

THE HILLS SHIRE COUNCIL

LOCAL ORDERS POLICY KEEPING OF ANIMALS

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INTRODUCTION

The intention of this policy is to allow the keeping of animals expected to be kept within the Council area within understood guidelines that can be administered equitably and easily by Council Officers.

Council acknowledges that animals are an important part of any community. There are, however, a number of issues of which we must be aware, especially where these concern the care, control and management responsibilities that we have as individuals and animal owners. The repercussions of poor management and inappropriate care can impact on neighbourhood amenity in terms of noise, odours, property damage, health and safety.

The Policy seeks to:

- Balance the rights of property owners and the rights of others to enjoy their own property free from external impacts of nuisance; and
- Ensure that animals kept on residential land are of an appropriate kind and in appropriate numbers and maintained in satisfactory conditions so as to not result in unhealthy or unsafe conditions and do not cause a nuisance to others.

LOCAL ORDERS POLICY KEEPING OF ANIMALS CATS

Criteria

- 1) Those persons requiring to keep or hold on residential premises, more than four (4) cats must be authorised by Council to do so. Council Officers will determine the suitability of the premises for the purpose and number of cats to be held.
- 2) The provision of adequate holding facilities must be in place, especially for all non de-sexed male cats.
- 3) Cats must not be permitted to create a nuisance in the form of noise nuisance or damaging the properties of others.
- 4) The owner must have the ability to control all odours and waste to the satisfaction of Council.
- 5) The health of all cats is to be monitored and appropriate veterinary treatment obtained in the event of illness.
- 6) Wildlife must be protected where possible from cats.
- 7) All provisions of the Companion Animals Act 1998 and the Companion Animals Regulation 2008 must be complied with, including registration and microchipping requirements.

Note - owners of cats are encouraged to desex their cats. Registration fees are cheaper for doing so.

Council will consider varying the above criteria on a case-by-case basis, depending on the facilities provided by the owner, and after taking submissions of close neighbours into account. Cat breeders may apply for permission from Council to vary the number of cats permitted on any property.

LOCAL ORDERS POLICY KEEPING OF ANIMALS DOGS

Criteria

- 1) No attack-trained dog shall be held in a residential area unless managed by a registered owner/security company, Police service or other approved Government instrumentality.
- 2) Those persons requiring to keep or hold on residential premises, more than four (4) dogs must be authorised by Council to do so. Council Officers will determine the suitability of the premises for the purpose and number of dogs to be held.

Units and townhouses:

Dogs in excess of 25 kilograms	nil
Dogs between 11 and 25 kilograms	nil
Dogs less than 11 kilograms	maximum 1 dog

Dogs shall only be kept on these premises with the written permission of the body corporate

Note – *this section applies to town houses and units.*

- 3) Waste matter, including litter and bedding, must be disposed of in an approved manner.
- 4) All noise, including barking, must be controlled.
- 5) All odours must be controlled.
- 6) The health of all dogs is to be regularly monitored and appropriate veterinary treatment obtained in the event of illness.
- 7) Wildlife must be protected where possible from dogs.
- 8) Dog breeding and/or boarding kennels are subject to Council approval.
- 9) All provisions of the Companion Animals Act 1998 and the Companion Animals Regulation 2008 must be complied with, including microchipping and registration requirements.

Note – *owners of dogs are encouraged to desex their dogs. Registration fees are cheaper for doing so.*

Council will consider varying the above criteria on a case-by-case basis, depending on the facilities provided by the owner, and after taking submissions of close neighbours into account. Dog breeders may apply for permission from Council to vary the number of dogs permitted on any property.

LOCAL ORDERS POLICY KEEPING OF ANIMALS POULTRY

Criteria

Poultry not to be a nuisance or health risk

- a. Poultry, in residential areas, must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.
- b. Poultry yards must at all times be kept clean and free from offensive odours.

