peacock	More than 1 bird on an allotment with an area less than 4,000m <sup>2</sup> .
6	Budgerigar, canary or other bird of a similar size or racing pigeons	More than 20 birds on an allotment with an area less than 4,000m <sup>2</sup> .

<sup>1</sup> See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1 (Administration) 2021* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

**Schedule 3 Requirement to desex animal**

Section 7

	<b>Column 1</b> <b>Species or breed</b> <b>of animal</b>	<b>Column 2</b> <b>Age at which animal must be</b> <b>desexed</b>	<b>Column 3</b> <b>Exemptions to the</b> <b>requirement for desexing</b>
	No species or breed of animal mentioned.		

## **Schedule 4      Minimum standards for keeping animals generally**

### **Section 8(1)**

A person who keeps an animal on premises must —

- (a) ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and
- (b) ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person; and
- (c) ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected at least daily and, if not immediately removed from the premises, is kept in a waste container of a kind approved by an authorised person; and
- (d) ensure that any enclosure in which the animal is kept is properly to the satisfaction of an authorised person in—
  - (i) a clean and sanitary condition; and
  - (ii) an aesthetically acceptable condition; and
- (e) take all reasonable steps to prevent the animal from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of—
  - (i) adjoining premises; or
  - (ii) premises in the vicinity of the land on which the animal is ordinarily kept; and
- (f) ensure that the area available to the animal kept on the premises is appropriately sized so that the animal can be effectively and comfortably kept; and
- (g) ensure that the animal is provided with, and has access to, adequate shelter, drinking water and appropriate food; and
- (h) ensure that any enclosure in which the animal is kept is not located within 10m of a place used for the preparation of food other than a place used for the preparation of food by the owner of, or the responsible person for, the animal.

## Schedule 5 Minimum standards for keeping particular animals

Section 8(2)

	<b>Column 1 Species or breed of animal</b>	<b>Column 2 Minimum standards for keeping animals</b>
1	Dog (other than a greyhound)	<p>Each owner of, and responsible person for, 2 dogs kept on premises must ensure that—</p> <p>(a) each kennel, run and exercise yard on the premises is—</p> <p>(i) set back a minimum of 2m from each boundary of the premises; and</p> <p>(ii) located not less than 10m from a residence, other than a residence on the premises; and</p> <p>(b) all dog accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person.</p>
2	Greyhound	<p>(a) Each owner of, and responsible person for, a greyhound must, when the dog is outside the premises on which the dog is normally kept, be—</p> <p>(i) under the effective control of a person aged 16 or over who has control of not more than 2 greyhounds at any 1 time; and</p> <p>(ii) kept muzzled so as to prevent the dog from biting unless it is a decommissioned greyhound.</p> <p>(b) Each owner of, and responsible person for, a greyhound must ensure that the dog is kept—</p> <p>(i) without nuisance; and</p> <p>(ii) if a code of practice for the keeping of greyhounds has been approved by the Greyhound Racing Authority of Queensland—in accordance with the requirements of the code of practice.</p>

3	Horse (including a racehorse), donkey, ass, mule, cow, bull, camel, buffalo and other domesticated animals of a similar size and sheep, goat, alpaca, llama and other animals of a similar size	<p>Each owner of, and responsible person for, an animal specified in column 1, item 3 which is kept at a stable on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the stable is not located within a 10m radius of— <ul style="list-style-type: none"> <li>(i) a residence on adjoining premises; or</li> <li>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or</li> <li>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</li> </ul> </li> <li>(b) the stable is set back a minimum of 2m from each boundary of the premises; and</li> <li>(c) the stable is located a minimum of 20m from any watercourse, well or bore; and</li> <li>(d) the stable has a floor which is covered with an absorbent soft floor material which is changed at least once in every 6 week period; and</li> <li>(e) the interior of the stable and any associated open yard are cleaned of manure and other unhygienic matter daily; and</li> <li>(f) the construction of the stable complies with the requirements of any applicable approval or code; and</li> <li>(g) the stable is maintained in good condition and repair.</li> </ul> <p>Each owner of, and responsible person for, an animal specified in column 1, item 3 which is kept free range or in a paddock on premises must ensure that shelter of a clean, dry and shady nature is provided together with a minimum space per animal as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.</p>
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4	Budgerigar, canary and other birds of a similar size and cockatiel and other birds of a similar size and cockatoo, galah and other birds of a similar size.	<p>Each owner of, and responsible person for, a bird specified in column 1, item 4 must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the bird is kept without nuisance; and</li> <li>(b) the bird is contained within an enclosed cage or aviary; and</li> <li>(c) the bird's food is kept in a properly sealed, vermin proof container; and</li> <li>(d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and</li> <li>(e) if a code of practice for the keeping of birds of a relevant species has been approved by the local government—the bird is kept in accordance with the requirements of the code of practice; and</li> <li>(f) the fence surrounding the premises on which the bird is kept does not form part of the cage or aviary in which the bird is kept; and</li> <li>(g) the enclosure in which the bird is kept is set back a minimum of 2m from each boundary of the premises.</li> </ul>
5	Poultry including chicken, duck, drake, goose, turkey, and rooster.	<p>Each owner of, and responsible person for, a bird specified in column 1 item 5 which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the bird is kept without nuisance; and</li> <li>(b) the enclosure in which the bird is kept is— <ul style="list-style-type: none"> <li>(i) thoroughly cleaned at least once each week; and</li> <li>(ii) located at the rear of, and behind, any residence situated on the premises; and</li> </ul> </li> <li>(c) the enclosure in which the bird is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> <li>(i) a residence on adjoining premises; or</li> <li>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bird; or</li> <li>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</li> </ul> </li> <li>(d) the enclosure in which the bird is kept is set back a minimum of 2 m from each boundary of the premises; and</li> <li>(e) the enclosure in which the bird is kept is constructed so as to prevent the bird from wandering off, or flying away from, the premises.</li> </ul>

