

Subordinate Local Law No. 2 (Animal Management) 2018

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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) 2018*.

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) 2018*, 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) 2018* (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 14 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 in a designated town area 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, in a designated town area.

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

For section 9 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 the registration device mentioned in section 12(2) of the *Animal Management (Cats and Dogs) Act 2008*.

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

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—

- (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

| | Column 1 Animal | Column 2 Circumstances in which keeping of animal or animals is prohibited |
|---|----------------------------|--|
| 1 | Dog | <p>(a) Subject to paragraphs (c), (d) and (e), more than 6 dogs, regardless of whether the dogs are stock dogs or non-stock dogs, over the age of 3 months, on an allotment (other than multi-residential premises) in a designated town area.</p> <p>(b) More than 1 dog, regardless of whether the dog is a stock dog or a non-stock dog, over the age of 3 months, on multi-residential premises in a designated town area.</p> <p>(c) More than 3 non-stock dogs over the age of 3 months on an allotment (other than multi-residential premises) which has an area less than 10,000m² and is in a designated town area.</p> <p>(d) More than 4 non-stock dogs over the age of 3 months on an allotment (other than multi-residential premises) which has an area of 10,000m² or more and is in a designated town area.</p> <p>(e) 1 or more stock dogs over the age of 3 months on an allotment (other than multi-residential premises) which has an area less than 1,011.71m² and is in a designated town area.</p> <p>(f) 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.</p> |
| 2 | Horse | <p>(a) More than 1 horse on an allotment which has an area less than 4,046.86 m² and is in the St George designated town area.</p> <p>(b) More than 3 horses on an allotment which has an area between 4,046.86m² and 10,117.14m² and is in the St George designated town area.</p> <p>(c) More than 5 horses on an allotment which has an area greater than 10,117.14 m² and is in the St George designated town area.</p> |
| 3 | Cow | <p>(a) A calf on premises in a designated town area if the calf is more than 3 months old.</p> |

| | | |
|---|-------------------------|--|
| | | <p>(b) Subject to paragraph (a), a cow on premises in the St George designated town area unless the keeping of the cow on the premises is authorised under the conditions of a vet care approval for the cow.</p> <p>(c) Subject to paragraph (a), a cow on premises in a rural town area unless the keeping of the cow on the premises is authorised under the conditions of—</p> <p>(i) a vet care approval for the cow; or</p> <p>(ii) a drought care approval.</p> |
| 4 | Goat | <p>(a) An entire male goat on premises a designated town area.</p> <p>(b) Subject to paragraph (a), a goat on an allotment which has an area less than 4,046.86m² and is in the St George designated town area.</p> <p>(c) Subject to paragraph (a), more than 2 goats on an allotment which has an area between 4,046.86m² and 10,117.14m² and is in the St George designated town area.</p> <p>(d) Subject to paragraph (a), more than 10 goats on an allotment which has an area greater than 10,117.14m² and is in the St George designated town area.</p> <p>(e) Subject to paragraph (a), a number of goats in excess of the maximum number of goats specified in paragraph (b), (c) or (d) on an allotment in the St George designated town area unless the keeping of the goats on the allotment is authorised under the conditions of—</p> <p>(i) a vet care approval for the goat; or</p> <p>(ii) a drought care approval.</p> |
| 5 | Sheep, alpaca and llama | <p>(a) An animal to which this item 5 applies on an allotment which has an area less than 4,046.86m² and is in a designated town area.</p> <p>(b) More than 2 animals to which this item 5 applies on an allotment which has an area between 4,046.86m² and 10,117.14m² and is in a designated town area.</p> <p>(c) More than 10 animals to which this item 5 applies on an allotment which has an area greater than 10,117.14m² and is in a designated town area.</p> <p>(d) An animal to which this item 5 applies in excess of the maximum number of animals specified in paragraph (a), (b) or (c) on an allotment in a designated town area unless the keeping of the animal on the allotment is authorised under the conditions of—</p> |

