

Animal Management (Amendment) Subordinate Local Law (No. 1) 2022

Contents

Part 1	Preliminary.....	2
	1 Short title.....	2
	2 Subordinate local law amended	2
Part 2	Amendment of subordinate local law.....	2
	3 Amendment of sch 1 (Prohibition on keeping animals).....	2
	4 Amendment of sch 2 (Requirement for approval to keep animal).....	4
	5 Amendment of sch 13 (Town area maps)	5
	6 Amendment of sch 14 (Dictionary)	13

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Animal Management (Amendment) Subordinate Local Law (No. 1) 2022*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 2 (Animal Management) 2018*.

Part 2 Amendment of subordinate local law

3 Amendment of sch 1 (Prohibition on keeping animals)

- (1) Schedule 1, item 1, column 2, paragraphs (a) to (k)—

omit, insert—

- ‘(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.
- (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.
- (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.
- (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.
- (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.
- (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.’

- (2) Schedule 1, item 2, column 2 —

- (a) paragraph (a), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’;

- (b) paragraph (b), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’;

- (c) paragraph (c), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’.

- (3) Schedule 1, item 3, column 2, paragraph (a), ‘the St George residential area or a rural town area’—

omit, insert—

‘a designated town area’.

- (4) Schedule 1, item 3, column 2, paragraph (b), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’.

- (5) Schedule 1, item 4, column 2—

- (a) paragraph (b), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’;

- (b) paragraph (c), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’;

- (c) paragraph (d), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’;

- (d) paragraph (e), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’.

- (6) Schedule 1, item 6 —

- (a) column 1, ‘Ostrich, emu and peacock’—

omit, insert—

‘Ostrich and emu’;

- (b) column 2, paragraphs (a) and (b)—

omit, insert—

‘A bird to which this item 6 applies on premises in a designated town area.’.

- (7) Schedule 1, item 7—

- (a) column 1, after ‘Rooster’—

insert—

‘and peacock’;

- (b) column 2, paragraphs (a) and (b)—

omit, insert—

‘(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) Schedule 1, item 10, column 2, paragraphs (a) and (b)—

omit, insert—

‘A pig on premises in a designated town area.’.

- (9) Schedule 1, from ‘A prohibition’ to ‘local law.’—

omit, insert—

- ‘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*.’.

4 Amendment of sch 2 (Requirement for approval to keep animal)

- (1) Schedule 2, item 2, column 2, paragraph (a), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’.

- (2) Schedule 2, item 2, column 2, paragraph (b), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’.

- (3) Schedule 2, item 2, column 2, paragraph (c), ‘the St George residential area’—

omit, insert—

‘the St George designated town area’.

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- (4) Schedule 2, item 2, column 2, paragraph (d), ‘the St George residential area’—
omit, insert—
‘the St George designated town area’.
- (5) Schedule 2, item 3, column 2, paragraph (a), ‘the St George residential area or a rural town area’—
omit, insert—
‘a designated town area’.
- (6) Schedule 2, item 3, column 2, paragraph (b)—
omit.
- (7) Schedule 2, item 3, column 2, paragraph (c)—
(a) ‘rural town area’—
omit, insert—
‘designated town area’;
(b) *renumber* as paragraph (b).
- (8) Schedule 2, item 4, column 2, ‘the St George residential area’—
omit, insert—
‘the St George designated town area’.
- (9) Schedule 2, item 5, column 2, paragraphs (a) and (b) —
omit, insert—
‘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—
(a) the primary purpose of care by a veterinary surgeon (a vet care approval); or
(b) drought mitigation purposes (a drought care approval).’.
- (10) Schedule 2, item 8—
(a) column 1, after ‘Rooster’—
insert—
‘and peacock’;
(b) column 2—
omit, insert—
‘The keeping of a bird to which this item 8 applies on premises in the St George designated town area.’.

5 Amendment of sch 13 (Town area maps)

- (1) Schedule 13, heading, ‘Town Area Maps’—
omit, insert—

‘Designated town area maps’.

- (2) Schedule 13, town area maps titled ‘Nindigully Town Area’ and ‘Local Laws Area – St George’—

omit.

