# CITY OF MORETON BAY 

Animal Management
Subordinate Local Law 2023

## Moreton Bay City Council Animal Management Subordinate Local Law 2023

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## Moreton Bay City Council Animal Management Subordinate Local Law 2023

## Part 1 Preliminary

## 1 Short title

This Subordinate Local Law may be cited as the Animal Management Subordinate Local Law 2023.

2 Object
The object of this Subordinate Local Law is to supplement the Animal Management Local Law 2023 (Authorising Local Law) which regulates the keeping and control of animals in the local government area.

How object of Subordinate Local Law is to be achieved
The object of this Subordinate Local Law is to be achieved by providing for-
(a) categories of animals to which prohibitions, restrictions and requirements for approval do not apply; and
(b) the circumstances in which the keeping of animals is prohibited or restricted; and
(c) the circumstances in which the keeping of animals requires approval; and
(d) requirements for keeping animals, including identification and minimum standards; and
(e) management and control of animals in public and other places; and
(f) matters regarding the sale or disposal of impounded animals; and
(g) conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and
(h) criteria for declaration of a specific animal, other than a dog, as a declared dangerous animal.

## 4 Authorising Local Law

This Subordinate Local Law is made pursuant to the authorising Local Law.

## Definitions

(1) The dictionary in Schedule 4 defines particular words used in this Subordinate Local Law.
(2) Where a word in this Subordinate Local Law is not defined in Schedule 4, it has the meaning as provided for in the Authorising Local Law.

## Part 2 Keeping of Animals

## 6 Prohibitions and restrictions on keeping animals - Authorising Local Law s 12(1) and s 12(4)

(1) The prohibitions, restrictions and requirements for approval for the keeping of animals do not apply to the categories of animal and circumstances specified in Schedule 1.
(2) The keeping of an animal or animals is prohibited in the circumstances prescribed in Schedule 2, column 5.
(3) For animals other than aviary birds, the maximum number that can be kept without an approval is prescribed in Schedule 2, column 3.
(4) The maximum number of aviary birds that can be kept without an approval is specified in Schedule 2, column 4.

## 7 Need for approval - Authorising Local Law s 14(1) and s 14(4)

(1) An approval is not required to keep the categories of animal specified in Schedule 1.
(2) For animals other than aviary birds, the number of additional animals that can be kept with an approval is prescribed in Schedule 2, column 4.
(3) The number of animals that can be kept with an approval under Schedule 2, column 4 is in addition to the maximum number of animals that can be kept without approval under Schedule 2, column 3.

## Part 3 Minimum standards for keeping animals

## Division 1 Minimum standards applying to all animals

## 8 Animal Codes of Practice - Authorising Local Law s 42(1)

(1) Animals must be kept in accordance with the requirements of any Code of Practice approved by resolution of the local government.
(2) A register must be kept available for public inspection for all animal Codes of Practice approved by the local government.

9 Requirements for specific use enclosures - Authorising Local Law 42(1)
(1) Specific use enclosures are to be maintained to an acceptable structural condition.
(2) Uneaten food scraps, manure and any other material likely to become offensive and create a nuisance must be collected at least daily; and
(a) immediately removed from the premises; or
(b) kept in a suitable vermin proof container prior to disposal.
(3) Vermin and pests including fleas, flies, ticks, lice and rodents must be controlled in and around the enclosure.
(4) Run off from animal enclosures must not be allowed to discharge to any neighbouring property.
(5) For animals other than roosters, any roofed or fully enclosed structures for the housing of the animals must be a minimum of 1.5 m from any property boundary.
(6) In this section-
specific use enclosure means an enclosure specifically designed and built to house a particular species or breed of animal.

## Examples-

- Bird aviary.
- Chicken coop.
- Guinea pig hutch


## Division 2 Minimum standards applying to certain animals

## 10 Identification of certain animals - Authorising Local Law s 42(1)

(1) Stock must have-
(a) a distinguishing brand, bolus or ear tag; or
(b) be microchipped.
(2) The owner of one or more head of stock or 100 or more poultry (including caged birds) must be registered with Biosecurity Queensland.
(3) Birds, excluding poultry, must have an identifying leg band or be microchipped.
(4) The local government may grant an exemption from the requirement to wear the identification device specified in subsections 10(1) and (3)-
(a) where the animal has a medical condition that would adversely affect its health and well-being; or
(b) there are other mitigating circumstances.
(5) The owner of the animal may be granted an exemption under subsection (4) upon producing evidence to the satisfaction of the local government evidencing the grounds under subsection (4)(a) or (4)(b).
(6) The local government may, by written notice to the owner of the animal for which the exemption has been granted, revoke the exemption.

