

KEEPING OF ANIMALS POLICY 2024

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Manager Regional Services
Council Service Unit	Regional Services
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Version Control

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1.0	2014	Adopted by Council	
1.1	23 July 2024	Updated Policy and presented to Council for Adoption	Res. 182/2024

Purpose

1. To inform the community of the statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.
2. To give guidance and advice to persons inquiring about keeping of animals for domestic purposes.
3. To establish standards, acceptable to the community, for the keeping of animals.
4. To publicly notify the circumstances that 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.
5. To identify which animals are prohibited within Cootamundra-Gundagai Regional Council and the circumstances in which such animals are prohibited.
6. To reduce the adverse impact on adjoining properties.

Scope

This policy applies to birds and animals kept on premises within the properties located within the following zones as identified in the *Cootamundra Local Environmental Plan 2013* and *Gundagai Local Environmental Plan 2011*.

- RU4 – Primary Production Small Lots
- RU5 – Village
- R1 – General Residential
- R3 – Medium Density Residential
- R5 – Large Lot Residential
- E1 – Local Centre
- E2 – Commercial Centre
- E3 – Productivity Support

E4 – General Industrial
MU1 – Mixed Use

The principles 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.

Where it is intended to keep animals for any commercial purposes, it is necessary that a development application be submitted to Council and development consent be obtained. Consent to the operation of animal establishments may not be permitted where Council considers that the proposal would be detrimental to the amenity of the locality.

Legislative Framework

Council's powers to control and regulate the keeping of animals are provided under Section 124 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

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,
- Stop using a premises as an animal boarding or training establishments if development consent has not been granted under the *Environmental Planning and Assessment Act 1979*.

The Council may also issue Orders requiring:

- 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 and regulations made thereunder:

- *Protection of the Environment Operations Act 1997*
- *Companion Animals Act 1998*
- *Public Spaces (Unattended Property) Act 2021*
- *Cootamundra Local Environmental Plan 2013*
- *Gundagai Local Environmental Plan 2011*
- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

Giving of Orders by Council - Animal Management LGA Section 124 Order No.18

Order No. 18 deals specifically with the keeping of animals and birds under s124 of the *Local Government Act 1993*. This Schedule has been prepared to provide a guideline for all local residents on what is usually considered an appropriate number and kind of birds and animals which may be

kept and secondly, to provide a criteria which Council will use as a basis in investigating any complaint.

Under these provisions, an Order can be issued to require an owner not to keep birds or animals on premises where such birds or animals kept are of an inappropriate kind or number or are kept inappropriately in a manner that adversely impacts on health, safety and wellbeing of the community.

This Order may apply to dogs and cats and any other animal that is prescribed by the regulations as a companion animal in accordance with the NSW Companion Animals Act 1998.

Note. *The fact that an animal is not strictly a “companion” does not prevent it being a companion animal for the purposes of the Act. All dogs are treated as companion animals, even working dogs on rural properties, guard dogs, police dogs and corrective services dogs.*

Where a problem is identified with the keeping of animals and it cannot be resolved by consultation, Council will proceed to issue a notice of intention to serve an Order. A person will be given an opportunity to make representation to Council prior to a formal Order being issued. In situations where urgency is required, an emergency Order may be issued without prior notice.

Policy Content

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

The kind of animal that is suitable to be kept at any premises will be determined by 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 that are part of a multidwelling development. 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 or dust nuisance,
- Create waste disposal or pollution problem,
- Create an unreasonable annoyance to neighbouring residences or fear for safety,
- Cause nuisance due to proliferation of flies, lice, fleas or other insects.

Animals should not be kept at premises used for the manufacture, preparation, sale or storage of food for human consumption.

Suitable shelter(s) should be provided for all animals. Certain species 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 and facilities should not be erected or located at a premise without the prior approval of Council. Animal owners wishing to erect such structures should consult the NSW 'Exempt and Complying Development Codes SEPP 2008' - to determine which structures can be erected without approval from Council, or alternatively require development approval.