Poultry not to be kept near certain premises

- c. Poultry must not be kept within 4.5 metres (or such greater distance as the Council may determine in a particular case) of any adjoining premises.
 - d. The floors of poultry houses must be paved with concrete or mineral asphalt underneath the roosts or perches.
 - e. Poultry yards must be so enclosed as to prevent the escape of poultry.
- 1) All food must be stored in sealed vermin proof containers and must not be left uncovered.
 - 2) Vermin and other pests must be controlled.
 - 3) All offensive odours must be controlled.
 - 4) All offensive noise must be controlled.
 - 5) All poultry must be housed in purpose built facilities. Council approval may be required for certain structures.
 - 6) The slaughtering of poultry is not permitted.
 - 7) Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
 - 8) Outside runs must be free draining, not to discharge to neighbouring properties and not be allowed to become muddy.
 - 9) Certain poultry not to be kept due to some birds vocalisation abilities. **The following species are considered inappropriate to kept in a residential environment. Peacocks, roosters, guinea fowls, turkeys.**
 - 10) The maximum numbers of permissible poultry species permitted to be kept are:

Type	Maximum Number
Ducks	2
Geese	2
Fowls (chickens)	10
Pheasants	10
Quails	10
Pea fowls	2

Council will consider varying the above criteria on a case-by-case basis, depending on the facilities provided by the owner, and after taking submissions of close neighbours into account.

LOCAL ORDERS POLICY KEEPING OF ANIMALS PIGEONS

Criteria

- 1) All pigeons must be housed in purpose built facilities. Council consent may be required for the construction of lofts.
- 2) Enclosed housing must use deep litter or other appropriate substrate.
- 3) Rodents and other vermin must be vigorously controlled.
- 4) All offensive odours must be controlled.
- 5) All food must be stored in sealed vermin-proof containers and must not be left uncovered.
- 6) Pigeons must not be kept within 9 metres of any property used for the sale, preparation, handling or storage of food for sale.
- 7) Adequate protection from predators must be provided.
- 8) 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.
- 9) Waste must be disposed of in an approved manner.
- 10) The keeping of domestic pigeons by hobbyists and racing enthusiasts in The Hills Shire Council Local Government Area shall be permitted with the following control conditions apply in residential areas.

Liberation of Pigeons

- a. The uncontrolled release of pigeons (free lofting) in a residential area is not permitted.
- b. Free flight exercise must be conducted on a planned basis, with duration time typically from 30 to 90 minutes and performed no more than twice daily.
- c. The exit and entry of birds from a loft, aviary or cage must be fully controlled. Provision must be made for all released birds to return through a one-way entrance that will not permit uncontrolled exit.
- d. Appropriate landing boards must be provided to encourage the uninterrupted return of birds to the loft, aviary or cage.

Council will consider varying the above criteria on a case-by-case basis, depending on the facilities provided by the owner, and after taking submissions of close neighbours into account.

LOCAL ORDERS POLICY KEEPING OF ANIMALS BIRDS

Criteria

- 1) All aviaries and holding facilities must be constructed of appropriate materials and of a quality of construction and maintenance that is acceptable to Council, and be designed to be vermin proof, well ventilated, have an impervious surface and not cause or be likely to cause injury to birds.
- 2) All aviaries and facilities must be well maintained by the owner so as to avoid escape.
- 3) Careful regard must be given to the requirements of neighbours, especially the avoidance of excessive noise and odour.
- 4) The Code of Ethics produced by the Associated Bird-Keepers of Australia Incorporated, approved by the Canary and Bird Federation of Australia, must be complied with at all times.
- 5) Where the owner operates a business from home related to the commercial trade or retail of birds or associated items, provisions of the Environmental Planning and Assessment Act 1979 may apply.
- 6) Extensive aviculture activities are required to submit aviary plans for development approval by Council.
- 7) Flooring must be constructed of an impervious material or in some external situations, sand or gravel with a rodent proof mesh underlay.
- 8) All aviaries and other built facilities for the keeping of caged birds require Council consent, except where aviaries do not exceed the following dimensions:
 - a. 5 square metres surface area, a maximum height of 1.8 metres and with a set back from any boundary, fence or wall of 900 millimetres; and
 - b. Multiple permissible aviaries may not cover an area greater than 20 square metres without prior Council approval.
- 9) Enclosed buildings for the primary purpose of holding caged birds require Council consent.
- 10) An animal trade must not be conducted without prior consent.
- 11) Vermin proof storage facilities must be provided.
- 12) An adequate rodent and pest control program must be in place.
- 13) Excessive noise and odour must be controlled by the use of sound proofing materials, distance and choice of bird species.

Council will consider varying the above criteria on a case-by-case basis, depending on the facilities provided by the owner, and after taking submissions of close neighbours into account.

**LOCAL ORDERS POLICY
KEEPING OF ANIMALS
LIVESTOCK**

Criteria

Due to size and specialised husbandry requirements the following livestock species are considered not suitable to be kept in a residential environment:

Horses, donkeys, cattle, sheep, goats, pigs, camels and alpacas shall not be kept in residential areas as such animals are considered inappropriate.