6	Pig	<p>Each owner of, and responsible person for, a pig which is kept on premises must ensure that the enclosure in which the pig is kept is not located within—</p> <ul style="list-style-type: none"> <li>(a) 15 m of a residence on adjoining premises; or</li> <li>(b) 5 m of a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the pig; or</li> <li>(c) 5 m of a place used for the storage of food (other than food kept in hermetically sealed packages).</li> </ul>
7	Cat	<p>Each owner of, and responsible person for, 2 cats kept on premises must ensure that —</p> <ul style="list-style-type: none"> <li>(a) each enclosure, run and exercise yard on the premises is— <ul style="list-style-type: none"> <li>(i) set back a minimum of 2m from each boundary of the premises; and</li> <li>(ii) located not less than 10m from a residence other than a residence on the premises; and</li> </ul> </li> <li>(b) all cat accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person; and</li> <li>(c) any external cat enclosure on the premises is set back a minimum of 2m from each boundary of the premises.</li> </ul>
8	Any animal, if the animal is kept on premises used for the purposes of the operation of a pet shop	<p>Each owner of, and responsible person for, an animal kept on premises used for the purposes of the operation of a pet shop must, if a code of practice for the keeping of animals at a pet shop has been approved by the local government — ensure that the animal is kept in accordance with the requirements of the code of practice.</p>
9	Dogs, if the dogs are kept on premises used for the purposes of the operation of a kennel, and cats, if the cats are kept on premises used for the purposes of the operation of a cattery	<p>Each owner of, and responsible person for, an animal kept on premises in the circumstances specified in column 1 item 9 must ensure that —</p> <ul style="list-style-type: none"> <li>(a) the keeping of the animals on the premises <ul style="list-style-type: none"> <li>(i) does not detrimentally affect the amenity of neighbouring premises; and</li> <li>(ii) does not involve the storage in the open of goods, materials or activities associated with the keeping of the animals; and</li> <li>(iii) does not fly breeding or vermin infestation; and</li> </ul> </li> </ul>



		<ul style="list-style-type: none"> <li>(b) the premises are suitably and continuously ventilated to ensure that all areas on which animals are kept are free of dampness, nuisance odours and dust emissions; and</li> <li>(c) only rain water from uncontaminated areas may drain directly into the storm water system; and</li> <li>(d) all spillages of wastes, contaminants and other materials are cleaned up immediately and are not cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or materials to any storm water system or waters; and</li> <li>(e) the premises are kept free of vermin and conditions offering harbourage for vermin; and</li> <li>(f) all fixtures, fittings, equipment and facilities at the premises are maintained in a clean, tidy, sanitary and hygienic condition; and</li> <li>(g) waste waters from the washing down of floors, surfaces, enclosures and other areas is collected, and drained to, an approved pre-treatment device before discharge to the sewerage system; and</li> <li>(h) waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the premises are provided; and</li> <li>(i) all waste containers are regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition; and</li> <li>(j) the premises, including all buildings, structures, vehicles, car parks, access and egress routes, facilities and equipment of and incidental to the keeping of the animals is maintained at all times— <ul style="list-style-type: none"> <li>(i) in good working order and condition; and</li> <li>(ii) in a clean and sanitary condition; and</li> </ul> </li> <li>(k) all enclosures which form part of the operation of the premises are provided and maintained in a manner so as to— <ul style="list-style-type: none"> <li>(i) be clean and in a sanitary condition; and</li> <li>(ii) prevent the escape of any animal kept in the enclosure; and</li> <li>(iii) protect the safety of staff and the public; and</li> <li>(iv) be in a state of good order and repair; and</li> <li>(v) avoid injury to any animal kept in the enclosure; and</li> </ul> </li> </ul>
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		<ul style="list-style-type: none"><li>(vi) permit regular cleaning of all internal and external surfaces of each enclosure and regular checking of any animal within the enclosure; and</li><li>(vii) be impervious and able to be effectively cleaned and sanitised; and</li><li>(viii) ensure the comfort of any animal kept in the enclosure and prevent the spread of disease; and</li><li>(l) animal feed is stored in insect and vermin proof containers; and</li><li>(m) if a code of practice for the operation of a cattery or a kennel has been approved by the local government—the cattery or kennel is operated in accordance with the requirements of the code of practice.</li></ul>
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## Schedule 6 Prohibition of animals in public places

