

Fraser Coast Regional Council

Subordinate Local Law No. 2 (Animal Management) 2011

Contents

Part 1	Preliminary	3
	1 Short title.....	3
	2 Purpose and how it is to be achieved.....	3
	3 Authorising local law.....	3
	4 Definitions.....	3
Part 2	Keeping of animals	4
	5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1).....	4
	6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1).....	4
	7 Animals that must be desexed—Authorising local law, s 7.....	4
	8 Minimum standards for keeping animals—Authorising local law, s 8(1).....	5
Part 3	Control of animals	5
	9 Public places where animals are prohibited or restricted—Authorising local law, s 11(1).....	5
	10 Animal faeces in public places—Authorising local law, s 14.....	5
	11 Requirements for enclosures for keeping animals—Authorising local law, s 15(2).....	6
	12 Koala conservation—Authorising local law, s 16.....	6
	13 Criteria for declared dangerous animals—Authorising local law, s 20(1).....	6
Part 4	Seizure, impounding or destruction of animals	6
	14 Register of impounded animals—Authorising local law, s 34(3).....	6
Part 5	Appeals against destruction orders	6
Part 6	Miscellaneous	6
	15 Conditions regarding supply of animals—Authorising local law, s 43(1).....	6
	16 Animals excluded from application of the local law—Authorising local law, schedule.....	6
	17 Species that are declared dangerous animals—Authorising local law, schedule.....	6
	18 Prescribed period for reclaiming animals—Authorising local law, schedule.....	7
Schedule 1	Prohibition on keeping animals	8
Schedule 2	Requirement for approval to keep animal	10
Schedule 3	Minimum standards for keeping animals generally	12
Schedule 4	Minimum standards for keeping particular animals	13
Schedule 5	Prohibition of animals in public places	14
Schedule 6	Requirements for enclosures for animals	16

Schedule 7	Requirements for keeping a dog in a koala area	19
Schedule 8	Koala areas	20
Schedule 9	Criteria for declared dangerous animals	21
Schedule 10	Conditions for supply of animals	22

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 2 (Animal Management) 2011*.

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) 2011*, which provides for regulation of the keeping and control of animals within the local government's area.
- (2) The purpose is to be achieved by providing for—
 - (a) the circumstances in which the keeping of animals is prohibited or requires approval; and
 - (b) requirements for keeping animals, including minimum standards, mandatory desexing, proper enclosures, koala conservation and identification; and
 - (c) the control of animals in public places; and
 - (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and
 - (e) the conditions to be complied with by persons who offer animals, or a particular species of animals, for sale; and
 - (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2011*.

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in schedule 1 (Dictionary) of *Local Law No. 1 (Administration) 2011*.
- (2) Additionally, in this subordinate local law—

animal breeder approval means an approval to breed a cat in the circumstances in schedule 2, item 3(b).

domestic animal means a cat, dog, household pet or livestock animal that is fed and kept by someone.

foreshore means a foreshore that has been placed under the local government's control pursuant to the *Local Government Regulation 2012*, section 61.

lot has the meaning given in the *Planning Act 2016*, schedule 2 and includes a residential unit.

'noisy bird' means—

- (a) a cacophonous bird such as a galah, sulphur-crested cockatoo or peacock, but does not include a rooster; or
- (b) a bird that is not a cacophonous bird, but is a bird kept in circumstances where the owner of the bird has been convicted of an offence against the authorising local law, section 9, in relation to the keeping of the bird.

poultry includes any species of chickens (including bantam chickens), geese, ducks, guinea fowls, turkeys, pheasants and quails (excluding roosters).

property means—

- (a) a lot; or
- (b) if a person owns and occupies 2 or more adjoining lots—the parcel of land comprising all of the lots owned by the person.

regulated dog has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*, section 60.

residential unit means a residence in a residential development and includes a unit, flat, apartment, duplex, townhouse or similar residence.

Example—

- *A residential unit within a retirement village.*

working dog has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

Part 2 Keeping of animals

5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1)

For section 5(1) of the authorising local law, keeping an animal or animals mentioned in column 1 of schedule 1 is prohibited in the circumstances described in column 2 of schedule 1.

6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in the circumstances described in column 2 of schedule 2.

