



**Cassowary Coast Regional Council
Subordinate Local Law No. 2 (Animal Management) 2022**

Cassowary Coast Regional Council Amendment Subordinate Local Law No. 2 (Animal Management) 2022

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Current as at 24 January 2024

Cassowary Coast Regional Council Subordinate Local Law No. 2 (Animal Management) 2022

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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) 2022*.

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) 2022*, which provides for prohibitions, regulation and management of **animals** within the **Council** area.
- (2) The purpose is to be achieved by providing for schedules referred to in the local law of:
 - (a) the circumstances in which the **keeping of animals** is prohibited;
 - (b) the circumstances in which keeping of **animals** requires a **permit**;
 - (c) the circumstances in which desexing of an **animal** is required;
 - (d) specific standards for **keeping of animals** of a particular species or breed;
 - (e) breeding of **animals** that does not require a **permit**;
 - (f) the exclusion of **animals**, or **animals** of a specified species, from **public places**;
 - (g) designated **dog off-leash areas**;
 - (h) other local governments or organisations able to accept impounded **animals**;
 - (i) the conditions to be complied with by persons who offer **animals**, or a particular species of **animal**, for sale; and
 - (j) the designation of **conservation planning areas**.

3 Authorising local law

- (1) The making of the schedules in this Subordinate Local Law is authorised by *Local Law No. 2 (Animal Management) 2022*.
- (2) At the head of each Schedule there is a reference to the relevant authorising Local Law section.

Part 2 Repeals

4 Repeal

This Subordinate Local Law repeals -

- (a) Subordinate Local Law No.2 (Animal Management) 2011

Schedule 1 - Prohibition on keeping animals

Section 4 Local Law No.2 (Animal Management) 2022

	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
1	Dog	Keeping more than 3 dogs is prohibited on a premises . Keeping more than two (2) dogs is prohibited on a premises in a Conservation Planning Area.
2	Cat	Keeping more than 2 cats is prohibited on a premises . Keeping a cat is prohibited on a premises in a Conservation Planning Area.
3	Poultry	1 Keeping poultry is prohibited on a premises that is less than 300 m ² 2 Keeping more than 10 poultry is prohibited in an urban area .
4	Rooster	1 Keeping a rooster is prohibited on a premises that is in an urban area . 2 Keeping a rooster closer than 50m from a neighbouring dwelling is prohibited.
5	Bird	Keeping more than 60 birds is prohibited on a premises in an urban area . Keeping a large bird is prohibited on any premises less than 20,000m ² .
6	Stock	Keeping stock is prohibited on a premises less than 8,000m ² .
7	Bees	1 Keeping non-native bee hives closer than 15m from a neighbouring residence or place of public access is prohibited. 2 Keeping more than 1 hive on a lot less than 800 m ² is prohibited. 3 Keeping more than 2 hives on a lot less than 2,000 m ² is prohibited. 4 Keeping more than 8 hives on a lot less than 10,000 m ² is prohibited.

Note: The application of Schedule 1 (Prohibition on Keeping of Animals) does not apply to **premises** where a **development approval** pertains to the use of **premises** for animal husbandry.

Schedule 2 – Keeping of animals that requires a permit.

Section 6 *Local Law No.2 (Animal Management) 2022*

Column 1 Animal	Column 2 Circumstances in which keeping of animals requires a permit
Dogs	A permit is required to keep more than two (2) dogs on a premises

Schedule 3 – Animals that require desexing

Section 10 *Local Law No.2 (Animal Management) 2022*

[This schedule has been intentionally left blank]

