

Gladstone Regional Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2020

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Animal Management (Amendment) Subordinate Local Law (No. 1) 2020*.

2 Subordinate local law amended

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

Part 2 Amendments to subordinate local law

3 Amendment of s9 (Identification for dogs in certain circumstances— Authorising local law, s9)

Section 9, ‘section 12(3)’—

omit, insert—

‘section 12(2)’.

4 Amendment of s17 (Animals that may be disposed of without auction or tender—Authorising local law, s32(1)(b))

(1) Section 17(c), ‘.’—

omit, insert—

‘; and’.

(2) After section 17(c)—

insert—

‘(d) stock.’.

5 Amendment of sch1 (Prohibition on keeping animals)

(1) Schedule 1, column 1, heading, ‘Animal’—

omit, insert—

‘Animal^{1A}’.

(2) Schedule 1, item 1, column 2, paragraph (a), after ‘area’—

insert—

‘unless there is a caravan park on the allotment’.

(3) Schedule 1, item 1, column 2, paragraph (b), ‘1 dog’—

omit, insert—

^{1A} See the definition of *animal* in schedule 13 which, in relation to schedule 1, includes a miniature version of various species of animal.

‘2 dogs’.

- (4) Schedule 1, item 2, column 2, after ‘area’—

insert—

‘unless there is a caravan park on the allotment’.

- (5) Schedule 1, column 2, item 3(d) —

omit, insert—

‘(d) subject to item 4A, more than 4 horses on an allotment with an area between 10001m² and 20000m².’.

- (6) Schedule 1, column 2, item 4(3)—

omit, insert—

‘(3) Subject to item 4A, more than 4 animals to which this item 4 applies on an allotment with an area between 10000m² and 20000m².’.

- (7) Schedule 1, after item 4—

insert—

‘

4A	Horse, donkey, cow, bull, camel, deer, sheep, goat, llama or pig	<p>(1) This item 4A applies to all of the following—</p> <ul style="list-style-type: none"> (a) a horse; (b) a donkey; (c) a cow; (d) a bull; (e) a camel; (f) a deer; (g) other domesticated animals of a similar size; (h) a sheep; (i) a goat; (j) a llama; (k) other domesticated animals of a similar size; (l) a pig. <p>(2) More than 6 animals to which this item 4A applies on an allotment with an area between 10000m² and 20000m².</p>
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’.

- (8) Schedule 1, item 7, column 1, ‘Duck,’—

omit.

- (9) Schedule 1, item 7, column 1, ‘goose’—

omit, insert—

‘Goose’.

- (10) Schedule 1, item 7, column 2, subsection (1)(a)—

omit.

- (11) Schedule 1, item 7, column 2, subsection (1)(b), (c) and (d)—
renumber as subsection (1)(a), (b) and (c).
- (12) Schedule 1, item 9, column 2, paragraph (a) ‘*Apiaries Act 1982*’—
omit, insert—
‘*Biosecurity Act 2014*’.
- (13) Schedule 1, item 9, column 2, paragraph (b), ‘*Apiaries Act 1982*’—
omit, insert—
‘*Biosecurity Act 2014*’.

6 Amendment of sch2 (Requirement for approval to keep animal)

- (1) Schedule 2, item 1, from ‘3 or 4’ to ‘more.’—
renumber as item 1(a).
- (2) Schedule 2, item 1(a) from ‘the area’ to ‘more’—
omit, insert—
‘—
(i) the area of the allotment is 10,000m² or more; or
(ii) there is a caravan park on the allotment.’.
- (3) Schedule 2, after item 1(a)—
insert—
‘(b) 2 dogs over the age of 3 months on premises which are multi-residential premises.’.
- (4) Schedule 2, item 2(a), after ‘area’—
insert—
‘unless there is a caravan park on the allotment’.

7 Amendment of sch5 (Minimum standards for keeping particular animals)

- (1) Schedule 5, column 1, heading, ‘**animal**’—
omit, insert—
‘**animal**^{1B}’.
- (2) Schedule 5, column 2, item 3(f), ‘.’—
omit, insert—
‘; and’.
- (3) Schedule 5, column 2, after item 3(f)—
insert—

^{1B} See the definition of *animal* in schedule 13 which, in relation to schedule 5, includes a miniature version of various species of animal.

- ‘(g) if the bird has the ability to escape from the enclosure by flying out of the enclosure — the enclosure in which the bird is kept is fitted with a roof, or cover, which prevents the bird from escaping from the enclosure by flying out of the enclosure.’.