7 Animals that must be desexed—Authorising local law, s 7

- (1) A cat must be desexed before it is 22 weeks of age unless the circumstances in subsection (2) apply.
- (2) The circumstances for the purpose of subsection (1) are—
 - (a) there is a signed veterinarian surgeon certificate for the cat stating that desexing is likely to be a serious risk to the health of the cat; or
 - (b) the owner or responsible person for the cat—
 - (i) is the owner or operator of a pound or shelter; or

- (ii) is a member of a recognised breeder association and the person intends to breed from the cat; or
- (iii) is a member of a registered show association and the person intends to show or exhibit the cat; or
- (iv) holds an animal breeder approval with respect to the cat; or
- (c) the cat was registered with the local government prior to the commencement of this local law and ownership of the cat has not changed.

8 Minimum standards for keeping animals—Authorising local law, s 8(1)

- (1) For section 8(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 3.
- (2) For section 8(1) of the authorising local law, column 2 of schedule 4 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 4.

Part 3 Control of animals

9 Public places where animals are prohibited or restricted—Authorising local law, s 11(1)

- (1) For section (11)(1) of the authorising local law, the species or breeds of animals prescribed in column 2 of schedule 5 are prohibited in the public places mentioned in column 1 of schedule 5.
- (2) However, subsection (1) does not apply to—
 - (a) an animal that is specifically authorised to be in a particular place pursuant to a condition of an approval issued by the local government under *Local Law No.1 (Administration) 2011*; or
 - (b) a public place in which a species or breed of animal is prohibited under subsection (1) if—
 - (i) the local government resolves that it is satisfied that the prohibition should not apply in the public place on a temporary basis—
 - (A) because it is necessary to use the public place for a particular event; or
 - (B) because of conditions temporarily applying in the public place; and
 - (ii) notice that the prohibition will not apply in the public place is prominently displayed at the public place.

10 Animal faeces in public places—Authorising local law, s 14

This section has been left intentionally blank.

11 Requirements for enclosures for keeping animals—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, column 2 of schedule 6 sets out the requirements for enclosures for an animal of the species or breed mentioned in column 1 of schedule 6.

12 Koala conservation—Authorising local law, s 16

(1) For section 16(1) of the authorising local law, schedule 7 sets out the requirements for keeping a dog on land that is within a koala area.

(2) For section 16(4) of the authorising local law, each area described in schedule 8 is designated as a koala area.

13 Criteria for declared dangerous animals—Authorising local law, s 20(1)

For section 20(1) of the authorising local law, the criteria for declaring an animal as a declared dangerous animal are set out in schedule 9.

Part 4 Seizure, impounding or destruction of animals

14 Register of impounded animals—Authorising local law, s 34(3)

For section 34(3) of the authorising local law, the register of impounded animals will be kept at Fraser Coast Regional Council, 77 Tavistock Street, Torquay, Queensland, 4655.

Part 5 Appeals against destruction orders

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 6 Miscellaneous

15 Conditions regarding supply of animals—Authorising local law, s 43(1)

For the purposes of section 43(1) of the authorising local law, persons who supply an animal of a species or breed mentioned in column 1 of schedule 10 must comply with the conditions set out in column 2 of schedule 10.

16 Animals excluded from application of the local law—Authorising local law, schedule

For the purposes of the definition of “*animal*” in the schedule to the authorising local law, the following species of animal are excluded from the application of the authorising local law—

This section has been intentionally left blank.

17 Species that are declared dangerous animals—Authorising local law, schedule

For the purposes of the definition of “*declared dangerous animal*” in the schedule to the authorising local law, an animal of the following species is a declared dangerous animal—

This section has been intentionally left blank.

18 Prescribed period for reclaiming animals—Authorising local law, schedule

For the purposes of the definition of “*prescribed period*” in the schedule to the authorising local law, the period within which an animal may be reclaimed is—

- (a) for horses, cattle and cats and dogs that are registered or implanted with a permanent identification device under the *Animal Management (Cats and Dogs) Act 2008*—5 working days; or
- (b) for all other animals—3 working days.