| | | |
|----|---|--|
| | | (i) a vet care approval for the animal; or (ii) a drought care approval. |
| 6 | Ostrich and emu | A bird to which this item 6 applies on premises in a designated town area. |
| 7 | Rooster and peacock | (a) A bird to which this item 7 applies on multi-residential premises in a designated town area. (b) Subject to paragraph (a), more than 1 bird to which this item 7 applies on premises in the St George designated town area. |
| 8 | Stallion, bull and ram | An animal to which this item 8 applies on premises in a designated town area unless the keeping of the animal on the premises is authorised under the conditions of a vet care approval for the animal. |
| 9 | Poultry, including chicken, duck, goose, turkey and guinea fowl | (a) A bird to which this item 9 applies on multi-residential premises in a designated town area. (b) More than 12 birds to which this item 9 applies on an allotment (other than multi-residential premises) which has an area less than 4,046.86m ² and is in a designated town area. (c) More than 24 birds to which this item 9 applies on an allotment (other than multi-residential premises) which has an area between 4,046.86m ² and 10,117.14m ² and is in a designated town area. |
| 10 | Pig (including a miniature pig) | A pig on premises in a designated town area. |

1. From the day of commencement of the authorising local law to the day of commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2022*, 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.
2. From the day of commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2022*, 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 *Animal Management (Amendment) Subordinate Local Law (No. 1) 2022*; and
 - (b) the keeping of the animal or animals on the premises immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law*

(No. 1) 2022 did not contravene any provision of a local law of the local government that was amended by the making of Animal Management (Amendment) Subordinate Local law (No. 1) 2022.

Schedule 2 Requirement for approval to keep animal

Section 6

| | Column 1 Species or breed of animal | Column 2 Circumstances in which keeping of animal or animals requires approval¹ |
|---|--|--|
| 1 | Dog | <p>(a) 1 or more stock dogs over the age of 3 months on premises (other than multi-residential premises) in a designated town area.</p> <p>(b) Subject to paragraph (a), more than 2 dogs over the age of 3 months, regardless of whether the dogs are stock dogs or non-stock dogs, on premises (other than multi-residential premises) in a designated town area.</p> |
| 2 | Horse | <p>(a) 1 horse on an allotment which has an area less than 4,046.86 m² and is in the St George designated town area.</p> <p>(b) 1 or more, but not more than 3, horses on an allotment which has an area between 4,046.86m² and 10,117.14m² and is in the St George designated town area.</p> <p>(c) 1 or more, but not more than 5, horses on an allotment which has an area greater than 10,117.14 m² and is in the St George designated town area.</p> <p>(d) 1 or more horses on an allotment which has an area greater than 20,234.28m² and is in the the St George designated town area if all of the horses are to be kept on the allotment primarily for the undertaking of a business or commercial purpose, for example, the breaking in of the horses on a commercial basis.</p> |
| 3 | Cow | <p>(a) The keeping of a calf on premises in a designated town area.</p> <p>(b) Subject to paragraph (a), the keeping of a cow on premises in a designated town area for—</p> <p>(i) the primary purpose of care by a veterinary surgeon (a vet care approval); or</p> <p>(ii) drought mitigation purposes (a drought care approval).</p> |

¹ See *Local Law No.1 (Administration) 2018* and *Subordinate Local Law No.1.5 (Keeping of Animals) 2018* 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).