- (3) Schedule 13—

insert—

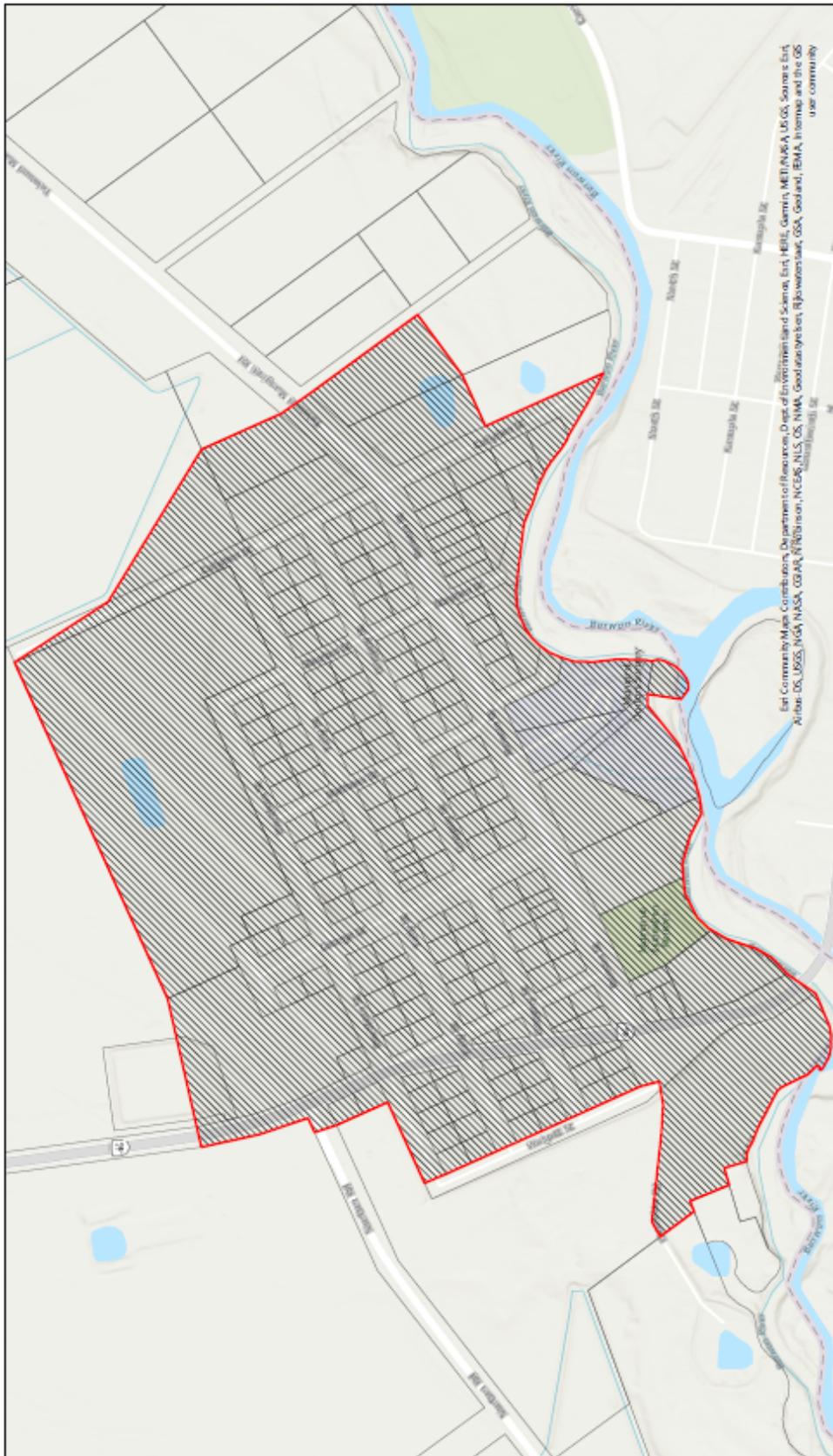




Designated Town Area - Dirranbandi
Balonne Shire Council

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