
Keeping non-companion animals on residential premises

1. The purpose of this policy is

to control and regulate the number of animals kept on a premises and to maintain the health standards of the premises.

2. Policy statement

The policy for Keeping Non-companion Animals on Residential Premises aims to regulate responsible ownership on non-companion animals, such as horses, pigs, sheep on residential premises.

This policy aims to preserve the amenity of the neighbourhood and to prevent health nuisances associated with unregulated ownership of animals.

At the same time the policy recognises the right of all property owners to enjoy the use of their site provided that in so doing they do not conflict with the public interest.

3. Principles

The principles by which Council will control and regulate the number of animals kept on the premises are in accordance with S124(18) of the Local Government Act, 1993.

Non-companion animals may be kept on residential premises provided

- this action continues to preserve the rights of individuals and to assist in the preservation of wildlife
- that the maximum number of animals to be kept on any allotment be in accordance with Table 1 (attached), irrespective of the size of the allotment or breed of animal
- the number of animals kept may be increased where the animal is kept without nuisance for specific purposes (Commercial) and is registered with the recognised animal specific control body(e.g. Canine Council).

- Development Consent is obtained from Council for a commercial activity involving the keeping of animals.

Reductions in the number of animals

Council may request the reduction of the number of animals kept on a premises where:

- **Containment**

the animal is not positively contained with fencing or enclosures that ensure that the type of animal(s) kept on the premises are wholly contained within the property at all times.

- **Noise Control**

Where animal(s) kept on the premises are generating offensive noise as defined by the Protection of the Environment Operations Act 1997.

- **Hygiene**

Where conditions exist that could unreasonably affect the health and well-being of occupants, nearby residents and the animal(s). Such conditions may include:-

- accumulation of faeces
- accumulation of stale/rotten food/bones
- inadequate disposal of manure
- attraction of rodents and flies
- the unreasonable existence of odours
- inadequate drainage causing animal(s) to be kept or exercised on poorly drained ground surfaces
- infestations of fleas and ticks or other parasites
- unreasonable accumulations of hair, fur and skin.

4. Amendments

This policy was amended 7 August 2006.

5. Authorisation

This policy is due for review on 7 August 2008.

6. Who is responsible for implementing this policy?

Manager Compliance

7. Document owner

Director Planning and Assessment

8. File number

Reference number 105.004.001.

9. Legislation and references

Local Government Act, 1993
Noise Control Act, 1973

9.1. Definitions

Non-companion animals means all animals not dogs or cats. This policy also applies to bees and birds.

TABLE 1

Type of animals	<p>Birds including canaries, budgies, quails, finches and parrots</p> <p>Sulphur crested cockatoo and long billed corella.</p>
Recommended number in residential areas	<p>As appropriate to location and breed but not to exceed 30 birds per cubic metre</p> <p>Cockatoo and corella</p> <p>2 (in portable cages) or</p> <p>4 in an aviary</p>
Recommended minimum distance from buildings	<p>As appropriate to avoid nuisance to adjoining premises.</p>
Applicable regulations and other advisory matters	<p>Cages and aviaries must be of sufficient size and regularly cleaned</p> <p>All birds to be kept in accordance with the “Code of Ethics” produced by the Associated Birdkeepers of Australia and printed by NSW Agriculture</p> <p>All enclosures are to be maintained free of rodents and other vermin.</p> <p>All feed is to be stored in vermin-proof containers</p> <p>Approval is required for bird aviaries (greater than 5sq/m and 2.1m in height) in accordance with Council’s Local Approvals Policy</p> <p>A National Parks and Wildlife permit is required to keep many native birds. Exemptions include budgerigars, zebra finch, galah and sulphur crested cockatoo</p>

TABLE 1

Type of animals	Pigeons
Recommended number in residential areas	Registered Active Members of the Pigeon Fanciers Association or Racing Association - 150 birds Non Members - 50 birds
Recommended minimum distance from buildings	5 metres
Applicable regulations and other advisory matters	Nuisance due to noise and also free flight of pigeons is to be minimised Lofts must be constructed on hard paving of a smooth surface, graded to drain Lofts are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly Open lofts are not permitted.

TABLE 1

Type of animals	Poultry, domestic and guinea fowl
Recommended number in residential areas	10
Recommended minimum distance from buildings	4.5m
Applicable regulations and other advisory matters	<p>Local Government (Orders) Regulation 1993, Schedule 5 applies.</p> <p>Council may, by resolution, insist on greater distances than specified in particular cases.</p> <p>Hard paving with concrete or mineral asphalt must be provided under roots in poultry houses. This does not apply to poultry houses located greater than 15.2 metres from buildings, or where the floor of the poultry house is constructed of clean sand or other suitable material</p> <p>Poultry yards must be enclosed to prevent poultry from escaping.</p> <p>Yards must be kept free of rats and mice.</p> <p>Roosters are not to be kept on residential premises (as crowing may cause offensive noise).</p>

