



ANABRANCH  
BURONGA  
COOMEALLA  
CURLWAA  
DARETON  
ELLERSLIE  
GOL GOL  
MONAK  
PALINYEWAH  
POMONA  
POONCARIE  
RUFUS RIVER  
TRENTHAM CLIFFS  
WENTWORTH



## Keeping of Animals at Residential Properties Policy

Policy No: PR015

Approved: 02 September 2022

# INTERPRETER SERVICES



## MAHALAGA | FILIPINO

Kung kailangan mo ng tulong sa pagbabasa at pag-unawa sa dokumentong ito, ang mga kawani ng customer service ng Wentworth Shire Council ay masaya na tumulong sa pag-aayos ng isang libreng serbisyo ng interpretasyon. Upang ayusin ang isang interpreter, mangyaring makipag-ugnayan sa Council sa 03 5027 5027, o bisitahin ang isang Council Office na nakalista sa ibaba.



## IMPORTANT | FRANÇAIS

Si vous avez besoin d'aide pour lire et comprendre ce document, le personnel du service client du Wentworth Shire Council se fera un plaisir de vous aider à organiser un service d'interprétation gratuit. Pour organiser un interprète, veuillez contacter le Conseil au 03 5027 5027 ou visitez un bureau du Conseil indiqué ci-dessous.



## ΣΗΜΑΝΤΙΚΟ | ΕΛΛΗΝΙΚΟ

Εάν χρειάζεστε βοήθεια για την ανάγνωση και την κατανόηση αυτού του εγγράφου, το προσωπικό εξυπηρέτησης πελατών του Wentworth Shire Council είναι πρόθυμο να σας βοηθήσει στη διευθέτηση μιας δωρεάν υπηρεσίας διερμηνείας. Για να κανονίσετε έναν διερμηνέα, επικοινωνήστε με το Δήμο στο 03 5027 5027 ή επισκεφθείτε ένα Γραφείο του Συμβουλίου που αναφέρεται παρακάτω.



## IMPORTANTE | ITALIANO

Se hai bisogno di assistenza per leggere e comprendere questo documento, il personale del servizio clienti del Wentworth Shire Council sarà lieto di assisterti nell'organizzazione di un servizio interpretativo gratuito. Per organizzare un interprete, contattare il Comune allo 03 5027 5027 o visitare uno degli uffici del Comune elencati di seguito.



## PENTING | MELAYU

Jika anda memerlukan bantuan membaca dan memahami dokumen ini, kakitangan perkhidmatan pelanggan Wentworth Shire Council berbesar hati untuk membantu dalam pengatur perkhidmatan tafsiran percuma. Untuk mengatur jurubahasa, sila hubungi Majlis di 03 5027 5027, atau lawati Pejabat Majlis yang disenaraikan di bawah.



## 重要 | 普通话 (简体中文)

如果您在阅读和理解本文件时需要帮助, 温特沃思郡议会的客户服务人员很乐意协助安排免费口译服务。如需安排口译员, 请致电 03 5027 5027 联系议会, 或前往下列议会办公室。



## મહત્વપૂર્ણ | અંગ્રેજી

જેકર તુહાનું દિસ દસઝાવેજી તું પઝગન અઝે સમઝતે વૈંચિ સઘાઈઝા દી લેઝ રી, ઝાં વૈનટવરથ સઘાઈર કાઉન્સિલ દે ગાઠક મેટા સટાઢ દિંક મુઢઝ વૈઆધિઆ મેટા દે પુરંચપ વૈંચિ સઘાઈઝા કરન લઈ ખુસ ઠન। દુઝામીદે દા દિંઝામી કરન લઈ, કચિપા કરવે 03 5027 5027 'ઝે કાઉન્સિલ નાલ મંપરક કરે, જાં ઠેઠાં સુચીચંપ કમિ કાઉન્સિલ દઢઝર 'ઝે જાઈ।



