



WEDDIN SHIRE COUNCIL

POLICY NUMBER: 2.2.6

POLICY FOR KEEPING OF ANIMALS

Adopted: 16 March 2017

POLICY FOR THE KEEPING OF ANIMALS (NO. 2.2.6)

1. **Title:** Policy for Keeping of Animals

2. **Number:** Policy Number 2.2.6

3. **Purpose:**

This policy seeks to inform the Weddin Shire Community of Council's regulatory powers concerning the keeping of animals in the Weddin Shire Council area. The Orders Policy aims to:

- a) Minimise the incidence of nuisance being caused to persons
- b) Protect the welfare of companion, farm and other animals
- c) Protect the welfare and habitat of wildlife; and
- d) Minimise the disturbance of or damage to protected vegetation.
- e) Safeguard the environment

It is well documented that the keeping of companion animals and / or pet animals is usually most beneficial to the well-being of people. Nevertheless, on occasions, complaints are made to Council where animals of an inappropriate kind or number are being kept or where the animals and their accommodation is not being looked after properly.

It is not intended within this policy to completely regulate the manner in which animals should be kept. It is however necessary that this policy should inform the reasonable limits (both statutory and advisory) which apply concerning the maximum number of animals and the circumstances under which they may be kept on the premises.

Responsible ownership is a very important component of nuisance control and this document also contains advice to the animal owner regarding their responsibilities to prevent a nuisance from occurring.

4. **Application:**

This policy applies to animals kept for domestic purposes, as companion animals, pets or for hobby interests.

The principals contained in the prescriptive requirements will also apply to the keeping of animals for commercial purposes, including boarding, breeding, grooming, caring, treatment, training, racing, exhibiting, trading or selling.

Under Council's Local Environmental Plan 2002 the keeping of animals for commercial purposes may be carried out in certain zones where a development application has been submitted and consent received. Consent to the establishment of "Animal Establishments" may not be allowed where Council considers that the proposal would be detrimental to the amenity of the locality.

5. **Associated Legislation and Other References**

Local Government Act, 1993.

Companion Animals Act, 1998.

6. Policy

Objectives

1. To inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.
2. To give guidance and advice to persons as to the keeping of animals for domestic purposes.
3. To establish local standards, acceptable to the community, for the keeping of animals.
4. To publicly notify the circumstances that the Council will consider in determining whether to serve an Order under Section 124 of the Local Government Act, 1993 to prohibit, restrict or in some other way, require things to be done regarding the keeping of animals.

Prescriptive Requirements

The number of animals that may be kept at a premise should not exceed the number shown as appropriate to the specified kind of animal listed in the included table.

The kind of animal that is suitable to be kept at any premises will be determined having regard for the size of the available yard area and the distance to the nearest dwelling or other prescribed building. Certain statutory requirements also apply as noted in the table.

It should not be assumed that animals of all kinds may be kept on premises which are part of a multiple dwelling allotment. Where a dwelling is owned within a Strata Plan, it will be necessary for the rules of the Body Corporate to be examined for requirements relevant to the keeping of animals.

Animals should be kept in a manner, which does not:

- Create unclean or unhealthy conditions for people or for the animals.
- Attract or provide a harbourage for vermin.
- Create offensive noise or odours.
- Cause a drainage nuisance or dust nuisance.
- Create waste disposal problems or pollution problems.
- Create an unreasonable annoyance to neighbouring residents.
- Cause nuisance due to proliferation of flies, lice, fleas or other pests and parasites.
- Cause neighbouring residents to fear for safety.
- Inhibit natural exercise.

Suitable shelter(s) should be provided for all animals. Certain kinds of animals are required to be kept in cages to prevent escape or attack by predators. Generally other animals are to be securely enclosed with adequate fencing to prevent escape.

Certain animal shelters should not be erected or located at premises without the prior approval of Council. Please contact Council's Environmental Services Department for further details.

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Design guidelines for the size, layout and construction of animal shelters are produced by the various animal welfare organisations and the Department of Agriculture. These may be adopted from time to time as supplements to this policy.

Council's Power to Control and Regulate the Keeping of Animals

Generally, Council's powers to control and regulate the keeping of animals is provided under Section 124 of the Local Government Act, 1993 and the Local Government (Orders) Regulation, 1993.