Variations to this Policy

Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council (see attachment 1). Any proposal for a variation to this policy will be considered on a case-by-case basis and must provide the following information as a minimum:

- The size of the property,
- A site plan showing the location where the animals will be kept and the distance from any structures on site or on adjoining properties,
- If rented, consent from the owner of the property,
- Type of animals to be kept,
- Number of animals to be kept,
- Reasons for the variation request,
- The likely impact of the animals on the environment and the amenity of the area,
- Adequate facilities are available,
- Demonstrate that no nuisance or health hazard will be caused to the surrounding neighbourhood,
- The applicant must have the ability to control all odours and waste including litter and bedding, will be disposed of in an approved and lawful manner,
- Information addressing any matters raised by Council in any correspondence,
- Payment of prescribed fee,
- Written support from neighbouring properties may be beneficial in supporting your case for a variation to this policy.

Upon receipt of your application and payment Council will undertake a thorough assessment, including an on-site inspection of the designated area. Following this evaluation, you will receive an official letter detailing the decision reached.

Should your application request be successful, it is imperative that you adhere to the stipulated guidelines outlined in the approval letter. Any deviation from these guidelines may necessitate the submission of a new application.

Animal Carcass Disposal

Deceased animals cannot be placed in a household bin, you can bury deceased pets (**dogs, cats or other small animals only**) in your yard if you are the property owner.

Animal owners have a legal responsibility to ensure that disposal of carcasses does not adversely affect the environment. The NSW EPA has guidelines to minimise environmental contamination and should also be consulted for advice when considering options for disposal for large animals and large volume of deceased animals.

The preferred methods for carcass disposal methods are

- Cootamundra Landfill.
- Gundagai Landfill.
- Burial – within the NSW EPA guidelines.
- Cremation by licenced Commercial cremation services.

Carcass disposal should occur as soon as possible after the animal has died. Planning and management of disposal is important to ensure the safety of the community, other stock, the environment and to minimise the risk of disease spread. Poor carcass disposal can result in contamination of soil, ground water and water ways. Access to poorly disposed carcasses can also allow for significant disease spread through scavengers, mosquitoes and vermin.

Definitions

Property Identification Code (PIC)

From 1 September 2012, anyone who keeps or owns livestock in NSW is required to ensure the land on which the livestock are kept has a Property Identification Code or PIC. 'Livestock' includes one or more cattle, sheep, goats, pigs, deer, bison, buffalo, camelids, equines (i.e., horses and donkeys), 100 or more poultry birds or 10 or more emus or ostriches.

A PIC is a unique identifier for land. PICs are assigned to individual properties and are allocated by Local Land Services. Local Land Services office can be contacted on 1300 795 299.

PICs are fundamental to the operation and integrity of the National Livestock Identification System (NLIS) for cattle, sheep, goats, and pigs because movements on the NLIS database are recorded between PICs. PICs provide traceability to specific properties.

Stocking rate

Stocking rate will be calculated to include all species of animals per the land size.

Keeping of Alpacas

A stocking rate of 2 per acre (a minimum of 1 acre is required)

1. Property must have a registered PIC number.
2. Keep animals a minimum of 9 metres from any 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.
3. Locate enclosures at least 20 metres from any dwelling or place where food is kept, processed, or stored, or 6 metres from any roadway or 1 metre from any property boundary.
4. Enclose yard areas to prevent escape.
5. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
6. Development consent may be required for enclosures / fences.

Keeping of Bees

All provisions of the *Biosecurity Act 2015* No 24 must be complied with.

1. The aims and husbandry procedures as defined in the NSW Department of Primary Industries Code of Practice for Bee Keeping must be complied with.
2. On land applicable to this policy no more than two hives per property is permitted, and then only when the following circumstances prevail:
 - a) The hive is more than 9 metres from any neighbouring premises; greater distances apply from childcare centres and schools,
 - b) The hive is regularly re-queened with a recognised mild strain,
 - c) The flight board is not directed at, or within 9 metres of any public thoroughfare or recreation area,
 - d) A permanent water source suitable for bees is established within close proximity to the hive,
 - e) The hive is not within nine metres of any neighbouring swimming pool,
 - f) A suitable barrier is erected close to the landing board to force flight paths above two metres,
 - g) The hive is regularly serviced by a competent manager,
 - h) The swarming of the bees is controlled,
 - i) The flight board is not directed at any neighbour activity area, for example washing area, barbeque area or children's play area,
 - j) Diseases are properly controlled, as is regulated by Department of Primary Industries,
 - k) The keeping of bees in unit developments is not permitted.

