



## **ANIMAL MANAGEMENT POLICY**

Adopted: 16 December 2015

TRIM 314232.2015



# ANIMAL MANAGEMENT POLICY

## 1. PURPOSE/ OBJECTIVE

To provide information on the keeping of animals within Liverpool to:

- a) Ensure residents' amenity is not impacted adversely by the keeping of animals;
- b) Safeguard wildlife and the environment;
- c) Promote responsible animal ownership.

## 2. POLICY STATEMENT

2.1 The principles by which Council will control and regulate the number of animals kept on premises are primarily in accordance with the *Local Government Act 1993* and *Companion Animals Act 1998*.

2.2 The policy aims to:

- a) To inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes;
- b) To give guidance and advice to persons inquiring as to the keeping of animals for domestic purposes;
- c) To minimise local nuisance and maximise residential amenity;
- d) To ensure the keeping of animals does not compromise minimum standards of public health, safety and convenience;
- e) To establish local standards, acceptable to the Community, for the keeping of animals.

## 3. LEGISLATIVE REQUIREMENTS

*Impounding Act 1993*

*Local Government Act 1993*

*Companion Animals Act 1998*

*Protection of the Environment Operations Act 1997*

*Animal Welfare Code of Practice*

*Rural Lands Production Act 1989*

*Department of Primary Industry, Code of Practice for Keeping Birds (1996)*

<http://www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/codes/aw-code-4>

*Reptile keepers licence information*

<http://www.environment.nsw.gov.au/wildlifelicences/ReptileKeepersLicence.htm>

*Liverpool LEP 2008*

*State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

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### 4. DEFINITIONS

**Residential zones** as listed in the Liverpool Local Environment Plan 2008.

**Rural zones** as listed in the Liverpool Local Environment Plan 2008.

**Wildlife Protection Area** – specifically declared land which allows Council to control domestic animals (cats and dogs) in accordance with the *Companion Animals Act 1998*.

### 5. POLICY REQUIREMENTS

5.1.1 Animal numbers should be kept in accordance with the requirements detailed in **Appendix 1**.

5.1.2 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.

5.1.3 It should not be assumed that animals of all kinds may be kept on the 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 and approval obtained.

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

- a) Create unsanitary or unhealthy conditions;
- b) Attract or provide harbourage for vermin;
- c) Create offensive noise odours;
- d) Cause a drainage or dust nuisance;
- e) Create a waste disposal problem;
- f) Create an unreasonable annoyance to neighbouring residents or fear for safety;
- g) Cause nuisance due to proliferation of flies, lice, fleas or other insects ; and,
- h) Cause any ill health or distress to the animals.

5.1.5 Suitable facilities and shelters should be provided for all animals. Certain kinds of animals are required to be kept in enclosed locations to prevent escape or attack by predators. Generally other animals are to be securely enclosed with adequate fencing to prevent escape.

5.1.6 Certain animal shelters and facilities should not be erected or located without prior approval of the Council. Residents should refer to the Liverpool Local Environment Plan and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* to determine which structures require development approval.

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5.1.7 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.

5.1.8 Where the number of animals owned by a person before the coming into force of the policy exceeds that shown in Appendix 1, no further or replacement animals should be acquired or bred, with the number to be reduced over time to no more than the recommended maximum as some of the animals die, are given away or sold. This allowance does not prevent the Council from issuing orders to reduce numbers where the circumstances make it appropriate.

### 5.2 Unleashed Dog Exercise Areas

5.2.1 Under the *Companion Animals Act 1998* Council is required to provide at least one area designated for unleashed dog exercise at all times.

5.2.2 Before designating an area as an unleashed exercise area Council must:

- a) Ensure the use of that area does not compromise the environment with particular reference to threatened species;
- b) Undertake appropriate consultation with current users and stakeholders to ensure there is no conflict with these groups; and
- c) Adequately signpost all unleashed dog exercise areas.

5.2.3 Users of the unleashed dog exercise areas must:

- a) Ensure their dog is under supervision and effective control of a person age 16 or above; and
- b) Remove any dog faeces (poo) and waste produced by their dog(s) and dispose of in a waste bin.

5.2.4 Council may allocate areas on either a permanent basis or restricted time basis.

5.2.5 Council may terminate the use of any area as an unleashed exercise area where deemed appropriate.

5.2.6 Approved unleashed dog exercise areas are listed in <http://www.liverpool.nsw.gov.au/whats-on/Sports-and-Leisure/off-leash-dog-areas>

### 5.3 Prohibited Areas

5.3.1 **Cats** are prohibited from all Wildlife Protection Areas within Liverpool Local Government Area.

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5.3.2 **Dogs** are prohibited from:

- a) Rivers and creeks (unless signposted otherwise);
- b) Schools, preschools and childcare centres;
- c) Within 10 meters of children's playgrounds;
- d) Within 10 metres of food preparation areas (except on a public thoroughfare).

5.3.3 **Horses and other livestock** are prohibited from:

- a) Rivers and Creeks;
- b) Sporting fields, parks and reserves.