Schedule 4 – Specific standards for keeping particular animals

Section 13 Local Law No.2 (Animal Management) 2022

Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
(1) Cat	Ensure that the animal is adequately identified so that the responsible person's name, address and telephone number are readily ascertainable.
(2) Dog (other than a greyhound)	<ol style="list-style-type: none"> (1) Ensure that the animal is adequately identified so that the responsible person's name, address and telephone number are readily ascertainable. (2) When the animal is in a public place it must be wearing the identification tag provided by Council. (3) Each responsible person for, 1 or more dogs kept on premises must ensure that: <ol style="list-style-type: none"> (a) all dog accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person; and (b) The dog or dogs do not cause any amenity nuisance to adjoining land owners.
(3) Greyhound	<ol style="list-style-type: none"> (1) Ensure that the animal is adequately identified so that a responsible persons, address and telephone number are readily ascertainable. (2) When the animal is in a public place it must be wearing the identification tag provided by Council. (3) Each responsible person for, a greyhound must, when the dog is outside the premises on which it is normally kept, be: <ol style="list-style-type: none"> (a) under the effective control of a person aged 16 or over who has control of not more than 2 greyhounds at any 1 time; and (b) kept muzzled so as to prevent the dog from biting unless it is a decommissioned greyhound. (4) Each responsible person for, a greyhound must ensure that the dog is kept: <ol 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.

Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
(4) Poultry	<p>(1) Poultry food must be stored in a sealed vermin proof receptacle.</p> <p>(2) The enclosure in which the poultry are kept must be constructed so as to prevent the poultry from wandering off, or flying away from, the premises.</p> <p>(3) Poultry houses and runs are not to be situated:</p> <ul style="list-style-type: none"> (a) within a radius of 10 meters of a dwelling on adjoining premises or a place where food is kept, processed or stored; or (b) within 2 meters of any premises boundary or road, whichever is the greater.
(5) Racing pigeons	<p>(1) Must be confined to their dwelling loft after their designated race or exercise period.</p> <p>(2) Must be kept in compliance with the Queensland Racing Pigeon Federation Incorporated or affiliate club Code of Conduct.</p> <p>(3) Each responsible person for, a racing pigeon specified in column 1, must ensure that:</p> <ul style="list-style-type: none"> (a) the racing pigeon is kept without nuisance; (b) the racing pigeon is contained within an enclosed cage or aviary; (c) the racing pigeon food is kept in a properly sealed, vermin proof container; (d) the cage or aviary in which the racing pigeon is kept is thoroughly cleaned at least once each week; (e) the racing pigeon is kept in accordance with the requirements of the code of practice of FNQ bird breeders club; (f) the fence surrounding the premises on which the racing pigeon is kept does not form part of the cage or aviary in which the racing pigeon is kept; and (g) the enclosure in which the racing pigeon is kept is set back a minimum of 2m from each boundary of the premises.

Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
<p>(6) 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.</p>	<p>Each responsible person for, a bird, must ensure that:</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; (b) the bird is contained within an enclosed cage or aviary; (c) the bird's food is kept in a properly sealed, vermin proof container; (d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; (e) the bird is kept in accordance with the requirements of the code of practice of FNQ bird breeders club; (f) the fence surrounding the premises on which the bird is kept does not form part of the cage or aviary in which the bird is kept; and (g) the enclosure in which the bird is kept is set back a minimum of 2m from each boundary of the premises.
<p>(7) Horse (including a racehorse), donkey, ass, mule, cow, bull, camel, buffalo and other domesticated animals of a similar size and sheep, goat, alpaca, llama and other animals of a similar size</p>	<ul style="list-style-type: none"> (1) Ensure that the animal is adequately identified so that a responsible person's name, address and telephone number are readily ascertainable. (2) Each responsible person for, an animal which is kept at a stable on premises must ensure that: <ul style="list-style-type: none"> (a) the stable is not located within a 10meter radius of: <ul style="list-style-type: none"> (i) a dwelling 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 a responsible person for the animal; (b) the stable is set back a minimum of 2 meters from each boundary of the premises; (c) the stable is located a minimum of 20 meters from any watercourse, well or bore; (d) the stable has a floor which is covered with an absorbent soft floor material which is changed at least once in every 6 week period; (e) the interior of the stable and any associated open yard are cleaned of manure and other unhygienic matter daily; (f) the construction of the stable complies with the requirements of any applicable approval or code; and

Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
	<p>(g) the stable is maintained in good condition and repair.</p> <p>(3) Each responsible person for, an animal which is kept free range or in a paddock on premises must ensure that shelter of a clean, dry and shady nature is provided together with a minimum space per animal as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.</p>

Schedule 5 – Breeding of animals

Section 18 Local Law No.2 (Animal Management) 2022

Column 1 Species or breed of animal	Column 2 Circumstances where a permit is not required to breed animals
Dogs	On any premises where they are pets of an occupier of a premises that have a litter not more than once every 3 calendar years.
Cats	On any premises where they are pets of an occupier of a premises that have a litter not more than once every 3 calendar years.
Birds	On any premises 2,000m ² and above.
Large Birds	On any premises 20,000m ² and above.
Racing pigeons	On any premises 800m ² and above.
Donkeys, Domesticated Pigs, Horses, Cattle and animals of a similar size	On any premises 10,000m ² and above.
Poultry	On any premises 2,000m ² and above.
Sheep, Goats, or any animal of a similar size	On any premises 10,000m ² and above.
Any animal	Where the responsible person breeding the animal is a licenced breeder from a recognised association for that animal .
Any animal	Where the person breeding the animal has a development approval or existing use right for the use of animal keeping.
Any animal	Any animal not dealt with in Column 1 of Schedule 4.

Schedule 6 – Exclusion of animals from public places

Section 22 Local Law No.2 (Animal Management) 2022

Map No	Column 1 Public Place	Column 2 Species or Breed of Animals Prohibited
	Within 10 meters of a designated playground, area or equipment, which forms part, or the whole, of a local government controlled area whether enclosed or not.	Dogs, Cats, Poultry and Stock
	Inside all bathing reserves or pools including stinger nets within the local government area.	
	Within 5 meters of public exercise equipment provided by the local government.	
	Areas designated by an official advertising device as prohibited to protect wildlife in and around sensitive areas.	
	All local government cemeteries	
	Dog Off Leash Areas as per Schedule 7	Stock including horses

Schedule 7 - Dog off-leash areas

Section 23 *Local Law No.2 (Animal Management) 2022*

Map Number	Column 2 Area description	Column 3 Address and Property Description
1	Boustead Park, Kurrimine Beach	Murdering Point Road, Kurrimine Part of Lot 562 on NR814104
2	Wildsoet Park, Tully	Bryant Street, Tully Part of Lot 21 on RP881705
3	Coral Sea Park, Cardwell	Coral Sea Drive, Cardwell Part of Lot 51 on SP320132
4	South Mission Beach Foreshore	Beach between Kennedy Esplanade boat ramp and the beach access, 100m north of Jackey Jackey Street
5	Mission Beach Foreshore	Beach between Miter Street and Pacific Parade – Esplanade access
6	Wrights Park, Innisfail	Sherwood Street, Webb Lot 258 on NR5971
7	Wongaling Beach	Beach area between the northern end of Banfield Parade to Dickinson Street, Wongaling Beach (500m)
8	Tully Heads	Beach area between the unnamed street on Carron Esplanade and Penning Park southern boundary (460m)

Map 1

Boustead Park, Murdering Point Road, Kurrimine Beach. Part of Lot 562 on NR814104



Map 2

Eastern portion of Wildsoet Park, Bryant Street, Tully Lot 21 on RP881705.