The Council may in the appropriate circumstances, issue an Order to:

- * prohibit the keeping of various kinds of animals
- * restrict the number of various kinds of animals to be kept at a premises
- * require that animals be kept in a specific manner.

The Council may also issue Orders requiring:

- * the demolition of animal shelters built without the prior approval of Council
- * the occupier to do or refrain from doing such things as are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

It is advised that Council can exercise further controls over animals under the following Acts:

- * Companion Animal Act 1998
- * Protection of the Environment Operations Act 1997
- * The Impounding Act, 1993
- * The Food Act, 1989 (prohibits animals to be kept where food is handled for sale).
- * Local Government Act 1993

“An objection to the provisions of the Local Orders Policy may be made under Section 82 of the Local Government Act 1993 in a particular circumstance. The objection shall be in writing and is to be accompanied by such supporting documentation as is necessary and to include the fee from time to time set by Council”.

Several animal societies have adopted a code of conduct for the keeping of particular animals. These are referred to in the table and attached as appendices.

Note that any aviary, kennel or shelter used by the animal is required to be approved by Council prior to construction should it be over 10 square metres in area or 2.4 metres in height.

Giving Orders by Council

Upon complaint, Council will inspect the premises and discuss any concerns with the owner/tenant of the premises in question. In addition, Council may liaise with community representatives with regard to solving the problems.

Where a problem is identified with the keeping of animals and it can not be resolved by consultation, the Council will proceed to issue notice of its intention to serve an Order.

Normally a person will be given opportunity to make representations to Council prior to a formal Order being issued. In situations where urgency is required, an emergency Order may be issued without prior notice.

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Table of Requirements

The following table indicates the essential requirements and relevant considerations regarding the keeping of animals.

ANIMAL	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
Dogs	2	Generally 6m Kennels & yards to be 1m from the boundary.	<p>The Companion Animals Act 1998, requires lifetime identification and registration and effective control of dogs at all times. Adequate fencing is essential.</p> <p>The Council may approve requests to keep additional dogs where adequate yard size relative to the size and number of dogs, proper care and desexing can be demonstrated.</p> <p>Noise reduction must be considered when building kennels.</p> <p>Council requires every premises to be registered with Council. Inspection of these premises will take place if complaints are received.</p>
# Greyhounds (breeding/sale training/racing)	As registered with Council	6m	Approval must be sought on any kennels over 10 m ² in floor area and 2.4 metres in height.
# Breeding/selling of animals	As registered with Council	6m	# These activities are defined as Animal Establishments and require development consent.
# Boarding	As registered with Council	6m	

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ANIMAL	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
Cats Household Pets	2	6 m	<p><i>All cats are now required to be registered under the provisions of the Companion Animals Act 1998.</i></p> <p>Desexing, use of identity collars with multiple bells, proper care, restriction of access to outdoors at night will be relevant factors in determining whether more than two cats may be kept at a premises.</p>
Pedigree/Show Boarding (breeding/showing/selling boarding)	* As registered with Council		<p>Council requires every premise to be registered with Council. Inspection of these premises will take place if complaints are received.</p> <p>Approval must be sought on any cattery/cat run over 10 m² in floor area and 2.4 m in height.</p>
# Selling of animals			# These activities are defined as Animal Establishments and require development consent.

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ANIMAL	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
<p>Poultry, eg. Chickens and bantams, domestic and guinea fowl.</p> <p>Domestic</p> <p><i>Breeding or Show purposes for all poultry breeds</i></p> <p>Poultry other than fowls including ducks, geese, turkeys, peafowl and other pheasants</p> <p># Selling of animals</p>	<p>10</p> <p>30</p> <p>5</p>	<p>6m</p> <p>6m</p>	<p><i>The keeping of Roosters is discouraged in domestic situations.</i></p> <p>Local Government (Orders) Regulation 1999 applies.</p> <p>Complies with the Code of Conduct. Appendix 3.</p> <p><i>“Council may require poultry or fowls to be kept at a greater distance than the minimum specified where the circumstances warrant it”.</i></p> <p>“Persons keeping birds for show or breeding purposes must be members of Poultry and or Game Birds Clubs”.</p> <p>“A maximum of 6 adult males is recommended for persons keeping breeding or show purposes”.</p> <p>Hard paving must be provided under roosts in poultry houses if within 15.2 metres of a dwelling, public hall or school.</p> <p>Poultry yards must be enclosed to prevent escape of poultry and be kept free from rats and mice.</p> <p>Rooster should not be kept where crowing will cause offensive noise.</p> <p># These activities are defined as Animal Establishments and require development consent.</p>