## 11 Minimum standards for keeping dogs - Authorising Local Law s 42(1)

If a koala is on land where a dog is kept or to which a dog has access, the responsible person for the dog must-
(a) tether the dog to prevent it from attacking a koala until the koala has left the land; and
(b) contain the dog in an enclosure between sunset and sunrise to prevent it from attacking a koala.
Examples of 'an enclosure' for paragraph (b)-

- A dog crate.
- An enclosed dog run.
- A dwelling house.


## 12 Minimum standards for keeping roosters - Authorising Local Law s 42(1)

(1) Where 1 rooster is being kept on a property, the rooster must be kept in an area of the property that is located at least 50 m from any residential dwelling on a neighbouring property.
(2) Where 2 or more roosters are being kept on a property, the roosters must be kept in an area of the property that is located at least 250 m from any residential dwelling on a neighbouring property.

## 13 Minimum standards for keeping racing pigeons - Authorising Local Law s 42(1)

Racing pigeons must be confined to their home lofts after their designated race or exercise period.

14 Minimum standards for keeping ratites - Authorising Local Law s 42(1)
A person must not keep on any premises ratites in densities greater than-
(a) chicks 0 to 12 weeks of age- a shed density of not more than 3 chicks per $\mathrm{m}^{2}$ with an additional outside run of $5 \mathrm{~m}^{2}$ per chick; or
(b) juveniles 12 weeks to 6 months of age-a maximum density of not more than two per $\mathrm{m}^{2}$ with an additional outside run of $40 \mathrm{~m}^{2}$ per chick; or
(c) yearlings 6 months to 18 months of age-a maximum density of not more than 100 per hectare; or
(d) mature ratites over 18 months of age- a maximum density of not more than 18 per hectare.

## 15 Minimum standards for keeping non-native bees - Authorising Local Law s 42(1)

(1) Bees must be kept in a manner so as not to create a nuisance or hazard to any person on an adjoining property.
(2) The owner must ensure that bees are kept in accordance with any Code of Practice for urban bee keeping under the Biosecurity Act 2014.

## Part $4 \quad$ Control of animals

## 16 Requirements for proper enclosures - Authorising Local Law s 48(2)

(1) For section 48(2) of the Authorising Local Law, the requirements for a proper enclosure for an animal are-
(a) the enclosure must be of dimensions, quality and type to comfortably and effectively enclose the animal; and
(b) gates and other openings to the enclosure must be securely closed and latched when not in immediate use; and
(c) fencing for the enclosure must-
(i) be constructed of material of sufficient height and strength to prevent the animal from escaping; and
(ii) include a barrier installed directly below the fence to prevent the animal digging its way out (where appropriate).
(2) Subsection (1) does not apply to a proper enclosure for a regulated dog.

Note-
The enclosure requirements for a regulated dog are imposed under the Animal Management (Cats and Dogs) Act 2008.
(3) In this sectioneffectively enclose means-
(a) for a dog - to prevent a dog protruding or escaping, over, under or through an enclosure; and
(b) for any other animal - to prevent an animal escaping over, under or through an enclosure.

## 17 Person in control of prescribed animals to clean up faeces Authorising Local Law s 53

For section 53 of the Authorising Local Law, the animals specified in column 1 are prescribed as animals whose faeces must be removed from the public place specified in column 2 and disposed of in a sanitary manner.

| Column 1 <br> Animal | Column 2 <br> Public place |
| :--- | :--- |
| Dogs | All public places |
| Cats | All public places |
| Horses | Town centres and on formed footpaths |

## 18 Declaration of dangerous animal other than a dog - Authorising Local Law s 57(1)

For section 57(1) of the Authorising Local Law, the criteria for declaring an animal (other than a dog) as a declared dangerous animal are-
(a) the authorised person's first-hand assessment of the animal has indicated that the animal has demonstrated aggressive tendencies; or
(b) a high level of concern about the danger posed by the animal has been expressed by neighbours or other persons who have come into contact with the animal; or
(c) the high likelihood the animal may cause injury to a person or an animal or damage to property taking into account-
(i) the prior history of the animal attacking or causing fear to persons or animals or damaging property; and
(ii) the extent of injury or damage that could potentially be inflicted by an animal of its size and species or breed.

