



**Redland**  
CITY COUNCIL

Redland City Council

## **Subordinate Local Law No. 2 (Animal Management) 2015**

It is hereby certified that this a true and correct copy of *Subordinate Local Law No. 2 (Animal Management) 2015* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 15 December 2021

A handwritten signature in black ink, appearing to be 'A. Chesterman', is written over a horizontal line.

A. Chesterman  
**Chief Executive Officer**



## Redland City Council

### Subordinate Local Law No. 2 (Animal Management) 2015

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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) 2015*.

### 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) 2015*, 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 and proper enclosures; and
  - (c) the control of animals in public places and koala conservation areas; 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) 2015* (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 7 defines particular words used in this subordinate local law.

## Part 2 Keeping of animals

### 5 Circumstances in which keeping animals is 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)**

- (1) For section 6(1) of the authorising local law, an approval is required for the keeping of an animal or animals in the circumstances specified in this section.
- (2) An approval (a *3 cat approval*) is required to keep 3 cats over the age of 3 months on premises unless a cattery approval or a pet shop approval has been granted in respect of the keeping of the cats on the premises.
- (3) An approval (a *3 dog approval*) is required to keep 3 dogs over the age of 3 months on premises, unless a prescribed dog approval, a kennel approval or a pet shop approval has been granted in respect of the keeping of the dogs on the premises.
- (4) An approval (a *prescribed dog approval*) is required to keep prescribed dogs over the age of 3 months on premises in the following circumstances, unless a kennel approval or a pet shop approval has been granted in respect of the keeping of the prescribed dogs on the premises—
  - (a) where the total number of dogs is 3 and at least 1 of the dogs is a prescribed dog; or
  - (b) where the total number of dogs is 4 and at least 2 of the dogs are prescribed dogs.
- (5) An approval (a *cattery approval*) is required to operate premises which are used or intended for use for the keeping, boarding, breeding or training of more than 3 cats.
- (6) An approval (a *kennel approval*) is required to operate premises which are used or intended for use for the keeping, boarding, breeding or training of more than 3 dogs.
- (7) An approval (a *pet shop approval*) is required to keep animals if the animals are kept for the purposes of the operation of a pet shop.
- (8) An approval (a *pet pig approval*) is required to keep a pig on premises.

## **7 Minimum standards for keeping animals—Authorising local law, s 7(1)**

- (1) For section 7(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 2.
- (2) For section 7(1) of the authorising local law, column 2 of schedule 3 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 3.

## **8 Identification for dogs in certain circumstances—Authorising local law, s 8**

For section 8 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 identifying tag supplied by the local government—

- (a) stating the registration number of the dog; and
- (b) indicating that the identifying tag has been issued by the local

government; and

- (c) containing other information the local government considers appropriate.

## **Part 3 Control of animals**

### **9 Requirements for proper enclosures for keeping animals—Authorising local law, s 13(2)**

For section 13(2) of the authorising local law, column 2 of schedule 4 sets out the requirements for proper enclosures for an animal of the species or breed mentioned in column 1 of schedule 4.

### **9A Koala conservation—Authorising local law, s 13A**

- (1) For section 13A(1) of the authorising local law, schedule 4A sets out the requirements for keeping a dog on land that is within a koala area.
- (2) For section 13A(4) of the authorising local law, each area shaded in grey on a map in schedule 4B is designated as a koala area.
- (3) Each koala area on a map in schedule 4B is, for identification purposes, allocated the number which appears on the map in schedule 4B.

### **10 Criteria for declared dangerous animals—Authorising local law, s 17(1)**

For section 17(1) of the authorising local law, an animal may be declared a dangerous animal where there is a high likelihood of the animal causing injury to a person or animal or damage to property, taking into account—

- (a) its prior history of attacking or causing fear to persons or animals or damaging property; and
- (b) the extent of injury or damage that could potentially be inflicted by an animal of its size and species or breed.

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

### **11 Place of care for impounded animals—Authorising local law, s 22**

For section 22 of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government.

### **12 Animals that may be disposed of without auction or tender—Authorising local law, s 30(1)(b)**

For section 30(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—

- (a) dogs; and
- (b) cats; and

- (c) livestock; and
- (d) poultry and birds; and
- (e) pigs; and
- (f) other small domestic animals, including guinea pigs, rats and mice.

### 13 Register of impounded animals—Authorising local law, s 31(3)

For section 31(3) of the authorising local law, the register of impounded animals will be kept at the local government's public office.

## Part 5 Registration of cats

### 14 What registration form must state—Authorising local law, s42

- (1) For section 42 of the authorising local law, a registration form for the registration of a cat must—
  - (a) be in the approved form; and
  - (b) state all of the following information about the owner of the cat—
    - (i) name;
    - (ii) residential address;
    - (iii) contact telephone number;
    - (iv) email address, if any; and
  - (c) state all of the following information about the cat—
    - (i) age;
    - (ii) breed;
    - (iii) colour;
    - (iv) sex;
    - (v) any other noticeable distinguishing features or marks;
    - (vi) address;
    - (vii) if it is desexed—that it is desexed.
- (2) In this section, the *address* for a cat is the address of the place where the cat is usually kept or proposed to be kept.

### 15 Local government must give registration notice — Authorising local law, s44(3)

For section 44(3) of the authorising local law, a registration notice must—

- (a) be given to the owner within 14 days after the cat is registered by the local government; and
- (b) state—
  - (i) the information, for the owner and the cat, required to be given under sections 42 and 43(2) of the authorising local law; and
  - (ii) the period of the registration.

**16 Local government must give renewal notice — Authorising local law, s47(3)**

For section 47(3) of the authorising local law, a renewal notice must—

- (a) be given at least 14 days before the period of registration for the cat expires; and
- (b) state—
  - (i) the information, for the owner and the cat, stated in the register of cats maintained by the local government; and
  - (ii) the period of renewal of registration; and
  - (iii) that the owner must, within 7 days, give the local government notice of any change to the information.

**Part 6 Miscellaneous****17 Conditions regarding sale of animals—Authorising local law, s 52(1)**

For the purposes of section 52(1) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 5 must comply with the conditions set out in column 2 of schedule 5.

**18 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, fish are excluded from the application of the authorising local law.

**19 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—

- (a) if the animal is a horse, cow, registered cat, registered dog or other identifiable animal—5 days; and
- (b) if the animal is an unregistered cat, unregistered dog or an animal which is not an identifiable animal—3 days.



## Schedule 1 Prohibition on keeping animals

### Section 5

Item	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
1	Dog	Any of the following breeds, and a cross-breed 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 Presa Canario or Presa Canario
		More than 2 dogs over the age of 3 months on premises unless the local government has granted, in respect of the keeping of the dogs on the premises- <ul style="list-style-type: none"> <li>(i) A 3 dog approval; or</li> <li>(ii) A prescribed dog approval; or</li> <li>(iii) A kennel approval; or</li> <li>(iv) A pet shot approval</li> </ul>
2	Cat	<ul style="list-style-type: none"> <li>(a) More than 2 cats over the age of 3 months on premises unless the local government has granted, in respect of the keeping of the cats on the premises— <ul style="list-style-type: none"> <li>(i) a 3 cat approval; or</li> <li>(ii) a cattery approval; or</li> <li>(iii) a pet shop approval.</li> </ul> </li> <li>(b) A cat on premises in the ridgewood downs prohibition area.<sup>1</sup></li> </ul>
3	Livestock	<ul style="list-style-type: none"> <li>(a) 1 or more livestock on an allotment with an area less than 4,000m<sup>2</sup>.</li> <li>(b) 1 or more livestock on premises in the ridgewood downs prohibition area.<sup>2</sup></li> </ul>

Item	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
4	Rooster, ostrich, emu, peacock, peahen, guinea fowl or similar bird	A bird to which this item 4 applies on an allotment with an area less than 4,000m <sup>2</sup> .
5	Domestic chicken, duck or drake	<p>(a) A bird to which this item 5 applies on an allotment with an area less than 500m<sup>2</sup>.</p> <p>(b) More than 6 birds to which this item 5 applies on an allotment with an area between 500m<sup>2</sup> and 2,000m<sup>2</sup>.</p> <p>(c) More than 12 birds to which this item 5 applies on an allotment with an area between 2001m<sup>2</sup> and 4,000m<sup>2</sup>.</p>
6	Goose or turkey	A bird to which this item 6 applies on an allotment with an area less than 2,000 m <sup>2</sup> .
7	Large parrot, cockatoo, galah or other bird of a similar size	<p>(a) A bird to which this item 7 applies on—</p> <p>(i) multi-residential premises; or</p> <p>(ii) an allotment with an area less than 1,000m<sup>2</sup>.</p> <p>(b) More than 1 bird to which this item 7 applies on an allotment with an area between 1000m<sup>2</sup> and 3000m<sup>2</sup>.</p> <p>(c) More than 2 birds to which this item 7 applies on an allotment with an area of 3001m<sup>2</sup> or more.</p> <p>(d)</p>

Item	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
8	Pig	<p>(a) 1 or more pigs on an allotment with an area less than 4,000m<sup>2</sup>.</p> <p>(b) 1 or more pigs on premises in the ridgewood downs prohibition area.<sup>3</sup></p> <p>(c) 1 or more pigs on an allotment on any of the following—</p> <ul style="list-style-type: none"> <li>(i) North Stradbroke Island;</li> <li>(ii) Coochiemudlo Island;</li> <li>(iii) Russell Island;</li> <li>(iv) Macleay Island;</li> <li>(v) Lamb Island;</li> <li>(vi) Karragarra Island.</li> </ul> <p>(d) Subject to paragraphs (a), (b) and (c), more than 1 pig on an allotment with an area of 4,000m<sup>2</sup> or more.</p> <p>(e) Subject to paragraphs (a), (b), (c) and (d), 1 pig on an allotment with an area of 4,000m<sup>2</sup> or more unless the local government has granted, in respect of the keeping of the pig on the allotment, a pet pig approval.</p>

<sup>1</sup> See definition of *ridgewood downs prohibition area* in the dictionary.

<sup>2</sup> See definition of *ridgewood downs prohibition area* in the dictionary.

<sup>3</sup> See definition of *ridgewood downs prohibition area* in the dictionary.

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 authorising local law; and
- (b) the keeping of the animal or animals on the premises immediately before the commencement of the 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 authorising local law.

## Schedule 2      Minimum standards for keeping animals generally

### Section 7(1)

- (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 maintained 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.
- (2) For the purposes of subsection (1)(e), the local government may consider a noise to be a nuisance or disturbance if—
  - (a) the noise is made for more than a total of 6 minutes in any hour from 7a.m. to 10p.m. on any day; or
  - (b) the noise is made for more than a total of 3 minutes in any 30 minute period on any day after 10p.m. or before 7a.m.
- (3) Where an enclosure is to be built specifically for the purpose of housing an animal on premises, the enclosure must be constructed to prevent the animal from going within the following—
  - (a) 5m of any residence, other than a residence upon the premises on which the enclosure is to be constructed; or
  - (b) 1m of any boundary of the premises.
- (4) Where an enclosure is to be built specifically for the purpose of housing an animal on premises, the enclosure must be constructed to prevent the animal from going within 10m of any premises used for the manufacture, preparation or storage of food for human consumption, other than food contained in hermetically sealed packages.
- (5) Subsection (4) does not apply where an enclosure is built for the purpose of housing the animal if the premises are a domestic kitchen used solely for domestic purposes by

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the owner of, or responsible person for, the animal.