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ANIMAL	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
<p>Pigeons</p> <p>Domestic (non-member of Pigeon Fanciers or Racing Association)</p> <p>Racing or Show (must be a member of Pigeon Fanciers or Racing Association)</p>	<p>20</p> <p>100 racing birds</p> <p>40 stock birds</p>	<p>6m</p> <p>6m</p>	<p><i>(Applies to both categories)</i></p> <ul style="list-style-type: none"> • Compliance with Code of Conduct Appendix 1 • Free lofting is prohibited. • Keeping must comply with relevant legislation regarding noise, air and water pollution. • Lofts and surrounding areas are to be kept so as to minimise the likelihood of harbourage and attraction of vermin. • Premises are to be kept in a safe and healthy condition.

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ANIMAL	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
Birds including canaries, budgerigars, quails, finches and parrots.	As appropriate to species, size of cage/aviary or bird room. Keepers of more than 50 birds should be members of official agricultural societies.	Distances appropriate to avoid nuisance to adjoining premises. NOTE: Approval is required for any aviary/ birdhouse enclosure over 10 m ² floor area 2.4m in height.	Cages and aviaries must be of appropriate size and regularly cleaned. Compliance with the Code of Conduct. Appendix 2. For budgerigars, generally allow a maximum of 40 birds per cubic metre of aviary. National Parks and Wildlife licence is required to keep more than 19 protected birds or if you wish to sell a protected bird. Noisy birds should be restricted in number, but in any case are subject to the requirements of the Noise Control Act.
Sulphur crested cockatoo and long-billed corella	2 if kept in portable cages 4 if kept in appropriately sized aviary Registered bird breeders may keep more breeding/show birds.		Sulphur- crested cockatoo and long-billed corella are likely to be noisy if kept as single caged birds. Compliance with the Code of Conduct. Appendix 2. Noisy birds should be restricted in number but in any case are subject to the requirements of the Noise Control Legislation.
Pet rats, mice, rabbits and guinea pigs		3m	Must be kept in appropriate cages and not released into the environment. Council may use its discretion on the number of rats, mice, rabbits and guinea pigs kept at a premise.
Reptiles	As specified by the Reptile Keepers Licence issued by the National Parks and Wildlife	As directed by the National Parks and Wildlife	A class 1 or 2 Reptile Keepers Licence must be obtained from the National Parks and Wildlife Service prior to obtaining any reptile. It is against the law to have in your possession any reptile without this licence.

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ANIMAL	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings - See Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
Sheep and Goats	1(one animal per min 1000m ² of land as a general guide)	9m	Billy goats should not ordinarily be kept on a residential premises. These animals are not to be slaughtered in any zone other than land Zoned (1a) Agricultural under Council's Local Environmental Plan 2002.
Pigs		60m	Local Government (Orders) regulation, 1999 applies to pigs. The keeping of pigs in any zone under the Local Environmental Plan 2002 is prohibited, other than in land Zoned (1a) Agricultural where consent is required.
Horses and Cattle	1(one animal per half hectare of pastured land as a general guide)	9m	<p>Local Government (Orders) Regulation, 1999 applies.</p> <p>Compliance with the Code of Conduct for the keeping of equine species Appendix 4.</p> <p>A greater separation distance may be required by resolution of Council in each particular case.</p> <p>Fencing must be strong and durable to prevent escape.</p> <p>Stables and sheds must be hard paved and graded to drain.</p> <p>The keeping of horses and cattle in residential properties is not considered appropriate.</p>

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NOTES:

- A.* The distances indicated in the third column of the above table are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- B.* Animal includes a mammal, bird, reptile, amphibian or fish. It does not include a human being (as defined in the Prevention of Cruelty to Animals Act).
- C.* Schedule 5 of the Local Government (Orders) Regulations, 1999 specifies minimum standards for the keeping of certain animals. Should a person wish to object to the provisions contained in this policy please refer to Clause 5. Minimum distances for keeping of pigs will not be reduced.
- D.* Schedule 5 Division 2(5) allows for variation of requirements of the keeping of poultry and Division 3(4) allows for variation to the requirements for the keeping of horses and cattle.
- E.* All cages, kennels, aviaries and any structure for the keeping of animals over 10 m² of floor area and a maximum height of 2.4 metres is subject to Development Application.
- F.* No more than 2 types of animals shall be kept at the maximum number for any one property.