### Section 10

	<b>Column 1</b> <b>Public place</b>	<b>Column 2</b> <b>Species or breed of animals prohibited</b>
1	Gill Street, Charters Towers (including the footpath) but only from the intersection of Mosman Street to the intersection of Boundary Street	<p>All species and breeds of animal unless—</p> <p>(a) the animal is participating in a parade authorised by the local government; or</p> <p>(b) a responsible person for the animal is attending a veterinary clinic or a pet grooming business for grooming purposes and the animal is in the immediate vicinity of the responsible person; or</p> <p>(c) if the animal is a dog—the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities or a responsible person for the animal has the animal on a leash.</p>
2	Mosman Street, Charters Towers (including the footpath) but only from the intersection of Jackson Street to the intersection of Mary Street	<p>All species and breeds of animal unless—</p> <p>(a) the animal is participating in a parade authorised by the local government; or</p> <p>(b) a responsible person for the animal is attending a veterinary clinic or a pet grooming business for grooming purposes and the animal is in the immediate vicinity of the responsible person; or</p> <p>(c) if the animal is a dog—the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities or a responsible person for the animal has the animal on a leash.</p>

3	<ul style="list-style-type: none"> <li>(a) Brownson Park, Flinders Highway, Charters Towers (L219/DV475)</li> <li>(b) Bucklands Hill, Fraser Street, Charters Towers (L12/DV840956)</li> <li>(c) Centenary Park, Hackett Terrace, Charters Towers L61-62/SP250466</li> <li>(d) Dar Rin Park, Kirrima Court, Charters Towers (L4/DV712)</li> <li>(e) Elizabeth Park, Gill Street, Charters Towers (Road Reserve)</li> <li>(f) Lissner Park, Mary Street, Charters Towers (L230/DV444)</li> <li>(g) Pan Australian Mining Pty Park (L1/DV840972)</li> <li>(h) Towers Hill, Blackjack Road, Charters Towers (L35/DV276)</li> <li>(i) Venus Battery Park, Broughton Road, Charters Towers (L33/DV480)</li> <li>(j) Weir Park, Burdekin River, Charters Towers (L216/DV6))</li> <li>(k) Mossman Park, Lister Street, Charters Towers (L233/SP300390)</li> </ul>	Horses, cattle, sheep and other domesticated livestock of a similar size.
4	<ul style="list-style-type: none"> <li>(a) Within 50 metres of a designated playground area which forms part, or the whole, of a local government controlled area.</li> <li>(b) Within 50 metres of any area where equipment has been provided by the local government in a local government controlled area for use by the public for the purpose of physical exercise</li> </ul>	All species and breeds of animals.

5	Dalrymple Saleyards, 13076 Flinders Highway, Charters Towers (L143/CP894373)	<p>Dogs unless—</p> <ul style="list-style-type: none"><li>(a) the dog is participating in a dog trial, show or other event authorised by the local government; or</li><li>(b) the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities; or</li><li>(c) the animal belongs to a keeper employed/contracted by the local government to work stock on the premises and where such animals and where such keeper is authorised by the local government to employ such animal to assist with such stock work.</li></ul>
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## **Schedule 7      Dog off-leash areas**

### **Section 11**

Lissner Park, Mary Street, Charters Towers (L230/DV444)

## Schedule 8 Requirements for adequate enclosure for keeping animals

### Section 13

	Column 1 Species or breed of animal	Column 2 Requirements for adequate enclosure
1	All animals regardless of species or breed	<p>(1) An adequate enclosure is an area of the land on which the animal is kept, appropriately sized so as to be capable of effectively and comfortably housing the animal.</p> <p>(2) The area must be suitably fenced—</p> <ul style="list-style-type: none"> <li>(a) appropriate to the species and breed of the animal to be enclosed; and</li> <li>(b) so as to effectively enclose the animal on the land on which it is kept at all times.</li> </ul> <p>(3) For the purposes of this item 1 <i>suitably fenced</i> means enclosed by a fence —</p> <ul style="list-style-type: none"> <li>(a) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and</li> <li>(b) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and</li> <li>(c) where the animal has the ability to dig — which includes a barrier installed directly below the fence to prevent the animal digging its way out; and</li> <li>(d) where the animal has the ability to climb — designed and constructed in such a way as to prevent the animal from climbing over the fence; and</li> <li>(e) of which all gates are kept closed and latched except when in immediate use by a person entering or leaving the land on which the animal is kept.</li> </ul> <p>(4) An adequate enclosure must include a weatherproof area appropriate to the species or breed of animal to be enclosed.</p> <p>(5) If the animal is poultry, the enclosure must be constructed so as to prevent the poultry from wandering off, or flying away from, the land on which the poultry is kept.</p>

2	Horse	<p>An adequate enclosure for the keeping of a horse must, in addition to the requirements specified in item 1—</p> <ul style="list-style-type: none"><li data-bbox="612 338 1434 450">(a) effectively enclose the horse so that the horse cannot reach over or through the fence to adjoining land or any public place; and</li><li data-bbox="612 465 1434 645">(b) where the animal is a stallion—the enclosure must be constructed within an additional or second suitable and adequate fence or enclosure that is provided at the land on which the stallion is kept to a standard approved by an authorised person.</li></ul>
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**Schedule 9      Requirements for keeping a dog in a koala  
area**

Section 14(1)

*This schedule has been intentionally left blank.*

## **Schedule 10 Koala areas<sup>2</sup>**

Section 14(2)

*This schedule has been intentionally left blank.*

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<sup>2</sup> “Koala areas” under section 15(4) of the authorising local law comprise the areas designated in this schedule plus “koala habitat areas” designated by a State planning instrument or a conservation plan made under the *Nature Conservation Act 1992*.