## สำคัญ | แบบไทย

หากคุณต้องการความช่วยเหลือในการอ่านและทำความเข้าใจเอกสารนี้ เจ้าหน้าที่บริการลูกค้าของ Wentworth Shire Council ยินดีให้ความช่วยเหลือในการจัดการบริการล่ามฟรี หากต้องการจัดเตรียมล่าม โปรดติดต่อสภาที่ 03 5027 5027 หรือไปที่สำนักงานสภาตามรายการด้านล่าง



## ÖNEMLİ | TÜRKÇE

Bu belgeyi okuma ve anlama konusunda yardıma ihtiyacınız varsa, Wentworth Shire Belediyesi'nin müşteri hizmetleri personeli, ücretsiz tercümanlık hizmetinin ayarlanmasında yardımcı olmaktan mutluluk duyacaktır. Bir tercüman ayarlamak için lütfen 03 5027 5027 numaralı telefondan Belediye ile iletişime geçin veya aşağıda listelenen bir Belediye Ofisini ziyaret edin.



## QUAN TRỌNG | TIẾNG VIỆT

Nếu bạn cần trợ giúp để đọc và hiểu tài liệu này, nhân viên dịch vụ khách hàng của Hội đồng Wentworth Shire sẵn lòng hỗ trợ sắp xếp dịch vụ thông dịch miễn phí. Để sắp xếp một thông dịch viên, vui lòng liên hệ với Hội đồng theo số 03 5027 5027 hoặc đến Văn phòng Hội đồng được liệt kê bên dưới.

## IMPORTANT | ENGLISH

If you require assistance reading and understanding this document, customer service staff of Wentworth Shire Council are happy to assist in the arrangement of a free interpretive service.

To arrange an interpreter, please contact Council on 03 5027 5027, or visit a Council Office listed below.

COUNCIL  
OFFICES



**Midway Community Centre**  
3 Midway Drive, Buronga NSW 2739



**Wentworth Visitor Centre (Main Administration Office)**  
61 Darling Street, Wentworth NSW 2648

## POLICY OBJECTIVE

To inform the community of the statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.

To give guidance and advice to those inquiring about the keeping of animals for domestic purposes

To establish standards for the keeping of animals.

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.

To identify which animals are prohibited within certain zones in the Wentworth Shire Council.

## POLICY STATEMENT

The intent of this policy is to ensure that Wentworth Shire Council establishes systems which regulate and control the keeping of animals in the Wentworth Shire Local Government Area and to inform the community of responsible animal care and ownership.

### 1. POLICY COVERAGE

This policy applies to the following zones within the Wentworth Shire Council:

- RU5 Village
- R5 Large Lot Residential
- B2 Local Centre
- IN1 General Industrial
- IN2 Light Industrial
- RU1 Primary Production for the keeping of domestic pets only

This policy does not apply to the keeping of animals for business, commercial or agricultural purposes.

### 2. STRATEGIC PLAN LINK

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision making and service delivery

### 3. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
The Act	Local Government Act 1993 (NSW)
Regulations	Local Government (General) Regulation 2021
Urban area/land	Residential premises zoned R5 or RU5
Rural area/land	Residential premises zoned RU1



Animal	'Animal' includes a mammal, bird, reptile, amphibian or fish. 'Animal' does not include a human being (as defined by the Prevention of Cruelty to Animals Act 1979, NSW).
Authorised Officer	An employee of Wentworth Shire Council provided with delegated authority to act under the Local Government Act 1993
DPI	NSW Department of Primary Industries
Prescribed premises	An adjoining 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
OEH	Office of Environment and Heritage

#### 4. POLICY CONTENT

This Policy specifies the criteria which Council must take into consideration prior to issuing an Order (Order 18) of Section 124 of the *Local Government Act 1993*, relating to the keeping of animals within any premises.

This policy seeks to inform the community of Council's regulatory powers concerning the keeping of animals within the Wentworth Shire Local Government Area (LGA).