## Schedule 3 Minimum standards for keeping particular animals

Section 7(2)

Item	Column 1 Species or breed of animal	Column 2 Minimum standards for keeping animals
1	Dog	<p>Each owner of, and responsible person for, a dog kept on premises must—</p> <p>(a) provide and maintain on any part of the premises which is accessible by the dog, structures or facilities which facilitate the escape of koalas from the premises; and</p> <p><i>Examples of structures or facilities which facilitate the escape of koalas—</i></p> <ol style="list-style-type: none"> <li>1 Fences which do not create a physical barrier to the movement of koalas.</li> <li>2 Trees planted adjacent to the inside of a fence (which fence creates a physical barrier to the movement of koalas) to allow a koala to climb to the top of the fence.</li> <li>3 A “koala pole” leant against the inside of a fence (which fence creates a physical barrier to the movement of koalas), to allow a koala to climb to the top of the fence.</li> </ol> <p>(b) if a koala is on land to which the dog has access—</p> <ol style="list-style-type: none"> <li>(i) protect the koala by restraining the dog until the koala has left the land; and</li> <li>(ii) confine the dog so that the dog can not attack the koala until the koala has left the land; and</li> </ol> <p>(c) ensure that—</p> <ol style="list-style-type: none"> <li>(i) a residence exists on the premises; and</li> <li>(ii) someone is usually living in the residence; and</li> </ol> <p>(d) ensure that the premises are provided with an enclosure which complies with the requirements of schedule 4.</p>
2	Cat	<p>Each owner of, and responsible person for, a cat kept on premises must ensure that—</p> <ol style="list-style-type: none"> <li>(a) a residence exists on the premises; and</li> <li>(b) someone is usually living in the residence; and</li> <li>(c) the premises are provided with an enclosure which complies with the requirements of schedule 4.</li> </ol>

Item	Column 1 Species or breed of animal	Column 2 Minimum standards for keeping animals
3	Guard dog	<p>Each owner of, and responsible person for, a guard dog kept on premises must—</p> <ul style="list-style-type: none"> <li>(a) keep the dog in an enclosure approved by an authorised person; and</li> <li>(b) ensure that the enclosure is constructed so as to prevent a koala from entering the enclosure; and</li> <li>(c) take such measures and do all such acts as may be required by an authorised person or, as the case may be, as may be necessary, to prevent the dog from escaping from the premises; and</li> <li>(d) display conspicuously at all times at each entrance to the premises, a notice in white lettering on a black background, the lettering being not less than 50mm in height and readily legible with the words— “BEWARE – DANGEROUS GUARD DOG”; and</li> <li>(e) ensure that the dog is under effective control at all times when the premises are open to access by the public.</li> </ul>
4	Greyhound	<p>Each owner of, and responsible person for, a greyhound must ensure that the dog is kept—</p> <ul style="list-style-type: none"> <li>(a) without nuisance; and</li> <li>(b) 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.</li> </ul>
5	Livestock	<p>Each owner of, and responsible person for, an animal to which this item 5 applies which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the food of the animal is, so far as is practical, stored in a vermin proof container; and</li> <li>(b) the keeping of the animal does not have an adverse impact on— <ul style="list-style-type: none"> <li>(i) the ability of occupiers of premises in the surrounding area to carry out the ordinary activities of the area and enjoy its amenity; and</li> <li>(ii) the health or safety of people or other animals; and</li> </ul> </li> <li>(c) environmental impacts from the keeping of the animal are properly managed; and</li> </ul>

Item	Column 1 Species or breed of animal	Column 2 Minimum standards for keeping animals
		<p><i>Examples of environmental impacts include—</i></p> <ol style="list-style-type: none"> <li>1 erosion;</li> <li>2 dust;</li> <li>3 weed infestation;</li> <li>4 water pollution.</li> </ol> <p>(d) if a code of practice for the keeping of an animal to which item 5 applies has been approved by the local government—the animal is kept in accordance with the requirements of the code of practice.</p>
6	A bird other than a bird described in any of items 4, 5, 6 or 7 of schedule 1	<p>Each owner of, and responsible person for, a bird to which this item 6 applies must ensure that—</p> <ol 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.</li> </ol>
7	Pigeon	<p>Each owner of, and responsible person for, 1 or more pigeons kept on premises must ensure that—</p> <ol style="list-style-type: none"> <li>(a) the pigeons are kept without nuisance; and</li> <li>(b) the pigeons are contained within an enclosed cage or aviary; and</li> <li>(c) the pigeon's food is kept in a properly sealed, vermin proof container; and</li> <li>(d) the cage or aviary in which the pigeons are kept is— <ol 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> </ol> </li> <li>(e) if the pigeons are kept in an urban area— the uncontrolled release of the pigeons (free lofting) is not permitted; and</li> <li>(f) if the pigeons are permitted to have free non-flight</li> </ol>



Item	Column 1 Species or breed of animal	Column 2 Minimum standards for keeping animals
		<p>time — the free non-flight time is only conducted under the close supervision of the responsible person for the pigeons; and</p> <p>(g) the entry and exit of the pigeons from any loft, aviary or cage on the premises is fully controlled; and</p> <p>(h) if the pigeons are released from a loft, aviary or cage — the pigeons may only return through a one-way entrance to the loft, aviary or cage, which does not permit the uncontrolled exit of pigeons; and</p> <p>(h) if pigeons are released from the premises — every reasonable attempt is made to retrieve any pigeon that does not return to the premises; and</p> <p>(i) if pigeons are released from the premises — the pigeons are not permitted to roost on any land or premises adjoining the premises on which the pigeons are kept; and</p> <p>(j) the behaviour of the pigeons is appropriately conditioned to ensure rapid and voluntary return of the pigeons to the loft, aviary or cage at the premises after liberation; and</p> <p>(k) if a code of practice for the keeping of pigeons has been approved by the local government—the pigeons must be kept in accordance with the requirements of the code of practice.</p>
8	Bees	<p>(a) Each owner of, and responsible person for, bees must —</p> <p>(i) be a registered beekeeper under the <i>Biosecurity Act 2014</i> or</p> <p>(ii) the holder of a permit to keep bees granted under the <i>Biosecurity Act 2014</i>.</p> <p>(b) Each owner of, and responsible person for, bees must ensure that —</p> <p>(i) the bees are kept without nuisance; and</p> <p>(ii) if a code of practice for the keeping of bees has been approved by the local government — the bees are kept in accordance with the requirements of the code of practice.</p>

<b>Item</b>	<b>Column 1 Species or breed of animal</b>	<b>Column 2 Minimum standards for keeping animals</b>
9	Duck, drake, goose, turkey, rooster, peacock, peahen, ostrich, emu, guinea fowl, and poultry	<p>Each owner of, and responsible person for, a bird to which this item 9 applies 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 bird is contained within an enclosure; and</li> <li>(c) the bird's food is kept in a properly sealed, vermin proof container; and</li> <li>(d) 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) if the bird is a domestic chicken, duck or drake, and the bird is kept on an allotment with an area less than 2000m<sup>2</sup>—located at the rear of, and behind, any residence situated on the premises; and</li> </ul> </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 must be kept in accordance with the requirements of the code of practice.</li> </ul>

## Schedule 4 Requirements for proper enclosures for animals

### Section 9

	Column 1 Species or breed of animal	Column 2 Requirements for proper enclosures
1	All animals regardless of species or breed	<p>(a) A proper 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>(b) The area must be suitably fenced—</p> <ul style="list-style-type: none"> <li>(i) appropriate to the species and breed of the animal to be enclosed; and</li> <li>(ii) so as to effectively enclose the animal on the land on which it is kept at all times; and</li> <li>(iii) so as to prevent any part of the animal from encroaching onto a public place or neighbouring property.</li> </ul> <p>(c) For the purposes of this item 1, <i>suitably fenced</i> means enclosed by a physical barrier —</p> <ul style="list-style-type: none"> <li>(i) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and</li> <li>(ii) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and</li> <li>(iii) 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>(iv) 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>(v) 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>
2	Dog	In addition to the criteria contained in relation to item 1, the enclosure must be external to the dwelling, where the property has external land that is for the private use of the occupier of the dwelling.

3	A dog kept at a caravan park	<p>The proper enclosure requirements for a person who keeps a dog at a caravan park site at a caravan park, are that the enclosure must—</p> <ul style="list-style-type: none"> <li>(a) comprise part, or the whole, of the caravan park site; but</li> <li>(b) not extend beyond the external boundaries of the caravan park site; and</li> <li>(c) be appropriately sized so as to be capable of effectively and comfortably housing the dog; and</li> <li>(d) be suitably fenced— <ul style="list-style-type: none"> <li>(i) appropriate to the species and breed of the dog to be enclosed; and</li> <li>(ii) so as to at all times effectively enclose the dog within— <ul style="list-style-type: none"> <li>(A) if the area of the enclosure comprises the whole of the caravan park site — the caravan park site to the satisfaction of an authorised person; or</li> <li>(B) if the area of the enclosure comprises only part of the caravan park site — the area of the enclosure to the satisfaction of an authorised person.</li> </ul> </li> </ul> </li> </ul>
4	Stallion and pig	<p>A proper enclosure for the keeping of an animal to which this item 3 applies must, in addition to the requirements specified in item 1, be constructed within an additional or second suitable and adequate fence or enclosure that is provided at the land on which the animal is kept to a standard approved by an authorised person.</p>
5	Cat	<p>A person who keeps a cat on premises may comply with the requirements prescribed in item 1 if—</p> <ul style="list-style-type: none"> <li>(a) a building or structure (other than a fence) forms part, or the whole, of the proper enclosure; and</li> <li>(b) the building or structure— <ul style="list-style-type: none"> <li>(i) is appropriately sized so as to be capable of effectively and comfortably housing the cat; and</li> <li>(ii) the building or structure effectively encloses the cat on the premises at all times; and</li> <li>(iii) the building or structure is— <ul style="list-style-type: none"> <li>(A) constructed of materials which are of sufficient strength to prevent the cat from escaping over, under or through the building or structure; and</li> <li>(B) of a height which is sufficient to</li> </ul> </li> </ul> </li> </ul>

		<p>prevent the cat jumping or climbing over the building or structure; and</p> <p>(c) all gates and doors of the building or structure are kept closed and latched except when in immediate use by a person entering or leaving the premises on which the cat is kept.</p>
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## Schedule 4A Requirements for keeping a dog in a koala area

### Section 9A(1)

- (1) A person who keeps a dog on a lot with an area of more than 2,000m<sup>2</sup> in a koala area must—
- (a) construct and maintain a proper enclosure<sup>4</sup> (a “**koala area enclosure**”) having an area not more than 2,000m<sup>2</sup> and—
    - (i) keep the dog in the koala area enclosure; and
    - (ii) prevent the dog from wandering or escaping from the koala area enclosure; and
    - (iii) ensure that the dog is kept within the koala area enclosure at all times; or
  - (b) between sunset and sunrise tether the dog by a leash or chain which is—
    - (i) not more than 3m long; and
    - (ii) securely attached to the collar of the dog and a fixed stationery object on the lot; or
  - (c) between sunset and sunrise confine the dog to an enclosure which—
    - (i) is appropriately sized so as to be capable of effectively and comfortably housing the dog; and
    - (ii) has walls which are constructed so as to prevent the dog from escaping from the enclosure; and
    - (iii) is constructed so as to prevent a koala from entering the enclosure.

*Example for paragraph (c): the enclosure may be—*

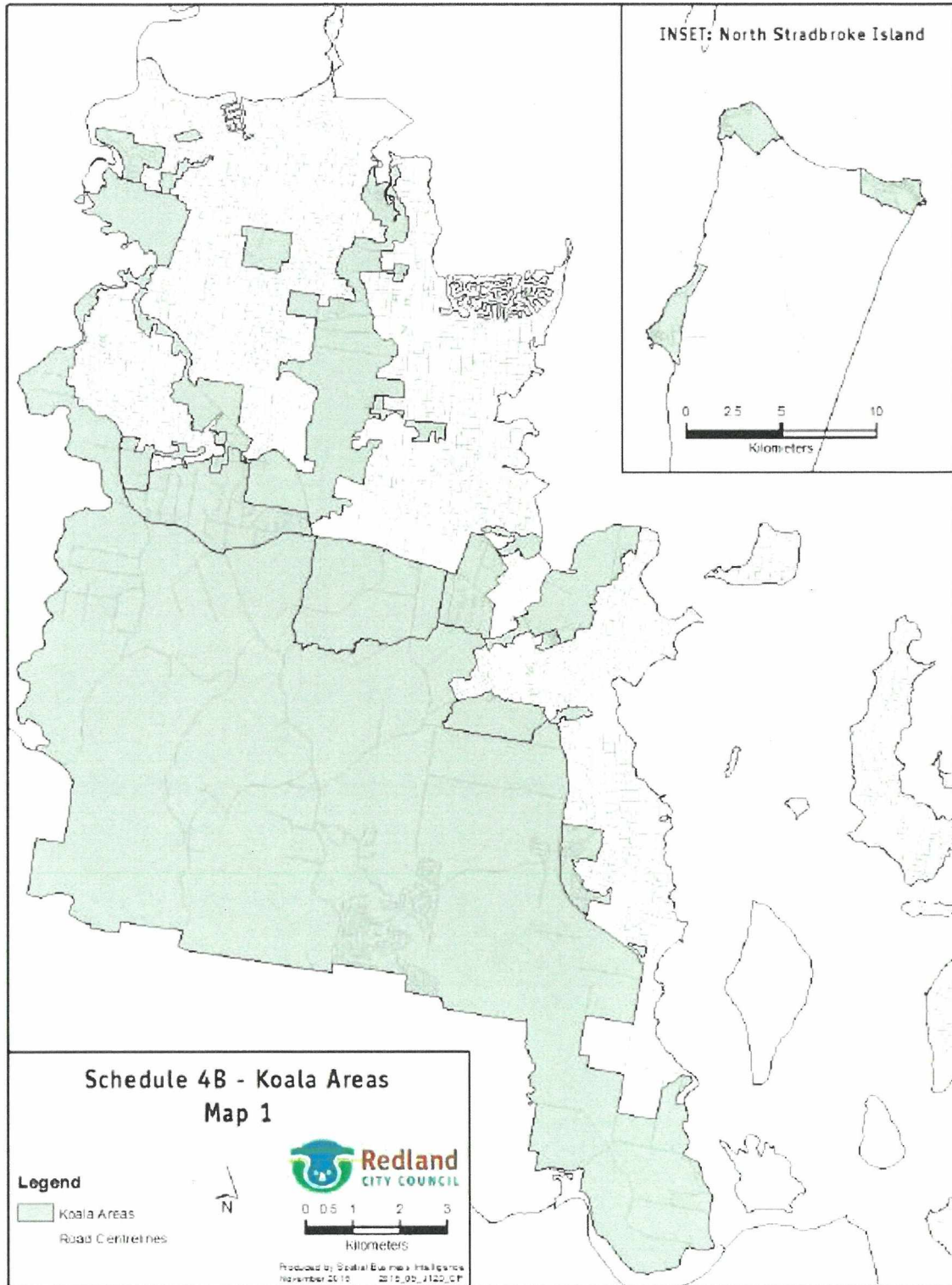
- (a) *a dwelling or part of a dwelling; or*
- (b) *a garage; or*
- (c) *a suitably fenced area which is constructed—*
  - (i) *outside a dwelling on the lot for the purpose of confining the dog between sunset and sunrise; and*
  - (ii) *so as to prevent a koala from entering the enclosure.*