7. Review and Amendment

- This policy shall be reviewed at four (4) yearly intervals, to ensure it meets all statutory requirements and the needs of Council.

8. Adoption

- This policy commences as from the date of adoption by Council, being 16 March 2017
- This policy replaces a previous policy adopted on 21 March 2013.

9. History

Version	Details
2.4.3	Adopted 19 August 2004
2.4.4	Adopted 17 September 2009
2.4.5	Adopted 21 March 2013
2.4.6	Adopted 16 March 2017

APPENDIX 1

**CODE OF CONDUCT
FOR THE KEEPING OF PIGEONS WITHIN WEDDIN SHIRE**

Objective

The Code of Conduct for the keeping of pigeons identifies criteria for Council to take into account in determining application of the building and operation of a loft or other structure for a pigeon.

The aim of the criteria is to provide clear guideline to assist persons keeping pigeons, so as to ensure that the activity does not create any health or environmental problems.

Requirements

1. Prior to the construction of a pigeon loft or multiple lofts that have a total floor area over 10 square metres and 2.4 metres in height for the keeping of racing or show pigeons, a Development Application must be submitted to Council for consideration.
2. Plans and specifications accompanying the submission of a Development Application must show details of ventilation and water proofing to the loft/s. (The loft/s must be positioned to obtain the maximum sunlight and ventilation.).
3. The maximum number of pigeons that may be kept on any premises within the residential area shall be;
 - a. Members of a recognised racing club or the Australian Pigeon Fanciers Associations - 100 birds plus 40 stock birds.
 - b. Persons not members of an association - 20.
Consideration may be given to the number of pigeons permitted on properties located outside the zoned town or village areas.
4. The minimum distance a loft may be erected from any residence or certain buildings is 6 metres.

NOTE: The Pigeon Fanciers Association will assist Council in resolving disputes between pigeon keepers and aggrieved parties, where considered appropriate.

Conditions

1. The loft or site works indicated on the submitted plans or required under the terms of any consent shall be completed to Council's satisfaction prior to occupation.
2. All roof and concentrated surface water are to be collected and disposed of into an approved drainage system to Council's satisfaction. Note: Full details of drainage is to be submitted with a development application.
3. The loft/s is to be constructed in a workmanlike manner and to approved standards from time to time in force. External cladding materials are to be finished in an unobtrusive colour, so as to blend in with the surrounding environment.

Health and Environmental Conditions

1. No interference with the amenity of the area by reason of the emission of unreasonable noise, smell, feathers or otherwise is to be the result of the keeping of pigeons.
2. Pigeons are not to be released or exercised except during the period 2 hours after sunrise or 2 hours before sunset of any day of the week.
3. Any pigeon released from the loft must not be fed within the ten hour period prior to that release, for the purpose of reducing the natural inclination for the pigeons to defecate while in flight.
4. The free lofting of pigeons is not permitted. (Practice of leaving loft doors or gates open to allow pigeons access to and from the loft or locking the pigeons out of the loft).
5. The pigeon loft and its use must not create any offensive noise, within the meaning of the Protection of the Environment Operations Act 1997. Light control such as through the use of shades or blinds may be required in the early morning to restrict noise.
6. The pigeon loft and associated areas are to be kept clean and free of offensive odours at all times and action taken to minimise the emission of dust from the loft area. Minimum cleaning of loft is to be undertaken once per week and the floor and perches are to be sprayed with an appropriate insecticide on a regular basis.
7. No pigeon feathers or droppings are permitted to escape from the subject land. Waste is to be regularly collected and disposed of by the keepers of pigeons.
8. Wastewater associated with the cleaning of the loft should be disposed of to the sewer in accordance with Council regulations.
9. All food is to be stored in sealed vermin proof containers. Any spillage is to be collected and disposed of or returned to the storage containers. NOTE: Details of storage containers and location should be submitted to Council with the building application.