This Policy details criteria of reasonable limits on maximum numbers, and circumstances under which certain animals may be kept in the interest of amenity and public health when amenity impacts are verified.

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 Requirements for the Keeping of Animals included with this policy. 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 Requirements for Keeping of Animals. It should not be assumed that animals of all kinds may be kept on premises that are part of a multiple dwelling 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 problems
- Create an unreasonable annoyance to neighbouring residents 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 require development approval.

#### **4.1 COUNCILS POWER TO CONTROL AND REGULATE THE KEEPING OF ANIMALS**

##### **4.1.1**

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

##### **4.1.2**

Council may, (although not limited to) issue an Order to:

- a) prohibit the keeping of various kinds of animals
- b) restrict the number of various kinds of animals
- c) require that animals are kept in a specific manner
- d) demolish animal shelters built without prior approval; and
- e) require the occupier to do or to 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.

##### **4.1.3**

Any regulatory action relating to the enforcement of this policy will be in accordance with Council's Enforcement Policy. Council staff will consider the impact of any Policy non-compliance on community amenity before deciding to take regulatory action. A breach of the numerical standards contained within this Policy alone will not necessarily result in regulatory action being taken by Council.

#### **5. RELATED DOCUMENTS & LEGISLATION**

*Local Government act 1993*

*Local Government (General) Regulation 2021*

*Prevention of Cruelty to Animals Act 1979*

*Protection of the Environment Operations Act 1997*

*Environmental Planning and Assessment Act 1979*

*Impounding Act 1993*

*Biodiversity Conservation Act 2016*

*Biosecurity Act 2015*

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

DPI Animal Welfare Code of Practice – Breeding dogs and cats

- DPI Bee Keeping Code of Practice
- DPI Bee Biosecurity Code of Practice
- NSW Animal Welfare Code of Practice No. 4 Keeping and Trading birds
- OEH Code of Practice for the Keeping of Reptiles
- OEH Hygiene Protocol for the Control of Disease in Captive Snakes
- CSIRO Model Code of Practice: Domestic Poultry

6. ATTACHMENTS

Requirements for Keeping of Animals

7. DOCUMENT APPROVAL

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on 17 August 2022 All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council’s record management system and Reliansys.

Signed:  .....

General Manager Wentworth Shire Council

Date 2 SEPT 2022

### **Requirements for Keeping of Animals**

The following criteria will be used by Council Authorised Officers when seeking to resolve verified complaints regarding the keeping of animals:

#### **1. The Keeping of Bees:**

- a) Beekeepers must be registered with the NSW Department of Primary Industries (NSW DPI) and must comply with the Beekeeping and Bee Biosecurity Codes of Practice for NSW.
- b) Beehives must be identified by branding all brood boxes with their registration number.
- c) Beekeepers must notify the NSW DPI within 24 hours if they become aware that their hive/s are infected with a disease.
- d) Complaints about beehives are to be directed to the Director-General of the NSW DPI.
- e) In urban areas, the number of hives permitted to be kept on land subject to the amount of free land mass area is specified in the table below:

<b>Free land mass area (metres square)</b>	<b>Max. No. of Hives</b>
<400	1
>400 and <1000	2
>1000	3

- f) Beekeepers must obtain permission from the owners of private lands or from the authority of government-controlled lands before placing beehives on such lands.
- g) Beehives should not be located within 100m of schools, child care centres, hospitals or other public facilities.
- h) A suitable barrier must be erected close to the landing board to force flight paths above two metres.
- i) Beehives are not to be positioned in the front yard of domestic premises.
- j) Swarming must be controlled. This may be achieved by re-queening regularly with a reduced swarming strain, population control or temporarily splitting into smaller hives.
- k) A permanent water source suitable for bees is to be provided at the property storing the beehive.
- l) The beehive is not to be located within nine metres of any neighbouring swimming pool.
- m) Beehives are to be regularly monitored for signs of disease.
- n) The keeping of bees in unit and townhouse developments is not permitted.
- o) Beekeepers are encouraged to increase and update their knowledge by attending training and/or belonging to a beekeeping association.
- p) Beekeepers are required to contact their immediate adjoining neighbours prior to establishing beehives to consider any impacts that may arise from persons vulnerable to bee stings.