| | | |
|---|---|--|
| 4 | Goat | <p>The keeping of a goat on premises in the St George designated town area for—</p> <p>(a) the primary purpose of care by a veterinary surgeon (a vet care approval); or</p> <p>(b) drought mitigation purposes (a drought care approval).</p> |
| 5 | Sheep, alpaca and llama | <p>The keeping of an animal to which this item 5 applies on an allotment in a designated town area if the number of animals to which this item 5 applies kept on the allotment exceeds a prohibition specified in schedule 1, item 5(a), (b) or (c), and the animal is kept on the allotment for—</p> <p>(a) the primary purpose of care by a veterinary surgeon (a vet care approval); or</p> <p>(b) drought mitigation purposes (a drought care approval).</p> |
| 6 | Stallion, bull and ram | <p>The keeping of an animal to which this item 6 applies on premises in a designated town area for the primary purpose of care by a veterinary surgeon (a vet care approval).</p> |
| 7 | Poultry, including chicken, duck, goose, turkey and guinea fowl | <p>The keeping of more than 50 birds to which this item 7 applies on an allotment which has an area greater than 10,117.14m² and is in a designated town area.</p> |
| 8 | Rooster and peacock | <p>The keeping of a bird to which this item 8 applies on premises in the St George designated town area.</p> |

Schedule 3 Requirement to desex animal

Section 7

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

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

Section 8(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; and
 - (g) if the animal is a dog—ensure that the keeping of the dog on the premises does not cause an animal noise nuisance.
2. For the purposes of section 1(g), a dog causes an animal noise nuisance if, in the opinion of an authorised person, it makes a noise which —
 - (a) occurs more than once; and
 - (b) disrupts or inhibits an activity ordinarily carried out on adjoining or nearby residential premises.

Example for section 2(b) —

The barking of a dog which disrupts a person—

- (a) holding a conversation; or
- (b) watching television; or
- (c) listening to a radio or recorded material; or
- (d) sleeping.

In order for a nuisance under this section 2 to occur, it is not necessary that the degree of interference from the barking is such as to be continuous, or to make it practically impossible to—

- (a) hold a conversation; or
- (b) watch television; or
- (c) listen to a radio or recorded material at ordinary volumes; or
- (d) fall or stay asleep.

Any occurrence by which a person is woken from sleep, or by which a person is distracted or annoyed during the course of carrying out some other ordinary activity, in a way which would not occur in the absence of the dog barking, is a disruption to or an inhibition of an activity ordinarily carried out on residential premises. It is not necessary that the barking totally drowns out the sound of the conversation, television, radio or recorded material. It is sufficient if attention is merely diverted from this sound by the barking of the dog. It is not necessary that it be a repeated or ongoing interruption of sleep or that it be the total shattering of sleep.

3. Also, for the purposes of section 1(g), a dog causes an animal noise nuisance if the dog makes a noise that is excessive in all the circumstances, and a dog makes a noise that is excessive in all the circumstances if—
 - (a) the noise is made for more than a total of 6 minutes in any hour from 7.00a.m. to 10.00p.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 10.00p.m. or before 7.00a.m.
4. The criteria an authorised person must consider when deciding whether a dog makes a noise which disrupts or inhibits an activity ordinarily carried out on adjoining or nearby residential premises include whether the local government has received more than 1 complaint of a contravention of section 1(g).

Schedule 5 Minimum standards for keeping particular animals

Section 8(2)

| | Column 1 Species or breed of animal | Column 2 Minimum standards for keeping animals |
|---|--|--|
| 1 | Greyhound | Each owner of, and responsible person for, a greyhound must ensure that the dog is kept— <ul style="list-style-type: none"> (a) without nuisance; and (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. |
| 2 | Horse, donkey, cow, bull, ox, deer and other domesticated animals of a similar size and sheep, goat, pig and other animals of a similar size | Each owner of, and responsible person for, an animal specified in column 1, item 2 which is kept on premises must ensure that any enclosure in which the animal is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> (a) a residence on adjoining premises; or (b) 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 (c) a place used for the storage of food (other than food kept in hermetically sealed packages). |
| 3 | 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 | Each owner of, and responsible person for, a bird specified in column 1, item 3 must ensure that— <ul style="list-style-type: none"> (a) the bird is kept without nuisance; and (b) the bird is contained within an enclosed cage or aviary; and (c) the bird's food is kept in a properly sealed, vermin proof container; and (d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and (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. |