TABLE 1

Type of animals	Poultry other than fowls including ducks, geese, turkeys, peafowl and other pheasants
Recommended number in residential areas	10
Recommended minimum distance from buildings	30m
Applicable regulations and other advisory matters	<p>Local Government (Orders) Regulation 1993, Schedule 5 applies.</p> <p>Council may, by resolution, insist on greater distances than specified in particular cases.</p> <p>Hard paving with concrete or mineral asphalt must be provided under roots in poultry houses. This does not apply to poultry houses located greater than 15.2 metres from buildings, or where the floor of the poultry house is constructed of clean sand or other suitable material</p> <p>Poultry yards must be enclosed to prevent poultry from escaping.</p> <p>Yards must be kept free of rats and mice.</p>

TABLE 1

Type of animals	Horses and cattle
Recommended number in residential areas	1 Note: The keeping of horses and cattle on properties of less than 1000 sq/m is not considered appropriate.
Recommended minimum distance from buildings	9m (In accordance with Local Government Orders) Regulation 1993 - Schedule 5, Division 3).
Applicable regulations and other advisory matters	Local Government (Orders) Regulation 1993 - Schedule 5 applies A greater separation distance may be required by resolution of Council in each particular case Fencing must be strong and durable to prevent escape. Stables and sheds must be hard paved and graded to drain Any structure is subject to a Building Application.

TABLE 1

Type of animals	Rabbits
Recommended number in residential areas	2 2-100 Permit required (NSW Agriculture) >100 permit and fee payable (NSW Agriculture)
Recommended minimum distance from buildings	Recommended distance from buildings is affected by the number of animals. Distance relates to the three recommended numbers above: 3m 6m 15m
Applicable regulations and other advisory matters	Must be a recognised domestic breed and kept in a rabbit-proof enclosure The rabbits must not be vaccinated with the fibroma vaccine Do not release into the environment Restriction on number is imposed by the NSW Department of Agriculture under the Rural Lands Protection Act 1989

TABLE 1

Type of animals	Reptiles
Recommended number in residential areas	As appropriate in the circumstances.
Recommended minimum distance from buildings	As appropriate in the circumstances.
Applicable regulations and other advisory matters	<p>National Parks and Wildlife Act 1974 and Fauna Protection regulations place a general prohibition on the keeping of reptiles.</p> <p>Advice on the keeping of reptiles should be obtained from the National Parks and Wildlife Service in all cases.</p> <p>All species must be adequately housed to prevent escape.</p> <p>Keeping snakes may cause concern to neighbours.</p>

TABLE 1

Type of animals	Sheep and Goats
Recommended number in residential areas	1
Recommended minimum distance from buildings	6m
Applicable regulations and other advisory matters	Keeping goats and sheep on residential land in Warringah is not encouraged Sheep and goats are not to be slaughtered at the premises on which they are kept.

TABLE 1

Type of animals	Pigs
Recommended number in residential areas	<p>One pig per 2 hectares of land (rural land only)</p> <p>Development Consent is required (under SEPP 30???) for developments involving the keeping of more than 20 breeding sows or 200 pigs.</p> <p>Note: An EIS is required where proposed in environmentally sensitive areas or where more than 200 sows/2000 pigs are proposed.</p>
Recommended minimum distance from buildings	60m
Applicable regulations and other advisory matters	<p>Prior to a piggery being established it is necessary to obtain Development Consent from Council for the use of the land as a pig farm</p> <p>Minimum land area for keeping pigs is 2 hectares</p> <p>Local Government (Orders) Regulation 1993 – Schedule 5 applies</p> <p>The keeping of pigs is not appropriate on residential properties.</p>

TABLE 1

Type of animals	Bees
Recommended number in residential areas	4 Hives average urban block up to 1000sq/m
Recommended minimum distance from buildings	As appropriate to ensure flight paths are a minimum of 2m above neighbouring properties
Applicable regulations and other advisory matters	Each hive is required to be registered with the Department of Agriculture. To be kept in accordance with the “Code of Practice for Beekeeping NSW” Refer Appendix 1.

Appendix 1: Code of Practice for Beekeeping NSW

1. Aims

To allow the keeping of bees in a manner compatible to the area in which they are located and to encourage the keeping of bees in such a way as to be acceptable to the general public.

2. Objectives

To ensure public safety and social amenity
To encourage good beekeeping practice
To maintain public and neighbourhood relations.

3. Number of permanent hives

Definition: hive

A hive is a colony of bees headed by a queen bee.

Terrace	Average Urban Block Up to 1000m ²	Larger Block Up to 2000m ²	
2 Hives	4 Hives	12 Hives	No limit

4. Method to help to achieve aims and objectives listed above

Flight paths should be above 2m when crossing the property boundaries. This may be achieved by using screens, shrubs, walls, hedges, fences etc, therefore setting distance between hives and buildings is unnecessary.

Hives should be sited in a warm sunny location to enhance the health of the bees

A docile strain of bees should be kept in all hives

Water should be provided for the bees

Consider others when manipulating hives and plan work to cause the least impact

Control swarming options include:

- Requeening
- Population control
- Splitting into smaller hives (temporarily)

Keep apiary neat and tidy

Take care when mowing around hives. Mow when hives are not active. If the hives are active use a smoker.

Communicating with neighbours about beekeeping.

Beekeeping must be registered with NSW Agriculture and comply with Apiaries Act 1985. Beekeepers are encouraged to increase and update their knowledge by attending field days, study courses and/or belonging to a beekeeping association.