Note (i): Any person having a wild beehive on their property must consult the NSW DPI for advice on controlling the beehive. A wild beehive is described as introduced bees not in a domesticated situation and not kept within a bee frame or a beekeeper's box.

## **2. The Keeping of Birds (other than poultry or pigeons)**

- a) There is no maximum number of birds permitted however numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Aviaries and cages must be:
  - i) constructed of appropriate materials (new or good quality second hand materials) and maintained to these standards during their use.
  - ii) constructed to be vermin proof, well ventilated, have an impervious surface and not cause or be likely to cause injury to birds.
  - iii) maintained by the owner so as to avoid the escape of birds.
  - iv) managed to prevent excessive noise and odour.
  - v) operated in accordance with the Code of Ethics produced by the Associated Bird-Keepers of Australia Incorporated, approved by the Canary and Bird Federation of Australia and NSW Animal Welfare Code of Practice No 4 - Keeping and Trading of Birds
- c) Vermin proof food storage facilities must be provided.
- d) A continuous rodent and pest control program must be in place.

## **3. The Keeping of Pigeons**

The keeping of domestic homing, show or fancy class pigeons by hobbyists and racing enthusiasts in the LGA is permitted with the following control conditions applying:

- a) A maximum 20 pigeons except as permitted for Racing Pigeons may be kept subject to the submission and approval of a plan of management detailing how nuisances from noise, odour and pests will be managed.
- b) Pigeons must be housed in purpose-built facilities at least 15m from prescribed premises.
- c) Aviaries (Lofts) must be constructed on hard paving of a smooth surface, or with a suspended floor elevated 0.8m above the ground.
- d) Lofts must be enclosed to prevented food or waste becoming wet.
- e) Positioning of pigeon lofts must be such that the amenity of adjoining premises is preserved, with no inconvenience or nuisance resulting from the loft or from flying birds. The pigeons' owner or the occupier of those premises must control feral pigeons attracted to captive managed flocks.
- f) Keeping of pigeons is only permissible on residential properties that have single dwelling or dual occupancy development.
- g) Pigeons must be fed within the aviaries/lofts.
- h) Free lofting of pigeons (that is allowing pigeons to freely roam outside of their Aviary (loft) in a residential area is not permitted at any time, except as permitted for Racing Pigeons
- i) Pigeons are not allowed to roost on neighbouring buildings. Aviary (Loft) doors and traps must be locked at all times except as permitted for Racing Pigeons (see below).
- j) Food must be stored in sealed vermin proof containers and must not be left uncovered.



- k) Waste material, including litter and bedding, must be disposed of via an approved waste disposal service or composted.
- l) Council is to be notified of the keeping of pigeons, construction of the loft of less than 10 sqm, and any activity not considered a hobby.

### 3.1 Requirements for Racing Pigeons:

- a) The maximum number of racing pigeons that may be kept on premises within a residential area is 120 birds, provided that the keeper is a certified member of a recognised pigeon racing club, federation or association, is an active member of the sport and otherwise complies with other provisions of this Policy.
- b) Racing pigeon Aviaries (lofts) are to have adequate visible landing platforms.
- c) Pigeons must have a leg band with the club name, and unique ID number.
- d) Exercising/free flight is to occur between 7:00am and 8.00am and between 4.00pm and 5:00pm give or take 15mins either side of the time restrictions at all other times the pigeons must be kept within their enclosure.
- e) All exercise should be conducted under close supervision by the owner.
- f) The exit and entry of these birds from the Aviary (loft) must be controlled by the keeper. Provision must be made for all released birds to return through a one-way entrance that will not permit uncontrolled exit.