## **Schedule 11      Criteria for declared dangerous animals**

### Section 15

The criteria for making a dangerous animal declaration are that the animal—

- (a) has attacked, or acted in a way that caused fear to, a person or another animal; or
- (b) may, in the opinion of an authorised person having regard to the way the animal has behaved towards a person or another animal, attack, or act in a way that causes fear to, the person or animal.

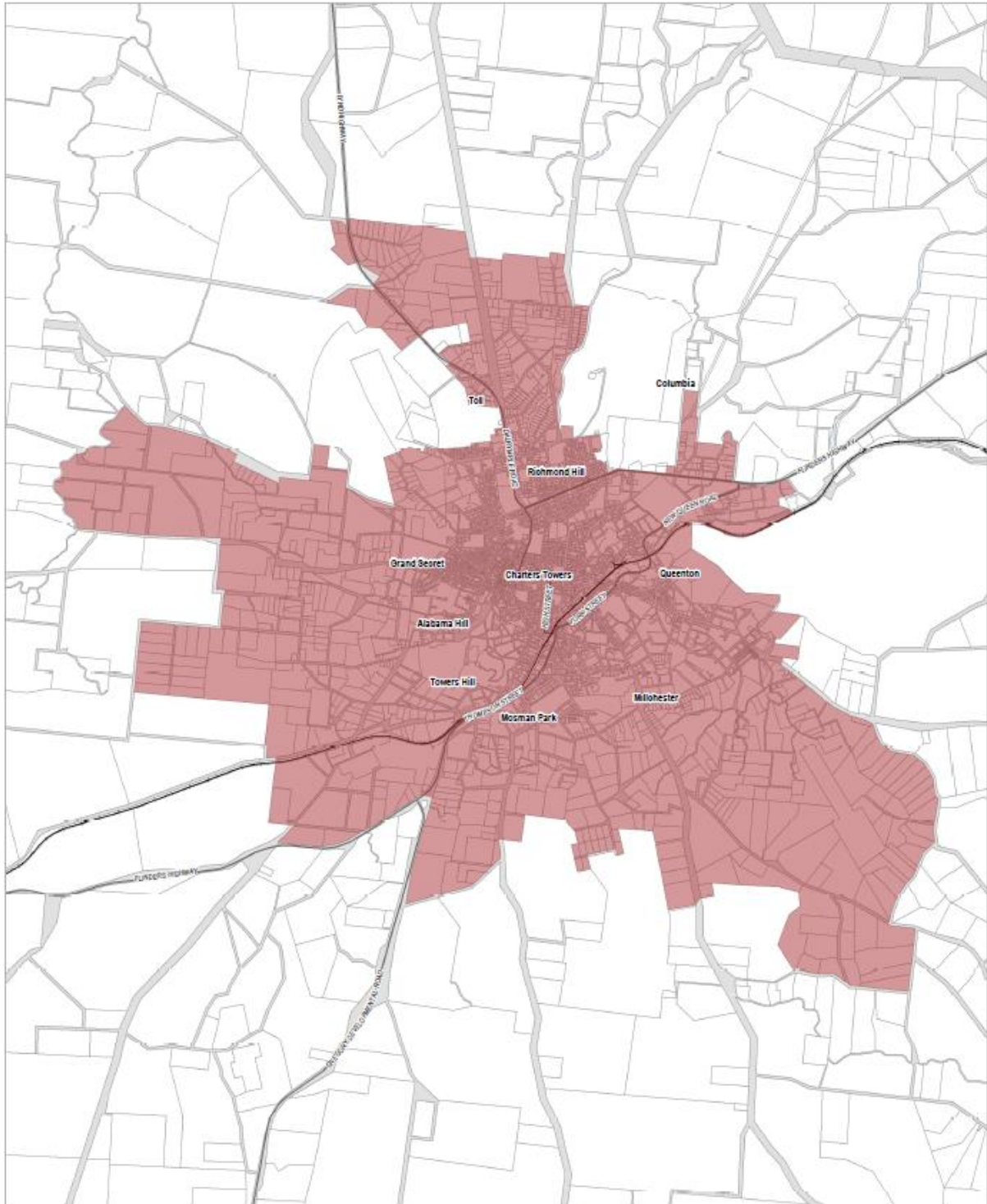
## Schedule 12 Conditions for sale of animals

### Section 19

	<b>Column 1</b> <b>Species or breed of animal</b>	<b>Column 2</b> <b>Conditions that must be complied with when offering animal for sale</b>
1	Cat	<p>(1) The cat is to be desexed unless the circumstances in paragraph (2) apply—</p> <p>(2) The circumstances for the purpose of paragraph (1) are-</p> <p>(a) the purchaser holds a signed veterinary surgeon's certificate for the cat stating that desexing is likely to be a serious risk to the health of the animal; or</p> <p>(b) the animal is under 16 weeks of age and the purchaser provides the supplier with a veterinary surgeon's voucher to the equivalent monetary value of the full cost of desexing the animal upon desexing age.</p>

# Schedule 13 City area

## Section 4





**Subordinate Local Law No. 2  
(Animal Management) 2011**

**City Area** (Red)

**Other Map Layers**

- ▭ Cadastral Boundary
- ▬ Roads
- ▬ Waterway
- ▬ Railway Network
- ▬ Major Roads

**DISCLAIMER**

Based on cartographic data provided by the State of Queensland (Department of Natural Resources and Mines) (2018), in consideration of the State permitting use of this data you acknowledge and agree that the State is not responsible for any loss, damage or costs (including consequential damage) resulting from any use of the data. Data must not be used for third marketing or be used in breach of the privacy laws.

