

**WEIPA TOWN AREA**  
**LOCAL LAW POLICY NO 6**  
**(KEEPING AND CONTROL OF ANIMALS)**

**Citation**

1. This local law policy may be cited as Local Law Policy No 6 (Keeping and Control of Animals).

**Objects**

2. The objects of this local law policy are to provide detailed information called upon by Local Law No 6 (Keeping and Control of Animals) to regulate the keeping of animals:
  - (a) to protect the community against risk of injury and damage; and
  - (b) to ensure that animals do not create a nuisance, or a hazard to health or safety; and
  - (c) to prevent pollution and other environmental damage resulting from the keeping of animals and to protect the amenity of the local environment; and
  - (d) to ensure that animals are kept in a way that is consistent with the expectations of the local community.

**3. Local Law - Section 3**

- 3.1 For the purposes of Section 3 of the Local Law the following definitions apply-

**"Township of Weipa"** shall include the separate local authority area as defined by the Commonwealth Aluminium Corporation Pty Ltd Agreement (Weipa Town Area Regulations 1994 and shown in the attached area map.

**"Local Government"** shall mean a town Commission established in accordance with the Commonwealth Aluminium Agreement Pty Ltd Act of 1957 or in the absence of a Town Commission for the time being, Comalco Aluminium Limited as its delegated authority, acting in accordance with the provisions of the aforesaid Act.

**"Poultry"** includes any species of fowl, goose, turkey, duck, guinea fowl and pigeon.

- 3.2 For the purposes of section 3 of the Local law the following animals are excluded from definition of "animal"

Fish

Small caged birds

Mice, rats, guinea pigs (which are enlisted to the provisions of the health Regulations 1966 part 17-Vermin Control which provides for exemptions and permits).

3.3 For the purpose of section 3 of the Local Law the following breeds of dog are included in the definition of "dangerous dog". No specific breed.

4. Local Law Section 5(1)

4.1 For the purposes of Section 5 (1)) of the Local Law, a permit is required to keep the following animals:

A permit issued by the Local Government shall be required to keep more than the following number of animals-

- (a) More than two (2) dogs excluding one litter under six (6) months of age when kept at a single dwelling house premises.
- (b) More than one (1) dog when kept at a flat or other single residential unit.
- (c) More than three (3) dogs when kept at an industrial use premises
- (d) More than five (5) poultry or a rooster
- (e) Any horse, goat, sheep or swine
- (f) More than two (2) cats

5. **Local Law - Section 7**

5.1 For the purpose of Section 7 of the Local Law, the keeper of the following animals is required to have the animals registered:-

- (a) every dog over the age of six (6) months shall be registered
- (b) the registration shall be completed on a form approved by the Local Government
- (c) the local Government may impose a fee determined by resolution of the Local Government for the registration of a dog.
- (d) the registration will be on off for the life of the animal
- (e) the keeper of a registered dog shall be issued with a registration tag which contains a unique registration number.
- (f) any person may search the register upon payment of a fee prescribed by resolution of the local government

6. Local Law - Section 8 (2)

6.1 For the purpose of Section 8(20) of the Local Law, a registered animal is required to have fixed to its collar-

## **Identification Tag Required**

- (i) A keeper of a dog must ensure that the animal carries an approved method of identification at all times whilst the animal is in a public place.
- (ii) the method of identification must contain information from which the local government can identify the name and address of the owner of the dog
- (iii) the following are deemed to be approved methods of identification:
  - (a) a collar which contains the name and address of the owner of the dog
  - (b) a registration tag issued by the local government
  - (c) any other method of identification approved by resolution of the local government

### 7. Local Law - Section 14 (1)

7.1 For the purpose of Section 14 (1) of the Local Law, a permit is granted for a period of one (1) year, (for the year ended 30th June)

### 8. Local Law - Section 15

8.1 For the purpose of Section 15 of the Local Law, the conditions that must be imposed on a permit, or will ordinarily imposed in a permit are:

#### 8.1.1 Dogs

A person who is granted a permit to keep dogs in accordance with Section 5.1 shall adhere to the following minimum standards:

- (a) an enclosure consisting of a shelter and a yard appurtenant thereto shall be provided for the dogs;
- (b) for each dog kept therein each shelter shall have a floor space appropriate to the size of the dog;
- (c) The shelter or yard shall be located not less than:
  - (i) 6 meters from the road property boundaries
  - (ii) 6 meters from any residence
  - (iii) 2 meters from a side boundary.
- (d) The upper surface of the floor of each shelter shall:
  - (i) be set at least 100 mm above the surface of the surrounding ground;

- (ii) be constructed of an approved of an approved material finished to a smooth surface.
  - (e) Each shelter shall have a roof constructed of impervious material or other materials approved by the Council;
  - (g) The walls of each shelter shall be constructed of durable weather resistant materials such as concrete, brick, wood, fibre cement or galvanised iron;
  - (h) Each yard shall be maintained security securely fenced with a fence of not less than 1.8 metres in height constructed of galvanised iron, wood, galvanised link mesh or netting, and roofed with similar material if required by the Council. The yard is to be designed to effectively contain the dogs from wandering or escaping from the premises;
  - (i) All gates shall be provided with secure catches or means of fastening;
  - (j) Adequate drainage shall be provided to the shelter and the yard to the approval by Council.
  - (k) Waste material and animal wastes shall not be permitted to enter a stormwater drain or natural waters.
- 8.1.2 (a) Provided that a person may apply to Council for a permit for dogs to be kept on premises contrary to Sub section 1 (a-k) above,
- (b) In the opinion of the Council, the dogs can be effectively contained on the property by the use of fencing or other effective means, a permit may be granted.
- (c) Such permit, if granted, shall be revoked immediately and without notice, if at any time the dogs are, in the opinion of the Chief Executive Officer, creating a nuisance or likely to suffer any injury or are not contained or under control on the premises by effective means.

## 8.2 Goats and Sheep

- 8.2.1 A person who is granted a permit to keep sheep or goats by Council in accordance with Section 4.1(c) shall adhere to the following minimum standards:
- (a) An occupier of land shall not keep or permit or suffer to keep any goats or sheep on such land unless the shelter, out-house or structure for the keeping of goats or sheep is situated more than 15 metres from a dwelling whether upon the same or adjoining allotment.

### 8.3 Poultry, Roosters

1. A person shall not keep or permit nor suffer to be kept poultry and/or a rooster in such a manner as to be a nuisance or injurious or prejudicial to health;
2. A person who is granted a permit to keep poultry and/or a rooster by Council in accordance with Section 4.1 (d) shall adhere to the following minimum standards;
  - (a) Fowl houses, fowl-pens and runs are not situated within 12 metres of a dwelling or place where food is kept, processed or stored;
  - (b) Places where poultry are kept are thoroughly cleansed once at least in every year, or such more frequent intervals as the Environmental Health Officer may in any case require;
  - (c) Poultry food is kept in a rodent proof receptacle (save only for food actually put out for the poultry to eat).

### 8.4 Cats

1. A person to whom a permit has been granted by Council under Section 4.1(f) shall comply with any conditions that Council may impose.
2. A person shall not keep or permit nor suffer cats to be kept in such manner as to be a nuisance or injurious or prejudicial to health.