### **5.4 Dogs in outdoor dining areas**

5.4.1 Under the *Companion Animals Act 1998*, since 2010, dogs are allowed in outdoor dining areas of cafes and restaurants under the following conditions:

- a) Consent of café or restaurant owner;
- b) The area must not be enclosed and must be able to be entered by the public without passing through an enclosed area;
- c) Dogs must be on a leash at all times;
- d) Dogs must be on the ground at all times;
- e) Dogs may be provided with drink but not food;
- f) Dangerous and restricted dogs are prohibited.

### **5.5 Animals prohibited within residential areas**

5.5.1 The following animals are not permitted to be kept in residential areas due to likely impact on health and amenity:

- a) Roosters;
- b) Pigs;
- c) Goats;
- d) Sheep;
- e) Horses;
- f) Cattle.

### **5.6 Compliance**

5.6.1 Compliance with this policy will be managed under appropriate legislation.

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**AUTHORISED BY**  
Council Resolution

**EFFECTIVE FROM**  
16 December 2015

**DEPARTMENT RESPONSIBLE**  
Planning and Growth (Community Standards)

**REVIEW DATE**  
16 December 2017

### VERSIONS

Version	Amended by	Changes made	Date	TRIM Number
1	Adopted by Council	Not applicable	10 February 1997	Not applicable
2	Council resolution	Complete review	4 June 2005	92390.2006
3	Council resolution	Complete review	16 December 2015	314232.2015

### REFERENCES

Warringah Council: Animal Management Policy  
Hurstville City Council: Companion Animal Management Plan

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### APPENDIX 1

Kind of Animal	Maximum Number (excluded off spring to 3 months of age)	Minimum Distance from Certain buildings)	Applicable regulations and other advisory matters
<p>Poultry</p> <p>domestic and guinea fowl</p> <p>Poultry other than fowls, including ducks, geese, turkeys, peafowl and other pheasants</p>	<p>10</p> <p>5</p>	<p>4.5m</p> <p>30</p>	<p><i>Local Government (General) Regulation 2005</i> applies. Council may, by resolution, insist on greater distances than specified in particular cases.</p> <p>Hard paving must be provided under roosts in poultry houses if within 15.2m of a dwelling, public hall or school.</p> <p>Poultry yards must be enclosed to prevent escape of poultry.</p> <p>Yards must be kept free of rats and mice.</p> <p>NOTE: Check with Council officers as to whether Development Consent is required.</p> <p>Roosters are not permitted in residential zones.</p>
<p>Pigeons</p>	<p>Racing pigeons: including high flyers, rollers</p> <p>Up to 120 provided that the keeper is a</p>	<p>15m</p>	<p>Keeping of pigeons is only permissible on properties that have single dwelling or dual occupancy development. Pigeons are not permitted on any other type of residential accommodation, which</p>

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Kind of Animal	Maximum Number (excluded off spring to 3 months of age)	Minimum Distance from Certain buildings)	Applicable regulations and other advisory matters
	<p>certified member of a recognised pigeon racing club, federation or association and is an active member of the sport. If the keeper is not a certified member of a recognised pigeon racing club, federation or association or is not an active member of the sport, then the number of birds shall be limited to 20 (see below Domestic or other pigeons for further information).</p>		<p>includes but is not limited to flat buildings and multi dwelling housing.</p> <p>Aviaries (lofts) must be constructed to Council approval on hard paving of a smooth surface, or with a suspended floor elevated 0.8m above the ground. Loft must be an enclosed structure.</p> <p>Aviaries (lofts) are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly.</p> <p>To minimise odours owners must design and manage lofts to prevent manure becoming wet in rain or during cleaning.</p> <p>Pigeons must be fed within lofts after exercise. All feed must be kept in vermin proof containers.</p> <p>Racing pigeon aviaries (lofts) should have adequate visible landing platforms.</p> <p>All pigeons must have a leg band with the club name, and unique ID number.</p> <p>Exercising/ free flight should occur between 7:00am and 8.00am and between 4.00pm</p>



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			<p>and 5:00pm give or take 15 mins either side of the time restrictions, other times the pigeons must be kept within their enclosure. All exercise should be conducted under close supervision by the owner.</p> <p>The exit and entry of these birds from the Aviary (loft) 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.</p> <p>On no account should pigeons be allowed to roost on neighbouring buildings.</p> <p>Aviary (loft) doors and traps must be locked at all times with the exception of exercising/free flight time.</p> <p>Free lofting of pigeons outside of free flight time (that is allowing pigeons to freely roam outside of their loft) in a residential area is not permitted.</p> <p>NOTE: Check with Council officers as to whether Development Consent is required.</p>

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Pigeons	<p>Domestic other pigeons including fancy pigeons:</p> <p>Up to 20</p>		<p>Keeping of pigeons is only permissible on properties that have single dwelling or dual occupancy development. Pigeons are not permitted on any other type of residential accommodation, which includes but is not limited to flat buildings and multi dwelling housing.</p> <p>Aviaries (Lofts) must be constructed to Council approval on hard paving of a smooth surface, or with a suspended floor elevated 0.8m above the ground. Loft must be an enclosed structure.</p> <p>Aviaries (Lofts) are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly.</p> <p>To minimise odours owners must design and manage lofts to prevent manure becoming wet in rain or during cleaning.</p> <p>Pigeons must be fed within the loft. All feed must be kept in vermin proof containers.</p> <p>Free lofting of pigeons (that is allowing pigeons to freely roam outside of their loft) in a residential area is not</p>