Schedule 1 Prohibition on keeping animals

section 5

Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited ¹
1. Dog	(a) 3 or more dogs over the age of 3 months on a property with an area less than 600m ² or any residential unit; (b) 4 or more dogs over the age of 3 months on a property with an area less than 2,000m ² ; (c) 5 or more dogs (other than greyhounds) over the age of 3 months on a property with an area less than 10,000m ² ; (d) A dog on a property on K'gari.
2. Cat	A cat on a property on K'gari.
3. Bees (excluding native bees)	(a) 1 or more hives for the keeping of bees on a property with an area less than 600m ² ; (b) more than 2 hives for the keeping of bees on a property with an area greater than 601m ² but less than 2,000m ² ; (c) more than 6 hives for the keeping of bees on a property with an area greater than 2,001m ² but less than 10,000m ² .
4. Poultry	(a) 1 or more birds to which this item 3 applies on a property with an area less than 600m ² ; (b) more than 6 birds to which this item 3 applies on a property with an area greater than 601m ² but less than 2,000m ² ; (c) more than 12 birds to which this item 3 applies on a property with an area greater than 2,001m ² but less than 10,000m ² .

¹ A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals on a property if—

- (a) the animal or animals were kept on the property before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*; and
- (b) the keeping of the animal or animals on the property immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023* did not contravene any provision of the authorising local law.

Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited¹
5. Noisy bird	2 or more noisy birds on a property with an area less than 10,000m ² .
6. Pigeon, dove and rooster	1 or more birds to which this item 6 applies on a property with an area less than 2,000m ² .
7. Horse, donkey, camel, alpaca, deer, llama, sheep, goat, cow, bull, stallion, ostrich, emu, peacock and pig	1 or more animals to which this item 7 applies on a property with an area less than 10,000m ² .

Schedule 2 Requirement for approval to keep animal

section 6

Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval ^{2,3}
1 Any animal of any species or breed	An approval is required to keep an animal in circumstances where the owner or responsible person for the animal has been convicted of 2 or more offences against part 2 or part 3 of the authorising local law in any 12 month period in relation to the keeping of the animal, for example, the owner of the animal has been convicted of 2 or more offences against section 15(3) of the authorising local law, for failing to ensure that the animal is not wandering at large.
2 Dog	<p>(a) An approval is required to keep 2 dogs over the age of 3 months on a property with an area less than 600m² or in a residential unit.</p> <p>(b) An approval is required to keep 3 dogs over the age of 3 months on a property with an area less than 2,000m².</p> <p>(c) An approval is required to keep 4 dogs over the age of 3 months on a property with an area less than 10,000m².</p> <p>(d) An approval is required to keep a dog if —</p> <p style="padding-left: 20px;">(i) the dog is registered in the local government area of another local government; and</p> <p style="padding-left: 20px;">(ii) the dog is, or has been, kept in the local government area for 4 weeks or more.</p> <p>(e) An approval is required to keep a dog (dog A) if—</p> <p style="padding-left: 20px;">(i) dog A is registered at an address other than the property; and</p> <p style="padding-left: 20px;">(ii) dog A is kept at the property overnight for more than 14 continuous nights; and</p> <p style="padding-left: 20px;">(iii) 2 dogs (other than dog A) are kept at the property.</p>

² Under section 6(3) of the authorising local law, an approval is not required for the keeping of animals on land if the keeping of the animals on the land is authorised by a development approval under the *Planning Act 2016*.

³ See *Local Law No. 1 (Administration) 2011* and *Subordinate Local Law No. 1 (Administration) 2019* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

		<p>(f) An approval is required to keep a dog (dog B) at a property if—</p> <p>(i) dog B is a greyhound over the age of 3 months; and</p> <p>(ii) 6 or more greyhounds (other than dog B) are kept at the property; and</p> <p>(iii) the property has an area less than 10,000m².</p>
3	Cat	<p>(a) An approval is required to keep a cat if 2 or more cats over the age of 3 months are kept on a property or in any residential unit.</p> <p>(b) An approval is required to keep a cat if—</p> <p>(i) 2 or more cats over the age of 3 months are kept on a property; and</p> <p>(ii) the owner of the cats is not the holder of a current animal breeder approval in respect of the keeping of the cats on the property; and</p> <p>(iii) the property has an area less than 10,000m².</p> <p>(c) An approval is required to keep a cat if the cat is an entire cat.</p>
4	Pigeon, dove and rooster	An approval is required to keep a bird to which this item 4 applies if the bird is kept on a property if the property has an area less than 10,000m ² .

