

NOTE: This document is a consolidated version of Local Law Policy No. 14M (Keeping and Control of Animals) and contains all amendments to date. Every care has been taken in its compilation, but no responsibility can be accepted for any errors or omissions, and persons wishing to confirm the content of any Local Law should acquire certified copies of the Local Law and amendments thereto.

THURINGOWA CITY COUNCIL

LOCAL LAW POLICY NO. 14M

(KEEPING AND CONTROL OF ANIMALS)

Title: Local Law Policy No. 14M (Keeping and Control of Animals)

To be read with: Local Law No. 14M (Keeping and Control of Animals).

1. Citation

This Local Law Policy may be cited as Local Law Policy No. 14M (Keeping and Control of Animals).

2. Objects

The objects of this Local Law Policy are to assist the implementation of Local Law No. 14M (Keeping and Control of Animals) in regulating the keeping of Animals:-

- a) to protect the community against risk of injury and damage;
- b) to ensure that animals do not create a nuisance, or a hazard to health or safety;
- c) to prevent pollution and other environmental damage resulting from the keeping of animals and to protect the amenity of the local environment; and
- d) to ensure that animals are kept and used in a way that is consistent with the rights and expectations of the local community.

3. Clarification Definitions

Terms used in this policy are defined hereunder for the purpose of clarity.

- "beehive" - a beehive shall mean a hive of bees which includes only one queen.
- "caged birds" - includes birds such as budgerigars, finches, parrots and galahs which are kept for recreational purposes including breeding and showing. For the purpose of this Local Law Policy, "caged birds" shall be further classified as "low noise birds", "medium noise birds" and "high noise birds" species as separately defined herein. The term excludes pigeons and poultry.
- "cat" - means a cat of any breed or sex over the age of six (6) months and includes a desexed cat.
- "dog" - means a domestic dog of any breed or sex over the age of six (6) months and includes a desexed dog.

- "domestic animals" - means an animal which may be kept as an ancillary use to a residential premises and in numbers not exceeding those prescribed in Appendix A hereto.
- "high noise birds" - includes the following species and types:-
Cockatoos, Corellas, Galahs, Indian Ringnecks and Macaws: all types
- "low noise birds" - includes the following species and types:-
Neophemas Bourke, Turquoise, Elegant, Rock, Bluewinged, Orange Bellied and Scarlet Chested Parrots
Softbills Finches and Quail
Polytelis Superb, Regent, Princess King and Crimson Wing parrots
Psephotus Red Rumped, Mulga, Blue Bonnet, Hooded, Golden Shouldered and Paradise parrots
Melopsittacus Budgerigar
- "medium noise birds" - includes the following species and types:-
Lorikeets Rainbow, Scaly Breasted, Varied Musk, Little Purple Crowned, Red Collared and Fig parrots.
Rosellas Eastern, Yellow, Adelaide, Crimson, Pale Headed, Western and Northern
Cockatiel all types
Peachfaces
- "native wildlife" - includes orphaned or injured Australian native animals which may be kept by carers with permission from National Parks and Wildlife for limited periods prior to their release into the wild.
- "ornamental fish" - shall mean ornamental fish kept for domestic enjoyment in tanks or ponds but shall not include the keeping or breeding of ornamental fish for sale or commercial reward.
- "poultry" - includes chickens, ducks, geese and turkeys of any variety over the age of 12 months but excludes peacocks and guinea fowl. In certain circumstances set out in Appendix A roosters are excluded from the definition of poultry.
- "rabbits" - shall mean rabbits kept in accordance with a permit from the Department of Primary Industries.
- "reptiles" - shall not include varieties of crocodiles or alligators.
- "rodents" - shall mean rats and mice.
- "specified dog"- a greyhound

4. Dangerous Dogs (to be read with Section 3 of the Local Law).

The following breeds of dogs are prescribed for the purpose of Section 3 of the Local Law as being dangerous dogs:-

Pit Bull Terrier or any crossbreed of a Pit Bull Terrier

5. Animals for which permit is required (to be read with Section 5 of the Local Law).

- a) Domestic animals for which a permit is or is not required and the numbers of any domestic animal that may be kept on a property under the Council's Town Planning Scheme are set out in Appendix A hereto.
- b) A dangerous dog shall not be kept without a permit.
- c) An animal not specified in Appendix A shall not be kept without a permit unless otherwise allowed under the Council's Town Planning Scheme.