In order to keep more than three hives, development consent is required.

Wild Hives

1. Wild hives must be controlled. Any person having a wild hive on their property must consult Department of Primary Industries for advice.
2. A wild hive is described as feral bees not in a domesticated situation and not kept within a bee frame or a beekeeper's box.

Keeping of Birds

1. All aviaries and holding facilities must be constructed of appropriate materials and of a quality of construction with material that is of new or good second-hand quality 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. Careful regard must be given to the requirements of neighbours, especially the avoidance of excessive noise and odour.
3. 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.
4. Extensive aviculture activities are required to submit aviary plans for development approval by Council if the structures exceed the provisions and requirements of the *Exempt and Complying Development Codes SEPP 2008*.
5. Flooring must be constructed of an impervious material or in some external situations, sand or gravel with a rodent proof mesh underlay.
6. 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 2.1 metres and with a set back from any boundary, fence or wall of 1.0 metres;
 - b. Multiple permissible aviaries may not cover an area greater than 20 square metres without prior Council approval.
7. Enclosed buildings for the primary purpose of holding caged birds require Council consent.
8. An animal trade must not be conducted without prior consent.
9. Vermin proof food storage facilities must be provided.
10. An adequate rodent and pest control program must be in place.
11. Excessive noise and odour must be controlled by the use of sound proofing materials, distance and choice of bird species.

Keeping of Camels

A stocking rate of 1 per acre (a minimum of 1 acre is required)

1. Property must have a registered PIC number.
2. Keep animals a minimum of 9 metres from any 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.
3. Locate enclosures at least 20 metres from any dwelling or place where food is kept, processed, or stored, or 6 metres from any roadway or 1 metre from any property boundary.
4. Enclose yard areas to prevent escape.
5. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
6. Development consent may be required for enclosures / fences.

Keeping of Cats

A maximum of four (4) cats over the age of six months per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. All provisions of the *Companion Animals Act 1998* must be complied with
 - a. Micro-chipping requirements
 - b. Registration requirements
2. It is recommended that all cats be desexed by 4 months. Registration fees are cheaper for doing so.
3. Cats must not be permitted to create a nuisance in any form, including straying, interfering with the properties of others or otherwise.
4. Wildlife must be protected where possible from cats.
5. It is recommended that all cats be kept inside at night.
6. Cats should wear collars with a tag displaying their name and contact information
7. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.

Breeding of cats for sale/profit is considered to be an industry and as such requires Development Approval. Cat breeding or boarding facilities are subject to Council approval and compliance with the DPI NSW - Breeding Dogs and Cats Code of Practice.

Any person wishing to conduct a breeding activity for sale/profit should contact Council Environment and Planning Department for details of requirements and approval procedures.

Keeping of Cattle

No cattle may be kept in a residential area with a free land mass area less than 1 acre.

1. Property must have a registered PIC number.
2. Cattle are identified with approved NLIS ear devices, or and a matching ear tag as per the regulations by the NSW Department of Primary industries.
3. The maximum number of cattle at any one time shall be two (2).
4. Cattle must not be within 9 metres (or such a greater distance as the Council may determine in a particular case) of any dwelling.
5. Cattle yards must be enclosed as to prevent the escape of cattle.
6. Where rail fences are not available, appropriate visual additions such as reflective tape, plastic pipe, and so on, must be used on all wire fences.
7. All fences must be constructed and up to a standard of maintenance so that the cattle cannot escape or be injured.
8. No cattle may be kept or taken onto a public reserve unless the permission of Council has been obtained.
9. All noise, must be controlled to prevent interfering with the properties of others or otherwise.
10. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
11. Odours must be vigorously controlled at all times.