| | | |
|---|--|--|
| 4 | Pigeons | <p>Each owner of, and responsible person for, pigeons which are kept on premises must ensure that—</p> <ul style="list-style-type: none"> (a) the pigeons are kept without nuisance; and (b) the pigeons contained within an enclosed cage or aviary; and (c) the pigeon’s food is kept in a properly sealed, vermin proof container; and (d) the cage or aviary in which the pigeons are kept is— <ul style="list-style-type: none"> (i) thoroughly cleaned at least once each week; and (ii) located at the rear of, and behind, any residence situated on the premises; and (e) if a code of practice for the keeping of pigeons has been approved by the local government—the pigeons are kept in accordance with the requirements of the code of practice. |
| 5 | Duck, drake, goose, turkey, rooster, peacock, peahen, ostrich, guinea fowl and poultry | <p>Each owner of, and responsible person for, a bird identified in column 1 item 5 which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; and (b) the bird is contained within an enclosure; and (c) the bird’s food is kept in a properly sealed, vermin proof container; and (d) the enclosure in which the bird is kept is— <ul style="list-style-type: none"> (i) thoroughly cleaned at least once each week; and (ii) located at the rear of, and behind, any residence situated on the premises; and (e) the enclosure in which the bird is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> (i) a residence on adjoining premises; or (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 (iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and (f) the enclosure in which the bird is kept is not located less than 1 m from the side or rear boundaries of the premises. |

Schedule 6 Prohibition of animals in public places

Section 10

| | Column 1 Public place | Column 2 Species or breed of animals prohibited |
|---|---|--|
| 1 | Each local government swimming pool in the local government area. | Dog |
| 2 | Each aerodrome in the local government area. | Dog |

Schedule 7 Dog off-leash areas

Section 11

No dog off-leash area designated.

Schedule 8 Requirements for proper enclosures for animals

Section 13

| | Column 1 Species or breed of animal | Column 2 Requirements for proper enclosures |
|---|--|--|
| 1 | All animals regardless of species or breed | <p>(1) 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>(2) The area must be suitably fenced—</p> <ul style="list-style-type: none"> (a) appropriate to the species and breed of the animal to be enclosed; and (b) so as to effectively enclose the animal on the land on which it is kept at all times. <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"> (a) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and (b) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and (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 (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 (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. |
| 2 | Horse | <p>A proper enclosure for the keeping of a horse must, in addition to the requirements specified in item 1 —</p> <ul style="list-style-type: none"> (a) effectively enclose the horse so that the horse can not reach over or through the fence to adjoining land or any public place; and (b) where the animal is a stallion or a mare in season—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 animal is kept to a standard approved by |

| | | |
|--|--|-----------------------|
| | | an authorised person. |
|--|--|-----------------------|

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

Section 14(1)

No requirements prescribed.

Schedule 10 Koala areas²

Section 14(2)

No area designated.

² “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

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.

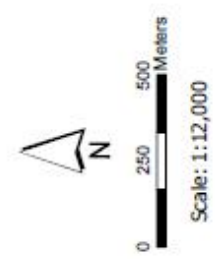
Schedule 12 Conditions for sale of animals

Section 19

| | Column 1 Species or breed of animal | Column 2 Conditions that must be complied with when offering animal for sale |
|--|--|---|
| | No species or breed of animal mentioned. | No conditions set out. |