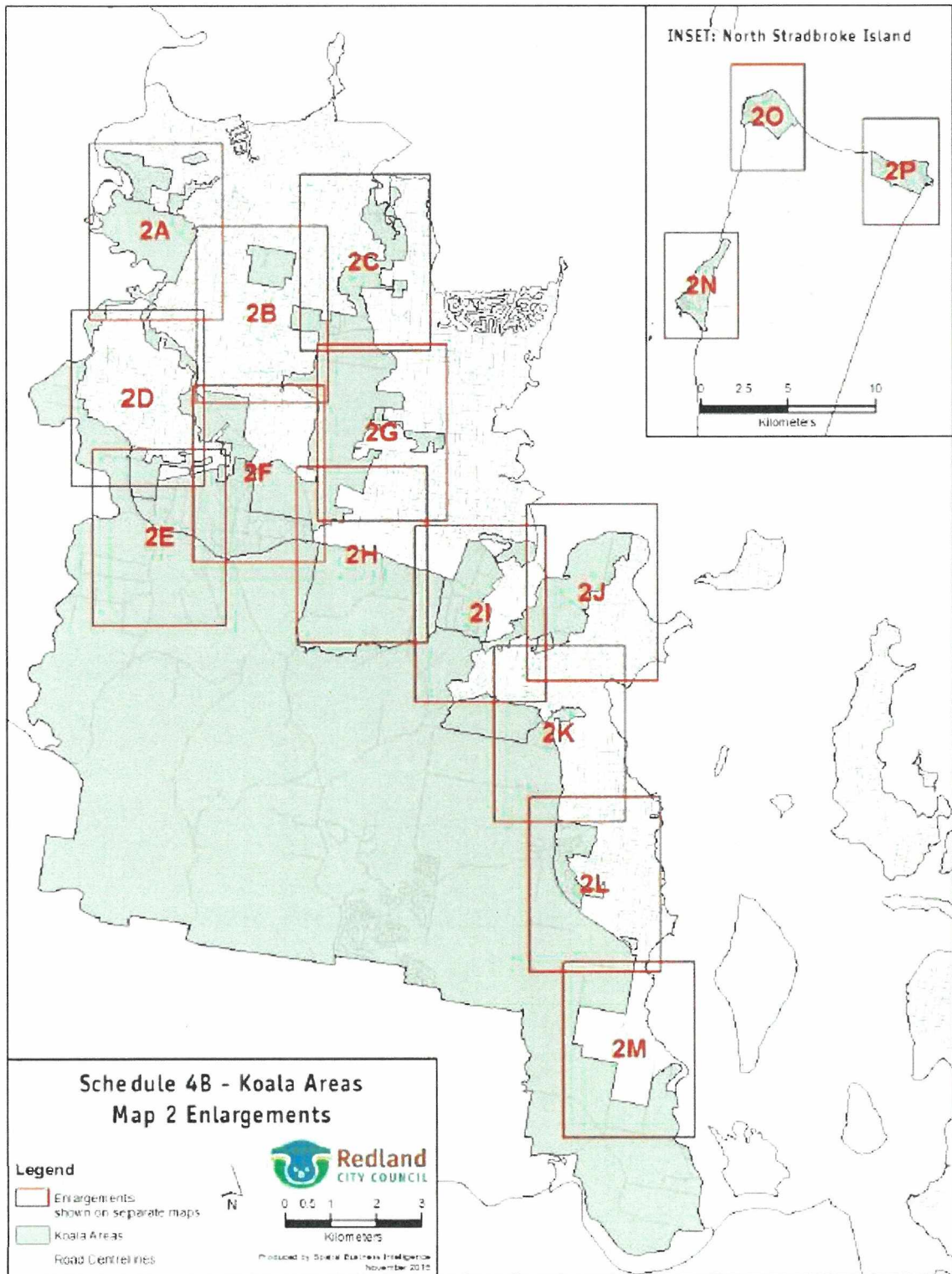
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<sup>4</sup> See section 9 for requirements for proper enclosures for keeping animals.

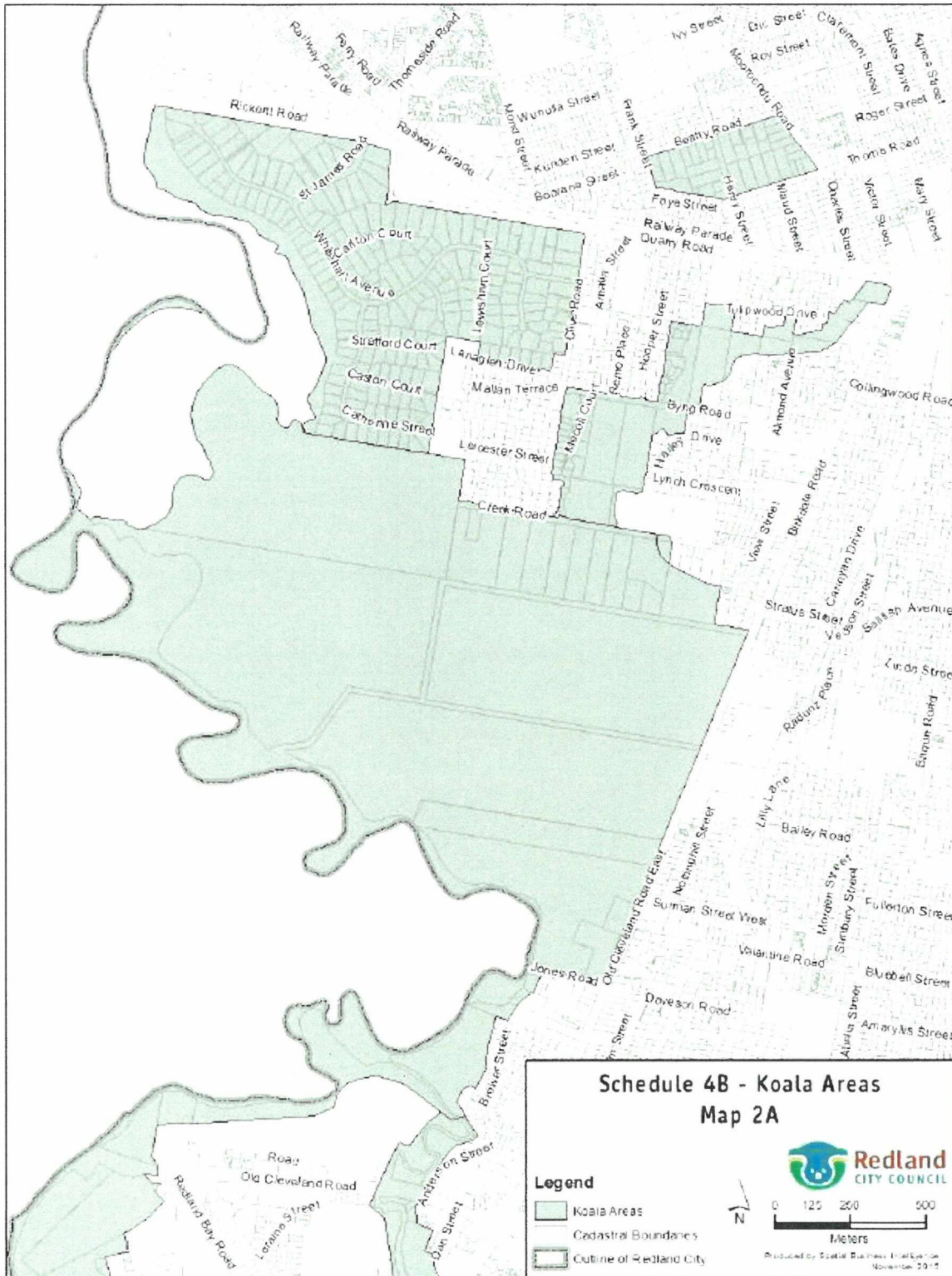
# Schedule 4B Koala areas

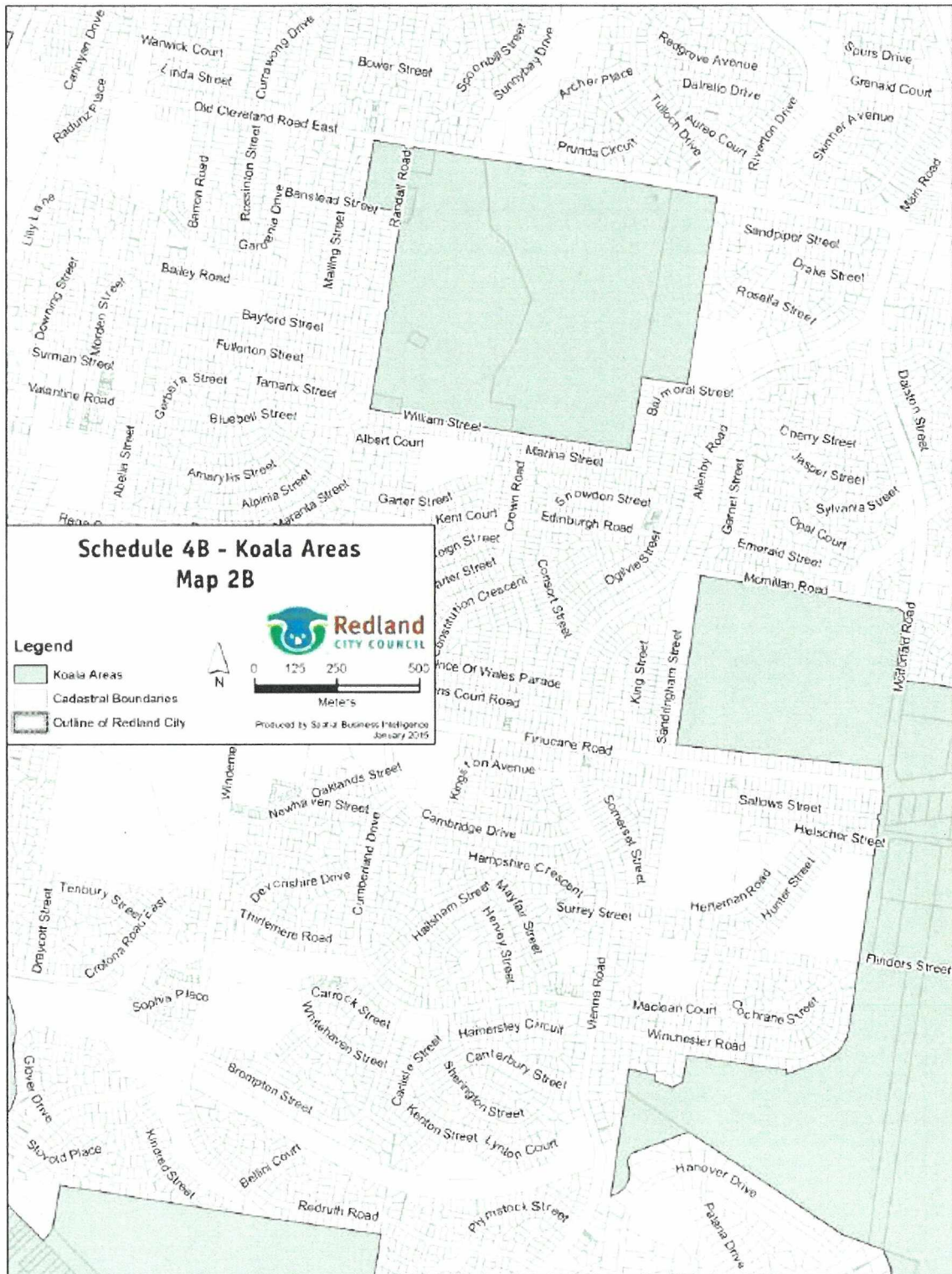
Section 9A(2) and (3)