Policy Variation

Provisions exist under the Local Government Act 1993 to restrict bird numbers where Council is of the opinion that they are kept in inappropriate numbers, manner or kind.

APPENDIX 2

**CODE OF CONDUCT FOR THE KEEPING OF BIRDS,
INCLUDING CANARIES, BUDGERIGARS, QUAILS, FINCHES AND PARROTS
WITHIN WEDDIN SHIRE**

The Code of Conduct for the practice of aviculture, the keeping and breeding of birds, identifies criteria for Council to take into account in determining application for the building and operation of any aviary or associated structure.

The aim of the criteria is to provide clear guidelines in relation to the *care*, control and management of birds, so as to ensure the activity of aviculture does not create any nuisance including health or environmental problems.

This Code of Conduct does not incorporate poultry, fowl, sulphur crested cockatoo or longbilled corella. A separate Code of Conduct has been formulated for the keeping of pigeons.

General Requirements

1. Prior to the construction of an aviary or associated structure for the keeping and/or breeding of birds, a development application must be submitted to Council for consideration. An application is required in circumstances where the floor area exceeds ten square metres for the maximum height is 2.4 metres, with a minimum setback of 900 mm from property boundaries. The setback distance may be implemented where it is considered that by virtue of the number of birds proposed to be kept may possibly cause a nuisance to neighbours.
2. Plans and specifications accompanying the submission of a development application must show details of ventilation and waterproofing of an aviary. Individual bird species require accommodation appropriate to their needs, including;
 - a. protection from the extremes of climate;
 - b. safety from predators;
 - c. exposure to a suitable light source;
 - d. ample fresh air.

Conditions

1. All birds are to be kept in accordance with the Code of Ethics produced by the Associated Birdkeepers of Australia and approved by the Canary and Caged Bird Federation of Australia and Budgerigar Society of NSW as endorsed by the New South Wales Animal Welfare Advisory Council, the New South Wales National Park and Wildlife Services and New South Wales Department of Agriculture..

The Canary and Caged Bird Federation of Australia is available for advice of the appropriate management and husbandry practices for the keeping of birds.

2. The aviary or site works indicated on the submitted plans or required under the terms of any consent must be complete to Council's satisfaction prior to occupation.

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3. All roof and concentrated surface waters are to be collected and disposed of into an approved drainage system to Council's satisfaction. NOTE: Full details of drainage is to be submitted with the development application.
4. The aviary or associated structure is to be constructed in a workmanlike manner to Council's satisfaction. External cladding material is to be finished in an unobtrusive colour, so as to blend in with the surrounding environment.
5. The aviary or associated structure is to be rodent proof.

Health and Environmental Conditions

1. No interference with the amenity of the area by reason of the emission or reasonable noise, smell, feathers or otherwise is to be the result of the keeping and/or breeding of birds.
2. The aviary and its use must not create any offensive noise, within the meaning of the Protection of the Environment Operations Act 1997 or substituting legislation. Soundproofing measures may be required, depending upon the noise potential, due to the numbers of birds, species types, aviary location and surrounding environment.
3. Aviaries and cages are to be kept clean and free of offensive odours at all times. Aviary management requires removal of waste food daily and the removal of excess build up of faeces weekly. Smaller aviaries or cages required daily cleaning, daily to weekly removal of cage floor substrate and immediate removal of wet material.
4. No feathers or droppings are permitted to escape from the subject land. Waste is to be regularly collected and disposed of.
5. Waste water associated with the cleaning of the aviary should be disposed of to the sewer in accordance with Council regulations.
6. All food is to be stored in sealed vermin proof containers. Any spillage is to be collected and disposed of or returned to the storage containers. NOTE: Details of storage containers and location should be submitted to Council with the building application.
7. Vermin and other pests should be rigidly controlled to prevent entry to cages, aviaries or food storage areas. If vermin is observed, prompt action should be taken to eradicate it.

Bird Keeping and Breeding Management Advice

Correct management practices are essential for the welfare of the birds and ensuring that the surrounding amenity and adjoining property owners are not adversely affected. Expert information on best keeping practices and the appropriate caring and housing facilities for birds is available from the Associated Birdkeepers of Australia Inc., Budgerigar Society of New South Wales, or an appropriate bird society.

Native Birds

Separate to Council Policy the keeping of native birds requires the holding of an aviary registration certificate from National Parks and Wildlife.

