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| **No.** | **Issue / Suggestion** | **Considerations** | **Recommendation** | **Impacts on Subordinate Local Law** |
| 1 | Council has a new **Park and Dog Agility Equipment at Bunting Park Calliope** which is not currently listed as a Dog Off Leash area | The facility was purpose built to allow dog off-leash activities | That the Bunting Park Calliope Dog Agility Area be designated as an off-leash area | Will require amendment to Schedule 7 of **Sub-Ordinate Local Law** to include Bunting Park Dog Agility Area |
| 2 | **Memorial Park Bororen** – New dog agility park has been constructed in Memorial Park in Bororen | The facility was purpose built to allow dog off-leash activities | That the Dog Agility Area in Memorial Park Bororen be designated as an off-leash area | Will require amendment to Schedule 7 of **Sub-Ordinate Local Law** to include Memorial Park Dog Agility Area |
| 3 | Page 5 of Subordinate Local Law No. 2 - 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(3) of the *Animal Management (Cats and Dogs) Act 2008”.*  Section 12(3) does not exist (anymore). It should either mention section 12 as a whole or section 12 (2) which states: “A registration deviceis a device, to help identify a dog, decided by a resolution of the relevant local government for the dog. *Example of a registration device—* a tag for the collar of a dog”. | There may have been a change in the legislation or alternatively a typographical error in the Subordinate Local Law that has resulted in this error | Amend Section 9 to reference the correct provision of the *Animal Management (Cats and Dogs) Act 2008* | Will require amendment to Section 9 of **Sub-Ordinate Local Law** to reference Section 12 or alternatively 12(2) of *the Animal Management (Cats and Dogs) Act 2008.* |
| 4 | It was suggested that **Barney Point Beach and Park, Prince Regent Esplanade and Friend Park** **Gladstone** be ‘Dog on Leash’ areas rather than ‘Dogs Prohibited’ areas as it was agreed that there did not seem to be a reasonable basis for making these areas prohibited to dogs, particularly as there is not a high level of use of the bathing reserve for swimming | It appears that these areas have always been prohibited areas for dogs since pre-amalgamation.  The rationale behind making these areas prohibited could be to achieve consistency with the swimming and adjacent park at Millennium Esplanade area at Tannum Sands? (ie. where there is potential for swimmers to be present, dogs are excluded?) | Given that very limited swimming activity generally occurs in this area, it may be appropriate to accept the suggestion and make the area dog on leash. | This would require the removal of Items 2 & 3 from Schedule 6 “Prohibition of animals in public places” from the **Subordinate Local Law.** |
| 5 | **Dogs in Caravan Parks** – This has been an issue in terms of monitoring the requirements relating to the number of dogs allowed to be kept at a caravan park.  It was suggested that provision needs to be made for caravan parks to manage/nominate the number of pets on-site (Cats and Dogs) with all other matters (ie. registration, etc) to continue to be monitored by Council. | If caravan parks are permitted to set the requirements on number of domestic pets permitted on-site, potentially the number of animals on-site could be high. However, park owners would find that business may be affected if they allow too many animals on-site. | That Caravan Parks be permitted to set the criteria for domestic animals accepted within the confines of the property.  Council to manage all other aspects of animal management within park areas, such as the requirement for registration, noise affecting adjoining properties, etc. | Legal advice from King and Company is that the subordinate local law does not require amendment to facilitate this provision. As the caravan park owners are not the ‘keepers’ of the animals - the owners of the animals are the ‘keepers’. As long as they comply with the existing requirement of no more than 4 dogs over the age of 3 months on an allotment in a designated town area the ‘keeper’ (caravan park occupier) has achieved compliance with the existing provisions.  What further conditions that the caravan park owner wishes to apply in relation to pets is at the facility owners discretion provided it does not contravene the local law & subordinate local law requirements. |
| 6 | **Lilleys Beach** – It was noted that currently Lilleys Beach is not a designated dog off-leash area in the Subordinate Local Law although most people tend to walk their dogs off-leash there (the current signage may also be incorrect?).  The team considered that Lilley’s Beach should be an off-leash area but the adjacent park should remain as on-leash.  It was agreed that as this is a turtle nesting area, the off-leash designation should exclude the turtle breeding season similar to the arrangement that is in place at Chinamens Beach Agnes Water.  It was noted that consultation would need to be carried out with Chris Irving’s team. | Turtle nesting season is generally from the commencement of November through to end of March each year. It would be preferable to have dogs on leash during turtle breeding season. | It is recommended that the Boyne River Foreshore through to Lilleys Beach be designated as a dog off-leash area excluding turtle breeding season. | Will require amendment to Schedule 7 of the **Sub-ordinate local law**.  Schedule 7 ‘Dog off-leash area’ 9. ‘Lilley’s Beach’ - the bathing reserve, foreshore and esplanade as shown hatched in black from the mouth of the Boyne River north of Wyndham Park to Lilley’s Inlet during the months of April through to October inclusive.  Needs supporting map. |