6. Term of permit (to be read with Section 14(1) of the Local Law)

A permit granted under this Local Law will be for a period of 12 months, renewable on 1st July of each year or such other period as decided by resolution of the Council.

7. Requirement to register animal (to be read with Section 7 of the Local Law).

Within thirty (30) days of becoming the keeper of a dog, the keeper of a dog must register the dog with the Council.

8. Registration identifying tag (to be read with Section 8(2) of the Local Law)

The identifying tag to be worn by a registered dog shall be the tag provided by Council on registration of the dog.

9. Minimum standards for keeping of animals (to be read with Section 11(1) of the Local Law)

- a) A person who keeps an animal shall ensure that
 - i) the yard or enclosure in which the animal is kept is regularly cleaned and all waste disposed of in a proper and sanitary manner
 - ii) any enclosure provided in which the animal is kept is properly constructed in accordance with current building standards
 - iii) any enclosure or yard in which the animal is kept shall be maintained in such a manner so as not to cause a nuisance
 - iv) any enclosure in which an animal is kept shall not be located or constructed nearer to a neighbours dwelling than it is to the owners dwelling
 - v) adequate food and water shall be provided for the animal at all times
 - vi) adequate space shall be provided for the animal

- b) A person who keeps a specified dog shall prevent the dog from being in or on any public place if the dog does not have a muzzle securely fixed upon its mouth to prevent it from biting any person or animal and unless the dog is under a person's effective control, provided that this requirement shall not apply to a greyhound that is participating in a race or trial that is under the control of the Greyhound Racing Control Board of Queensland. "Effective control" shall have the meaning assigned to it by Local Law 16(2) of the Local Law.
- (c) A person shall not have under his control more than two (2) specified dogs at one time.

10. Sale of animals (to be read with Section 29 of the Local Law)

A person shall not offer or display animals for sale on a commercial basis unless the premises comply with the Pet Shop Guidelines adopted by Council by resolution.

11. Nuisance Dogs (to be read with section 21(4) of the Local Law)

The Council may in any case where over a twelve (12) month period three (3) substantiated complaints against a dog have been recorded, give written notice to the keeper to remove the dog from the premises.

12. Free running dog exercise areas (to be read with section 32.1 of the Local Law)

The Council may by resolution declare an area to be a free running dog exercise area.

13. Commencement

This Local Law Policy shall commence upon the date of gazettal of Local Law No. 14M (Keeping and Control of Animals).

**LOCAL LAW POLICY NO. 14M
KEEPING AND CONTROL OF ANIMALS**

LEGEND

CODE	TOWN PLANNING ZONE	CODE	DEVELOPMENT PURPOSE
RA	Rural Agriculture	CPK	Caravan Park
RU2	Rural 2	RVG	Retirement Village
RU8	Rural 8	RAU	Rural Accomodation Units
RU20	Rural 20		
RU40	Rural 40	CODE	MEANING
RU400	Rural 400	AOR	Maximum Permissable Number of Animals which may be kept as of right.
FU	Future Urban		
R1	Residential 1	P	Maximum number of Animals which may be kept with a permit from Council.
R2	Residential 2		
R3	Residential 3		
TR	Township Residential	NS	Number not specified. To be determined by Council depending on type of animal.
PR1	Park Residential 1		
PR2	Park Residential 2		
LS	Local Shopping	T	Total Number of species which may be kept comprising one or more of a species type.
COM	Commercial		
LI	Light Industry	X	No Limit.
GI	General Industry		
NHI	Noxious & Hazardous	*	Rooster not permitted
SR	Sports and Recreational		
OS	Public Open Space		
PP	Public Purposes		
PD	Particular Development		