## Part 5 Sale, disposal or destruction of animals

19 Sale, disposal or destruction of animals - Authorising Local Law s 75(1)
For section 75(1) of the Authorising Local Law, the following species, breeds or classes of animal that may be sold by private agreement, destroyed or disposed of in some other way are-
(a) dogs and puppies; or
(b) cats and kittens; or
(c) stock; or
(d) poultry and birds; or
(e) small domestic animals.

Examples for paragraph (e)-

- Guinea pigs.
- Rats


## Part 6 Miscellaneous

## 20 Conditions on sale of animals - Authorising Local Law s 106(1)

For the purposes of section 106(1) of the Authorising Local Law, any person offering or displaying an animal for sale must comply with the following conditions-
(a) the animal must be registered, in accordance with the local government requirements; and
(b) the person must comply with the duty of care provisions under the Animal Care and Protection Act 2001; and

Examples for paragraph (b)-

- Food and water.
- The provision of sufficient space for the animal to stand, move around freely, stretch fully, rest, as appropriate for the species, age for the duration of the selling period.
- The provision of adequate shade and shelter.
- The provision of prompt veterinary or other appropriate treatment in cases of disease or injury.
(c) the operator of a pet shop must comply with the-
(i) Queensland Code of Practice for Pet Shops; and
(ii) local government requirements for registration and identification of the animal.


## Schedule 1 When prohibitions, restrictions and requirements for approval do not apply

Sections 6 and 7
(1) The prohibitions, restrictions and requirements for approval for the keeping of animals do not apply to the following categories of animals-
(a) guide, hearing or assistance dogs; or
(b) government entity dogs and working dogs; or
(c) animals maintained by primary producers for the purpose of primary production; or
(d) animals kept by an animal carer; or
(e) animals kept as part of the operation of a pet shop; or
(f) animals kept by education institutions; or
(g) an animal kept for a special event where the animal may be kept at a location other than its place of residence for an extended period of time; or
(h) restricted dogs which were registered with the local government as restricted dogs prior to 30 January 2013 and which are kept under a restricted dog permit granted by the local government; or
Examples for paragraph (f)-

- Schools.
- T.A.F.E. colleges.
- Universities.

Examples for paragraph (g)-

- Rodeo.
- Dog or cat show.
- Agricultural show.
(2) Despite Schedule 2-
(a) a recognised animal breeder may obtain approval to keep a maximum of 6 cats or 6 dogs on any premises or allotment; and
(b) a person may obtain an approval to keep an animal or animals on a permanent or temporary basis in exceptional circumstances.


## Schedule 2 Requirements in respect of the keeping of animals

(1) For Schedule 2, the total number of a specified species of animal on an allotment does not include juvenile members of the species on the allotment.
(2) An approval may be granted to keep the number of additional animals specified in column 4.

Note-
This number is in addition to the number of animals that can be kept without an approval under column 3.
(3) For any animals approved to be kept in accordance with column 4, the approval attaches to the specific animal approved to kept.
(4) For Schedule 2, the numbers of stock animals (excluding sheep and goats) that can be kept on an allotment must be considered as a cumulative total, based on the highest maximum number for any one of the type of animals kept.

## Examples-

- On a $7000 m^{2}$ allotment, a person can have 1 horse, or 1 cow, or 1 alpaca. They cannot have 1 of each animal.
- On an $8,000 m^{2}$ allotment, a person can have 2 horses, or 2 cows, or 2 alpacas. Alternatively, a person can have a combination of any 2 of these stock animals.
- As the numbers of sheep that can be kept on an allotment are separate from the cumulative total for other stock animals, on a $6,000 m^{2}$ allotment, a person can have 4 sheep and 1 horse, or 4 sheep and 1 cow, or 4 sheep and 1 alpaca.