Schedule 3 Minimum standards for keeping animals generally⁴

section 8(1)

Each person who keeps an animal on a property, including each owner and responsible person for the animal, must ensure that—

- (a) if the property on which the animal is kept adjoins a road—the property is adequately fenced and does not have any opening through which the animal can escape; and
- (b) any gate that forms part of the enclosure in which the animal is kept is kept closed and latched except when in actual use; and
- (c) waste waters from any enclosure in which the animal is kept is drained in a nuisance free manner and that run-off is kept off adjoining land or as otherwise directed by an authorised person; and
- (d) excreta, food scraps and other similar waste material is collected at least daily and if not removed from the property, is kept in a water and fly-proof container which does not allow the emission of nuisance odours; and
- (e) any food for the animal is kept in a way which does not attract vermin; and
- (f) any enclosure in which the animal is kept is properly maintained—
 - (i) in a clean and sanitary condition; and
 - (ii) in good repair, condition and appearance; and
- (g) the keeping the animal does not create an *unreasonable nuisance*; and
- (h) if the animal is a dog and the dog is required to be registered —
 - (i) the dog carries the registration device required by resolution of the local government; and
 - (ii) the registration device is attached to a collar worn by the dog; and
 - (iii) if the registration device is lost or destroyed — written notice is given to the local government within 14 days of the loss or destruction of the registration device; and
- (i) if the dog is required to be registered by the person in the local government area of the local government — the person complies with section 46 of the *Animal Management (Cats and Dogs) Act 2008* to register the dog in the local government area as required by section 44 of the *Animal Management (Cats and Dogs) Act 2008*.

⁴ Note that the *Environmental Protection Act 1994* also imposes duties on individuals and creates offences in relation to activities that may cause environmental nuisance, which might include noise, odours or dust caused by the keeping of animals.

Schedule 4 Minimum standards for keeping particular animals

section 8(2)

1

pigeons

- (a) enclosed housing must use deep litter or other appropriate substrate;
- (b) pigeon lofts must be regularly cleaned and maintained in a healthy condition so that no food scraps, pigeon faeces or feathers may create a food source to attract vermin;
- (c) rodents and other vermin must be vigorously controlled;
- (d) all food must be stored in sealed vermin proof containers and must not be left uncovered;
- (e) the pigeons' owner or the occupier of the premises must control feral pigeons attracted to captive managed flocks;
- (f) waste must be disposed of in an approved manner;
- (g) free non-flight time must be conducted under the close supervision of the owner;
- (h) the exit and entry of the pigeons from a loft, aviary or cage must be fully controlled;
- (i) provision must be made for all released pigeons to return through a one-way entrance that will not permit uncontrolled exit;
- (j) every reasonable attempt must be made to retrieve pigeons that do not return;
- (k) pigeons must not be permitted to roost on neighbours' premises;
- (l) the pigeons must be appropriately conditioned in their behaviour to ensure rapid and voluntary return to their enclosure after liberation.

Schedule 5 Prohibition of animals in public places⁵

section 9

	Column 1 Public Place	Column 2 Species or breed of animals prohibited
1	subject to the more specific prohibitions details in items 2 to 15 inclusive, all parks, reserves, cemetery reserves and foreshores.	all domestic animals other than dogs ⁶
2	the foreshore at Dundowran, from Sawmill Road to Eli Creek.	all domestic animals other than horses
3	within 5 metres of any playground or BBQ area in a park or reserve where animals are otherwise permitted on a lead and under effective control.	all domestic animals
4	Hervey Bay Botanic Gardens, Urangan.	all domestic animals
5	Elizabeth Park Rose Gardens, Maryborough.	all domestic animals
6	Fay Smith Wetlands Park, Maryborough.	all domestic animals
7	on the foreshore between Scarness Pier and the eastern side of the Surf Life Saving Club.	all domestic animals
8	on the foreshore adjacent to the Esplanade, Maaroom.	all domestic animals
9	on the foreshore adjacent to the Esplanade and Milzewski Street, Tuan.	all domestic animals
10	on the foreshore adjacent to the Esplanade, Big Tuan.	all domestic animals
11	on the foreshore adjacent to the Esplanade, between Gables Boat Ramp and Esa Park, Point Vernon.	all domestic animals
12	on the foreshore between Eckert Road and Scrimshaw Place, Boonooroo.	all domestic animals

⁵ The *Guide, Hearing and Assistance Dogs Act 2009*, section 8(1) provides that: “Despite any other Act, a person with a disability who relies on a guide, hearing or assistance dog to reduce the person’s need for support may be accompanied by the guide, hearing or assistance dog in a public place or public passenger vehicle.”