| 7 | **Multi-Residential** – It was suggested that there should be provision for residents to apply to keep more than one dog in multi-residential units assessed on a case by case basis (ie. an application process). | It has been suggested that in some instances there are advantages to allowing more than one dog in multi-residential premises as some dogs are less inclined to bark if they have company particularly when owners are absent. | Allow more than one dog in multi-residential units via an application process and assessed on a case by case basis. | Will require amendment to Schedule 1 ‘Prohibition on keeping animals’ of **Subordinate Local Law**.  Item 1 column 2 “(b) more than 2 dogs over the age of 3 months on premises which are multi-residential premises.” Schedule 2 ‘Requirement for approval to keep animal’ Insert item 3, column 1 “Dog”, column 2 – “2 dogs over the age of 3 months on a multi- residential premises.” |
| 8 | The team identified the need to have a definition for **‘Poultry’** which includes non-racing pigeons.  It was suggested that the definition be linked to the Biosecurity Act definition with some exclusions.  There was some discussion about including ducks in the definition of poultry and the pros and cons particularly given that ducks tend to have a higher level of droppings when compared to other smaller/similar sized poultry birds. | The definition of Poultry under the Biosecurity Act 2014 is as follows: poultry means— (a) birds of the order Galliformes (including, for example, chickens, turkeys, pheasants, partridge, quail, guineafowl, peafowl), ducks, geese, pigeons and doves; or (b) any other bird prescribed by regulation  Regulation Definition: Nil | That the Local Law include a definition for poultry as defined by the Biosecurity Act 2014 subject to the exclusion of the larger birds of the species.  This change to also facilitate the inclusion of ducks and drakes within the definition of poultry and separate them from the other larger animals as it was considered that keeping ducks should align with the keeping of chickens as the birds are of a similar size and generally kept for the same purposes (ie. egg laying, etc). | To facilitate this suggestion the following definition would need to be made to the Dictionary of the **Subordinate Local Law**  “poultry is as defined in the Biosecurity Act 2014, but excludes guineafowl, geese, peacocks, peafowl, turkeys and racing pigeons.”  To allow ducks to be kept as part of the definition of poultry it will also require the amendment of Item 7 of Schedule 1 to remove the references to duck and drake. |
| 9 | There was a suggestion that Schedule 1 should **consolidate ‘poultry’** into one category to include chickens, ducks, geese and turkeys. | Refer above. | Refer above | Refer above |
| 10 | It was suggested that Schedule 5 may benefit from making it clear that **enclosures** may be required to have a top cover as well as side enclosings for **animals that can fly**. | Reasonable | Support the suggestion | To achieve a clearer understanding of enclosure, Item 3 of Schedule 5 would require amendment to point (b) of column 2 of the **Subordinate Local Law** to read as follows:  “(b) the bird is contained within an enclosure, *which may include enclosing the top of the enclosure to prevent animals from flying out*.” |
| 12 | In relation to Schedule 1 it should be clarified that the species (ie. horses, donkeys, cows, pigs, etc) mentioned include the **‘miniature’ versions** of those species as well. | It is not always the size of the animals that determines whether it is appropriate for them to be kept. For example, whilst miniature pigs may not produce the odours etc that makes it inappropriate to keep them in urban areas, they can carry diseases that can transfer to humans the same as the full sized species and therefore it would be inappropriate to allow them in urban areas. | Include suggestion | Will involve making an addition to Schedule 1 Column 1 Heading of the **Subordinate Local Law** to read:  *“Column 1*  *Animal including miniatures of the species”*;  Schedule 2 Column 1 Heading and Schedule 5 Column 1 to read:  “*Column 1 Species or breed of animal including miniatures of the species*”  Schedule 6 Column 2 to read:  “*Column 2*  *Species or breed of animals (including miniatures) prohibited”* |
| 13 | There was some group discussion around the pros and cons of keeping **miniature animals**.  It was suggested that this may be an issue best considered in the next 3 yearly review and that we maintain a watching brief on how other local governments approach this trend during this period. | Refer above | Refer above | Refer above |