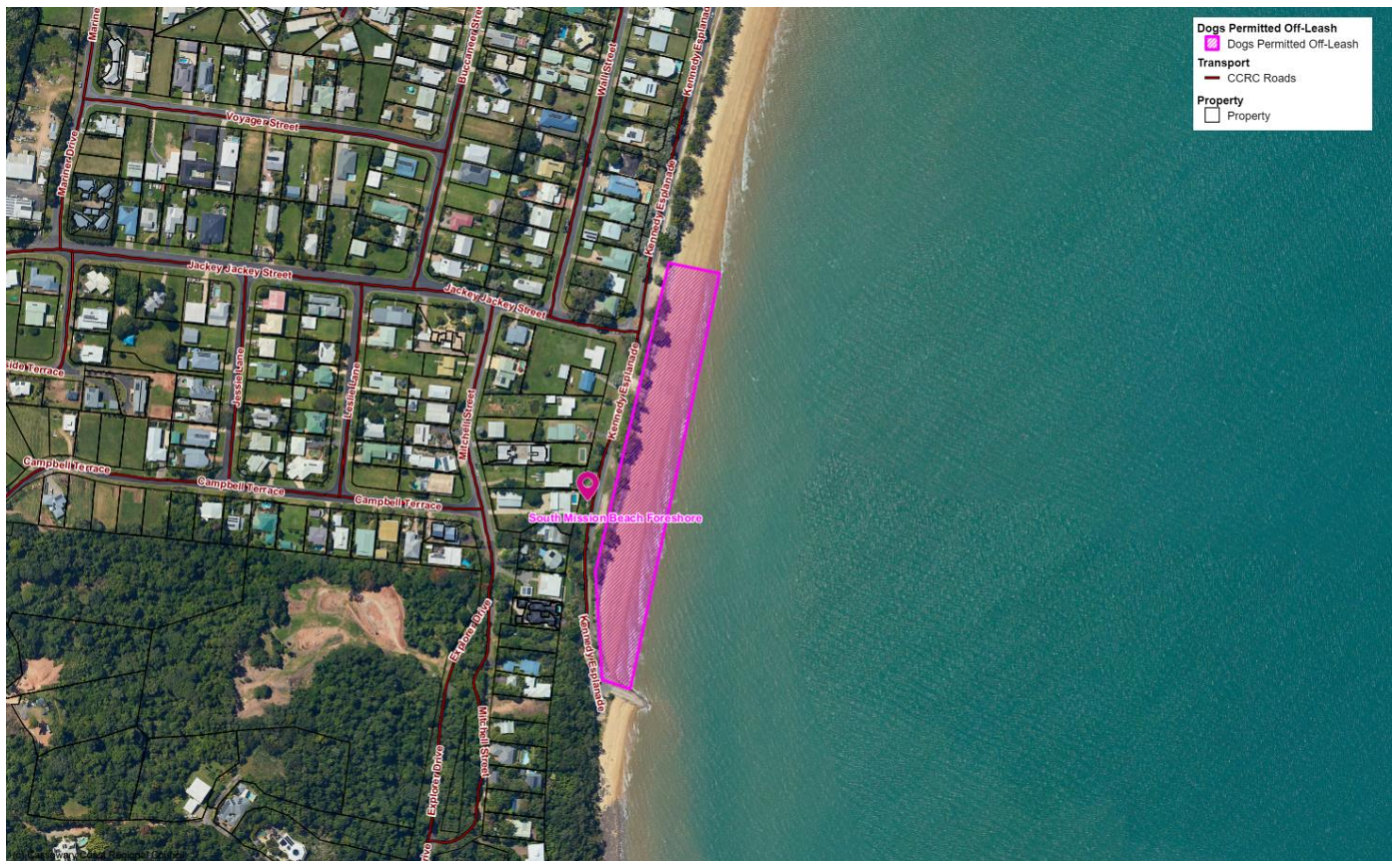
Map 3

Coral Sea Drive, Cardwell, Part of Lot 51 on SP320132



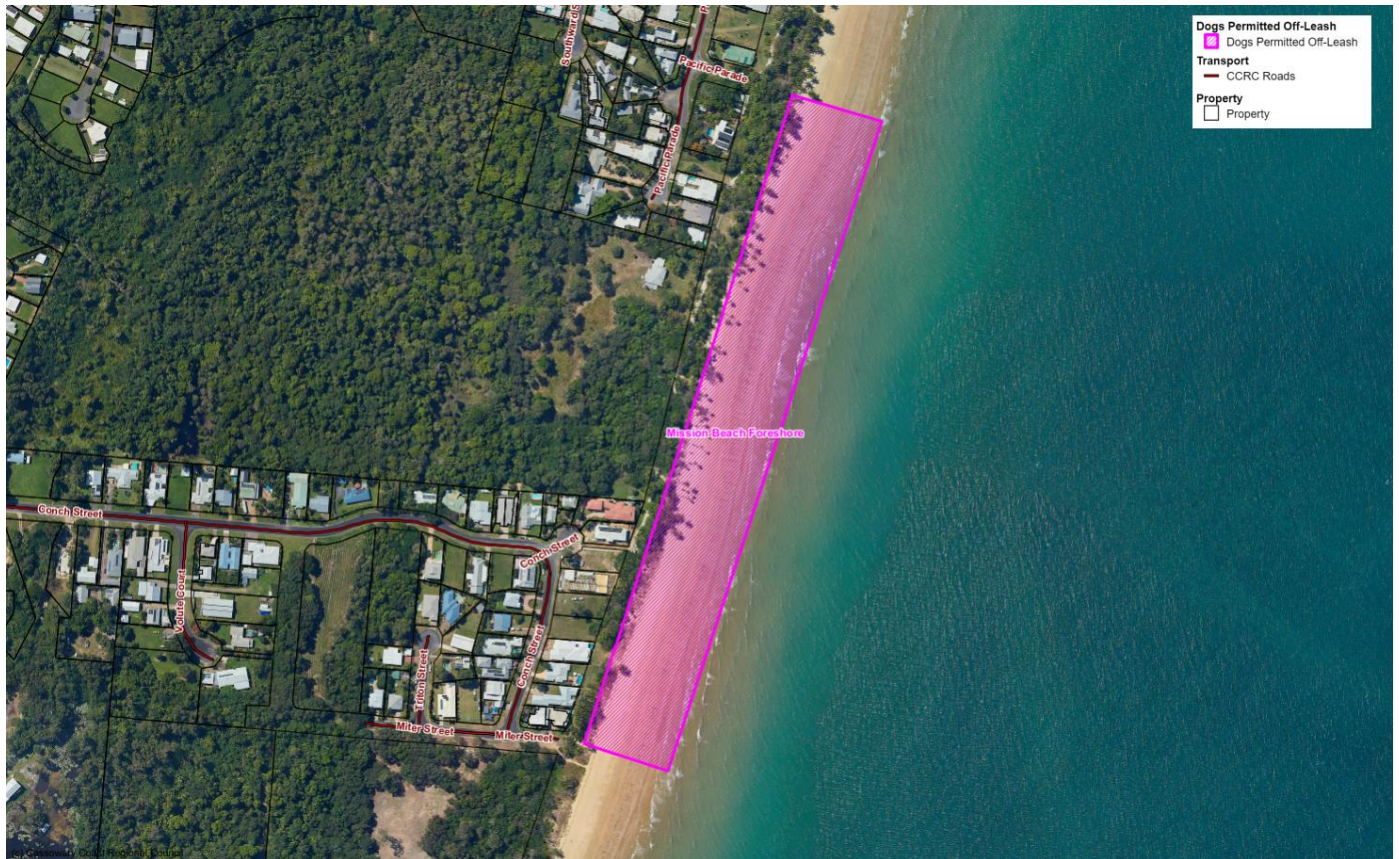
Map 4

South Mission Beach Foreshore, Beach between Kennedy Esplanade boat ramp and the beach access, 100m north of Jackey Jackey Street.



Map 5

Mission Beach Foreshore, between Miter Street and Pacific Parade – Esplanade access.



Map 6

Wrights Park, Sherwood Street, Innisfail. Lot 258 on NR5971.



Map 7

Beach area between the northern end of Banfield Parade to Dickinson Street, Wongaling Beach (500m)



Map 8

Tully Heads, Beach area between the unnamed street on Carron Esplanade and Penning Park southern boundary (460m).