Policy Variation

Provisions exist under the Local Government Act 1993 to restrict bird numbers where Council is of the opinion that they are kept in inappropriate numbers, manner or kind.

APPENDIX 3

CODE OF CONDUCT FOR THE KEEPING OF POULTRY WITHIN WEDDIN SHIRE

The Code of Conduct for the keeping of poultry identifies criteria for Council to take into account when a development application for the building and operation of cages and runs for the housing of poultry.

The aim is to provide clear guidelines in relation to the care, control and management of poultry so as to ensure the activity of the keeping of poultry does not create any nuisance.

General Requirements

1. Prior to construction of a cage for the housing of poultry, advice is to be sought from Council. A Development Application for the construction of a cage is required where the floor area exceeds ten square metres and the maximum height is 2.4 metres. A setback from the boundary fence may be implemented if it is considered necessary to reduce the possible cause of a nuisance to neighbours.
2. Plans and specifications accompanying the submission must show details of ventilation and waterproofing and protection from vermin.

Conditions

1. Poultry housing must be weather proof and draught free. It should face north or north east to catch as much sun as possible.
2. The poultry run or yard must be well drained and have a 1.8 m fence which will prevent predators entering and birds from escaping and have easy access to enable regular cleaning of yard to prevent the building up of manure.
3. The poultry shed should be designed so it can be cleaned properly. The perches should be designed so cleaning underneath can be carried out.

If a deep litter method is used in the shed, it is important that the litter is kept dry; otherwise the litter is spoilt and odour problems occur.

Nest boxes should be off the ground and nesting material changed regularly.

4. A regular cleaning program should be implemented in the warmer months to prevent lice and mite infestation.

The shed should be sprayed with an approved insecticide; the perches painted to kill mite; nest boxes sprayed or dusted and birds swabbed or dusted with a powder insecticide.

5. Feed container should be vermin proof and self-feeders positioned so vermin cannot eat out of feeder.
6. Vermin control regime should be adhered to.

For further information on the keeping of poultry, contact your local poultry club. Information reference book "Keeping of Poultry" Department of Agriculture, Tasmania.

NOTE: The Codes of Conduct have been written in close consultation with the relevant local animal groups.

APPENDIX 4

CODE OF CONDUCT FOR THE KEEPING OF HORSES & OTHER EQUINE SPECIES WITHIN WEDDIN SHIRE

The Code of Conduct for the keeping of horses and other equine species identifies criteria for Council to take into account for a development application for the building and operation of stables and yards for the housing of these animals.

The aim is to provide clear guidelines in relation to the care, control and management of horses etc so as to ensure the activity does not create any nuisance.

Minimum size allotment for the keeping of horses and other equine species within the shire is 1,200 m²: the recommended minimum size is 5,000m².

Keeping of all equine species must comply with the Local Government Act and Regulations 1999. The Act states that horses are not to be kept within nine (9) metres of a dwelling, school shop, office, factory, workshop, church or other place of public worship, public hall or premises used for the manufacture, preparation or storage of food.

The following standard shall apply to the keeping of equine species within the shire.

1. YARDS

1.1 Size

Day yards or holding yards shall be at least 3 m wide and have a minimum area of 20 square metres. For working horses, yard size shall be increased to 35 square metres.

1.2 Fencing

Fencing should be sufficiently sturdy to prevent escape. Wire fencing should be avoided because of the risk of injury to horses. Post and rail fencing using timber, steel piping or steel posts is suitable. All rails should be attached to the inside of posts. Cattle yard mesh with a roll top (reinforced top section) is also suitable.

Suggested dimensions are:

- 2.40 m or 2.75 m panels centre to centre
- 1.70-1.80 m overall height including cap rail
- 230 mm maximum interval between rails with bottom rail 380-460 mm off the ground.

Entrance gates should be at least 3 m wide and internal gates 2.4 m wide to allow vehicular access. Gates to small day yards should be at least 1.2 metres wide. Gates should fit neatly and have secure fastenings to prevent injury to horses or escape by the animals.

Fencing within areas zoned town, village or rural residential require written approval from Council prior to erection.

1.3 Yard Surface

The fitting of yards and the type of yard surface should allow drainage (by absorption or evaporation) without ponding. Grading may be necessary. Gravel is a suitable material for the yard sub-surface, preferably covered with sand or loam. This cover is to be changed regularly to prevent build up of odours.