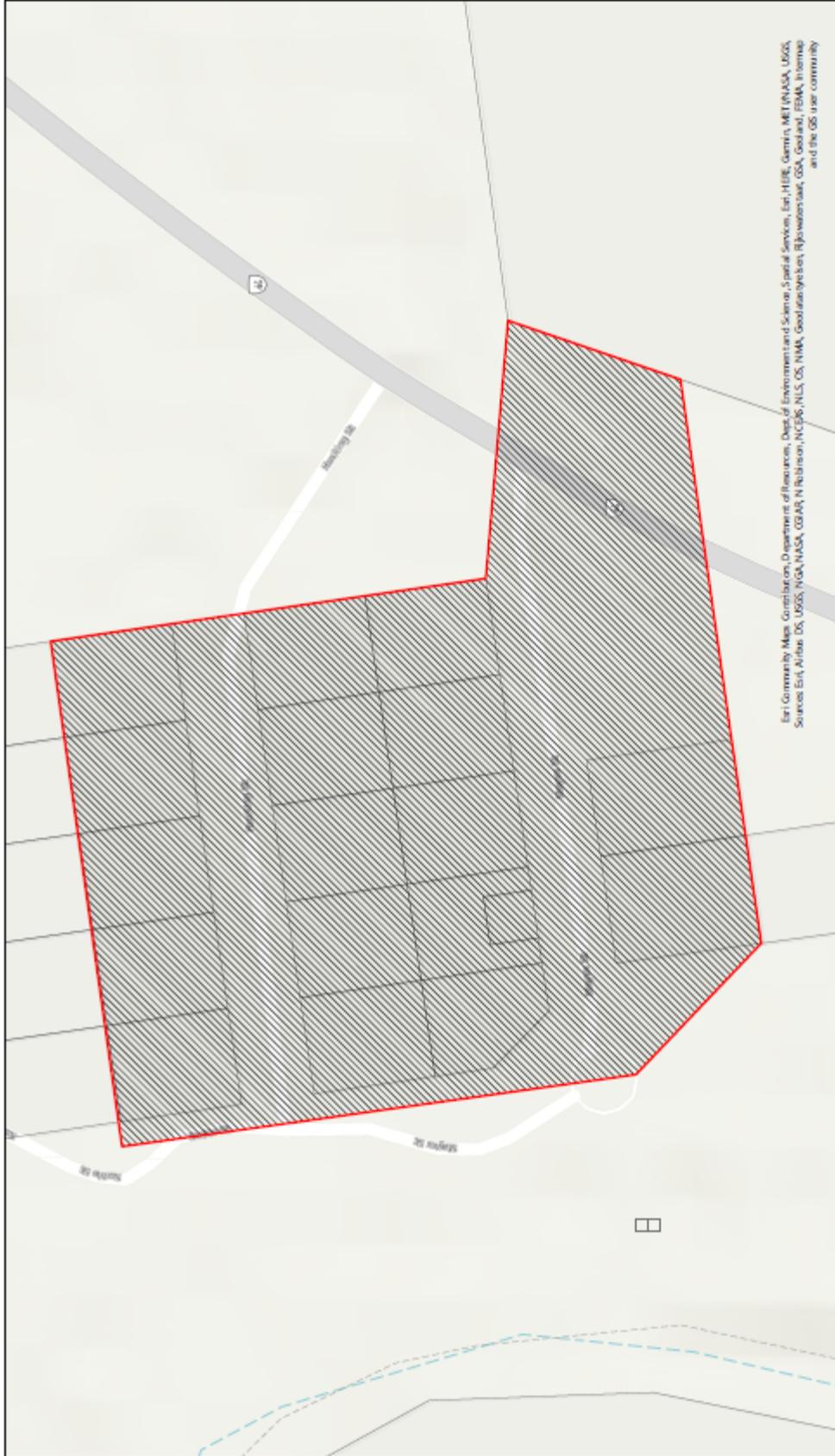




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Designated Town Area - Mungindi
Balonne Shire Council