Keeping of Deer

A stocking rate of 1 per 13 acres (A minimum of 13 acres is required).

1. Property must have a registered PIC number.
2. Must comply with the requirements of the *Deer Act 2006*.
3. Keep animals a minimum of 9 metres from 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.
4. Enclosures at least 20 metres from a dwelling or place where food is kept, processed or stored, or 6 metres from any roadway or 1 metre from any property boundary.
5. Enclose yards areas to prevent escape.
6. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
7. Deer have specific fencing requirements to prevent escape
 - a. Development consent may be required for these enclosures / fences.
8. Environmental degradation caused by feral deer is listed as a key threatening process under the *Threatened Species Conservation Act 1995*; owners must contain animals on site.

Keeping of Donkey

A stocking rate of 1 per acre (a minimum of 1 acre is required)

Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis. Any concession made will be subject to compliance with the requirements of "Guidelines for Minimum Standards for Keeping Horses in Urban Areas" from Department of Primary Industries.

1. Property must have a registered PIC number.
2. Stables and yards may not be kept a minimum of 9 metres from any 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.
3. No Donkeys may be kept on a public place, including footpath areas and unfenced vacant allotments within the Cootamundra-Gundagai Regional Council Area.
4. Jacks (entire male Donkey) are not permitted.
5. The owner must take all reasonable precautions to prevent the donkey from escaping its property.
6. All noise, must be controlled to prevent interfering with the properties of others or otherwise.
7. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
8. Odours must be vigorously controlled at all times.
9. Construction of yards and shelters required for the keeping of donkeys may be require a Development Application to be lodged.
10. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
11. Additional requirements for fencing may also apply for the purpose of preventing damage to an adjoining premise.

12. Development consent may be required for enclosures / fences.

Keeping of Dogs

A maximum of four (4) dogs over the age of six months per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. All provisions of the *Companion Animals Act 1998* must be complied with
 - a. Micro-chipping requirements
 - b. Registration requirements
2. It is recommended that all dogs be desexed by 6 months. Registration fees are cheaper for doing so.
3. Dogs must wear collars with a tag displaying their name and contact information when outside of its property.
4. The owner must take all reasonable precautions to prevent the dog from escaping its property.
5. All noise, including barking, must be controlled to prevent interfering with the properties of others or otherwise.
6. All odours must be controlled.
7. When in a public place, must be under the effective control by means of an adequate chain, cord or leash that is attached to the dog and that is being held by (or secured to) the person unless in a designated off leash area.
8. When in a public place, if the dog defecates the faeces must immediately be removed and disposed of.
9. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.

Breeding of dogs for sale/profit is considered to be an industry and as such requires Development Approval. Dog breeding, training and/or boarding kennels are subject to Council approval and compliance with the DPI NSW - Breeding Dogs and Cats Code of Practice. Any person wishing to conduct a breeding activity for sale/profit should contact Council Environment and Planning Department for details of requirements and approval procedures.

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.

Keeping of Declared Dogs – Menacing, Dangerous or Restricted

This section does NOT limit section Keeping of Dogs

1. It is an offence to sell, advertise the sale of or give away a known restricted, dangerous or menacing dog or proposed dangerous or restricted dog. It is also an offence to purchase or receive a menacing dog or proposed dangerous or restricted dog.
2. A menacing dog, must have an enclosure that is sufficient to restrain a child from accessing the dog and it must be muzzled and under effective control by means of adequate chain, cord or leash when it is outside its property
3. A declared dangerous or restricted dog must be kept in a specially constructed enclosure that meets all the requirements of the Companion Animals Regulation 2008 Part 24. The enclosure must display and official dangerous dog warning sign. Whenever the dog is

outside of this enclosure, declared dogs must be muzzled and leashed at all times and must be under the effective control of a competent person.