1.4 Feed and Water

Clean water should be available at all times. The trough or other container should be easily-cleaned, resist tipping over, be free of protrusions and situated so as to make contamination unlikely.

Feed should be stored in containers with close-fitting, hinged lids to prevent the entry of vermin. Materials used also should be water-resistant or waterproof to prevent spoiling of feed. Metal should be the preferred material of choice.

1.5 Shelter

Shelter of some type should be provided. This may be a natural shelter such as a row of trees or a hedge or a horse shelter as described in section 2.8. Where a roof or canopy is provided, it should be high enough to avoid injuring a rider or fractious horse. A height of 3.7 m is adequate.

1.6 Maintenance

Fences and gates shall be kept in a good state of repair with yards in a clean and hygienic condition at all times. Manure shall be removed daily along with uneaten feed

and shall be removed from the site at least once in every seven (7) days. The manure and uneaten feed shall be stored in containers such as a large metal bin with a flanged-fitting metal lid which is water-proof, prevents access to flies and vermin and reduces the emission of noxious odours. The bin should be emptied and disinfected weekly. Water troughs should be cleaned regularly to maintain hygiene and discourage mosquito breeding.

Refuse should be placed in a receptacle such as a large metal bin with a flanged-fitting metal lid which is water-proof, prevents access to flies and vermin and reduces the emission of noxious odours. The bin should be emptied and disinfected weekly.

2. STABLES (within areas zoned town, village or rural residential, written approval from Council is required prior to erection)

2.1 Size

Stables shall be at least 3.7 m wide and 4.9 m deep at least 2.75 m in height.

2.2 Roof

The roof should provide adequate shelter from the elements including adequate insulation in hot areas. Guttering and down pipes shall be provided to convey storm water away from the stables and any yards.

2.3 Walls

Walls should be capable of withstanding damage. Materials such as flat iron and asbestos cement are not suitable. Walls should be of masonry construction to a height of at least 1.2 m. Above this, other solid materials such as good quality steel profile sheeting may be acceptable. Wall height should be 2.75 m with a waterproof damp course also incorporated. Cracks, crevices and hollows should be avoided because these

provide breeding places for pests. Concrete block walls should be reinforced with vertical steel rods and the cores filled with concrete.

The walls may be lined with plywood sheets or rubber conveyor belting to prevent injury to horses and also to protect the walls from pawing and kicking.

2.4 Doors

Doors should be at least 1.2 m wide and 2.4 m high with no protrusions that could injure horses. Hinged doors should open outwards and, where half doors are used, the bottom door should be at least 1.4 m high.

Sliding doors are also suitable.

Latches should be strong and have no protrusions that could injure horses.

2.5 Floor

Floors should generally be constructed of an impervious material, which is graded towards the doorway to permit drainage and with no low spots where urine can collect. The floor/wall junction should be coved to a diameter of at least 50 mm. A drainage apron of at least 1 m width should be provided along the front of the stable.

A 100 mm thick reinforced concrete slab is the preferred flooring.

Clean bedding such as straw or sawdust should be provided daily to prevent foot and leg problems caused by standing on concrete.

2.6 Ventilation

Ventilation is essential for horses to allow the escape of heated and malodorous air and also for the entry of fresh air. Cross-ventilation should be provided by leaving an air passage between the roof and walls or by incorporating a window of at least 0.9 square metres. Windows may be wire mesh or louvres which should direct incoming air upwards.

2.7 Feed and water

Feeders and water troughs should be raised to a height of about 1.07 m and placed in a corner. They should be smooth and free of protrusions, resist tipping over and should be easy to clean.

Feed should be stored in containers with close-fitting, hinged lids to prevent the entry of vermin. Materials used also should be water-resistant or waterproof to prevent spoiling of feed. Metal should be the preferred material of choice.

2.8 Shelters

Shelters should be constructed to fulfil the requirements for stables regarding walls, floor and roof except that there should be three walls only to allow the free passage of horses.

2.9 Maintenance

Stables and shelters shall be maintained in good repair and shall be cleaned daily to remove manure, soiled bedding, uneaten feed and other refuse. Refuse should be placed in a receptacle such as a large metal bin with a flanged-fitting metal lid which is water-proof, prevents access to flies and vermin and reduces the emission of noxious odours. The bin should be emptied and disinfected weekly.