| $\begin{gathered} \text { COLUMN } 1 \\ \text { Animal } \end{gathered}$ | COLUMN 2 <br> Nature of premises and size of allotment | COLUMN 3 <br> Maximum number that may be kept without an approval granted under this Local Law | COLUMN 4 <br> Maximum number of animals that may be kept with an approval granted under this Local Law (in addition to the animals that can be kept under Column 3) | COLUMN 5 <br> Circumstances where the keeping of animal or animals is prohibited. |
| :---: | :---: | :---: | :---: | :---: |
| Cats and dogs (other than regulated dogs) | Per site in a caravan park or camping ground | 0 | No cats or dogs can ordinarily be approved. | 1 A person must not keep 7 or more dogs on any allotment. |
|  | Per site in a relocatable home park | 1 cat or 1 dog with written permission from the park owner. | No further cats or dogs can ordinarily be approved. | 2 A person must not keep 7 or more cats on any allotment. <br> 3 A person must not keep 3 or more regulated dogs on any allotment. |
|  | Per dwelling in a multi-dwelling complex (any size) | ```2 of any combination with written permission from the body corporate, i.e. \\ - 1 cat and 1 dog; or \\ - 2 cats; or \\ - 2 dogs.``` | No further cats or dogs can ordinarily be approved. |  |
|  | $0 m^{2}-599 m^{2}$ | 2 cats or dogs of any combination, i.e. <br> - 1 cat and 1 dog; or <br> - 2 cats; or <br> - 2 dogs. | No further cats or dogs can ordinarily be approved. | 4 A person must not keep any cat or any dog on a vacant allotment. |
|  | $600 \mathrm{~m}^{2}-3,000 \mathrm{~m}^{2}$ | 2 cats and 2 dogs. | 1 cat and 1 dog. | A person must not keep a restricted dog. |
|  | $3,001 \mathrm{~m}^{2}-10,000 \mathrm{~m}^{2}$ | 2 cats and 2 dogs. | 2 cats and 2 dogs. |  |
|  | $10,001 \mathrm{~m}^{2}$ and over | 4 cats and 4 dogs. | 2 cats and 2 dogs. |  |
| Poultry | $0 \mathrm{~m}^{2}-299 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $300 \mathrm{~m}^{2}-599 \mathrm{~m}^{2}$ | 3 | No further animals can ordinarily be approved. |  |
|  | $600 \mathrm{~m}^{2}-1,000 \mathrm{~m}^{2}$ | 6 | No further animals can ordinarily be approved. |  |


| $\begin{gathered} \hline \text { COLUMN } 1 \\ \text { Animal } \end{gathered}$ | COLUMN 2 <br> Nature of premises and size of allotment | COLUMN 3 <br> Maximum number that may be kept without an approval granted under this Local Law | COLUMN 4 <br> Maximum number of animals that may be kept with an approval granted under this Local Law (in addition to the animals that can be kept under Column 3) | COLUMN 5 <br> Circumstances where the keeping of animal or animals is prohibited. |
| :---: | :---: | :---: | :---: | :---: |
|  | $1,001 \mathrm{~m}^{2}-3,000 \mathrm{~m}^{2}$ | 12 | No further animals can ordinarily be approved. |  |
|  | $3,001 \mathrm{~m}^{2}-10,000 \mathrm{~m}^{2}$ | 20 | No further animals can ordinarily be approved. |  |
|  | $10,001 \mathrm{~m}^{2}$ and over | 30 | No maximum. Approval is required to keep more than 30 . |  |
| Roosters and cockerels | $0 \mathrm{~m}^{2}-5,999 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $6,000 \mathrm{~m}^{2}-20,000 \mathrm{~m}^{2}$ | 0 | 1 rooster or 1 cockerel. |  |
|  | $20,001 \mathrm{~m}^{2}$ and over | 1 per 20,000m ${ }^{2}$. | No further animals can ordinarily be approved. |  |
| Ducks | $0 \mathrm{~m}^{2}-2,999 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $3,000 \mathrm{~m}^{2}-10,000 \mathrm{~m}^{2}$ | 10 | No further animals can ordinarily be approved. |  |
|  | $10,001 \mathrm{~m}^{2}$ and over | 20 | No maximum. Approval is required to keep more than 20. |  |
| Geese, turkey, guinea fowl or similar birds | $0 m^{2}-20,000 m^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | 20,001m ${ }^{2}$ and over | 10 birds. | No further animals can ordinarily be approved. |  |
| Peacocks | $0 \mathrm{~m}^{2}-20,000 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | 20,001m ${ }^{2}$ and over | 1 per 20,000m ${ }^{2}$. | No further animals can ordinarily be approved. |  |
| Pigeons or doves | $0 \mathrm{~m}^{2}-599 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $600 \mathrm{~m}^{2}-1,000 \mathrm{~m}^{2}$ | 40 birds. | No maximum. Approval is required to keep more than 40. |  |
|  | $1,001 \mathrm{~m}^{2}$ and over | 80 birds. | No maximum. Approval is required to keep more than 80 . |  |
| Racing pigeons | $0 \mathrm{~m}^{2}-599 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $600 \mathrm{~m}^{2}-1,000 \mathrm{~m}^{2}$ | 60 | No maximum. Approval is required to keep more than 60. |  |
|  | 1,001m ${ }^{2}$ and over | 100 | No maximum. Approval is required to keep more than 100. |  |
| Large parrots, large parakeets, cockatoos, galahs | Dwelling in a multidwelling complex | 0 | No further animals can ordinarily be approved. |  |
|  | $0 \mathrm{~m}^{2}-300 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |


| $\begin{gathered} \text { COLUMN } 1 \\ \text { Animal } \end{gathered}$ | COLUMN 2 <br> Nature of premises and size of allotment | COLUMN 3 <br> Maximum number that may be kept without an approval granted under this Local Law | COLUMN 4 <br> Maximum number of animals that may be kept with an approval granted under this Local Law (in addition to the animals that can be kept under Column 3) | COLUMN 5 <br> Circumstances where the keeping of animal or animals is prohibited. |
| :---: | :---: | :---: | :---: | :---: |
| or other birds of similar size | $301 \mathrm{~m}^{2}-1,000 \mathrm{~m}^{2}$ | 1 bird. | No further animals can ordinarily be approved. |  |
|  | $1,001 \mathrm{~m}^{2}$ and over | 2 birds. | No further animals can ordinarily be approved. |  |
| Ratites or similar birds | $0 \mathrm{~m}^{2}-20,000 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | 20,001m ${ }^{2}$ and over | 0 | No maximum. Approval is required to keep any number of ratites. |  |
| Deer | $0 \mathrm{~m}^{2}-5,999 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $6,000 \mathrm{~m}^{2}$ and over | 1 deer per $4000 \mathrm{~m}^{2}$. | No further animals can ordinarily be approved. |  |
| Pig or miniature pig | $0 \mathrm{~m}^{2}-19,999 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | 20,000m ${ }^{2}$ and over | 1 | No further animals can ordinarily be approved. |  |
| Horses, ponies, or donkeys (including miniature horses) | $0 m^{2}-4,999 m^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $5,000 \mathrm{~m}^{2}$ and over | 1 horse, pony or donkey per $4,000 \mathrm{~m}^{2}$. | No further animals can ordinarily be approved. |  |
| Cows or steer | $0 \mathrm{~m}^{2}-5,999 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $6,000 \mathrm{~m}^{2}$ and over | 1 cow or steer per $4000 \mathrm{~m}^{2}$. | No further animals can ordinarily be approved. |  |
| Bulls or stallions | $0 \mathrm{~m}^{2}-10,000 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $10,001 \mathrm{~m}^{2}$ and over | 1 bull or stallion per $4000 \mathrm{~m}^{2}$. | No further animals can ordinarily be approved. |  |
| Alpacas, llamas, camels and other similar animals | $0 \mathrm{~m}^{2}-5,999 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $6,000 \mathrm{~m}^{2}$ and over | 1 alpaca, llama or camel per $4000 \mathrm{~m}^{2}$. | No further animals can ordinarily be approved. |  |
| Sheep | $0 \mathrm{~m}^{2}-3,000 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $3,001 \mathrm{~m}^{2}-8,000 \mathrm{~m}^{2}$ | 4 | No further animals can ordinarily be approved. |  |
|  | $8,001 \mathrm{~m}^{2}$ and over | 1 sheep per $1000 \mathrm{~m}^{2}$. | No further animals can ordinarily be approved. |  |
| Goats | $0 \mathrm{~m}^{2}-3,000 \mathrm{~m}^{2}$ | 0 | No further animals can ordinarily be approved. |  |
|  | $3,001 \mathrm{~m}^{2}-8,000 \mathrm{~m}^{2}$ | 4 | No further animals can ordinarily be approved. |  |
|  | $8,001 \mathrm{~m}^{2}$ and over | 1 goat per $1000 \mathrm{~m}^{2}$. | No further animals can ordinarily be approved. |  |
| Bee (excluding native bees) | $0 \mathrm{~m}^{2}-599 \mathrm{~m}^{2}$ | 0 beehives. | No further animals can ordinarily be approved. |  |
|  | $600 \mathrm{~m}^{2}-800 \mathrm{~m}^{2}$ | 0 beehives. | 1 beehive. |  |
|  | $801 \mathrm{~m}^{2}-2,000 \mathrm{~m}^{2}$ | 2 beehives. | No further animals can ordinarily be approved. |  |
|  | $2,001 \mathrm{~m}^{2}$ and over | 10 beehives. | No further animals can ordinarily be approved. |  |