4. One or more signs must be displayed on the property showing the words "Warning Dangerous Dog" in letters clearly visible from the boundaries of the property on which the dog is kept.
5. Declared dogs must at all times wear a collar of the kind prescribed by the regulations.
6. Council must be informed within 24 hours, by owners of declared dogs, of details including change of address or other information regarding the dog.
7. Owners of declared dogs must inform Council within 24 hours if the dog becomes lost or attacks a person or other animal.
8. All provisions of the Companion Animals Act 1998 and regulations must be followed in respect to any dog kept within the Cootamundra-Gundagai Regional Council Area.
9. Declared dogs may be seized where conditions of a notice are not complied with and in some circumstances Council may destroy seized dogs as per Section 58G of the NSW *Companion Animals Act 1998*.

Restricted Dogs

1. Restricted breeds including the;
 - a. American Pit Bull Terrier
 - b. Pit Bull Terrier
 - c. Japanese Tosas
 - d. Argentinean Fighting Dogs
 - e. Brazilian Fighting Dogs
2. If an authorised officer of a Council is of the opinion that a dog:
 - a. is of a breed or kind of dog referred to above; or
 - b. is a cross-breed of any such breed or kind of dog,

the authorised officer may give notice to the owner of the dog of the officer's intention to declare the dog to be a restricted dog.

Keeping of Guard Dogs

1. Owners and persons in charge of on-site guard dogs are required to undertake the following control requirements:
 - a. To provide and erect appropriate signage that is prominently displayed upon the perimeter fences to those premises being guarded, which reads "Warning – Guard Dog on Premises".
 - b. Such signs must be of a standard to alert any reasonable person of the consequences of entry.
 - c. Such signs must be manufactured in such a manner that they are continually visible and readable in every circumstance.
 - d. Such signs must include an emergency contact phone number to be used in emergency situations.
 - e. Compliance with the Department of Primary Industries Guidelines
2. Owners and lessees of guard dogs must ensure that such dogs are securely contained upon the premises being guarded.

3. No attack trained dog may be held within the Cootamundra-Gundagai Regional Council Area (police dogs and other Government instrumentalities excepted).
4. Declared dangerous dogs or guard dogs, having been declared dangerous, pursuant to the NSW *Companion Animals Act 1998* are not permitted to be utilised as static guard dogs upon any land within the Cootamundra-Gundagai Regional Council Area, on a commercial or private basis.

Keeping of Racing Greyhound Dogs

A maximum of six (6) dogs over the age of six months per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. Greyhounds must be kept under the requirements set out in the *Greyhound Racing Act 2009*.
2. The owner must take all reasonable precautions to prevent the dog from escaping its property.
3. All noise, including barking, must be controlled to prevent interfering with the properties of others or otherwise.
4. All odours must be controlled.
5. When in a public place, must be under the effective control by means of an adequate chain, cord or leash that is attached to the dog and that is being held by (or secured to) the person unless in a designated off leash area.
6. When in a public place, if the dog defecates the faeces must immediately be removed and disposed of.
7. NSW trainers are required to notify their local Council when they transfer a retired racing greyhound to a new owner by completing a NSW Companion Animals Register form.
8. Racing Greyhounds must be muzzled and be leashed at all times in public places
9. Greyhound trainers must be registered with Greyhound Racing NSW (GRNSW) as per the Greyhound Racing Act 2009. 18.10.7
10. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.

Dog breeding, training and/or boarding kennels are subject to Council approval and compliance with the DPI NSW - Breeding Dogs and Cats Code of Practice. Any person wishing to conduct a breeding activity for sale/profit should contact Council Environment and Planning Department for details of requirements and approval procedures.

Keeping of Ferrets

A maximum of six (6) ferrets per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. Hutches and cages must be kept clean at all times.
2. Odours must be vigorously controlled at all times. The scent secretions of these animals are particularly pungent and are likely to be found offensive by many people.
3. Hutch or cage construction must be of a standard that will prevent escape.
4. Ferrets must be caged and/or secured at all times and are not permitted to free range.

5. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
6. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.