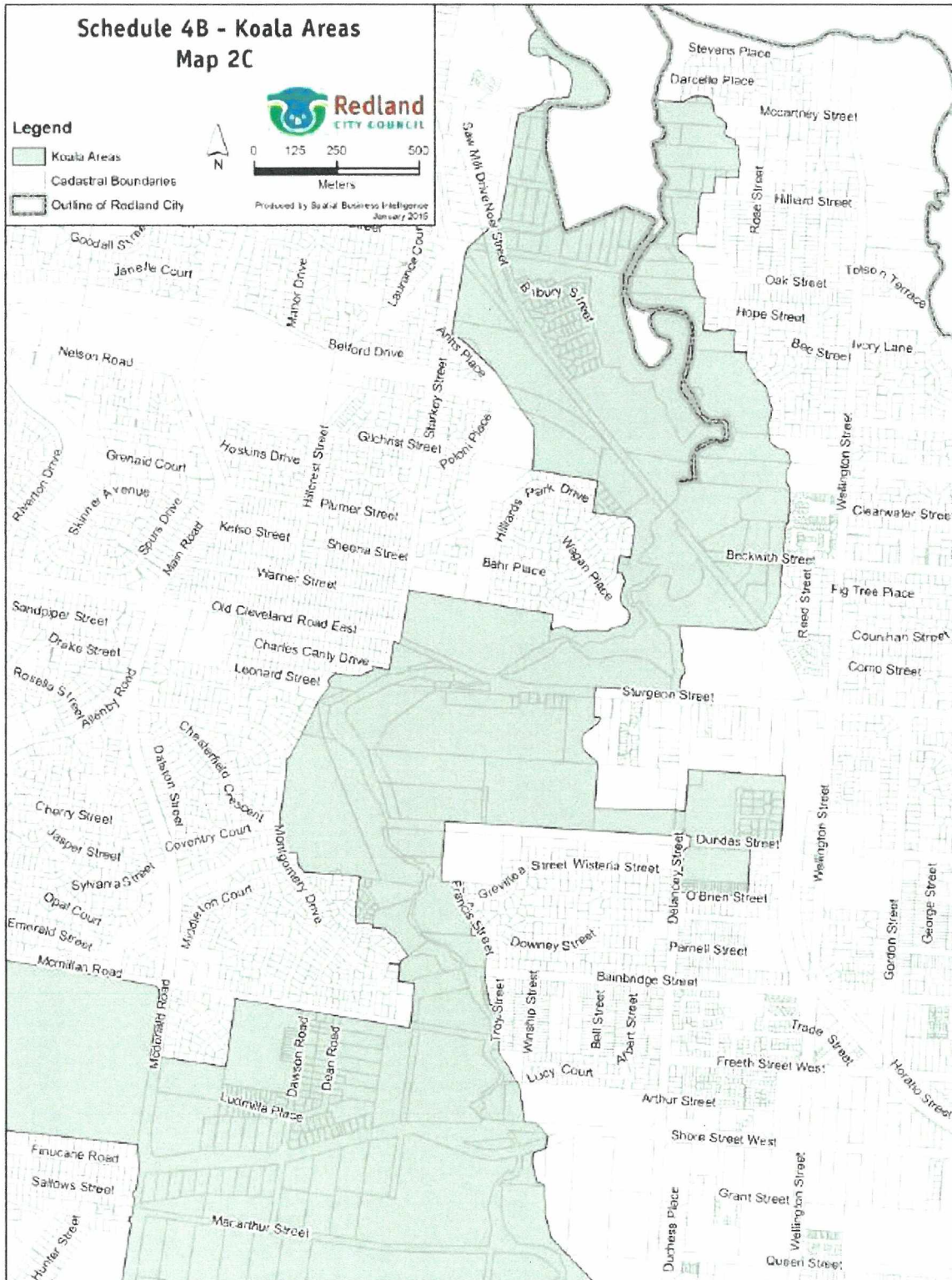


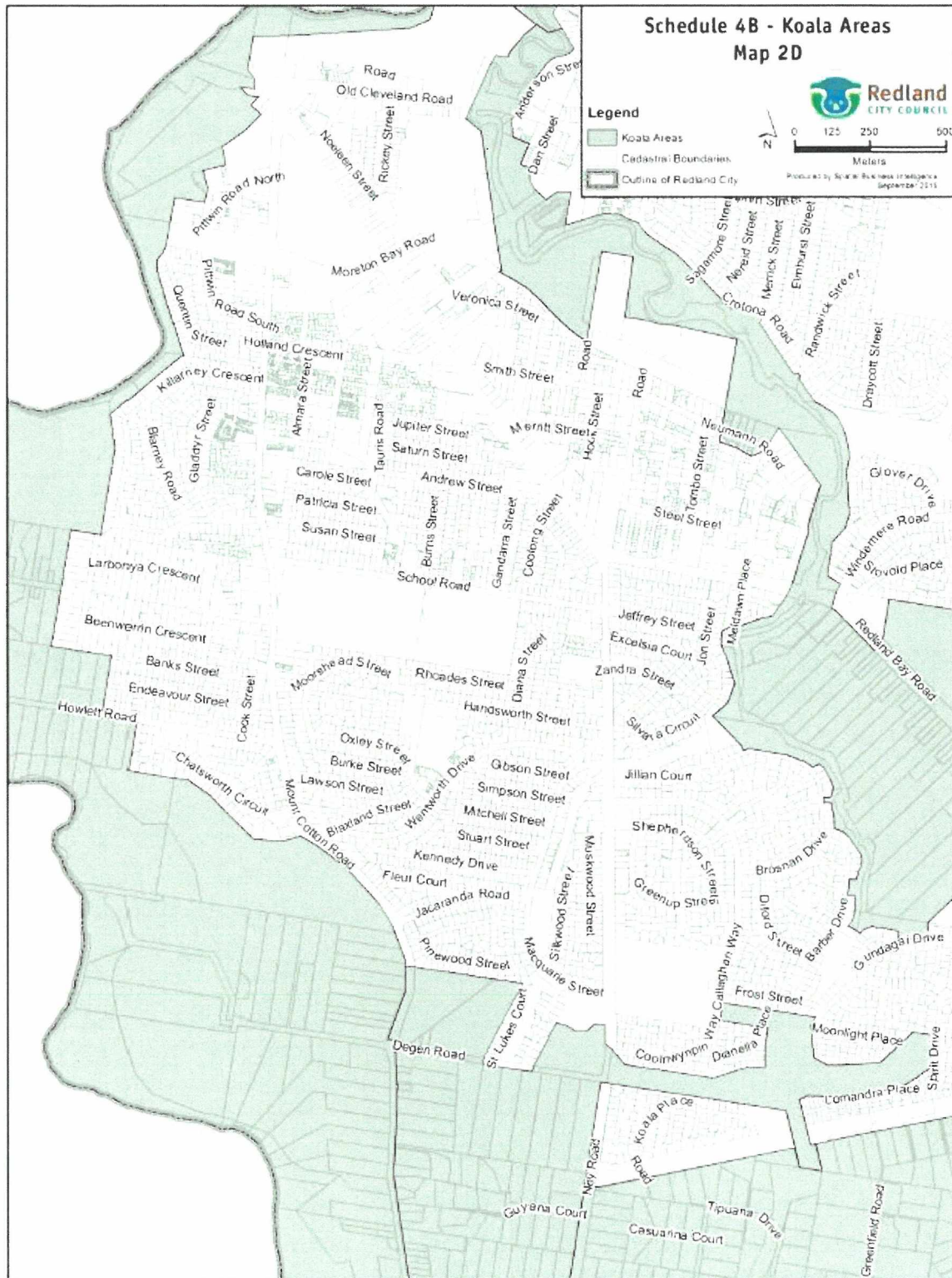


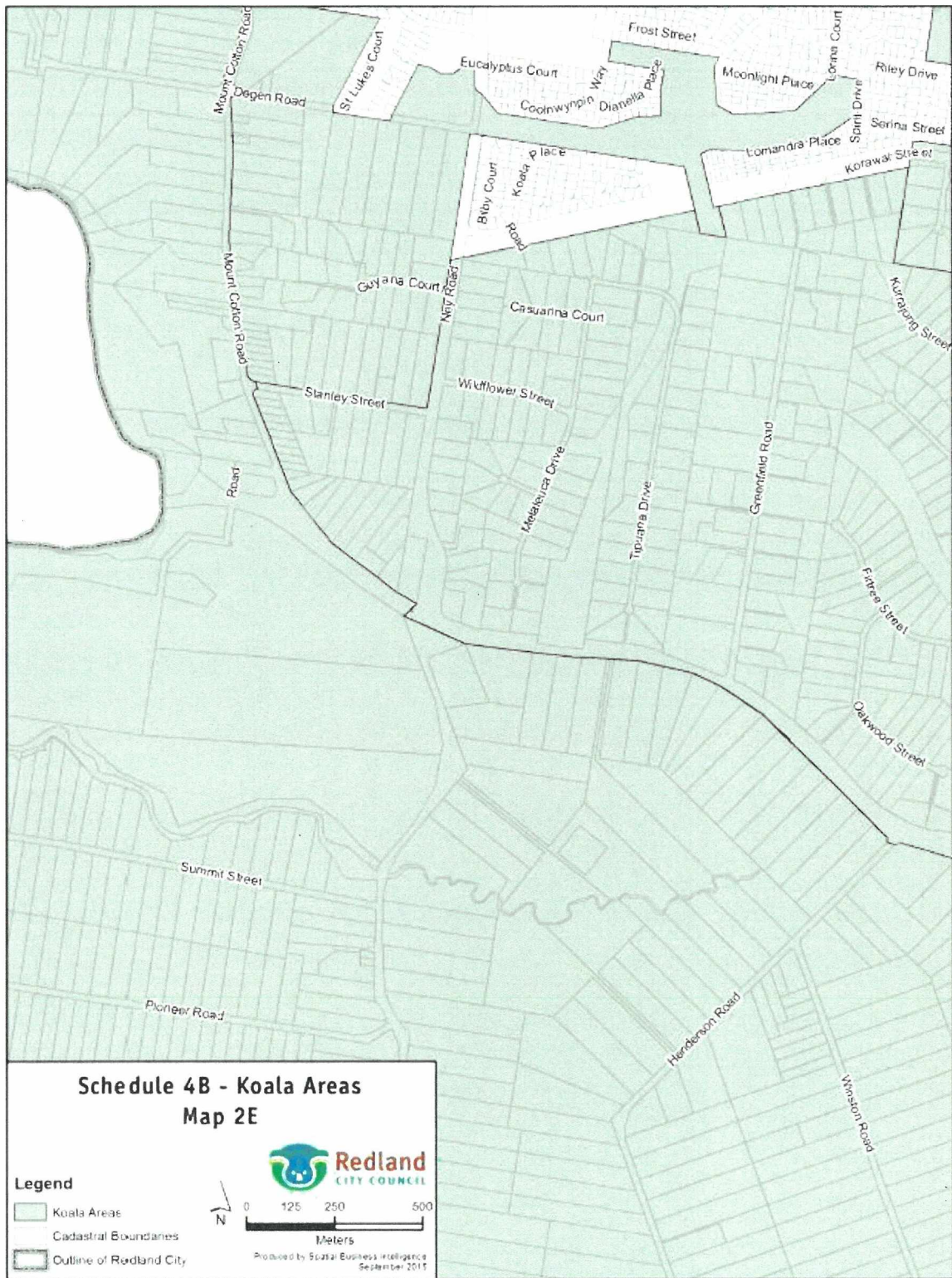


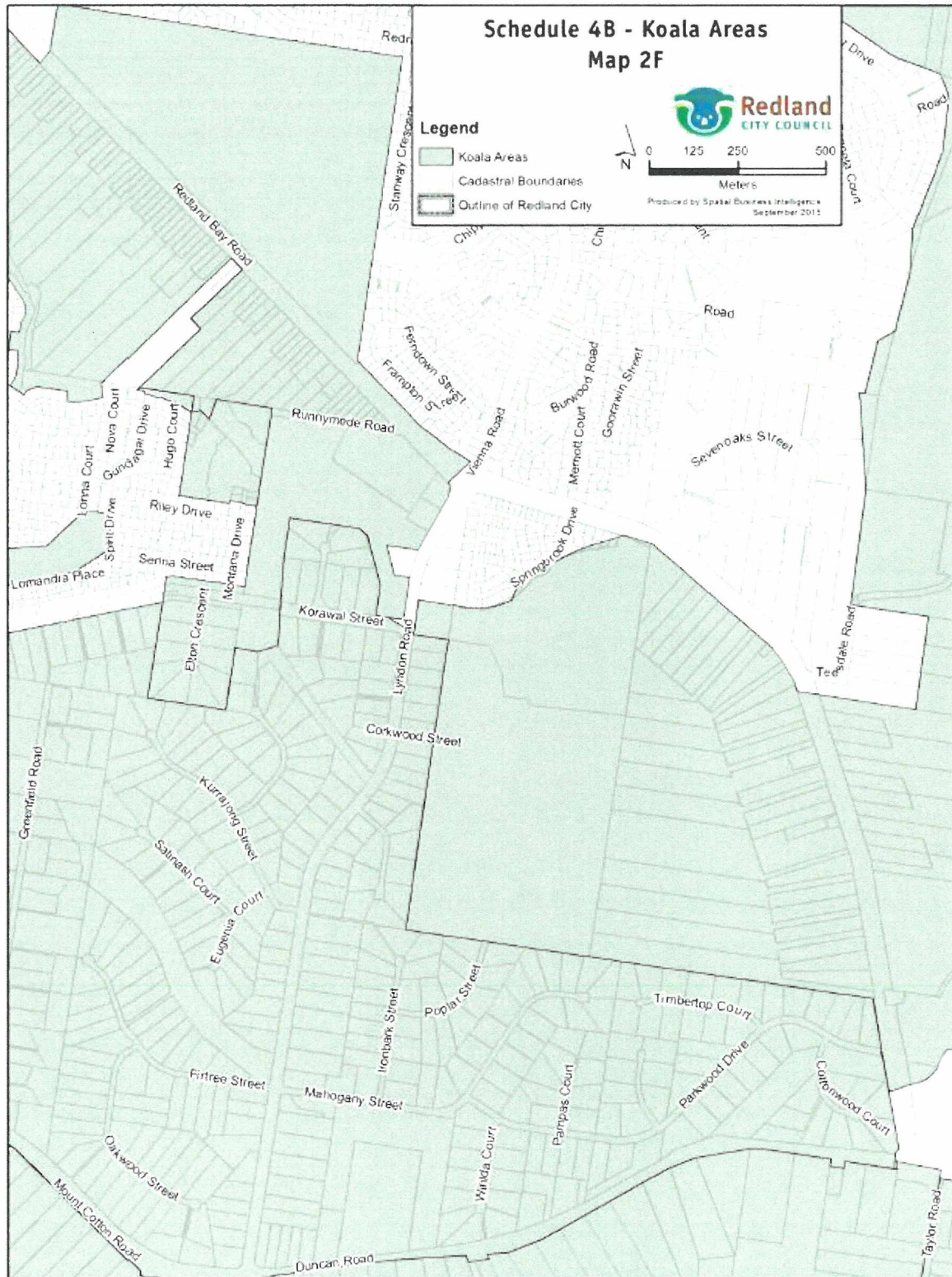


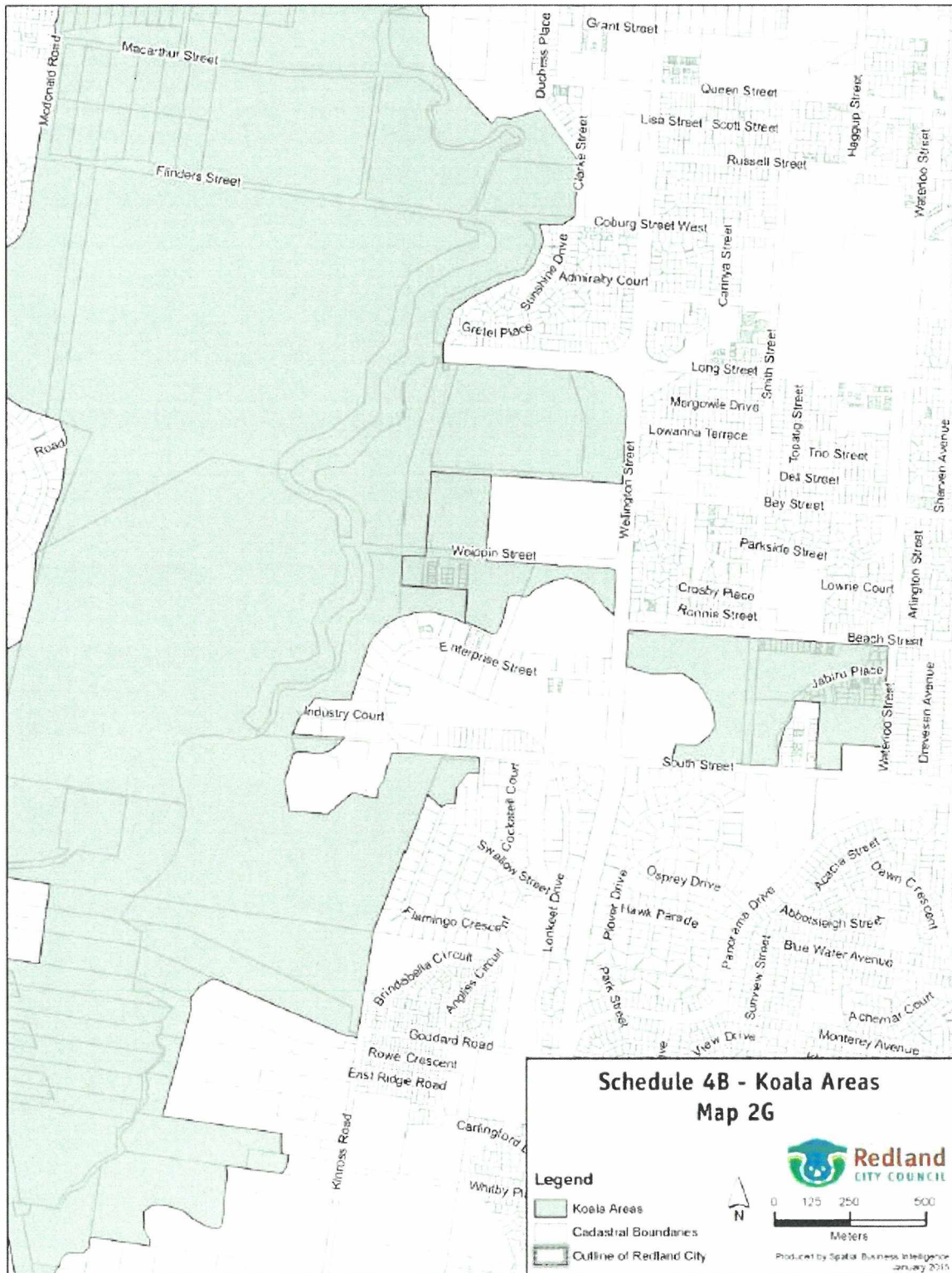


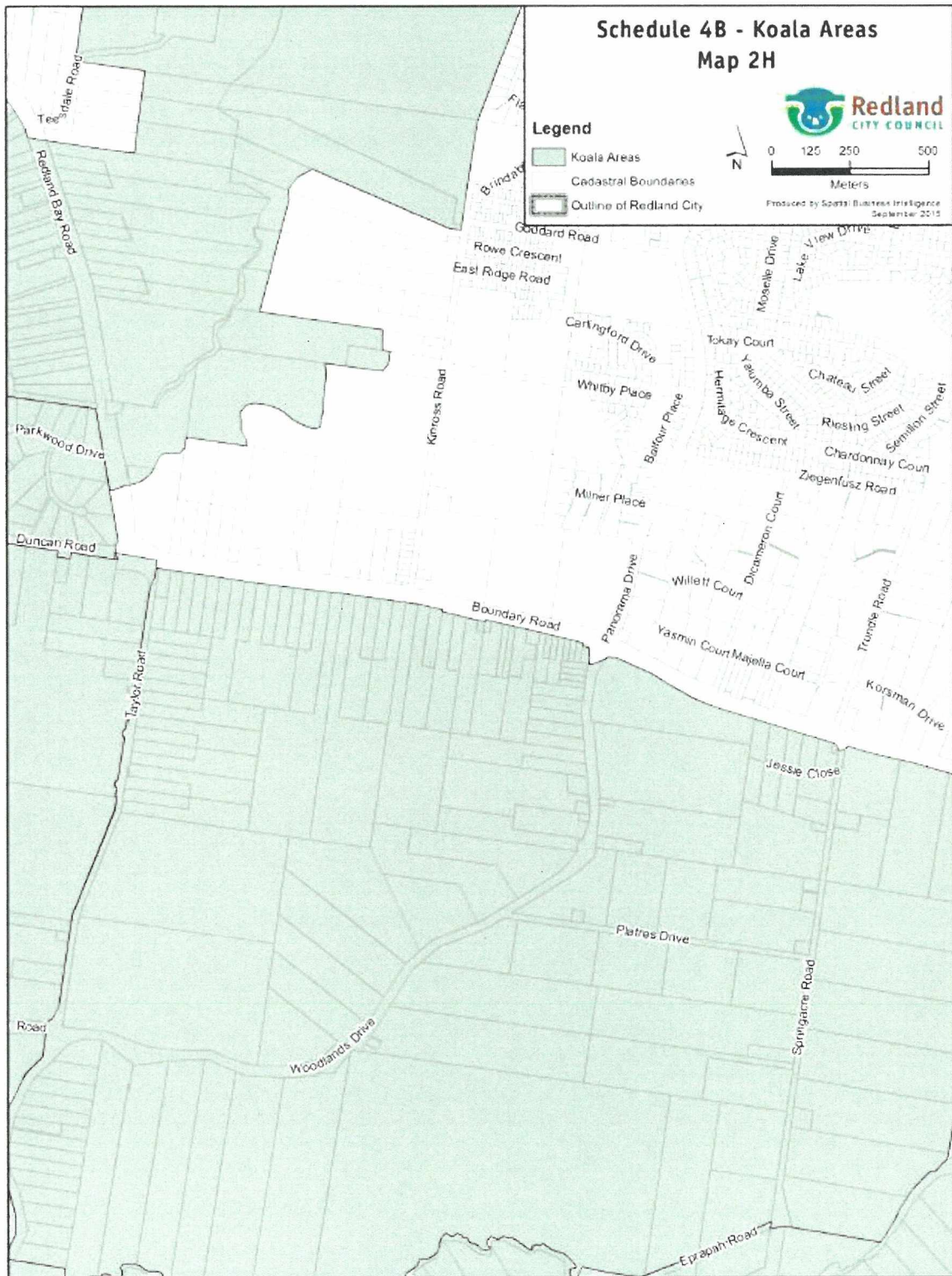




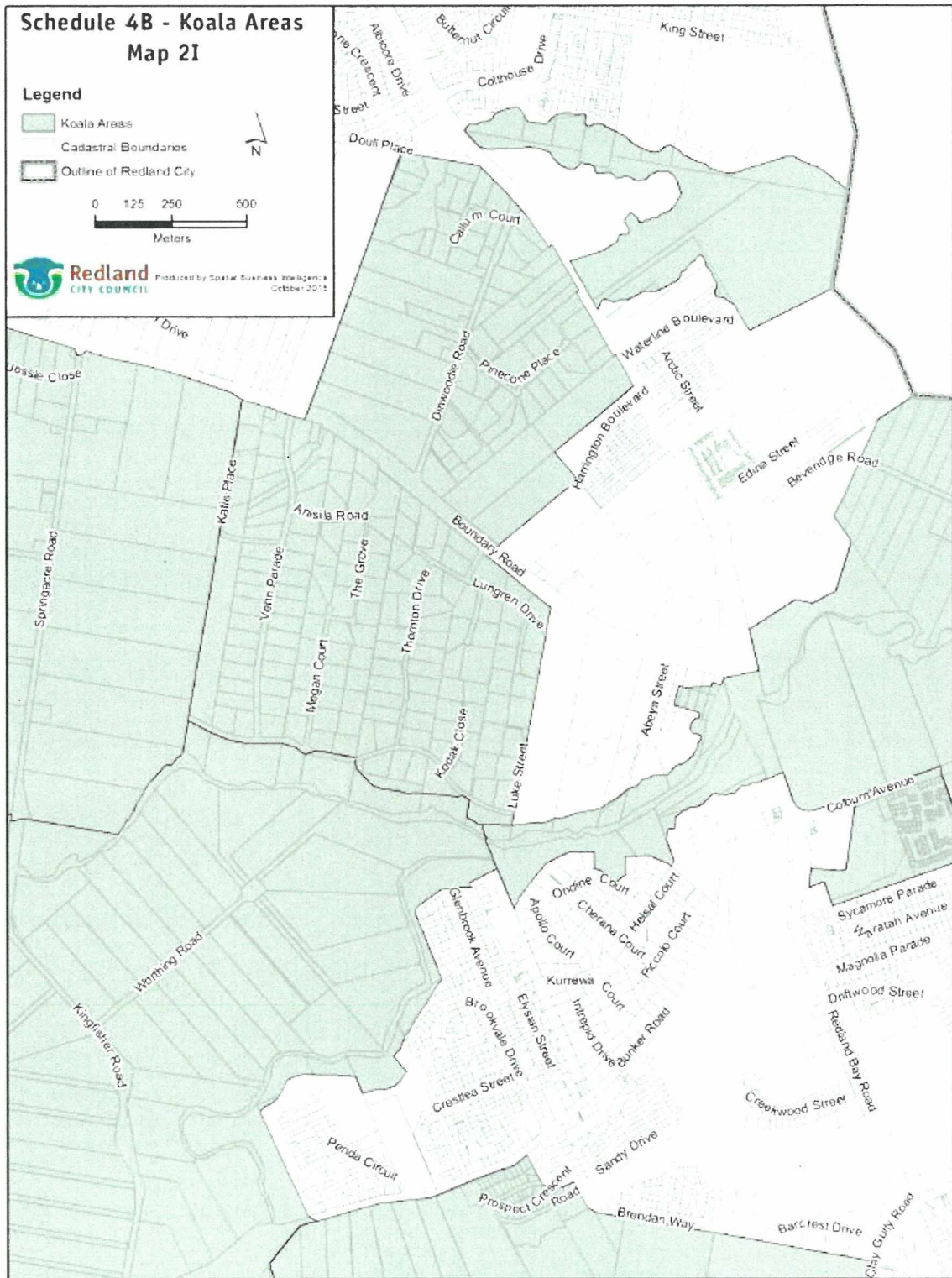


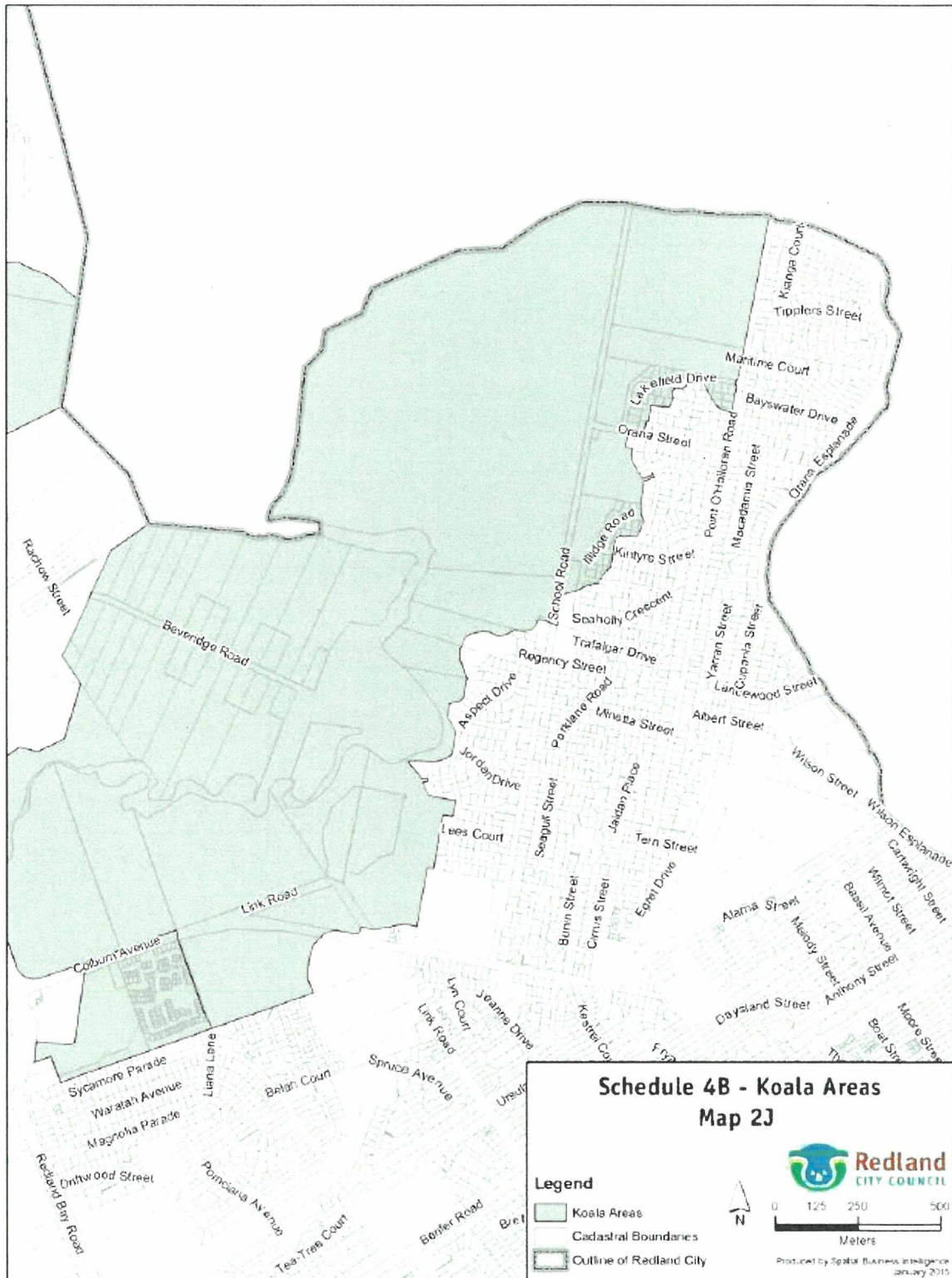


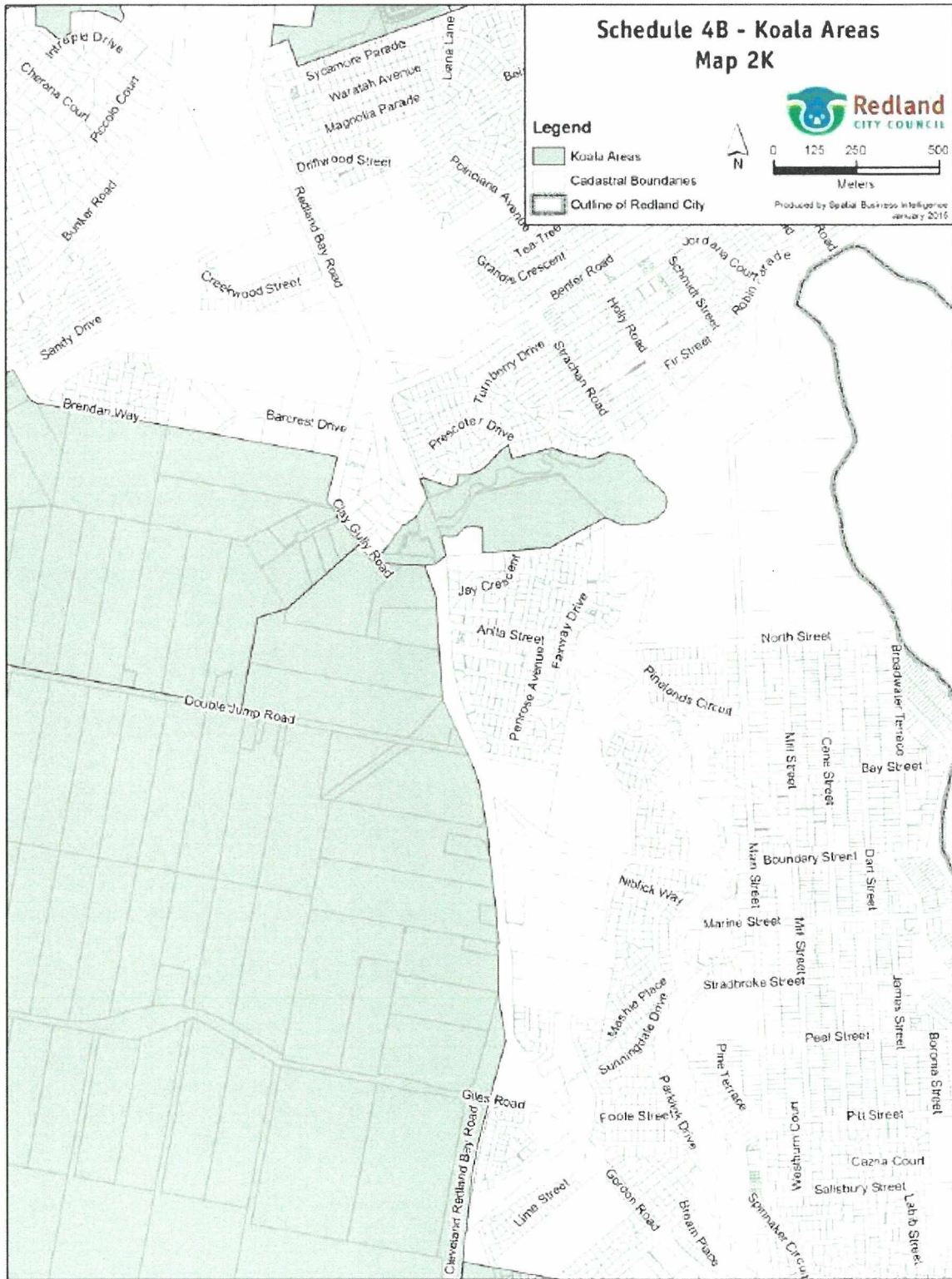


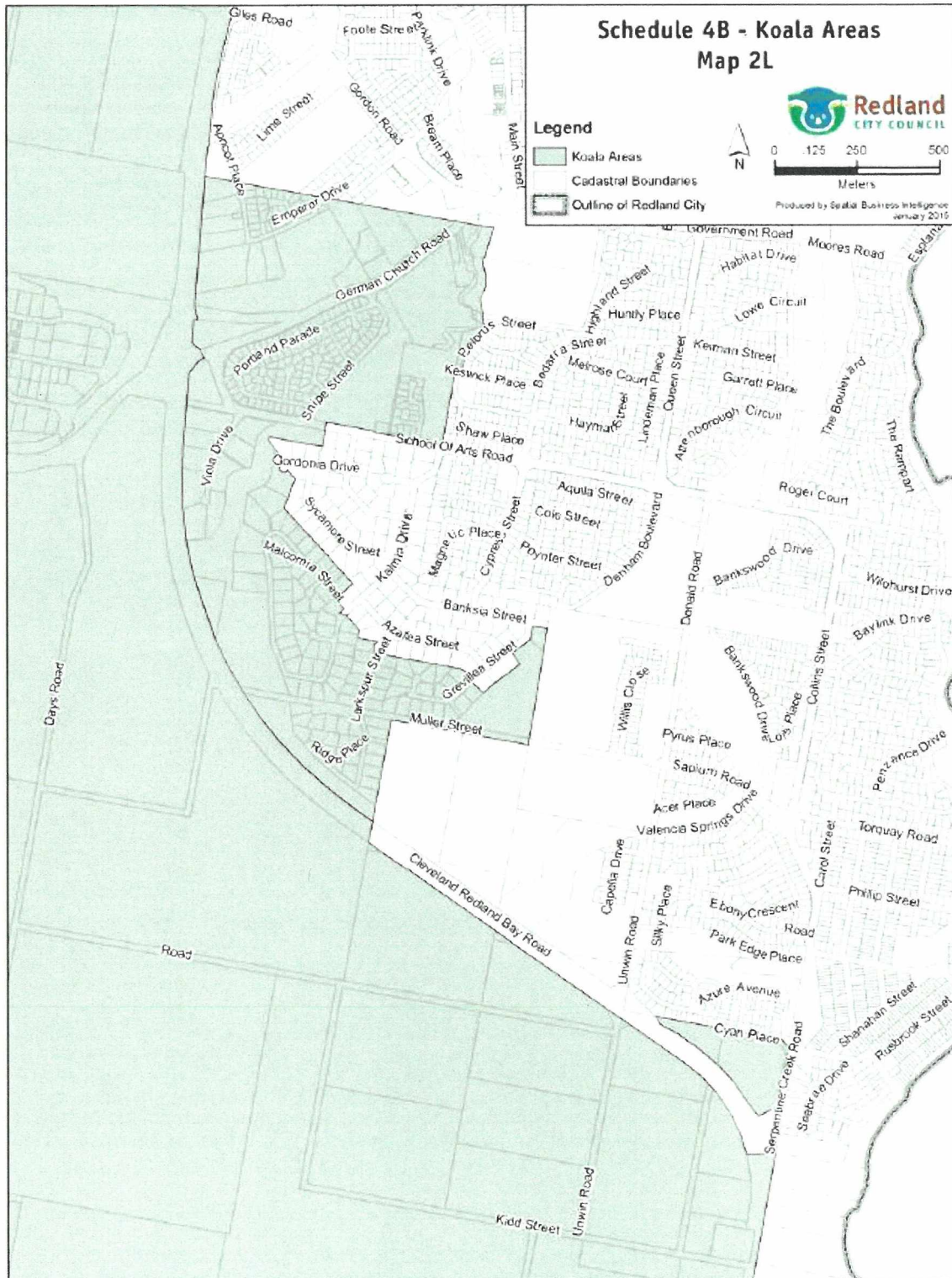


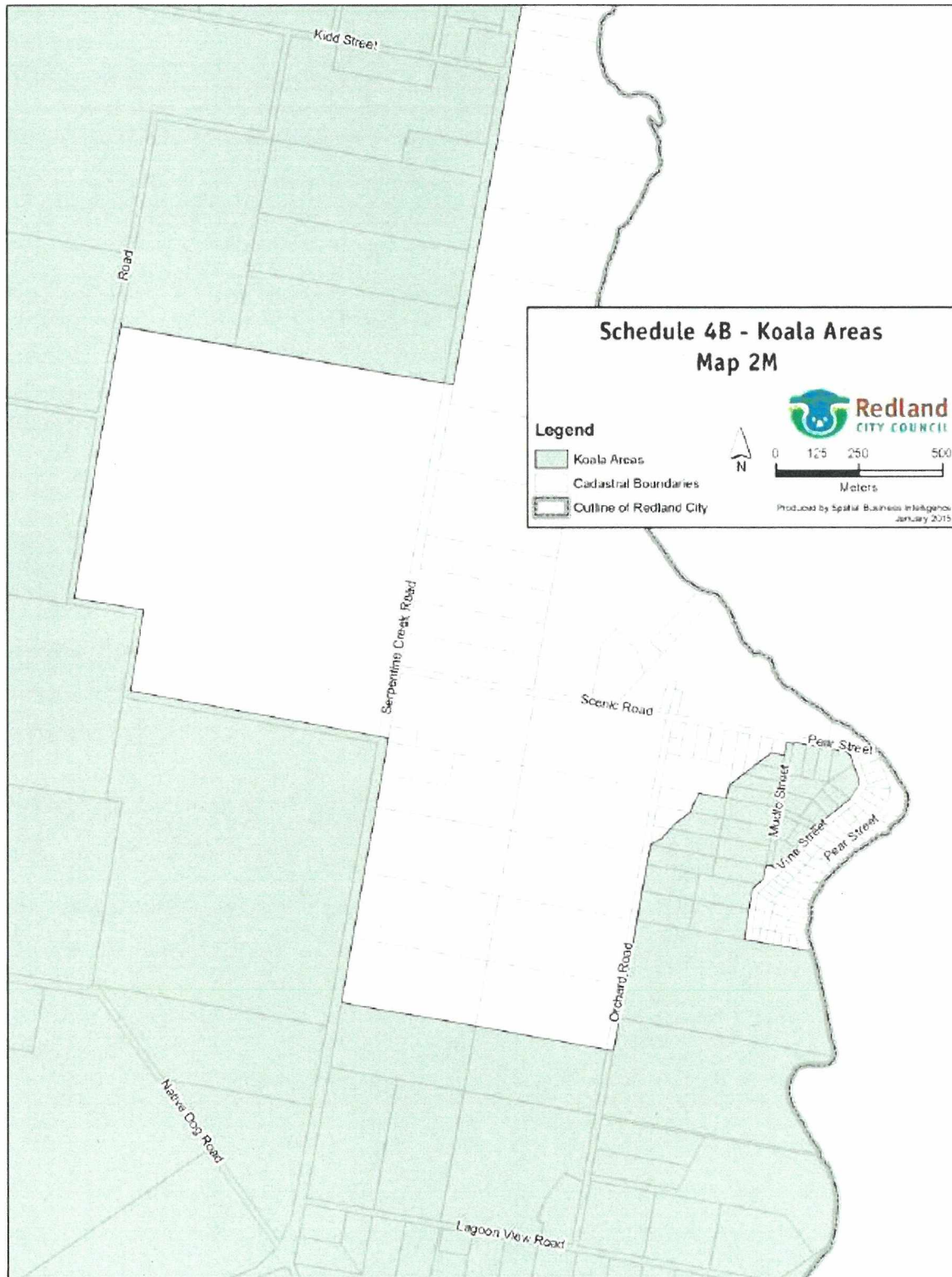


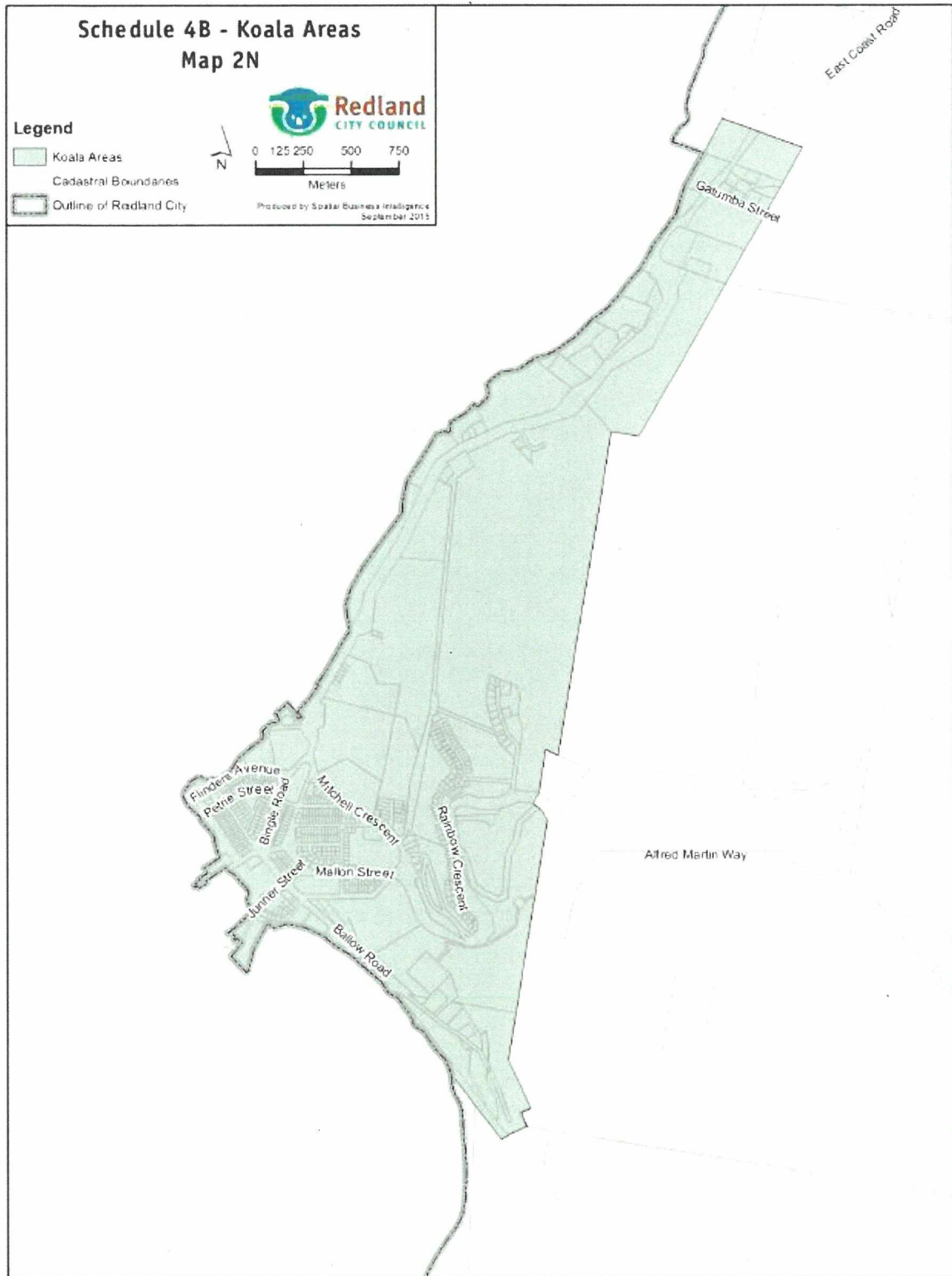


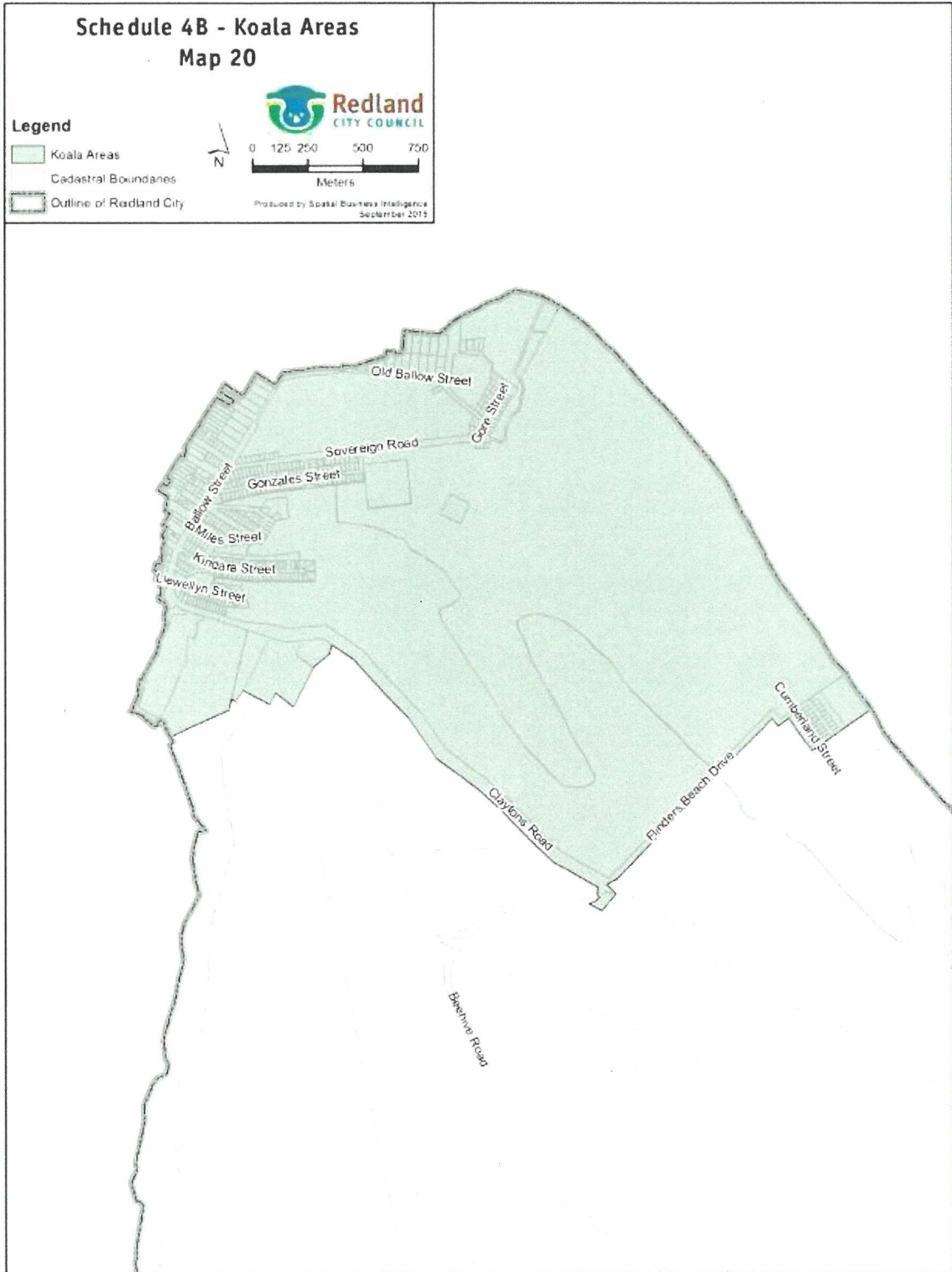


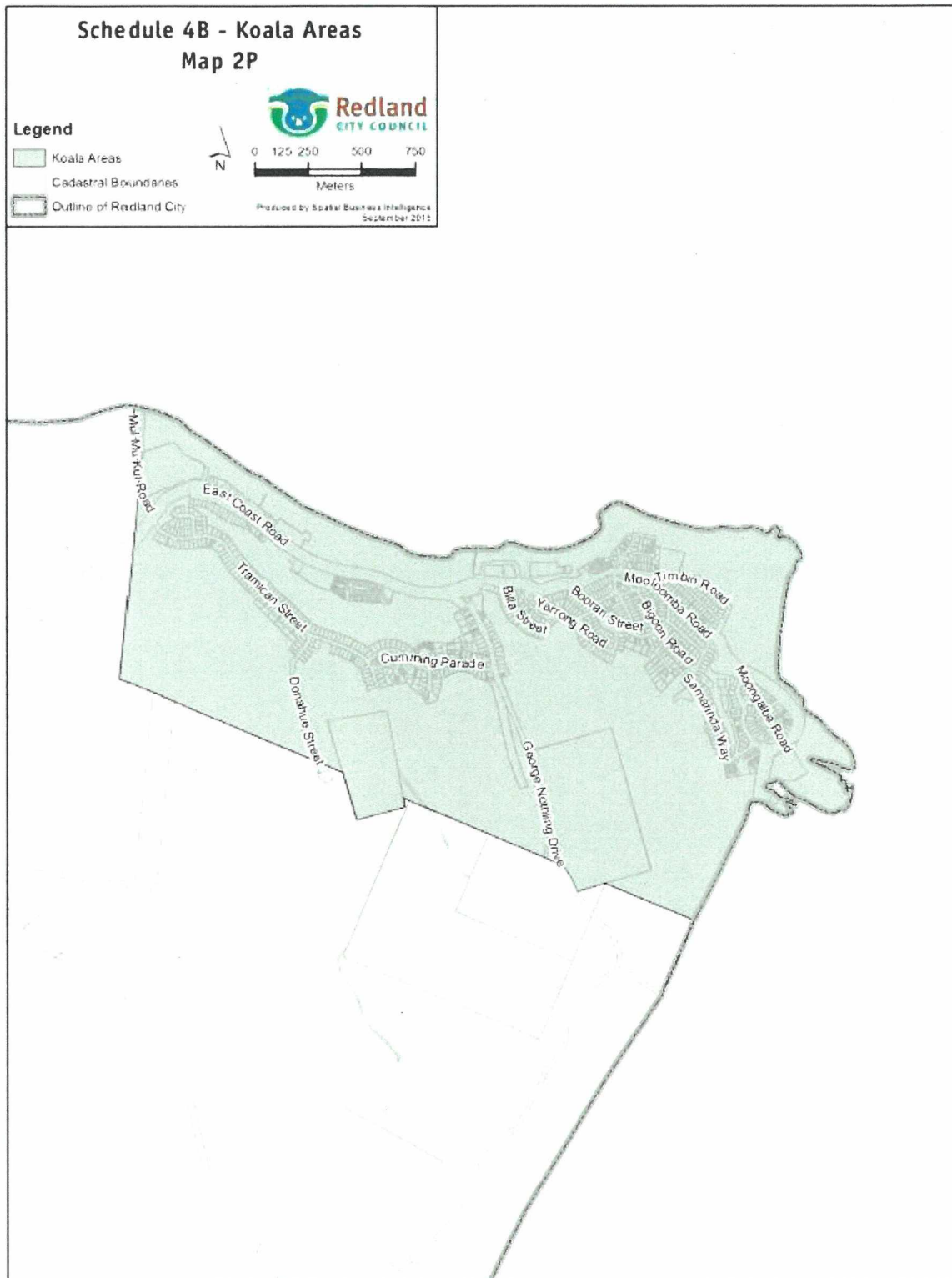














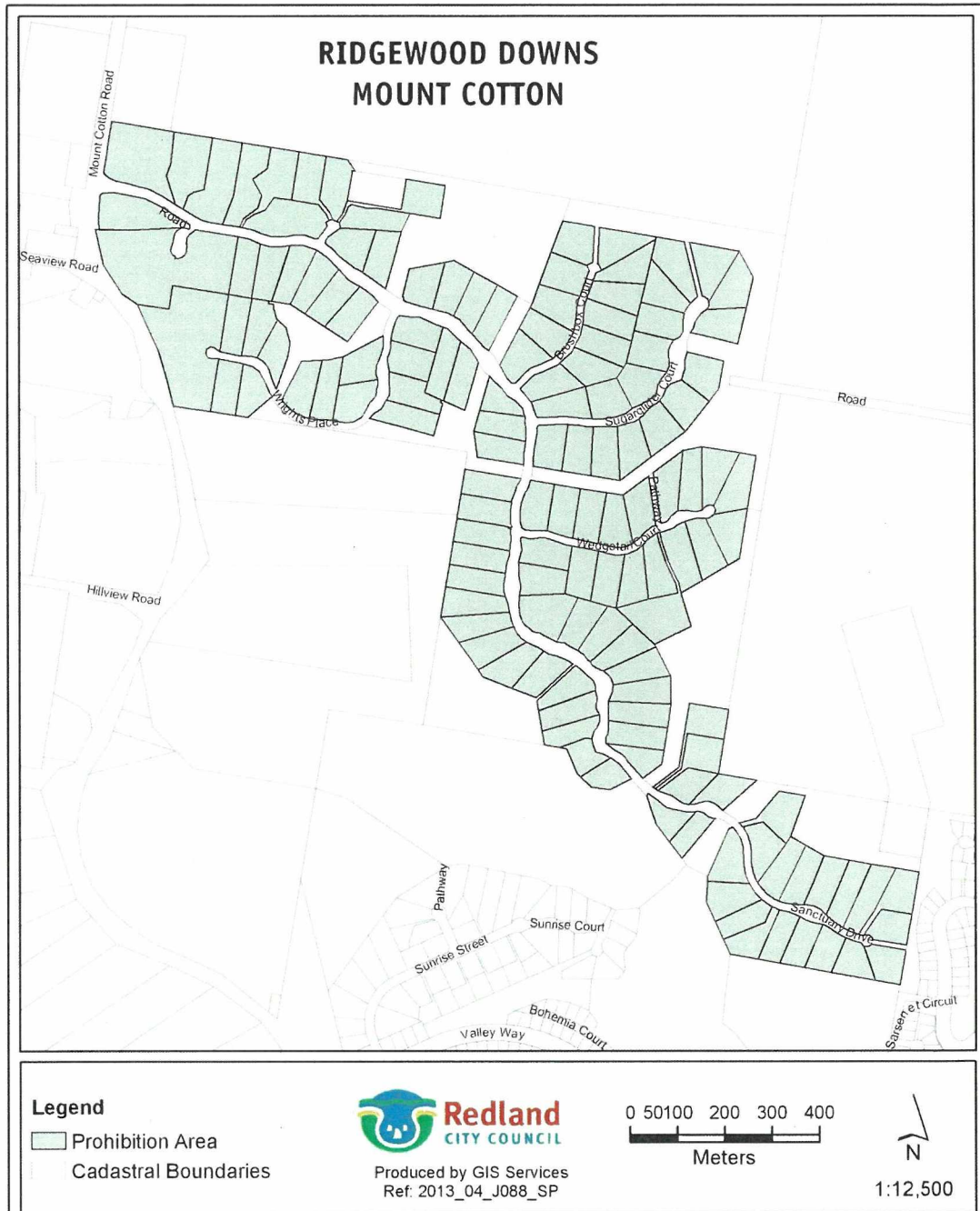
**Schedule 5      Conditions for sale of animals**

## 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>
1	A dog or a cat	<p>(a) A person who offers an animal of a species specified in this item 1 for sale must keep and maintain a written register detailing —</p> <ul style="list-style-type: none"> <li>(i) the particulars and description of each animal offered for sale including breed, name, date of birth, identifying tag and any other form of identification; and</li> <li>(ii) a medical history for each animal listing vaccinations, inoculations and treatments that have been carried out; and</li> <li>(iii) if the animal is sold or otherwise disposed of — the name and address of the new owner of the animal and the date of sale or disposal of the animal.