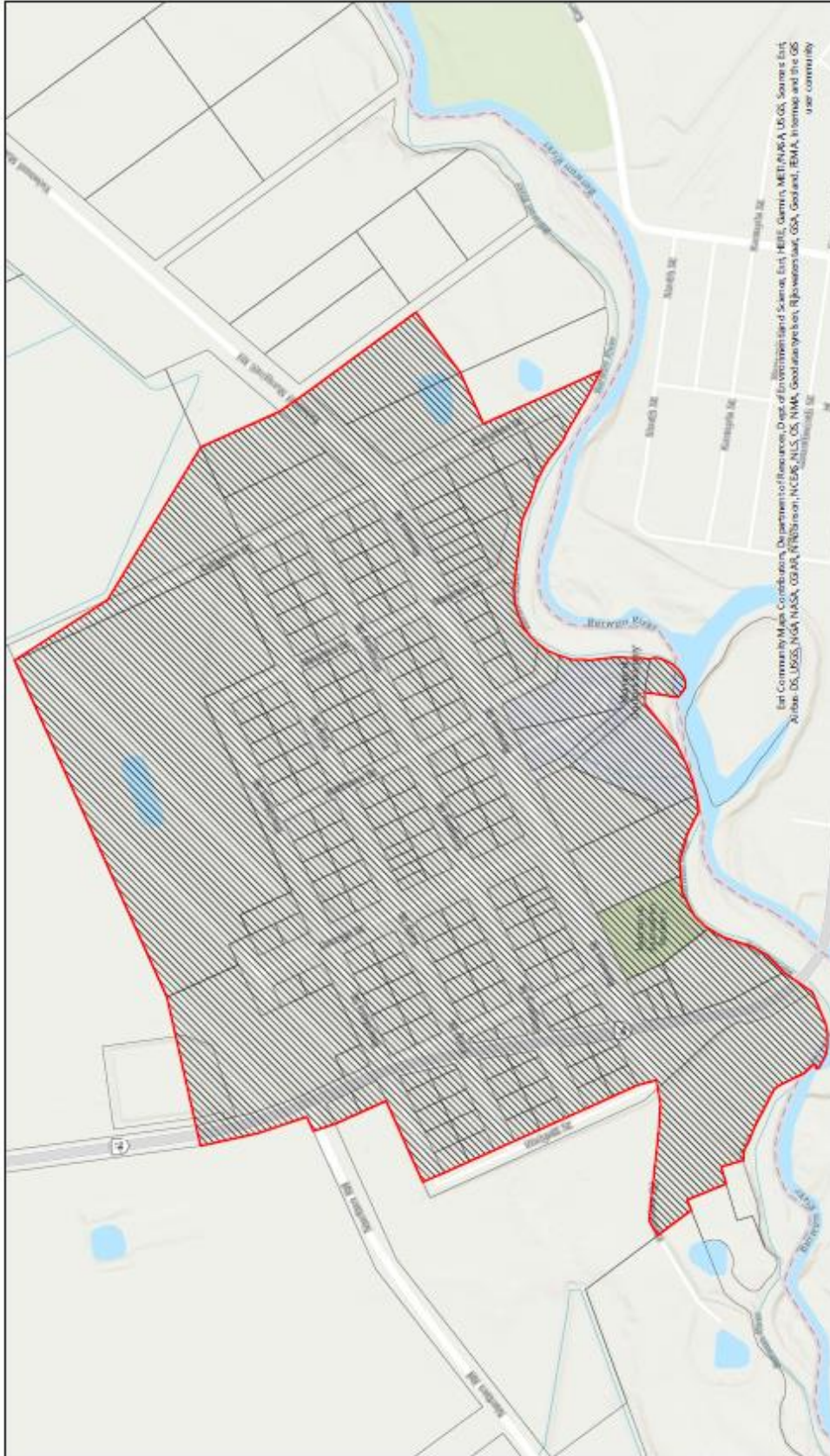


Designated Town Area - Dirranbandi
Balonne Shire Council



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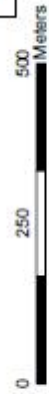
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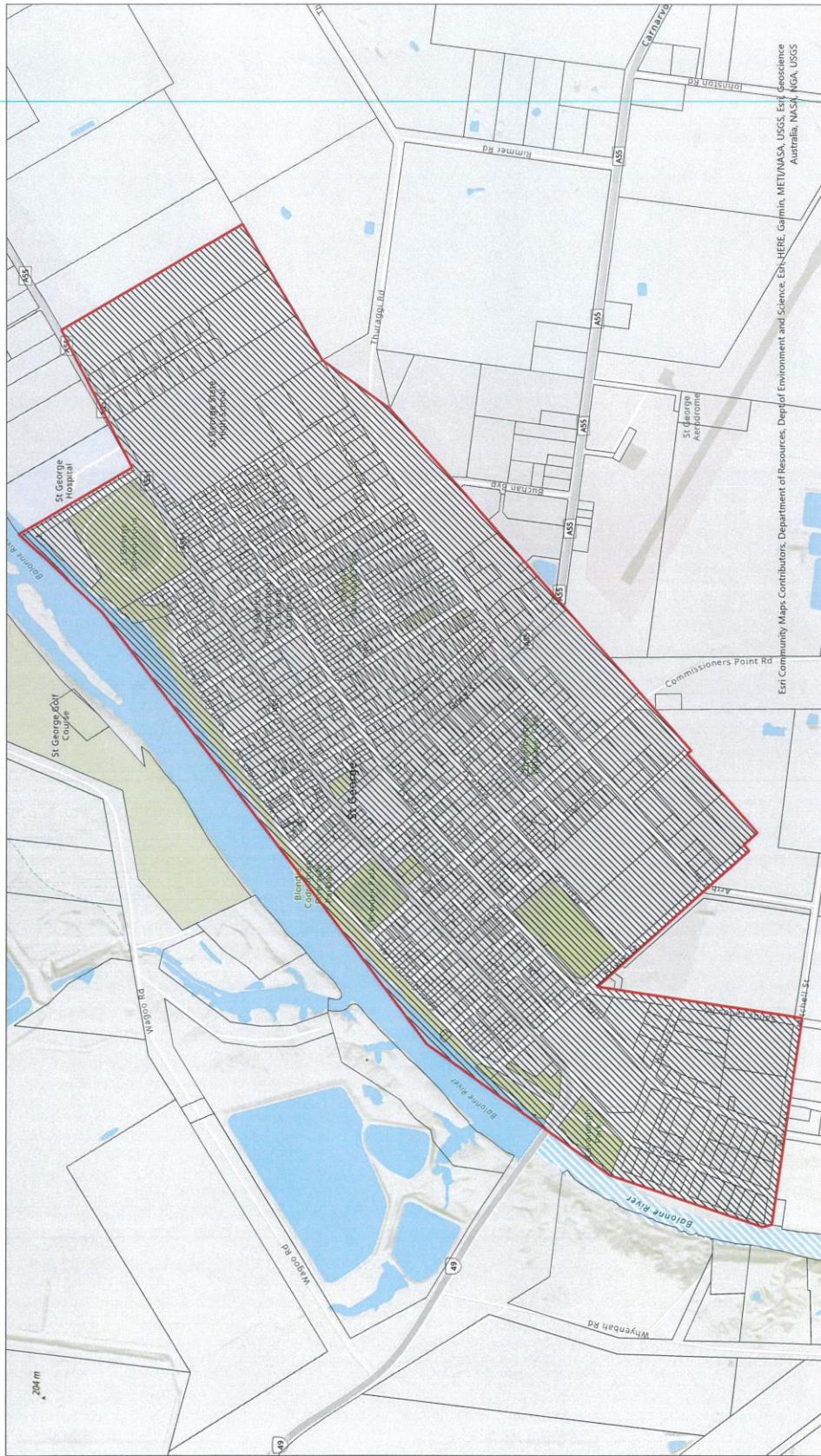
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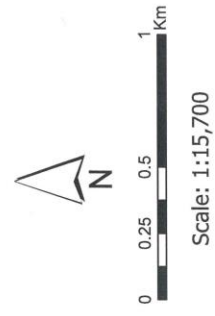
Designated Town Area - Mungindi
Balonne Shire Council



Scale: 1:6,500



Balonne Shire Council
 Designated Town Area - St George
 Current Time: 21/10/2021 3:05 PM



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Schedule 14 Dictionary

Section 4

aerodrome has the meaning given in *Local Law No. 6 (Aerodromes) 2018*.