Keeping of Goats

A stocking rate of 2 per acre (a minimum of 1 acre is required)

Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. Property must have a registered PIC number.
2. Goats must be ear tagged as per the regulations by the NSW Department of Primary industries.
3. Goats may not be kept within 9 metres of any premises or facility used for the commercial preparation or storage of food for human consumption.
4. No Goats may be kept on a public place, including footpath areas and unfenced vacant allotments within the Cootamundra-Gundagai Regional Council Area.
5. The owner must take all reasonable precautions to prevent the goat from escaping its property.
6. All noise must be controlled to prevent interfering with the properties of others or otherwise.
7. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
8. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
9. Odours must be vigorously controlled at all times.
10. Additional requirements for fencing may also apply for the purpose of preventing damage to an adjoining premise.

Keeping of Guinea Pigs

A maximum of six (6) Guinea Pigs per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. Hutches and cages must be kept clean at all times.
2. Odours must be vigorously controlled at all times.
3. Hutch or cage construction must be of a standard that will prevent escape.
4. Guinea Pigs must be caged and/or secured at all times and are not permitted to free range.
5. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
6. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.

Keeping of Horses

A stocking rate of 1 per acre (a minimum of 1 acre is required)

Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis. Any concession made will be subject to compliance with the requirements of "Guidelines for Minimum Standards for Keeping Horses in Urban Areas" from Department of Primary Industries.

1. Property must have a registered PIC number.
2. Stables and yards may not be kept a minimum of 9 metres from any 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.
3. No Horses may be kept on a public place, including footpath areas and unfenced vacant allotments within the Cootamundra-Gundagai Regional Council Area.
4. Stallions are not permitted.
5. The owner must take all reasonable precautions to prevent the horses from escaping its property.
6. All noise, must be controlled to prevent interfering with the properties of others or otherwise.
7. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
8. Odours must be vigorously controlled at all times.
9. Construction of yards and shelters required for the keeping of horses may be require a Development Application to be lodged.
10. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
11. Additional requirements for fencing may also apply for the purpose of preventing damage to an adjoining premise.
7. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
8. Development consent may be required for enclosures / fences.

Keeping of Native Wildlife

1. No native animal may be taken from the wild and kept as a pet.
2. Carers of injured wildlife must hold a current Native Wildlife Carers license issued by an authorised Wildlife Recuse Organisation.
3. Injured wildlife must not create a nuisance of any kind to interfering with the properties of others or otherwise.
4. Odours must be vigorously controlled at all times.
5. Suitable facilities for the housing of injured animals must be available and used.
6. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.

Keeping of Pigeons

1. The maximum number of pigeons to be kept on land applicable to this policy shall be
 - a. 60 pairs – Registered with relevant association
 - b. 10 Pairs – Not Registered with relevant association
2. Exercising of birds is to be on a planned basis and should not exceed 90 minutes. Exercise should not occur more than twice a day. All neighbours should be made aware of exercise schedules.
3. On no account should birds be allowed to roost on neighbouring buildings. “Free” or “Open” lofts are not to be permitted.
4. Residents are permitted to keep racing pigeons however must submit a development application for approval prior to any birds being kept.
5. Owners must ensure that pigeons do not make an objectionable amount of noise at unreasonable times, or cause a nuisance by emission of sounds/odour.
6. All new lofts shall, from the date of the adoption of this policy, be constructed off ground with a minimum height from the ground floor level of 40cm to allow for free flowing air under floor. Floors can consist of any of the following:
 - a. A trafficable mesh grating, which allows droppings to pass through for collection from below floor level. Trafficable timber floor with suitable moisture absorption qualities, which allows for scrape cleaning (e.g. hardboard or plywood)
 - b. Concrete slab floor.
7. A pigeon loft shall be erected a minimum of 10 metres from any neighbouring dwelling, house or flat or 15 metres from any dwelling, public hall, school or other premises used for the preparation, sale or storage of food.
8. 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.
9. Manure is to be cleaned up daily and disposed of correctly. Minimum general cleaning of the loft is to be undertaken once per week.
10. Upon receipt of a complaint, submitted in writing and signed by the person making the complaint alleging:
 - a. That they are householders within the policy boundaries
 - b. That they reside within hearing of the sound or cause of complaint of the said pigeons kept on any land within the policy boundaries
 - c. That said pigeons are the source of the noise/odour, which falls within one or more of the sub paragraphs above.