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			<p>permitted at any time.</p> <p>On no account should Pigeons be allowed to roost on neighbouring buildings. Aviary (Loft) doors and traps must be locked at all times.</p> <p>NOTE: Check with Council officers as to whether Development Consent is required.</p>
<p>All birds except for racing pigeons, sulphur-crested cockatoo, long-billed Corella, poultry and domestic and guinea fowl</p>	<p>As appropriate to species, size of cage/aviary or bird room.</p> <p>Keepers of more than 50 birds should be members of official Agricultural Societies.</p>	<p>Distance appropriate to noise of species and/or sound proofing measures taken.</p>	<p>Aviaries must be of an appropriate size and regularly cleaned. Allow a maximum of 30 budgerigars per cubic meter of aviary.</p> <p>All birds should be kept in accordance with NSW Animal Welfare Code of Practice No 4 - Keeping and Trading of Birds.</p> <p>National Parks and Wildlife permit is required to keep many native birds. Exemptions include budgerigar, zebra finch, galah and sulphur-crested cockatoo.</p> <p>NSW Agriculture permit is required for some exotic species.</p> <p>Noisy birds should be restricted in number.</p>

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			NOTE: Check with Council officers as to whether Development Consent is required.
Sulphur-crested cockatoo and long-billed Corella	2 if in portable cages  4 if in aviary	3m or within owners dwelling  6m	Sulphur-crested cockatoo and long-billed Corella are likely to be noisy if kept as single caged birds.  NOTE: Check with Council officers as to whether Development Consent is required.
Rabbits	1	9m	Must be domestic breed and kept in cage. Do not release into environment. Restriction on number is imposed by the NSW Agriculture Dept. under the <i>Rural Lands Production Act 1989</i>  Hutches and runs are to be kept clean. No smells or pest species are present.

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<p>Ferrets</p> <p>Undesexed hobs (mates)</p>	4	9m	<p>Compliance with de-sexing, proper care, and provision of secure enclosures of adequate size will be relevant factors in assessing requests to keep more than four ferrets. If ferrets are exercised outdoors adequate fencing to prevent escape is essential.</p> <p>Undesexed hobs should be caged outdoors during the months of October-February when females are on heat.</p> <p>NOTE: Check with Council officers as to whether Development Consent is required.</p>
<p>Pet rats, mice and guinea pigs</p>	4	9m	<p>Must be kept in appropriate cages and not released into the environment. Should be kept outside of dwelling</p> <p>NOTE: Check with Council officers as to whether Development Consent is required.</p>
<p>Sheep and goats</p>	0	-	<p>Not permitted in residential zones.</p>
<p>Pigs</p>	0	-	<p>Not permitted in residential zones.</p>
<p>Horses and cattle</p>	0		<p>In residential zones.</p>

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Reptiles	As appropriate in the circumstances	As appropriate in the circumstances	<p>Advice on the keeping of reptiles should be sought from National Parks and Wildlife Service in all cases.</p> <p>All species must be adequately housed to prevent escape. The keeping of snakes will cause concern to neighbours.</p>
Fish, aquarium and pond	As appropriate in the circumstances	As appropriate in the circumstances	<p>Water is to be maintained clean and at sufficient levels.</p> <p>Ponds are to be made child - safe if more than 300mm in depth by fencing complying with AS 1926.</p> <p>NOTE: Check with Council officers as to whether Development Consent is required.</p>
Dogs	<p>Residential Properties - 4 (excluding townhouses units or land area 400m<sup>2</sup>)</p> <p>Units, townhouses &amp; small land holdings -1</p> <p>Rural Properties</p>	-	<p>The <i>Companion Animals Act</i> 1998 requires permanent identification of animals and life time registration.</p> <p>Note: Approval is required from the Body Corporate for Strata Buildings.</p>

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	(properties in excess of one hectare) - 6		
Cats	4	-	<p>More than four cats will not be appropriate in many situations.</p> <p>Compliance with de-sexing, use of approved identity collars with multiple bells, proper care, restriction of access to outdoors at night will be relevant factors in determining whether more than four cats may be kept at a premises.</p>
Bees	Maximum 2 hives	As far as practicable from doors or windows of dwellings, paths or outdoor resting areas.	<p>Regulated by the NSW Agriculture Department. (Permit required from Department to locate hives.) Bee flight paths to and from hive should be kept distant from outdoor areas frequently used by humans. Screens may be necessary to raise flight paths. An ample supply of water near to hive is required in summer months. Hives should be constructed to approved guidelines issued by NSW Agriculture.</p>

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### Notes:

- (A) The distances indicated in the third column of the above table are to be measured in meters from the animal yard or enclosed to the nearest dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- (B) Policy details may change prior to review date due to legislative changes.