</li> </ul> <p>(b) If section 44 of the Animal Management Act applies to an animal which is offered for sale by the person—the person must comply with the requirements of the section before the sale of the animal by the person.</p> <p>(c) If section 44 of the Animal Management Act does not apply to the animal offered for sale by the person—the person must supply a register to the local government, at least monthly, 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 owner 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>(d) A person must not offer an animal of a species specified in column 1 item 1 for sale unless the animal has received all necessary vaccinations, inoculations and treatments which are appropriate according to the age of the animal.</p>

# Schedule 6 Ridgewood downs prohibition area

## Section 4



## Schedule 7 Dictionary

### Section 4

**3 cat approval** see section 6(2).

**3 dog approval** see section 6(3).

**accommodation** (at a caravan park) means—

- (a) a caravan; or
- (b) a complimentary accommodation.

**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** see *Animal Management (Cats and Dogs) Act 2008*.

**building** has the meaning given in the *Building Act 1975*.

**caravan** has the meaning given in *Local Law No. 1 (Administration) 2015*.

**caravan park** —

- (a) means a place operated on a commercial basis for parking and residing in caravans; and
- (b) includes a place that provides for complimentary accommodation.

**caravan park site** (at a caravan park) means a part of the caravan park which is designated for a single accommodation of a particular type.

**cat**—

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

**cattery approval** see section 6(5).

**complimentary accommodation** has the meaning given in *Local Law No. 1 (Administration) 2015*.

**destroy**, an animal, includes causing it to be destroyed.

**dog**—

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

**domestic purposes** means the purposes of—

- (a) human consumption; or
- (b) food preparation; or
- (c) washing; or
- (d) other normal domestic duties.

**guard dog**—

- (a) means a dog released on residential premises or non-residential premises in the area of the local government without a handler for the purpose of guarding either persons or