The matter will be referred to an authorised officer of Council for attention.

11. Where the complaint is proven:
 - a. If an owner or occupier of the premises where pigeons are kept are members of the Association or a recognised racing club, the association/club will be contacted and informed of the complaint.
 - b. If the owner or occupier where pigeons are kept are not Registered with relevant association these groups will be contacted to request their assistance or guidance to the individual concerned.

- c. In the event that this policy proves to be ineffective in resolving the situation, Council reserves the right to take whatever action appropriate under the Local Government Act (1993). If deemed necessary, Council could include a total prohibition of the keeping of pigeons upon premises, where the complaint is found to be justified.
12. Where the complaint is unfounded:
 - a. Council will take no further action on the matter in relation to the said complaint.
 13. Pigeon owners are encouraged to adhere to the Associated Bird keepers of Australia's Code of Ethics in relation to the keeping of their birds.
 14. All aviaries and holding facilities must be constructed of appropriate materials and of a quality of construction with material that is of new or good second hand quality and be designed to be vermin proof, well ventilated, have an impervious surface and not cause or be likely to cause injury to birds.
 15. 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.
 16. Extensive aviculture activities are required to submit aviary plans for development approval by Council.
 17. Flooring must be constructed of an impervious material or in some external situations, sand or gravel with a rodent proof mesh underlay.
 18. Vermin proof food storage facilities must be provided.
 19. An adequate rodent and pest control program must be in place.
 20. Excessive noise and odour must be controlled by the use of sound proofing materials, distance and choice of bird species.

Keeping of Swine (Pigs)

Swine are not permitted in residential areas within the Cootamundra – Gundagai Local Government Area.

1. Persons' seeking to keep swine for breeding and farming purposes outside of residential areas may require a Development Application and must satisfy Council that;
 - a. adequate facilities are available,
 - b. the keeping of swine can be justified and after taking submissions of close neighbours into account,
 - c. Council is satisfied that no nuisance or health hazard will be caused to the surrounding neighbourhood.
 - d. Swine must not be kept in such a place or manner as to pollute any water supplied for use (or used, or likely to be used):
 - i. by a person for drinking or domestic purposes,
 - ii. in a dairy.
 - e. Swine dung must not be deposited in such a place or manner as to pollute any water
 - f. Swine must not be kept (and swine dung must not be deposited) within 60 metres (or such greater distance as the Council may determine in a particular case) of a dwelling, shop, office, factory, church or other place of public worship, workshop, school or public place in a town, village or other urban part of an area.

- g. A greater distance determined under this clause applies to a person only if the Council has served an order under section 124 of the Act to that effect on the person.

Keeping of Poultry

A maximum of 10 Poultry of all types per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. Keep chickens and guinea fowl a minimum of 4.5 metres from any 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.
2. Keep geese, ducks, and pheasants, a minimum of 30 metres from any 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.
3. Poultry yards must at all times be kept clean and free from offensive odours.
4. The floors of poultry houses must be paved with concrete or mineral asphalt underneath the roosts or perches. However, this does not apply to poultry houses:
 - a. that are not within 15.2 metres of an adjoining property boundary, dwelling, public hall or school
 - b. that are situated on clean sand.
5. Poultry yards must be so enclosed as to prevent the escape of poultry.
6. All food must be stored in sealed vermin proof containers and must not be left uncovered.
7. Vermin and other pests must be controlled.
8. The owner must take all reasonable precautions to prevent the poultry from escaping its property.
9. All noise, must be controlled to prevent interfering with the properties of others or otherwise.
10. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
11. Odours must be vigorously controlled at all times.
12. All poultry must be housed in purpose built facilities. Council approval may be required for these structures.
13. Outside runs must be free draining, not to discharge to neighbouring properties and not be allowed to become muddy
14. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
15. Construction of yards and shelters required for the keeping of poultry may require a Development Application to be lodged.
16. Additional requirements for fencing may also apply for the purpose of preventing damage to an adjoining premise.