Cadastral boundaries as at June 2018 sourced from QData.

Source: © Crown of Australia (2018)

30/08/2019

Approx Scale @ A3 1:58,000







**Charters Towers  
City Area**







**CHARTERS TOWERS**  
REGIONAL COUNCIL

Subordinate Local Law No. 2  
(Animal Management) 2011

**Legend**

- Designated Town Areas
- Other Map Layers
- Cadastral Boundary
- Roads
- Railwayway
- Railway Network
- Major Roads

**DISCLAIMER**

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Cadastral Coordinates as at June 2018 sourced from GDA94.  
Geometric Datum of Australia (GDA94)

30/08/2019

Approx. Scale @ A3 1:5,000





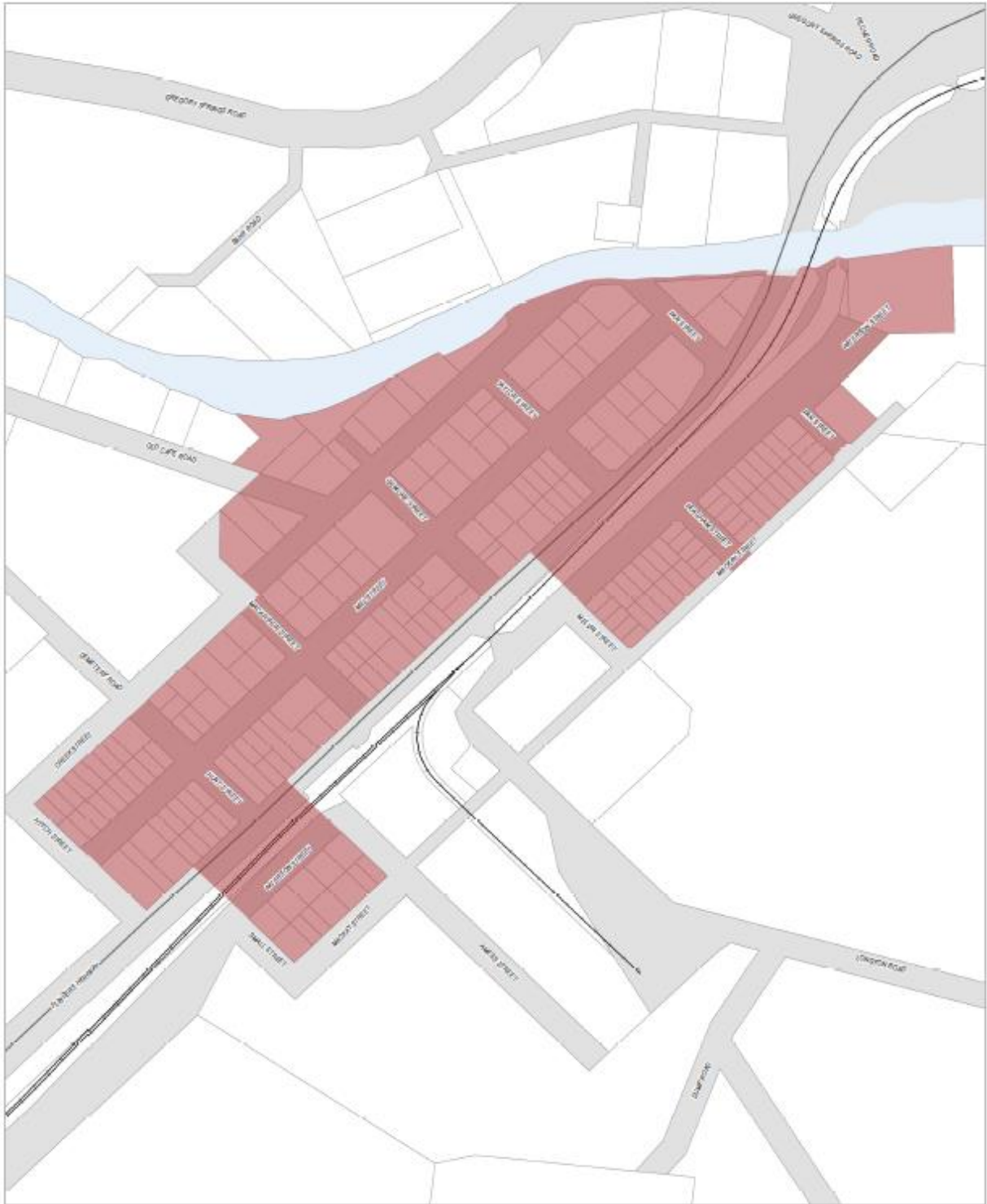

**Greenvale**  
Designated Town Area













**CHARTERS TOWERS**  
REGIONAL COUNCIL

Subordinate Local Law No. 2  
(Animal Management) 2011

**Legend**

- Designated Town Areas
- Other Map Layers**
- Council boundary
- Roads
- Waterway
- Railway Network
- Major Roads

**DISCLAIMER**

Based on information data provided by the State of Queensland (Department of Natural Resources and Mines) (2018). In consultation of the State permitting use of the data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or for use in breach of the privacy laws.