⁶ *Subordinate Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011* outlines the circumstances in which dogs are permitted in cemeteries.

13	on and from the foreshore adjacent to North Esplanade to Bengston Road, River Heads.	all domestic animals
14	an animal exclusion zone designated in the conditions of an approval granted under <i>Local Law No. 1 (Administration) 2011</i> for an activity undertaken in, or on, a local government controlled area or road.	all domestic animals
15	unless otherwise provided for in a public notice, all local government controlled facilities and environmental reserves	all domestic animals

Schedule 6 Requirements for enclosures for animals

section 11

Column 1 Species or breed of animal	Column 2 Requirements for enclosures
<p>1 cats, dogs and other animals not listed elsewhere in this schedule</p>	<p>1 the enclosure—</p> <ul style="list-style-type: none"> (a) must be suitably fenced; and (b) must be of a size appropriate to the species and breed of the animal to be enclosed; and (c) may be constructed such that parts of a building or structure can form part of the enclosure in lieu of fencing, provided the building or structure does not have openings through which the animal can escape; and (d) must contain adequate shelter <p>2 the enclosure's gates must be closed and latched except when in actual immediate use</p> <p>3 <i>suitably fenced</i> means a fence constructed of strong materials and designed in such a way to prevent the animal from—</p> <ul style="list-style-type: none"> (a) escaping over, under, through or around the fence; and (b) protruding over, under, through or around the fence; and (c) threatening to attack a person or animal over, under, through or around the fence; and (d) attacking a person or animal over, under, through or around the fence <p>4 keeping an animal on a leash does not constitute a proper enclosure</p>
<p>2 geese, ducks, chickens, roosters, turkeys and other poultry</p>	<p>the enclosure must—</p> <ul style="list-style-type: none"> (a) not be sited closer than 2 metres from the property boundaries; and (b) be located at the rear of the premises behind the residence (if any) situated on the premises; and (c) prevent the animals from being nearer than 10 metres to any local government road or State-controlled road
<p>3 pigeons</p>	<p>1 the cage or aviary must not be sited closer than 2 metres from the property boundaries</p>

		<p>2 the enclosure must be constructed to prevent any such bird from being within 10 metres of any dwelling (except any dwelling on the premises)</p> <p>3 all pigeons must be housed in purpose built facilities</p> <p>4 where wooden floors are used, a clear air space not less than 400 millimetres between the ground level and the underside of the flooring timbers must be provided</p> <p>5 where concrete floors are used, a concrete edge to the slab extending at least 600 millimetres into the ground must be provided</p> <p>6 pigeon lofts are to have a maximum height of 2.5 metres above natural ground level</p> <p>7 an appropriate size of enclosure must be selected to house a maximum number of birds within the proposed loft</p> <p>8 the maximum number of birds per cubic metre of air space must not exceed 5</p> <p>9 positioning of pigeon lofts must be such that the amenity of adjoining premises is preserved, with no inconvenience or nuisance resulting from this activity or from flying birds</p> <p>10 appropriate landing boards must be provided to encourage the uninterrupted return of birds to the loft, aviary or cage</p>
4	doves	the enclosure must not be sited closer than 2 metres from the property boundaries
5	horses, cattle, sheep, goats and other animals of a similar size	<p>the enclosure must—</p> <p>(a) be constructed to prevent any such animal from being within 10 metres of any dwelling (except any dwelling on the premises); and</p> <p>(b) except in rural areas, be sited a minimum distance of 2 metres from the property boundaries</p>
6	caged birds	<p>the cages/enclosures must—</p> <p>(a) not be sited closer than 2 metres from the property boundaries; and</p> <p>(b) not, in combination with all buildings on site, exceed 50% of the area of the lot; and</p> <p>(c) be located at the rear of the premises behind the residence (if any) situated on the premises; and</p> <p>(d) prevent the animals from being nearer than 10 metres to any local government road or State-controlled road; and</p> <p>(e) having regard to the breed and species of bird kept in the cage/enclosure and the number of birds to be kept in the</p>