Fresh bedding shall be provided daily. Feed and water containers should be cleaned and disinfected regularly.

3. PADDOCKS

3.1 Size

Where horses are to be kept in a paddock and not stables, the paddock should be 1 Ha with a minimum size of 0.12 Ha per animal.

3.2 Fences

Fencing shall be easily visible, well maintained and escape-proof. As far as possible, the use of wire should be avoided because of its tendency to cause injury to horses. Post and rail and steel cattle cable fencing are suitable. Barbed wire, high tensile wire (2.8 + 2.5 mm) and prefabricated wire fencing should not be used. Electric fences are suitable but because of low-visibility, some type of sight barrier should also be used such as a painted tin attached to the wire. Gates should be snug fitting, have secure fastenings and be large enough to allow the free passage of horses. A width of 3 m is suggested.

3.3 Shelter

Shelter of some type should be provided. This may be a natural shelter such as a row of trees or a hedge or a horse shelter as described in section 2.8.

3.4 Food

There shall be sufficient quantity and quality of paddock feed at all times. Supplementary feed must be provided where necessary.

3.5 Water

There shall be access to clean water at all times.

3.6 Maintenance

Paddocks should be kept completely free of rubbish such as wire, tin, nails and plastic, which may cause injury to horses, or be eaten. Manure should be removed regularly so as to discourage the breeding of flies and to aid in worm control.

4. TETHERING

Except as a very short-term measure, the tethering of horses is not acceptable. Tethered horses must be kept under proper and sufficient supervision with free access to water and adequate feed provided at least twice daily. Where horses are tethered to provide access to grazing, they should still be checked at least twice daily and moved at least daily.

Tethered horses should be fitted with a secure collar or halter attached to a light chain that is at least 9 m long and fitted with a swivel at both ends. The area in which the horse is tethered must be free of obstructions that may entangle the tether.

Tethered horses should be moved to a secure enclosure each night.

5. FEED STORAGE

Feed should be stored in containers with close-fitting, hinged lids to prevent the entry of vermin. Materials used also should be water-resistant or waterproof to prevent spoiling of feed. Metal should be the preferred material of choice.

6. WASTE DISPOSAL

6.1 *Cleaning*

Stables, shelters and yards should be cleaned daily. Manure, refuse, soiled bedding and uneaten food should be removed daily and placed in a storage bin. Fresh bedding should be provided daily.

6.2 *Manure Storage Bins*

Refuse should be placed in a receptacle such as a large metal bin with a flanged-fitting metal lid which is water-proof, prevents access to flies and vermin and reduces the emission of noxious odours. The bin should be emptied and disinfected weekly.

6.3 *Drainage*

Drainage should be provided by the grading of yards, stables and surroundings to eliminate low spots which can suffer from pooling. Roofing, guttering and downpipes should also be adequate to conduct stormwater away from the buildings. Stormwater runoff and wash down water is not to create a nuisance neighboring land.

7. PEST CONTROL

7.1 *Maintenance of hygiene*

Control of flies and vermin can be aided by the use of proper storage bins; prompt removal of spillage's; daily cleaning of stables and surrounds; and proper disposal of waste.

7.2 *Elimination of breeding places*

Walls and floors should be constructed so that there are no cracks or crevices, which can provide breeding places for pests.

Proper maintenance should be carried out regularly to keep buildings in a state of good repair. This should include the cleaning, filling and sealing of cracks and crevices.

7.3 *Use of pesticides and insecticides*

Suitable measures such as the use of fly baits and surface residual insecticidal sprays should also be used if necessary. Safety precautions are also essential when using chemicals to protect both the users and the horses. Keep all chemicals out of reach of children and animals; store away from foods; and read the label and safety precautions.

Serving of Mares

The serving or teasing of mares for copulation purposes is not permitted within those areas Zoned Village or Township as defined under Councils planning policy.

Keeping of Stallions

No stallion shall be permitted to be kept within those areas Zoned Village or Township as defined under Councils planning Policy unless it is contained within a stable or a yard which has a fence at least 1800 mm in height and of suitable construction to contain the animal.

NOTE: The Codes of Conduct have been written in close consultation with the relevant local animal groups.