| 18 | It was suggested that the provisions in **Schedule 1** of the Subordinate Local Law needs to be reviewed as currently the wording technically allows someone with a 10,001 square metre block to have four horses and four cows which Officers consider is not the original intent.  Can changes be made to make it clear that with 10,001 square metres (and other allotment sizes), you should only be permitted to have a combination of those sized animals (ie up to 4 – 2 horses, 2 cows) rather than a **collective of the various categories.** | Currently under Schedule 1 of the Subordinate Local Law, technically a person living in an urban area with an allotment size of say 1090m2 could have 2 dogs, 2 cats, 6 chickens, a duck, 20 pigeons and other caged birds (ie. cockatiels, parrots, etc).  A person living on an allotment size of 10,001m2 could keep more than 4 dogs, a number of cats, 4 cows, 4 horses, unlimited chickens, a rooster, unlimited ducks, geese, turkeys, guinea fowl, peacocks, ostriches, emus, bees, unlimited racing pigeons and other caged birds.  Of concern to staff is the keeping of the combination of larger grazing animals. | It is recommended that in order to reduce the number of larger grazing animals on the smaller allotments of 10,001 to 20,000m2  that Item 3 and 4 be linked in terms of the combination of these animals do not exceed the numbers nominated. | This would require an amendment to Schedule 1 of the **Subordinate Local Law** as follows:  Item 3 – Horse – *(d) more than 4 horses on an allotment with an area between 10,001m2 and 20,000m2 subject to the total number of animals kept under Items 3 and 4 of Schedule 1 does not exceed 6 animals in total.*  Item 4 – Donkey, cow, bull, camel, deer, sheep, goat, Ilama or pig – “*(3) More than 4 animals to which this item 4 applies on an allotment with an area of between 10,000m2 and 20,000m2 provided the total number of animals under Items 3 and 4 of Schedule 1 does not exceed 6 animals in total.”* |
| 19 | Staff suggested that we research stocking rates and associated standards to assess whether the **allotment sizes for keeping various animals** remains appropriate or whether changes should be made. | It is difficult to accurately assess stocking rates as there are so many variables such as pasture coverage, soil types, rainfall, grass types and whether supplementary feeding occurs. A generic stocking rate calculator was located and generally for larger grazing animals such as beef steers, 10,000m2 (1 hectare) has the carrying capacity of 1.3 for a 200kg steer. | There does not appear to have been a high level of complaints regarding the number of animals currently being kept 1 - 4 hectares which indicates that the current provisions may be appropriate. However, it may be best to place some limitations on total number of larger grazing animals for the smaller allotments between 10,000m2 and 20,000m2 (1-2 hectares), along the lines of the recommendation for the item above. | Refer above. |
| 20 | **Commercial Activities** – There have been some requests for commercial activities involving animals to be able to be operated from parks and beaches.  Currently the subordinate local law prohibits some animals such as camels, horses, other farm animals from being in park areas.  Given that Council is encouraging small business opportunities, some consideration should be provided to allowing certain animals in park areas by permit.  Potential park areas being Tom Jeffery Park, Air Sea Rescue Park where there has been commercial activity proposals such as camel rides.  Other potential commercial animal activities include pony rides, Horse Riding Tours, Old MacDonald’s Farm, etc. | It would seem appropriate to allow business operators to apply for a ‘prescribed activity’ permit to operate a commercial activity in Council controlled areas. This can be managed through Local Law No. 1 (Administration) 2011. However, some amendments to the Animal Management Subordinate Local Law will be required so there is no conflict. | That provision for prescribed permit activities involving animals in Council public park areas be accommodated | This will require an amendment to Schedule 6 of the Subordinate Local Law ‘Prohibition of animals in public places’.  To facilitate allowing animals under a prescribed activities permit for Tom Jeffrey Park and Air Sea Rescue Park, Column 2 for the following items will need to be amended to read as follows:  Items 5 & 6 “All species and breeds of animal other than:   1. Dogs; and 2. Other Animals as permitted under a Prescribed Activities Permit.   It will also require an addition to the dictionary to include a definition for ‘prescribed activities permit’. |
| 21 | A major area of concern that is costing the community money is the requirement for stock/horses to be sold by way of **public auction**.  This incurs significant costs and often Council does not recover its costs by the time we hold and feed the animals, pay an auctioneer, transport to pound facility, branding, etc.  Rockhampton Regional Council currently have provisions for Council to determine how these animals are disposed of without a requirement for public auction.  Can this be considered in the review of our documents. | Rockhampton Regional Council current include ‘stock’ as a class of animal that does not require sale by way of public auction. The research and costs complied by the Manager Biosecurity and Environmental Health clearly shows that the general rate base is subsidising the costs of public auction. It would be more cost effective to have the ability to dispose of stock in other ways. | Support the suggestion however, Council would need to adopt a position on how sale by private agreement or disposal in some other way will be managed to ensure that it is open and accountable and does not expose Council to potential allegations of favouritism or misconduct. | To facilitate this suggestion Council would need to amend Section 17 of the **Subordinate Local Law** to include (d) stock.  To ensure clarity on what animals fall within the definition of ‘stock’ it would be appropriate to include a definition for stock in Schedule 13 ‘Dictionary’.  “stock” has the meaning assigned by the Animal Management (Cats and Dogs) Act 2008 **and also includes pigs**.  The current meaning of Stock in the Animal Management Act is currently  ‘Stock’ means alpacas, asses, buffaloes, camels, cattle, deer, donkeys, goats, horses, Ilamas, mules, sheep or vicunas. |