	<p>cage/enclosure—be appropriately sized so as to be capable of effectively and comfortably housing the birds kept in the cage/enclosure.</p>
--	---

Schedule 7 Requirements for keeping a dog in a koala area

section 12(1)

- (1) The owner or responsible person for a dog kept on a lot of 200 square metres or more within a koala area must during the hours from 6:00pm to 6:00am—
 - (a) confine the dog to an enclosure (a koala management enclosure) which—
 - (i) is appropriately sized so as to be capable of effectively and comfortably housing the dog; and
 - (ii) has walls which are constructed so as to prevent the dog from escaping from the enclosure; and
 - (iii) is constructed so as to prevent a koala from entering the enclosure; or
 - (b) tether the dog by a leash or chain which is—
 - (i) not more than 3 metres long; and
 - (ii) securely attached to the collar of the dog and a fixed stationery object on the lot; and
 - (iii) the dog is unable to reach the boundary fence.
- (2) A koala management enclosure may be—
 - (a) a dwelling or part of a dwelling; or
 - (b) a garage; or
 - (c) a suitably fenced area which is constructed—
 - (i) outside a dwelling on the lot for the purpose of confining the dog; and
 - (ii) is constructed in such a way to prevent a koala from entering the enclosure.
- (3) For avoidance of doubt, the requirements in paragraph (1) do not prevent the owner of or responsible person for the dog/s taking the animal/s from a proper enclosure at any time provided the animal/s is/are under effective control.⁷

⁷ For what constitutes effective control see section 13(3) of the Authorising Local Law.

Schedule 8 Koala areas⁸

section 12(2)

This schedule has been left intentionally blank.

⁸ “Koala areas” under section 15(4) of the authorising local law comprise the areas designated in this schedule plus “koala habitat areas” designated by a State planning instrument or a conservation plan made under the *Nature Conservation Act 1992*.

Schedule 9 Criteria for declared dangerous animals

section 13

The following criteria will be considered prior to the declaration of an animal, other than a dog, being declared dangerous—

- (a) whether the animal has attacked a person;
- (b) whether the animal has attacked another animal;
- (c) whether the animal has caused fear of attack in a person;
- (d) whether the animal has exhibited behaviour that, in the opinion of an authorised person, gives rise to concern that it is likely to either attack a person or animal or cause fear to a person.

Schedule 10 Conditions for supply of animals

section 16

	Column 1 Species or breed of animal	Column 2 Conditions that must be complied with when supplying animals
1	cats and dogs (under 18 months of age)	<p>(a) The supplier must provide the person who is obtaining the animal with documented evidence⁹ that the animal has received all core vaccines in accordance with the recommendations in the Australian Veterinary Association's policy on vaccination of dogs and cats.</p> <p>(b) The supplier must lodge a Fraser Coast Regional Council Animal Change of Ownership Form within 14 days of supply.</p>
2	Cat	<p>(a) The supplier must ensure that the cat is desexed unless the circumstances in paragraph (b) apply.</p> <p>(b) The circumstances in which the supplier is not required to ensure that the cat is desexed are as follows—</p> <ul style="list-style-type: none"> (i) the supplier holds a signed veterinary surgeon's certificate for the cat stating that desexing is likely to be a serious risk to the health of the cat; or (ii) the cat is under 16 weeks of age and the supplier provides the purchaser with a veterinary surgeon voucher or a local government desexing voucher to the equivalent monetary value of the full cost of desexing the cat; or (iii) the supplier is a member of a registered cat show association and the supply is for the purpose of showing or exhibiting the cat; or (iv) the cat is to be kept by a person who does not reside within the local government area.
3	Dog	If the dog is not desexed—the supplier must ensure that the dog is registered.

⁹ Documented evidence for the purpose of section 1(a) is a vaccination certificate from a Veterinary Practice.