Schedule 8 – Organisations to receive impounded animals

Section 35 *Local Law No.2 (Animal Management) 2022*

Organisations Able to Accept Impounded Animals
Veterinarian contracted by Council to supply veterinary services.
Approved animal refuge shelters :- <ul style="list-style-type: none">• “paws and claws” refuge in Innisfail• Any other animal refuge shelter authorised in writing by the chief executive officer or delegate.

Schedule 9 - Conditions for sale of animals

Section 53 *Local Law No.2 (Animal Management) 2022*

Column 1 Species or breed of animal	Column 2 Circumstances of seller	Column 3 Conditions that must be complied with when offering animal for sale
(1) All Animals	Sale as part of a commercial venture	<p>(1) A person must not sell an animal unless there is a current planning scheme approval or existing use right for the use of animal keeping; and</p> <p>(2) The person selling animals must ensure that any animals offered for sale are:</p> <ul style="list-style-type: none"> (a) in good health and free from disease; (b) vaccinated and have received worm treatment; (c) held in an area that is clean and sanitary and free of vermin harbourage to the satisfaction of an authorised person; (d) not held for sale on a road or premises under the control of Council; (e) restrained by enclosures, fences or be tendered so as to effectively prevent the animal from straying off the premises; and (f) not kept in display cases or in a confined area overnight, except for an enclosure approved by an authorised person.
(2) Dog, Cat	Licensed breeder	<p>(1) A person must be a breeder licensed under any relevant state legislation applying to the breeding of dogs or cats;</p> <p>(2) be a breeder licensed with a relevant breeding association;</p> <p>(3) the breeding is not prohibited under section 16 of <i>Local Law No. 2 (Animal Management) 2022</i> and Schedule 4 of this Subordinate Local Law; and</p> <p>(4) The person selling animals must ensure that any animals offered for sale are;</p> <ul style="list-style-type: none"> (a) in good health and free from disease; (b) vaccinated and have received worm treatment; (c) held in an area that is clean and sanitary and free of vermin harbourage to the satisfaction of an authorised person; (d) not held for sale on a road or premises under the control of Council;

Column 1 Species or breed of animal	Column 2 Circumstances of seller	Column 3 Conditions that must be complied with when offering animal for sale
		<ul style="list-style-type: none"> (e) restrained by enclosures, fences or be tendered so as to effectively prevent the animal from straying off the premises; and (f) not kept in display cases or in a confined area overnight, except for an enclosure approved by an authorised person.
(3)All animals	By an owner of an animal who is not a licenced breeder or selling as part of a commercial venture and where the animal is being kept in accordance with these local laws and any applicable state legislation	<ul style="list-style-type: none"> (a) The animal for sale must not have been bred in contravention of section 16 of <i>Local Law No. 2 (Animal Management) 2022</i> and Schedule 4 of this Subordinate Local Law; and (b) The person selling animals must ensure that any animals offered for sale are; <ul style="list-style-type: none"> (a) in good health and free from disease; (b) vaccinated and have received worm treatment; (c) held in an area that is clean and sanitary and free of vermin harbourage to the satisfaction of an authorised person; (d) not held for sale on a road or premises under the control of Council; (e) restrained by enclosures, fences or be tendered so as to effectively prevent the animal from straying off the premises; and (f) not kept in display cases or in a confined area overnight, except for an enclosure approved by an authorised person.

Schedule 10 – Conservation Planning Areas

Section 4 of *Local Law No.2 (Animal Management) 2022*

All **premises** in the Environmental management and conservation zone in the **planning scheme**.

CERTIFICATION

This and the preceding 23 pages bearing my initials is a certified copy of Cassowary Coast Regional Council *Subordinate Local Law No. 2 (Animal Management) 2022* made in accordance with the provisions of the *Local Government Act 2009*, by Cassowary Coast Regional Council by resolution dated 24 January 2024.

A handwritten signature in black ink, appearing to read 'Andrew Graffen', is positioned above the printed name.

Andrew Graffen
Chief Executive Officer
Cassowary Coast Regional Council