

Schedule 1 Prohibition on keeping animals

Section 5

	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
1	Dog	<p>(a) More than 3 dogs over the age of 3 months on an allotment in a designated town area.</p> <p>(b) More than 1 dog over the age of 3 months on multi-residential premises.</p> <p>(c) Any of the following breeds anywhere in the local government area: American pit bull terrier or pit bull terrier; dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario.</p>
2	Cat	More than 3 cats over the age of 3 months on an allotment in a designated town area.
3	Horse, donkey, sheep, goat, alpaca, llama or deer	<p>(a) In the Longreach designated town area—</p> <p>(i) an animal to which this item 3 applies on an allotment with an area less than 4,000m²; or</p> <p>(ii) a density of animals to which this item 3 applies on an allotment that is greater than 1 animal per 4,000m².</p> <p>(b) However, paragraph (a) does not apply to the keeping of 1 or more horses on an allotment in the stables precinct.</p> <p>(c) In each of the Ilfracombe designated town area, the Isisford designated town area and the Yaraka designated town area—</p> <p>(i) an animal to which this item 3 applies on an allotment with an area less than 1,000m²; or</p> <p>(ii) a density of animals to which this item 3 applies on an allotment that is greater than 1 animal per 1,000m².</p>
4	Cow or bull	A cow or bull in a designated town area except where the cow or bull is kept within a 'town reserve' as that expression is defined in <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011</i> .
5	Poultry, including a chicken, turkey,	(a) More than 5 birds to which this item 5 applies on an allotment in a designated town area.

	duck, goose and domestic fowl, but excluding a rooster	<p>(b) However, paragraph (a) does not apply if a person who is the responsible person or owner of the birds is—</p> <ul style="list-style-type: none"> (i) a member of an association of breeders of the birds which is recognised by the local government; and (ii) the holder of an approval from the local government which authorises the keeping of the birds on the allotment.
6	Rooster	<p>(a) A rooster on an allotment in a designated town area.</p> <p>(b) However, paragraph (a) does not apply if a person who is the responsible person or owner of the rooster is the holder of an approval from the local government which authorises the keeping of 1 or more roosters on the allotment.</p>
7	Pig	A pig on an allotment in a designated town area.
8	Ostrich or emu	An ostrich or emu on an allotment in a designated town area.
9	Bees	<p>(a) A hive on an allotment in a designated town area with an area less than 1,200m².</p> <p>(b) A density of hives on an allotment in the designated town area that is greater than 1 hive per 1,200m².</p>
10	Cockatoo, galah or other bird of a similar size	<p>(a) More than 2 birds to which this item 10 applies on an allotment in a designated town area;</p> <p>(b) However, paragraph (a) does not apply if a person who is the responsible person or owner of the birds is—</p> <ul style="list-style-type: none"> (i) a member of an association of breeders of the birds which is recognised by the local government; and (ii) the holder of an approval from the local government which authorises the keeping of the birds on the allotment.
11	Budgerigar, canary or other bird of a similar size	<p>(a) More than 20 birds to which this item 11 applies on an allotment in a designated town area.</p> <p>(b) However, paragraph (a) does not apply if a person who is the responsible person or owner of the birds is—</p> <ul style="list-style-type: none"> (i) a member of an association of breeders of the birds which is recognised by the local government; and (ii) the holder of an approval from the local government which authorises the keeping of the birds on the allotment.
12	Racing pigeons	<p>(a) More than 20 birds to which this item 12 applies on an allotment in a designated town area.</p> <p>(b) However, paragraph (a) does not apply if a person who is the responsible person or owner of the birds is—</p>

		<ul style="list-style-type: none">(i) a member of an association of breeders of the birds which is recognised by the local government; and(ii) the holder of an approval from the local government which authorises the keeping of the birds on the allotment.
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A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals on premises if—

- (a) the animal or animals were kept on the premises before the commencement of the authorising local law; and
- (b) the keeping of the animal or animals on the premises immediately before the commencement of the authorising local law did not contravene any provision of a local law of the local government that was repealed contemporaneously with the making of the authorising local law.