Copyright Inquiries as at June 2018 sourced from Citybeat.  
Geometric Datum of Australia (GDA98)

30/08/2019

Approx Scale @ A3 1:6,000

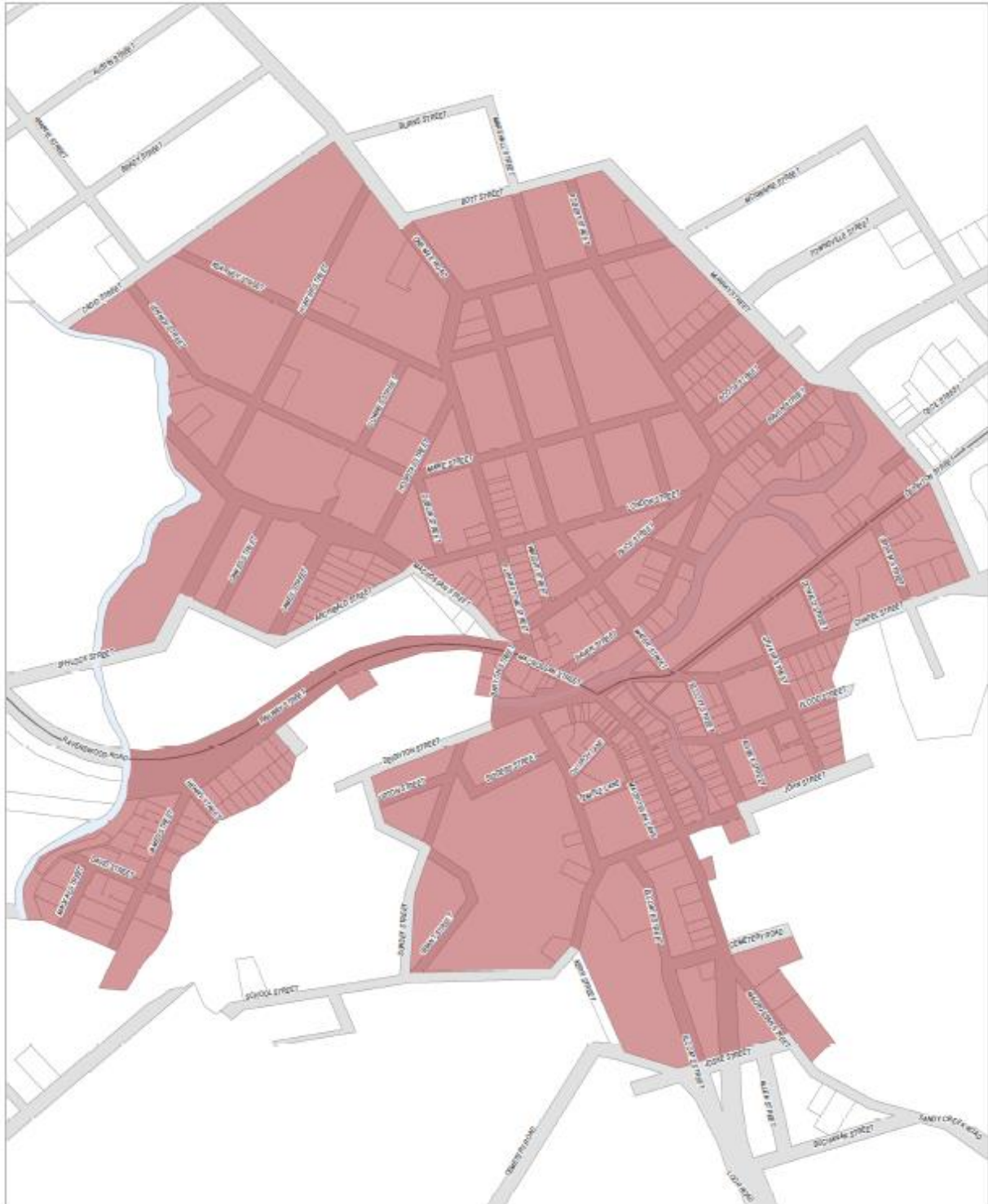


0 0.15 0.3  
km





**Pentland**  
Designated Town Area





**CHARTERS TOWERS**  
REGIONAL COUNCIL

**Subordinate Local Law No. 2**  
**(Animal Management) 2011**

**Legend**

- Designated Town Areas
- Other Map Layers**
- Council Boundary
- Roads
- Waterways
- Railway Network
- Major Roads

**DISCLAIMER**

Based on information data provided by the State of Queensland (Department of Natural Resources and Mines (DNRM)), in consideration of the State granting use of this data you acknowledge and agree that the State gives no warranty or condition to the data (including accuracy, reliability, completeness, or fitness for suitability) and accepts no liability (including without limitation, liability in negligence for any loss, damage or costs) including consequential damage resulting in any use of the data. Data should not be used to direct individuals or to seek to breach of the privacy laws.