| COLUMN 1 <br> Animal | COLUMN 2 <br> Nature of premises <br> and size of <br> allotment | COLUMN 3 <br> Maximum number that may be <br> kept without an approval granted <br> under this Local Law | Maximum number of animals that may be <br> kept with an approval granted under this <br> Local Law (in addition to the animals that <br> can be kept under Column 3) | Circumstances where the <br> keeping of animal or animals <br> is prohibited. |
| :--- | :--- | :--- | :--- | :--- |
| Rodents (including <br> mice, rats and <br> guinea pigs) | $0 \mathrm{~m}^{2}-599 \mathrm{~m}^{2}$ | 6 | No further animals can ordinarily be approved. |  |
|  | $600 \mathrm{~m}^{2}$ and over | 10 | No further animals can ordinarily be approved. |  |

## Schedule 3 Requirements in respect of the keeping of aviary birds

Section 6

| COLUMN 1 Enclosure type | COLUMN 2 <br> Size of aviary bird (approx. length in mm) | COLUMN 3 <br> Minimum enclosure requirements | COLUMN 4 <br> Maximum number of aviary birds that may be kept without an approval granted under the Authorising Local Law |
| :---: | :---: | :---: | :---: |
| Indoor or suspended aviary | 100 | Minimum floor area of $0.1 \mathrm{~m}^{2}$. <br> Minimum height of 340 mm . | 2 birds plus 1 additional bird for every additional $0.1 \mathrm{~m}^{2}$ of floor area. |
|  | 200 | Minimum floor area of $0.16 \mathrm{~m}^{2}$ <br> Minimum height of 340 mm . | 2 birds plus 1 additional bird for every additional $0.1 \mathrm{~m}^{2}$ of floor area. |
|  | 300 | Minimum floor area of $0.5 \mathrm{~m}^{2}$. <br> Minimum height of 900 mm . | 2 birds plus 1 additional bird for every additional $0.25 \mathrm{~m}^{2}$ of floor area. |
|  | 400 | Minimum floor area of $1 \mathrm{~m}^{2}$. <br> Minimum height of 900 mm . | 2 birds plus 1 additional bird for every additional $0.6 \mathrm{~m}^{2}$ of floor area. |
|  | 500 | Minimum floor area of $2.25 \mathrm{~m}^{2}$. <br> Minimum height of 1500 mm . | 2 birds plus 1 additional bird for every additional $0.85 \mathrm{~m}^{2}$ of floor area. |
|  | 900 | Minimum floor area of $4 \mathrm{~m}^{2}$. <br> Minimum height of 1500 mm . | 2 birds plus 1 additional bird for every additional $1.4 \mathrm{~m}^{2}$ of floor area. |


