

North Burnett Regional Council Amending Subordinate Local Law No.2 (Animal Management) 2024

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law (Amending) Subordinate Local Law No. 2 (Animal Management) 2024*.

2. Commencement

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

3. Local law amended

This local law amends *Subordinate Local Law No. 2 (Animal Management) 2011*.

Part 2 Amendment of Subordinate Local Law No. 2 (Animal Management) 2011

4. Amendment to s4 (Definitions)

Section 4(2) –

Insert –

‘ amending authorising local law means amending local law No.2 (Animal Management).’.

5. Insertion of new s 8A (Identification for cats and dogs in certain circumstances – Authorising local law s 9)

After section 8 –

insert –

‘8A Identification for cats and dogs in certain circumstances – Authorising local law, s9

- (1) For section 9 of the authorising local law, the identification required for an animal that is at a

place other than the address stated in the registration for the animal is—

- (a) for a cat or dog that is required under the *Animal Management (Cats and Dogs) Act 2008* to be implanted with a permanent identification device—the permanent identification device; or
- (b) for another cat or dog—the registration device mentioned in section 12 of the *Animal Management (Cats and Dogs) Act 2008*.’.

6. Omission of s 9A (Dog off leash areas – Authorising local law, s11(1)) –

Section 9A –

omit.

7. Insertion of new s 13A (Place of care for impounded animals – Authorising local law s 24) –

insert –

‘13A 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 in the alternative, a duly registered place of care as nominated by the local government.

Example of place of care –

RSPCA, veterinary surgeon. dog kennels, another local government facility.’.

8. Amendment of schedule 1 (Prohibition on keeping animals) –

Schedule 1 (Prohibition on keeping animals) –

omit, insert –

‘Schedule 1 Prohibition on keeping animals

	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
1	Dog	<ul style="list-style-type: none"> • More than 2 dogs over the age of 12 weeks without approval. • Any of the following breeds or a crossbreed of 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 Pressa Canario or Pressa Canario
2	Cat	<ul style="list-style-type: none"> • More than 2 cats over the age of 12 weeks on an allotment with an area less than 6000m². • More than 1 cat over the age of 12 weeks on premises which are multi-residential premises.
3	Horse, donkey, cow, sheep, goat, Alpaca, llama or deer	<ul style="list-style-type: none"> • An animal to which this item 3 applies on an allotment with an area less than 6000m² • A density of animals to which this item 3 applies that is greater than one animal per 6000 m²
4	Bull or Stallion	<ul style="list-style-type: none"> • On an allotment with an area less than 20,000m²
5	Poultry	<ul style="list-style-type: none"> • 20 or more poultry on an allotment with an area of less than 4000m².
6	Pig	<ul style="list-style-type: none"> • A pig on an allotment with an area less than 20,000m².
7	Duck, goose or turkey	<ul style="list-style-type: none"> • 3 or more birds to which this item 7 applies on an allotment with an area less than 6000 m².
8	Ostrich, emu or peacock	<ul style="list-style-type: none"> • A bird to which this item 8 applies on an allotment with an area less than 6000m².
9	Bees	<ul style="list-style-type: none"> • A hive on an allotment less than 1000 m². • More than 2 hives on an allotment with an area of 1000 m² or more, but less than 4000 m².
10	Cockatoo, galah or other bird of a similar size	<ul style="list-style-type: none"> • A bird to which this item 10 applies on an allotment with an area less than 6000 m².
11	Budgerigar, canary or other bird of a similar size	<ul style="list-style-type: none"> • More than 20 birds to which this item 11 applies on an allotment with an area less than 6000 m².

12	Racing pigeons	<ul style="list-style-type: none">• More than 20 birds to which this item 12 applies on an allotment with an area less than 6000 m2.
13	Rooster	<ul style="list-style-type: none">• Non Registered Breeder – Any rooster on an allotment within a defined urban area of less than 4000m2.• Registered Breeder – More than 1 rooster for each 4000m2 of an allotment within a defined urban area.

A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals on premises if –

- (a) the animal or animals were kept on the premises before the commencement of the amending authorising local law; and
- (b) the keeping of the animal or animals on the premises immediately before the commencement of the amending authorising local law did not contravene any provision of a local law of the local government that was repealed contemporaneously with the making of the amending authorising local law.
- (c) This exemption does not extend to the keeping of any animal or animals on the premises that have been introduced, substituted for or replaced an animal or animals being kept on the premises after the commencement of the amending authorising local law beyond the number of animals as prescribed.

An Urban Area includes the land identified in the Queensland Government Publication 'Defined Urban Areas'.

9. Amendment of schedule 2 (Requirement for approval to keep animal) –

Schedule 2 (Requirement for approval to keep animal) –

omit, insert –

‘Schedule 2 Requirement for approval to keep animal¹

section 6

Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval ²
1 Any animal	An approval to keep an animal is required where the owner or responsible person for the animal has committed more than two offences against the authorising local law in any 12 month period in relation to the same type of animal Example— The owner of a dog commits 2 roaming dog offences in a 12 month period
2 Dog	<ol style="list-style-type: none"> 1. In the case of a dog that is not a guard dog, working dog that is kept on rural land, or greyhound registered with the Queensland Racing Integrity Commission - <ol style="list-style-type: none"> (a) No approval is required to keep up to 2 dogs on any property (b) An approval is required to keep more than 2 dogs over the age of 12 weeks in an urban area. 2. An approval is required to keep a guard dog on a property. 3. An approval is required to keep more than 2 greyhounds registered with the Queensland Racing Integrity Commission Greyhound over the age of 12 weeks.

¹ Under section 6(3) of the authorising local law, an approval is not required for the keeping of animals on land if the keeping of the animals on the land is an existing lawful use under section 260 of the *Planning Act 2016*.

² See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1 (Administration) 2011* 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).

3	Cat	An approval is required to keep more than 2 cats over the age of 12 weeks on a property and more than 1 cat per dwelling on a on a multiple dwelling property.
4	Pigeons or doves	An approval is required to keep pigeons or doves in an urban area or on a property less than 6,000m2.
5	Rooster	<ul style="list-style-type: none">• Non Registered Breeder – up to 1 rooster on any allotment which is more than 4000m2 in a defined urban area.• Registered Breeder – up to 1 rooster for each 4000m2 of an allotment in a defined urban area.'.

10. Amendment to Schedule 3 (Minimum standards for keeping animals generally)

Section 3 –

omit.

This and the preceding 6 pages bearing my initials is a certified copy of North Burnett Regional Council (Amending) Subordinate Local Law No.2 (Animal Management) 2024 made in accordance with the provisions of the Local Government Act 2009 by the North Burnett Regional Council by resolution dated the 30th day of October 2024.



Craig Matheson
Chief Executive Officer