property if the dog has been trained to attack; but

- (b) includes a dog released on residential premises or non-residential premises in the area of the local government without a handler for the primary purpose of acting as a deterrent to intruders.

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

**identifiable animal** means an animal—

- (a) wearing an identifying tag issued by the local government; or
- (b) otherwise identified so that the local government is able to ascertain the owner of the animal.

**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 approval** see section 6(6).

**land** has the meaning given in the *Sustainable Planning Act 2009*.

**livestock** includes a horse, donkey, cow, bull, ox, deer, sheep, goat, camel, llama and an alpaca.

**lot** —

- (a) means a separate, distinct parcel of land created on—
  - (i) the registration of a plan of subdivision under part 4, division 3 of the *Land Title Act 1994*; or
  - (ii) the recording of particulars of an instrument in accordance with the *Land Title Act 1994*; and

includes a lot under the *Building Units and Group Titles Act 1980*.

**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; or
- (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*; or
- (c) an accommodation unit in a retirement village under the *Retirement Villages Act 1999*.

*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 pig approval** see section 6(8).

**pet shop** means a shop or a stall at a market at which animals are offered for sale.

**pet shop approval** see section 6(7).

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

**prescribed dog** means—

- (a) a dog fostered by a person who is a foster carer for an animal welfare or rescue organisation recognised by the local government; or
- (b) a competing show dog or a dog who competes in agility trials that is—
  - (i) owned by a current and full member of an association recognised by the local government or Dogs Queensland; and
  - (ii) kept in compliance with the rules and codes of conduct, however named, of the recognised association or Dogs Queensland.

**prescribed dog approval** see section 6(4).

**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.

**ridgewood downs prohibition area** means the area shaded in grey on the map in schedule 6.

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

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

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