Geospatial Coordinates as at June 2018 sourced from GDA2011  
Geospatial Data of Australia (GDA2011)

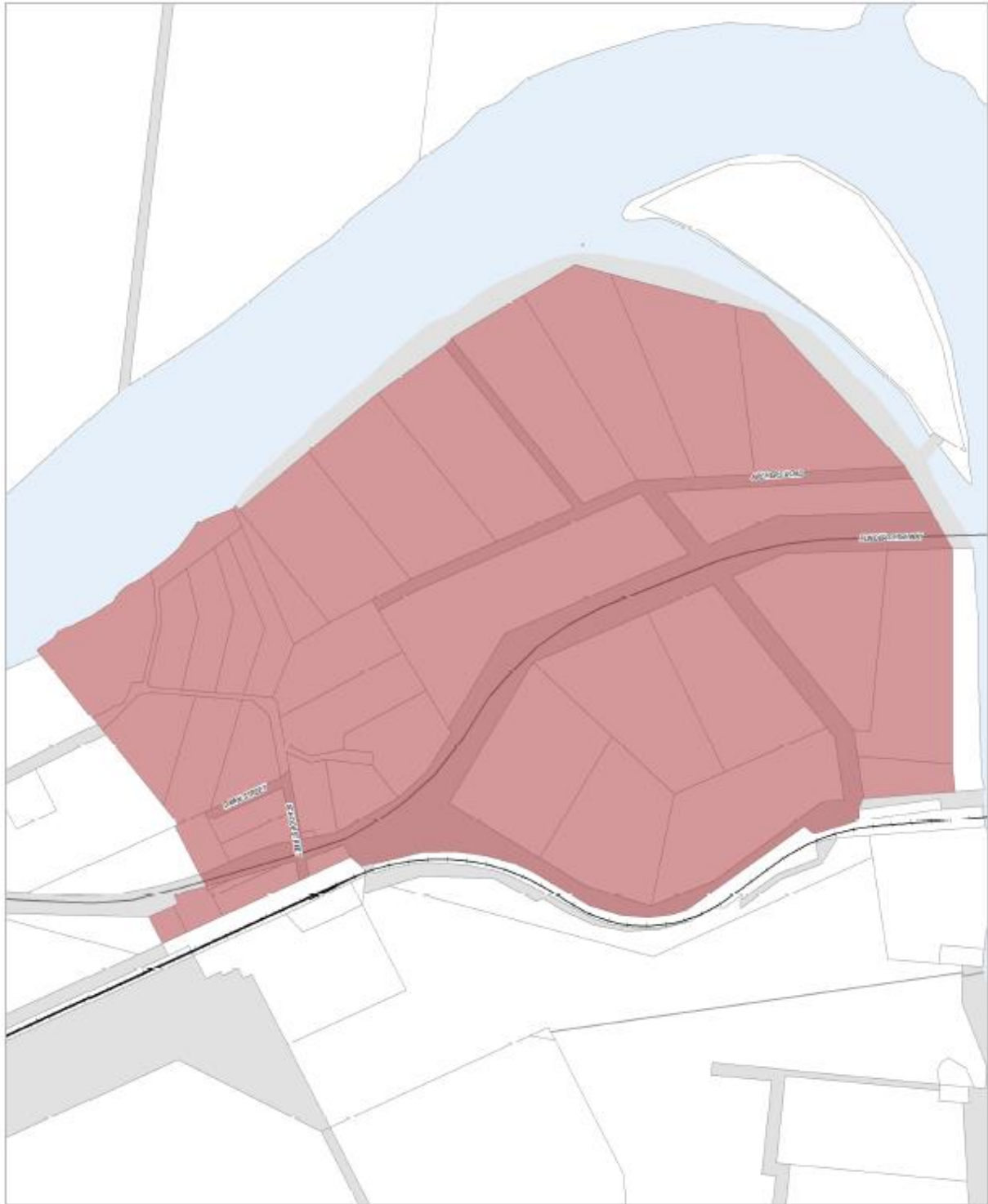


**Ravenswood**  
Designated Town Area

30/08/2019

Approx. Scale @ A3 1:8,000







**CHARTERS TOWERS**  
REGIONAL COUNCIL

**Subordinate Local Law No. 2**  
(Animal Management) 2011

**Legend**

- Designated Town Areas
- Other Map Layers**
- Council Boundary
- Roads
- Waterways
- Railway Network
- Major Roads

**DISCLAIMER**

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Cadastral boundaries as at June 2018 sourced from QGeomatics.  
Geometric Data of Australia (2018)

30/08/2019

Approx Scale @ A3 1:12,000







**Sellheim**  
Designated Town Area

## Schedule 15 Dictionary

### Section 4

**allotment** means a single parcel of land, or several contiguous parcels of land where all of the contiguous parcels of land are in —

- (a) the same ownership; or
- (b) the same occupation.

**Animal Management Act** means the *Animal Management (Cats and Dogs) Act 2008*.

**cat**—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a kitten regardless of age.

**cattery** has the meaning given in the planning scheme of the local government.

**city area** means the area which is indicated on the map contained in schedule 13.

**designated playground area** means an area which is—

- (a) physically defined; and
- (b) constructed by the local government for recreational use by minors; and
- (c) provided with 1 or more items of playground apparatus.

*Example*—

A designated playground area may be an area which is—

- (a) enclosed by a fence or some other barrier; and
- (b) covered by bark chips or similar material; and
- (c) equipped with a swing, see-saw or similar playground apparatus.