8 Amendment of sch6 (Prohibition of animals in public places)

- (1) Schedule 6, column 2, heading, ‘**animals**’—
omit, insert—
‘**animals**^{1C}’.
- (2) Schedule 6, column 1, item 1, ‘Area, but excluding any formed road through an area hatched in black on a map’—
omit, insert—
‘Area’.
- (3) Schedule 6, column 2, item 8, after ‘dogs’—
insert—
‘, unless the owner or responsible person for the dog is walking the dog on the trafficable surface of a road (other than a formed footpath) which passes through the area shown hatched in black and the dog is under effective control’.
- (4) Schedule 6, items 2 and 3—
omit.
- (5) Schedule 6, items 4 to 11 inclusive—
renumber as items 2 to 9 inclusive.
- (6) Schedule 6, column 2, item 3, from ‘All’ to ‘prohibited’—
omit, insert—
‘All species and breeds of animal other than—
(a) dogs; and
(b) other animals which are permitted to be in the public place under an approval granted by the local government under *Local Law No. 1 (Administration) 2011* for the undertaking of a prescribed activity at the public place.’.
- (7) Schedule 6, column 2, item 4, from ‘All’ to ‘prohibited’—
omit, insert—
‘All species and breeds of animal other than—
(a) dogs; and
(b) other animals which are permitted to be in the public place under an approval granted by the local government under *Local Law No. 1 (Administration) 2011* for the undertaking of a prescribed activity at the public place.’.

^{1C} See the definition of *animal* in schedule 13 which, in relation to schedule 6, includes a miniature version of various species of animal.

(8) Schedule 6, after item 9—

insert—

,

10	The areas of bathing reserve and foreshore (including the areas of bathing reserve and foreshore south to the boundary of the Deepwater National Park) shown hatched in black on a map which forms part of this schedule 6 and is identified as Springs Beach and Workmans Beach Agnes Water – Dogs Prohibited Area	Dogs, but only during the turtle breeding season from November in a year to March in the following year
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,

(9) Schedule 6—

insert—

,



(10) Footnotes 1A, 1, 1B, 1C and 2—
renumber as footnotes 1, 2, 3, 4 and 5.

9 Amendment of sch7 (Dog off-leash areas)

(1) Schedule 7, after item 8—

insert—

- ‘9. The fenced area shown hatched in black and bounded by a bold black line on the map titled “Bunting Park – Calliope Off Leash Area” which forms part of this schedule 7 being part of the land described as Lot 158 on Plan CTN1533.
10. The area shown hatched in black and bounded by a bold black line on the map titled “Dog Agility Area – Memorial Park Bororen” which forms part of this schedule 7 at Memorial Park Bororen and which is described as part of Lot 255 on Plan CP858947.
11. The area of bathing reserve, foreshore and esplanade shown hatched in black and bounded by a bold black line on the map titled “Boyne River Foreshore and adjacent Dunal Area which forms part of this schedule 7 from the mouth of the Boyne River north of Wyndham Park to Lilley’s Inlet.
12. The area of bathing reserve and foreshore shown hatched in black on the map titled “Chinamans Beach – Dog Off Leash Area” which forms part of this schedule 7, but only during the months from April to October inclusive each year.’

(2) Schedule 7—

insert—




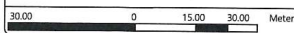

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Printed: 31-Oct-2019
 Map Scale 1:1,200
 Original Size: A4

Bunting Park - Calliope
 Off Leash Area

GLADSTONE REGIONAL COUNCIL



 <p>GLADSTONE REGIONAL COUNCIL</p>	<p>Dog Agility Area – Memorial Park Bororen</p> 		<p>Printed: 01-Nov-2019 Map Scale 1:1,200 Original Size: A4</p>	<p><small>© The State of Queensland Department of Natural Resources and Mines 2019 and Gladstone Regional Council 2019. In consideration of the State and Gladstone Regional Council permitting use of this data you acknowledge and agree that the State and Gladstone Regional Council gives no warranty in relation to the data including accuracy, reliability, completeness, currency or suitability and accept no liability including without limitation, liability in negligence for any loss, damage or costs including consequential damage relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws. The information shown on this plan is approximate only and should not be considered as any more than indicative only.</small></p>
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Boyne River Foreshore and adjacent
Dunal Area

500.00 0 250.00 500.00 Meters



Printed: 04-Nov-2019
Map Scale 1:20,000
Original Size: A3

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10 Amendment of sch13 (Dictionary)

- (1) Schedule 13, definition *land*, ‘Sustainable Planning Act 2009’—
 omit, insert—

‘*Planning Act 2016*’.

- (2) Schedule 13, definition ***planning scheme***, ‘*Sustainable Planning Act 2009*’—
omit, insert—
‘*Planning Act 2016*’.

- (3) Schedule 13—
insert—

‘***animal***, for each of schedules 1, 5 and 6, and in relation to an animal which is a horse, donkey, cow, bull, camel, deer, sheep, goat, llama or pig, includes a miniature version of the animal.

caravan park see *Local Law No. 1 (Administration) 2011*, schedule 2.

formed footpath means an area which is—

- (a) open to the public and designated for, or has as 1 of its main uses, use by pedestrians; and
- (b) formed, and surfaced with concrete.

poultry—

- (a) has the meaning given in the *Biosecurity Act 2014*, schedule 4; but
- (b) does not include guineafowl, geese, peacocks, peafowl, turkeys or racing pigeons.

road has the meaning given in *Local Law No. 1 (Administration) 2011*, schedule 1.

stock—

- (a) has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*, schedule 2; but
- (b) includes pigs.’.

This and the preceding 12 pages bearing my initials is a certified copy of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2020* made in accordance with the provisions of the *Local Government Act 2009* by Gladstone Regional Council by resolution dated the day of 2020.

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Chief Executive Officer