Animals - Table of Changes

<table>
<tr><th>Current Local Law</th><th>Draft Local Law</th><th>Key Changes</th><th>Change Type</th></tr>
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<td>
16. Dogs
16.1 In this clause a ‘litter device’ means a device suitable for the purpose of collecting, removing and disposing of an animal’s faeces and includes a paper or plastic bag.

16.2 A person in charge of an animal on any road, footway, Council Land or other public place must carry a litter device at all times and must produce the litter device on the request of an authorised officer.

16.3 A person in charge of an animal that excretes faecal matter on a road, footway, Council Land or other public place must immediately collect and dispose of the excrement.

16.4 A person in charge of an animal must not allow any part of the animal’s excrement to remain on any road, footway, Council Land or other public place.
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<td>
5.1. Dogs
(1) A person in charge of an animal on any road, footpath, Council Land or other public place must always carry a litter device and must produce the litter device on the request of an authorised officer.

(2) A person in charge of an animal that excretes faecal matter on a road, footpath, Council Land or other public place must immediately collect and dispose of the excrement.

(3) A person in charge of an animal must not allow any part of the animal’s excrement to remain on any road, footpath, Council Land or other public place.
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Simplifies
The new clause is a simplified version of the old clause (16). While the core rules remain identical, the new version is more concise and easier to read.

Key benefits and changes include:

The definition for ‘litter device’ has been moved to the definition section, streamlining the body of the law and avoiding repetition.
The essential rules requiring a person in charge of an animal to carry a litter device and immediately clean up after their animal remain unchanged.
The change makes the clause more concise and efficient without altering the legal requirements.

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<td>Minor</td>
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60. Keeping of Domestic Animals
60.1 Unless permitted under the Planning Scheme applicable to the land, a person must not, without a permit, keep or allow to be kept on any land, other than a flat or unit, any more of each species or group of animals and birds specified in the following table.
Permitted Animals and Birds on Properties other than Flats and Units
<table>
<tr><th>Type of Animal</th><th>Maximum Allowed</th></tr>
<tr><td>dogs (over three (3) months old)</td><td>2</td></tr>
<tr><td>cats (over three (3) months old)</td><td>2</td></tr>
<tr><td>poultry other than those specified below</td><td>0</td></tr>
<tr><td>roosters</td><td>0</td></tr>
<tr><td>peafowl or guinea fowl, pheasants, turkeys, ducks and geese</td><td>0</td></tr>
<tr><td>chickens</td><td>5</td></tr>
<tr><td>domestic birds – caged non-poultry</td><td>15</td></tr>
<tr><td>farm animals</td><td>0</td></tr>
<tr><td>ferrets</td><td>2</td></tr>
<tr><td>guinea pigs, rabbits, rats or mice</td><td>4 (in total)</td></tr>
</table>
60.2 Unless permitted under the Planning Scheme applicable to the land, a person must not, without a permit, keep an animal, bird, reptile or bees of a species not listed in the table in clause 60.1 on any land, other than a flat or unit.

60.3 Unless permitted under the Planning Scheme applicable to the land on which a flat or unit is located a person must not, without a permit, keep or allow to be kept in a flat or unit any more of each type or group of animals or birds than is stated in the following table.
Permitted Animals and Birds in Flats and Units
<table>
<tr><th>Type of Animal</th><th>Maximum Allowed</th></tr>
<tr><td>dogs (over three (3) months old)</td><td>1</td></tr>
<tr><td>cats (over three (3) months old)</td><td>1</td></tr>
<tr><td>All poultry including those specified below</td><td>0</td></tr>
<tr><td>chickens, roosters, pheasants, peafowl or guinea fowl, turkeys, ducks and geese</td><td>0</td></tr>
<tr><td>domestic birds – caged non-poultry</td><td>2</td></tr>
<tr><td>farm animals</td><td>0</td></tr>
<tr><td>Ferrets, guinea pigs, rabbits, rats or mice</td><td>2 (in total)</td></tr>
</table>
60.4 Unless permitted under the Planning Scheme applicable to the land on which the flat or unit is located, a person must not, without a permit, keep any animal, bird, reptile or bees of a species not listed in the table in clause 60.3 in a flat or unit.
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5.2 Keeping of animals
(1) Unless permitted under the Planning Scheme applicable to the land, a person must not keep, or allow to be kept, more than the permitted number of animals on any land, including flats and units, without a permit. The maximum number allowed for each type of animal is listed below:

<table>
<tr><th>Type of Animal</th><th>Flat or Unit (Maximum Allowed)</th><th>Land Other Than Flat or Unit (Maximum Allowed)</th></tr>
<tr><td>Dogs (Over 3 months old)</td><td>2</td><td>2</td></tr>
<tr><td>Cats (Over 3 months old)</td><td>2</td><td>2</td></tr>
<tr><td>Chickens</td><td>0</td><td>5</td></tr>
<tr><td>Domestic Birds (Caged & non-poultry)</td><td>2</td><td>5</td></tr>
<tr><td>Ferrets</td><td>2</td><td>5</td></tr>
<tr><td>Reptiles</td><td>2</td><td>5</td></tr>
<tr><td>Rabbits</td><td>2</td><td>5</td></tr>
<tr><td>Guinea Pigs</td><td>2</td><td>5</td></tr>
<tr><td>Rates or Mice (Combined)</td><td>2</td><td>5</td></tr>
<tr><td>Poultry (Other than chickens)</td><td>0</td><td>0</td></tr>
<tr><td>Roosters</td><td>0</td><td>0</td></tr>
<tr><td>Farm Animals</td><td>0</td><td>0</td></tr>
</table>
(2) Unless permitted under the Planning Scheme applicable to the land, a person must not keep, or allow to be kept, any animal, bird, bees or a species not listed in the table in clause (1), on any land, including flats and units, without a permit.

(3) This clause does not apply to any land on which:
(a) a registered domestic animal business is located
(b) an animal hospital or veterinary practice is located
(c) an animal educational facility is located, or
(d) if the use of the land for this purpose is permitted under the Planning Scheme applicable to the land.
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Consolidates and simplifies; changes limits on specific animals (domestic birds, reptiles, rabbits, guinea pigs, rats and mice)
The new clause is a major simplification and consolidation of the old clause, merging four separate clauses into three clear sub-clauses.

Key benefits and changes include:

Separate rules and tables for houses/land (60.1, 60.2) and flats/units (60.3, 60.4) are merged into a single, comprehensive clause (1).
The rule now applies uniformly to ‘any land, including flats and units,’ eliminating the need for two separate tables and sets of clauses.
Two separate tables of permitted animals are consolidated into a single, unified table, making the rules far more efficient and readable.
Changed Limits on Specific Animals:

Domestic Birds are reduced from 15 to 5.
Reptile limits are introduced where previously there were none: now allowed without a permit, up to 2 for flats/units and 5 for houses.
Rabbits, Guinea Pigs, Rats, and Mice are now separated and not combined for counting limits.

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<td>Major</td>
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<table>
<tr><th>Current Local Law</th><th>Draft Local Law</th><th>Key Changes</th><th>Change Type</th></tr>
</table>

61. Keeping of Animals and Birds 61.1 An occupier of land must ensure that any structure, cage or run used for housing an animal or bird is maintained in a clean and sanitary condition. 61.2 An occupier of land must ensure that any land on which an animal or bird is kept is kept free from refuse, rubbish and other material which harbours or may harbour vermin. 61.3 An occupier of land must ensure that all food for consumption by an animal or bird is kept or stored in a vermin and fly-proof receptacle. 61.4 An occupier of land must ensure that all manure, excrement, refuse or rubbish associated with the keeping of an animal or bird is removed and placed in a container suitable for the containment of the manure, excrement refuse or rubbish so that it does not detrimentally affect the amenity of the area. 61.5 A person must not keep or allow to be kept on any land a structure for the housing of poultry or pigeons (including any pen, compound or yard attached to a poultry yard of pigeon loft): 61.5.1 within the front setback to the street or the side setback to a side street (excluding a lane); 61.5.2 within a distance of two (2) meters from the boundary of any adjoining land in separate ownership or occupation; and 61.5.3 within three (3) meters from any dwelling on any adjoining land in separate ownership or occupation.	**5.3 Housing of animals** (1) An occupier of land must ensure that any structure, cage, or run used for housing an animal is maintained in a clean and sanitary condition and is kept free from refuse, rubbish, and any other material that may harbor vermin. (2) An occupier of land must ensure that all manure, excrement, refuse, or rubbish associated with keeping an animal is removed and placed in a suitable container or disposed of appropriately, so it does not detrimentally affect the amenity of the area. (3) An occupier of land must ensure that all food for animal consumption is stored in a vermin and fly-proof container. (4) A person must not, build or maintain any structure for housing poultry or pigeons within: (a) the front or side setback to the street (b) two (2) meters from the boundary of any adjoining land, and (c) three (3) meters from any dwelling on adjoining land.	**Consolidates and simplifies** The new clause is a consolidation and reordering of the previous clause, streamlining four separate rules into a more logical structure. Key benefits and changes include: • The clause effectively combines four separate rules into a more efficient structure. • Provisions on maintaining housing structures and keeping land free of refuse (old clauses 61.1 and 61.2) are merged into a single sub-clause (1). • The overall reordering of the content results in a more logical and easier-to-follow set of rules for animal housing.	**Minor**