| COLUMN 1 <br> Enclosure type | COLUMN 2 <br> Size of aviary bird (approx. length in mm) | COLUMN 3 <br> Minimum enclosure requirements | COLUMN 4 <br> Maximum number of aviary birds that may be kept without an approval granted under the Authorising Local Law |
| :---: | :---: | :---: | :---: |
| Outdoor aviary | 100 | Minimum floor area of $0.37 \mathrm{~m}^{2}$. <br> Minimum height of 1800 mm . | 2 birds plus 1 additional bird for every additional $0.18 \mathrm{~m}^{2}$ of floor area. |
|  | 200 | Minimum floor area of $0.72 \mathrm{~m}^{2}$. <br> Minimum height of 1800 mm . | 2 birds plus 1 additional bird for every additional $0.36 \mathrm{~m}^{2}$ of floor area. |
|  | 300 | Minimum floor area of $1 \mathrm{~m}^{2}$. <br> Minimum height of 1800 mm . | 2 birds plus 1 additional bird for every additional $0.5 \mathrm{~m}^{2}$ of floor area. |
|  | 400 | Minimum floor area of $1.5 \mathrm{~m}^{2}$. <br> Minimum height of 1800 mm . | 2 birds plus 1 additional bird for every additional $0.75 \mathrm{~m}^{2}$ of floor area. |
|  | 500 | Minimum floor area of $2.5 \mathrm{~m}^{2}$. <br> Minimum height of 1800 mm . | 2 birds plus 1 additional bird for every additional $1.25 \mathrm{~m}^{2}$ of floor area. |
|  | 900 | Minimum floor area of $5 \mathrm{~m}^{2}$. <br> Minimum height of 1800 mm . | 2 birds plus 1 additional bird for every additional $2.5 \mathrm{~m}^{2}$ of floor area. |

## Schedule 4 Dictionary

animal carer is a person approved as a wildlife carer by the Department of Environment and Science and operating under the appropriate Code of Practice.

Authorising Local Law see section 2.
aviary bird means a bird (not including a bird listed in Schedule 2 of this Local Law), which is-
(a) kept in a captive environment in an aviary, enclosure, large or other structure; and
(b) not kept for a commercial purpose.

Examples-

- Cockatiels.
- Rosellas.
- Finches.
bolus means a device used for the identification of stock.
caravan park or camping ground means premises use to provide for accommodation in caravans, self-contained cabins and similar structures.

Code of Practice means a code of practice enacted by, or made in accordance with, a law or agency of the State or Commonwealth.
effectively enclose see section 16(3).
enclosure means a building or structure that is used to prevent the animal leaving from the property.
formed footpath means a path of concrete, asphalt, pavers or similar material installed and designated for use by pedestrians.
government entity dog has the same meaning as in the Animal Management (Cats and Dogs) Act 2008.
guide, hearing or assistance dog has the same meaning as in the Guide,
Hearing and Assistance Dogs Act 2009.
juvenile means, for-
(a) cats and dogs- 3 months; and
(b) poultry, roosters, cockerels, ducks, geese, turkey, guinea fowl or similar birds- a chick; and
(c) peacocks- a chick; and
(d) pigeons, racing pigeons or doves- a chick; and
(e) large parrots, large parakeets, cockatoos, galahs or other birds of a similar size- a chick; and
(f) ratites or similar birds- 12 weeks; and
(g) deer- 12 months; and
(h) pig or miniature pig- 12 weeks; and
(i) horses, ponies, donkeys or miniature horses- 12 months; and
(j) cows, steer, bulls or stallions- 12 months; and
(k) alpacas, llamas, camels and other similar animals- 12 months; and
(l) sheep- 12 months; and
(m) goats- 12 months; and
(n) rodents- 8 weeks.
multi-dwelling complex means-
(a) a duplex that contains 2 dwellings for separate households; and
(b) a premises that contains 3 or more dwellings for separate households.
neighbouring property means any property that shares any boundary with the relevant property.
poultry means chickens and hens but excludes roosters and cockerels.
primary producer has the same meaning as in the Animal Management (Cats and Dogs) Act 2008.
primary production means the act of producing, creating or manufacturing naturally occurring foods such as meat, grain, fish or of naturally occurring things such as wool and cotton, but does not include the breeding of animals.
ratite means ostrich, emu and other similar birds.
recognised animal breeder means a person who keeps more than one of the same species of animal for the predominant purpose of breeding the animals and who can reasonably be taken to keep an animal for that purpose.
relocatable home park means premises used for relocatable dwellings, whether temporarily or permanently located, that provides long-term residential accommodation.
restricted dog permit has the meaning given in the Animal Management (Cats and Dogs) Act 2008.
sale includes sell, give away, dispose of or transfer ownership.
specific use enclosure see section 9(6).
town centre means the main or most important commercial or business area of a town.
vacant allotment means a lot upon which no person is residing.
working dog see Animal Management (Cats and Dogs) Act 2008.