The total numbers of poultry kept on premises must not exceed the maximum amount specified below:

Type of Poultry	Maximum Numbers
Chickens	10
Ducks	2
Geese	2
Peafowl (Peacocks)	Not Permitted
Peafowl (Peahens)	1
Pheasants	10
Quails	10
Roosters	Not Permitted
Swans	Not Permitted
Turkeys	Not Permitted
Maximum total of poultry	10

Keeping of Rabbits

A maximum of six (6) Rabbits per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. Hutches and cages must be kept clean at all times.
2. Odours must be vigorously controlled at all times.
3. Hutch or cage construction must be of a standard that will prevent escape.
4. Rabbits must be caged and/or secured at all times.
5. Rabbits must not be released into the wild.
6. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
7. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.

Keeping of Reptiles

The number of reptiles being kept must comply with the appropriate licensing from National Parks and Wildlife

1. No reptile may be taken from the wild and kept as a pet.
2. NSW *National Parks and Wildlife Act 1974* and the *Biosecurity Conversation Act 2016* place a general prohibition on the keeping of reptiles. All provisions of the National Parks and Wildlife Act 1974, must be complied with. This includes obtaining a licence to keep reptiles.
3. Advice regarding the keeping of reptiles must be obtained from the National Parks and Wildlife Service.
4. Reptiles must be housed in a manner that provides appropriate environmental conditions suited to the particular species.
5. All reptiles must be housed in an adequate manner that prevents escape set out by the National Parks and Wildlife
6. Vermin and other pests must be controlled.
7. The owner must take all reasonable precautions to prevent the poultry from escaping its property.

8. All noise, must be controlled to prevent interfering with the properties of others or otherwise.
9. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
10. Odours must be vigorously controlled at all times.
11. The breeding of rats, mice or other live animals for the purpose of feeding any reptile is not permitted.

Keeping of Rats and Mice

A maximum of four (4) of each rat or mice per household shall be allowed. Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. The keeping of these animals is permitted as pet companion animals only.
2. The keeping and breeding of rodents as food animals for reptile feeding is prohibited.
3. Only domesticated breeds of rats and mice are permitted to be kept.
4. Rodents, rats and mice must be confined within rodent proof cages or enclosures, kept indoors
5. Any excess rodents must be disposed of in an appropriate and humane manner.
6. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
7. Odours must be vigorously controlled at all times.

Keeping of Sheep

A stocking rate of 2 per acre (a minimum of 1 acre is required)

Variations to this policy may be sought by the occupier of the land, by completing an application to Cootamundra-Gundagai Regional Council. Council will consider altering the above criteria on a case-by-case basis.

1. Property must have a registered PIC number.
2. Sheep must be ear tagged as per the regulations by the NSW Department of Primary industries.
3. Sheep may not be kept within 9 metres of any premises or facility used for the commercial preparation or storage of food for human consumption.
4. No sheep may be kept on a public place, including footpath areas and unfenced vacant allotments within the Cootamundra-Gundagai Regional Council Area.
5. The owner must take all reasonable precautions to prevent the sheep from escaping its property.
6. All noise, must be controlled to prevent interfering with the properties of others or otherwise.
7. Keep feed that is packaged or otherwise requires storage in a manner that prevents access by vermin.
8. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
9. Odours must be vigorously controlled at all times.
10. Additional requirements for fencing may also apply for the purpose of preventing damage to an adjoining premise.

Temporary Care and Accommodation

Although the number of animals that may be permanently kept at a premise should not exceed the number prescribed as appropriate to the kind of animal included with this policy, special provisions may be given to those who temporarily house additional animals as part of a legitimate foster caring arrangement, or care for friends and family pets who go on holidays etc. for a period not greater than four weeks.

Regardless of the expected time frame for temporarily housed animals, any animal specifically prohibited due to the likely impacts on health an amenity cannot be housed on the property without a specific exemption being granted by Council. If a problem is identified with the keeping of animals under this temporary care and accommodation provision that cannot be resolved by consultation, Council may still instigate legal proceedings as outlined in this policy.

Policy History

Version	Date	Changes / Amendments
1.0	2014	Policy adopted 2014

Reviews

Every 4 years or sooner as required.