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*.

assistance dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

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

cat—

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

designated town area means each of the following —

- (a) for the town of Bollon, the hatched area bounded by a bold red line and identified as the ‘Designated Town Area - Bollon’ on the plan of Bollon in schedule 13;
- (b) for the town of Dirranbandi, the hatched area bounded by a bold red line and identified as the ‘Designated Town Area – Dirranbandi’ on the plan of Dirranbandi in schedule 13;
- (c) for the town of Hebel, the hatched area bounded by a bold red line and identified as the ‘Designated Town Area – Hebel’ on the plan of Hebel in schedule 13;
- (d) for the town of Mungindi, the hatched area bounded by a bold red line and identified as the ‘Designated Town Area – Mungindi’ on the plan of Mungindi in schedule 13;
- (e) for the town of Nindigully, the hatched area bounded by a bold red line and identified as the ‘Designated Town Area – Nindigully’ on the plan of Nindigully in schedule 13;
- (f) for the town of St George, the hatched area bounded by a bold red line and identified as the ‘Designated Town Area - St George’ on the plan of St George in schedule 13;
- (g) for the town of Thallon, the hatched area bounded by a bold red line and identified as the ‘Designated Town Area – Thallon’ on the plan of Thallon in schedule 13.

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.

drought care approval—

- (a) see schedule 1 and schedule 2;
- (b) means an approval to keep, in a designated town area, for drought mitigation purposes, 1 of the following—
- (i) cow;
 - (ii) goat;
 - (iii) sheep;
 - (iv) alpaca;
 - (v) llama.

guide dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

handler has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

hearing dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

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.

land has the meaning given in the *Planning Act 2016*.

local government swimming pool has the meaning given in *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018*.

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.

non-stock dog means a dog other than a stock dog.

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.

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

primary producer—

- (a) means a person primarily engaged in the occupation of a—
 - (i) dairy farmer; or
 - (ii) wheat, maize, or cereal grower; or
 - (iii) fruit grower; or
 - (iv) grazier; or
 - (v) farmer, whether engaged in general or mixed farming, cotton, potato or vegetable growing, or poultry or pig raising; and
- (b) includes a person engaged in primary production.

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.

rural town area means each of the following—

- (a) the designated town area for the town of Bollon;
- (b) the designated town area for the town of Dirranbandi;
- (c) the designated town area for the town of Hebel;
- (d) the designated town area for the town of Mungindi;
- (e) the designated town area for the town of Nindigully;
- (f) the designated town area for the town of Thallon.

stallion means an uncastrated adult male horse.

St George designated town area means the designated town area for the town of St George being the hatched area bounded by a bold red line and identified as the ‘Designated Town Area – St George’ on the plan of St George in schedule 13.

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

stock dog means a dog usually kept or proposed to be kept—

- (a) by an owner who is a primary producer, or a person engaged or employed by a primary producer; and
- (b) primarily for the purposes of—
 - (i) droving, protecting, tending or working, stock; or
 - (ii) being trained in droving, protecting, tending or working, stock.

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*.

vet care approval —

- (a) see schedule 1 and schedule 2;
- (b) means an approval for the keeping of a prescribed animal on premises for the primary purpose of facilitating the care and treatment of the animal by a veterinary surgeon; and
- (c) for the purposes of this definition, an animal is a prescribed animal if the animal is a cow, goat, sheep, alpaca, llama or stallion kept on premises in a designated town area.

veterinary surgeon means a person registered as a veterinary surgeon under the *Veterinary Surgeons Act 1936*.

This and the preceding 35 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2018* prepared and adopted in accordance with section 32 of the *Local Government Act 2009* by Balonne Shire Council by resolution dated the 17th day of November 2022.



Chief Executive Officer