**designated town area** means the area which is indicated on a map contained in schedule 14.

**dog**—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a puppy regardless of age.

**horse** includes a pony and a miniature horse.

**keep (an animal)**—

- (a) includes board, breed and train; and
- (b) in the absence of evidence to the contrary, a person is presumed to keep an animal on land if the person —
  - (i) feeds and cares for the animal on the land; and
  - (ii) the animal is observed by an authorised person on the land on more than 1 occasion during a month.

**kennel** has the meaning given in the planning scheme of the local government.

**local government public health risk** has the meaning given in the *Public Health Act 2005*.

**multi-residential premises** means —

- (a) a residence which forms part of a group of 2 or more residences in circumstances where 2 or more of the residences of the group are directly adjacent to each other and share—
  - (i) a common wall; or
  - (ii) a ceiling in circumstances where 1 residence is directly under the floor of another residence; and
- (b) a residence situated on a lot which forms part of a community titles scheme as defined in the *Body Corporate and Community Management Act 1997*.

*Examples of multi-residential premises —*

Flats, boarding houses, tenement buildings, home units, townhouses and duplexes.

**non-residential premises** means premises other than residential premises.

**occupier**, of premises—

- (a) means the person who has the control or management of the premises; and
- (b) includes the owner of the premises where there is no person in apparent occupation of the premises.

**pet shop** has the meaning given in the planning scheme of the local government.

**premises** means any land, building or structure and includes any part thereof.

**registered** has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

**residence** means a building, or part of a building, that is—

- (a) fixed to land; and
- (b) a self-contained unit used by, or intended for the exclusive residential use of, one household.

**residential premises** means premises used, or intended to be used, predominantly as a place of residence.

**sewerage system** has the meaning given in the *Plumbing and Drainage Act 2018*.

**stallion** means an uncastrated adult male horse.

**structure** has the meaning given in the *Local Government Act 2009*.

**urban area** has the meaning given in *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*.

**vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**vermin** means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
  - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
  - (ii) a local government public health risk.

**waste** has the meaning given in the *Environmental Protection Act 1994*.

## Endnotes

### 1 Key

Key abbreviations in list of amending local laws and annotations

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
amd	= amended	prec	= preceding
amdt	= amendment	prev	= previous
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	renum	= renumbered
hdg	= heading	rep	= replaced
ins	= inserted	s	= section
num	= numbered	sch	= schedule
om	= omitted	sdiv	= subdivision
p	= page	sub	= substituted
para	= paragraph	unnum	= Unnumbered

### 2 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before 21 July 2021.

### 3 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021	21 July 2021	



**4 List of amending local laws**

**Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021**

date of Council resolution 21 July 2021

date notified in the gazette 30 July 2021

commenced on date of notification

**5 List of annotations**

**Section 9 (Identification of dogs in certain circumstances)**

rep 2021 No. 1 s5 and s6

**Section 17 (Animals that may be disposed of without auction or tender)**

s17 (1) (a), (b), (d), (f) and (h) om 2021 No. 1 s7(1) to (5)

s17 (1) (c) to (e), (g) and (i) to (k) renum 2021 No. 1 s7(6)

**Schedule 1 (Prohibition on keeping animals)**

om below table 2021 No. 1 s9

s1, clm 2 amd 2021 No. 1 s8(1)

s2, clm 2 amd 2021 No. 1 s8(2)

s3, clm 2 amd 2021 No. 1 s8(3)

s4, clm 2 amd 2021 No. 1 s8(4)

s6, clm 2 (a) and (b) amd 2021 No. 1 s8(5) and (6)

**Schedule 2 (Requirement for approval to keep animal)**

s1, clm 2 amd 2021 No. 1 s10(1), (2) and (3)

s2, clm 2 amd 2021 No. 1 s10(4)

s3, clm 2 (a) amd 2021 No. 1 s10(5) and (6)

s3, clm 2 (b) om 2021 No. 1 s10(7)

s4, clm 2 (a) amd 2021 No. 1 s10(8)

s4, clm 2 (b) om 2021 No. 1 s10(9)

s5, clm 2 amd 2021 No. 1 s10(10) and (11)

s6, clm 2 amd 2021 No. 1 s10(12)

**Schedule 4 (Minimum standards for keeping animals generally)**

sch 4 (d) amd 2021 No. 1 s11(1)

sch 4 (i) om 2021 No. 1 s11(2)

**Schedule 5 (Minimum standards for keeping particular animals)**

s5, clm 1 amd 2021 No. 1 s12(1)

s5, clm 2 (b), (c) and (g) om 2021 No. 1 s12 (2), (3) and (5)

s5, clm 2 (d), (f) and (h) renum 2021 No. 1 s12 (4) and (6)

**Schedule 6 (Prohibition of animals in public places)**

s2, clm 1 amd 2021 No. 1 s13(1)

s3, clm 1 (a), (c), (g), (j), (k) amd 2021 No. 1 s13(2) to (6)

**Schedule 7 (Dog off-leash areas)**

rep 2021 No. 1 s14

**Schedule 9 (Requirements for keeping a dog in a koala area)**

amd 2021 No. 1 s15

**Schedule 10 (Koala areas)**

amd 2021 No. 1 s16

**Schedule 11 (Criteria for declared dangerous animals)**

rep 2021 No. 1 s17

**Schedule 12 (Conditions for sale of animals)**

rep 2021 No. 1 s18

**Schedule 15 (Dictionary)**

amd 2021 No. 1 s19