0 250 500 Meters
Scale: 1:6,500



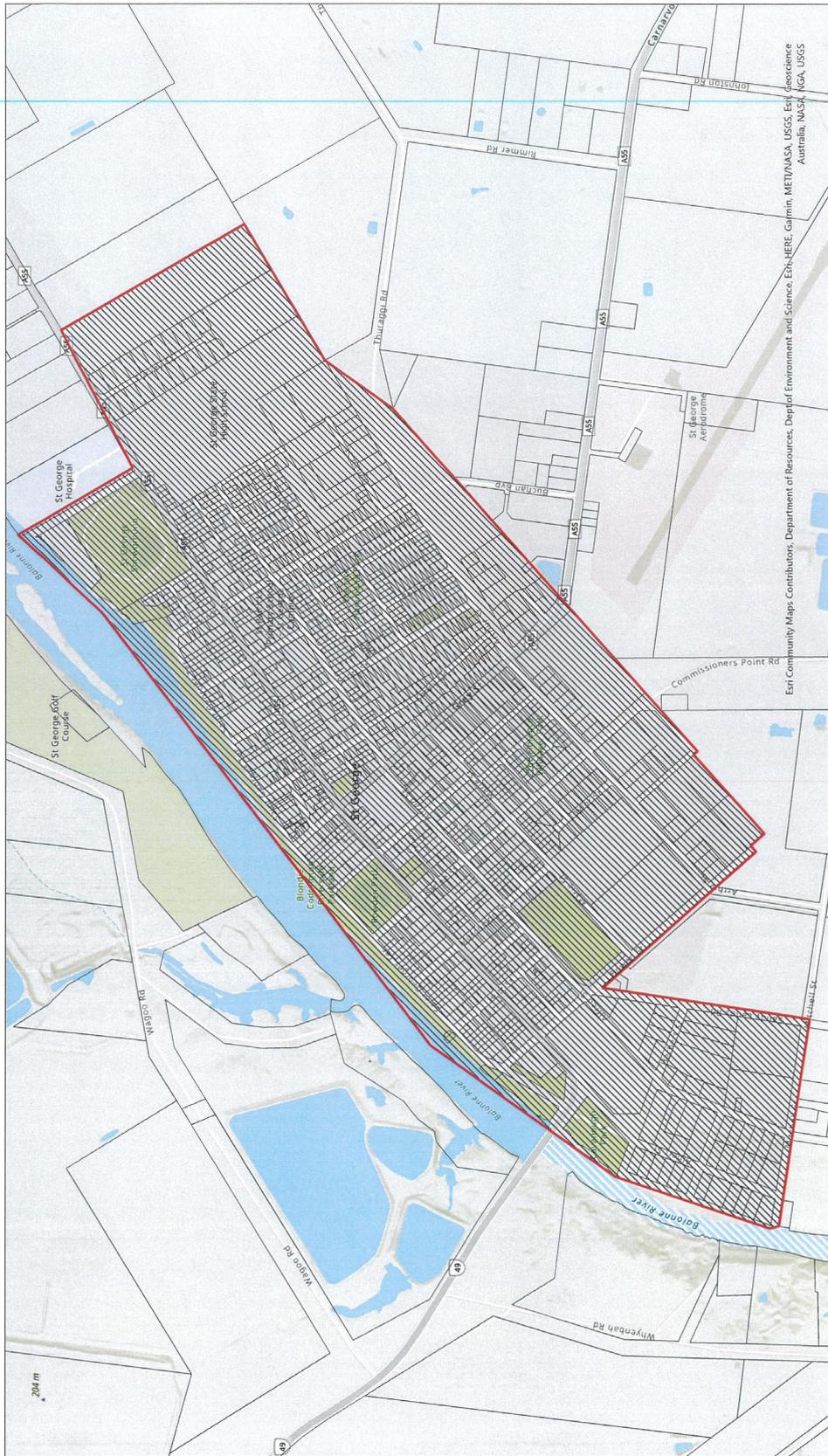
Designated Town Area - Nindigully
Balonne Shire Council



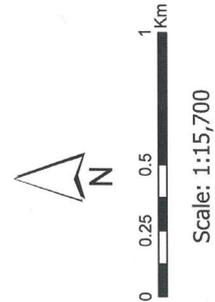
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6 Amendment of sch 14 (Dictionary)

(1) Schedule 14, definition *designated town area* —

omit, insert—

'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.'

(2) Schedule 14, definition *drought care approval*—

omit, insert—

'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.'

(3) Schedule 14, definition *rural residential area* —

omit.

(4) Schedule 14, definition *rural town area* —

omit, insert—

‘**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.’
- (5) Schedule 14, definition **St George residential area**—

omit, insert—

‘**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.’

- (6) Schedule 14, definition **vet care approval**, paragraph (c)—

omit, insert—

- ‘(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.’

This and the preceding 13 pages bearing my initials is a certified copy of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2022* made in accordance with the provisions of the *Local Government Act 2009* by Balonne Shire Council by resolution dated the 17th day of November 2022.



.....
Chief Executive Officer