## 4. The Keeping of Poultry

- a) Poultry must be kept in accordance with the *Local Government (General) Regulation 2021* specifically Schedule 2, Part 5, Division 2, clauses 19 and 20.
- b) Poultry must be housed in purpose-built facilities.
- c) Food must be stored in sealed vermin proof containers and must not be left uncovered.
- d) Waste material, including litter and bedding, must be disposed of via an approved waste disposal service or composted.
- e) Outside runs must be free draining, not discharge onto neighbouring properties and not be allowed to become muddy.
- f) The total numbers of poultry (excluding pigeons and other birds) kept on premises must not exceed the maximum amount specified below:

Type	Maximum Numbers
Fowls	10
Pheasants	10
Quails	10
Pea Fowls	10

## 5. The Keeping of Cats

- a) The maximum number of cats shall be limited to four (4) per premise. However, numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Where Council receives verified complaints regarding a roaming cat, the cat is to be prevented from leaving from the property at which it is ordinarily kept by being kept indoors (house, enclosure, shed or garage).
- c) Any enclosure used for housing cats shall be in accordance with Section 6, Table 2: Minimum Sizes for Cat Enclosures; DPI Animal Welfare Code of Practice – Breeding dogs and cats.
- d) Owners of cats are encouraged to de-sex their cats to prevent unwanted litters and keep them contained to minimise the impact on native wildlife or nuisance to neighbouring residents.
- e) Owners of cats who do not have their cat de-sexed are required to pay an annual permit in addition to the one-off lifetime registration fee.

## 6. The Keeping of Dogs

- a) The maximum number of dogs shall be limited to two (2) per premise. However, numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Dogs will be kept in numbers and breeds appropriate to the size of the property.
- c) Owners should remain aware of any noise nuisance created by barking dogs as they are subject to noise and nuisance dog restrictions under *Protection of the Environment Operations Act 1997* and the *Companion Animals Act 1998*.
- d) The *Companion Animals Act 1998* requires that dogs must be registered from 6 months of age and must wear a collar with a name tag displaying the dog's name and the address and/or phone number of the owner. They must also be microchipped from 12 weeks of age.
- e) A premise used for the keeping of dog/s is to be appropriately fenced to secure the dog/s within the premises in accordance with the requirements of the *Companion Animal Act 1998*.

## 7. The Keeping of Pigs, Goats and Sheep

- a) The maximum number shall be limited to two of each type, subject to the submission and approval of a plan of management detailing how nuisances from noise, odour and pests will be managed.
- b) Enclosures for these animals will be secure and fit for purpose for the type and behaviour of each animal
- c) All enclosures will be maintained and cleaned to mitigate any odour and pest issues such as flies and mosquitos.
- d) Pigs to be kept as pets are to be sourced from reputable dealers and are to be de-sexed.
- e) All sheep and goats in NSW must have appropriate identification per the NSW DPI National Livestock Identification System.
- f) Any sheep or goats to be kept as pets are to be subject to regular health checks by an appropriately qualified veterinarian or agent of a NSW State Government Agency.

- g) Sheep and goats kept as domestic pets are prohibited from grazing outside of the property boundary.

## **8. The Keeping of Fish**

- a) There are no specific limitations for the number of fish or species of fishes permitted however, numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Species listed in Schedule 2 of the *Biosecurity Act 2015* and DPI Pest Fish list, are classed as prohibited matter and must not be kept.
- c) Ponds are to comply with the NSW State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 requirements.
- d) Pond water is to be maintained to prevent the harbouring of mosquito larvae.
- e) Pond water filtration pumps must not be used in a manner that creates a noise nuisance to adjoining properties.
- f) Ponds must be provided with shade which includes aquatic plants.
- g) Food must be provided that suits the species of fish/fishes being kept.
- h) Ponds must be provided with fencing or a cover to protect fish from predation.
- i) All deceased or unwanted fish and aquatic plants must be disposed of via an approved waste disposal system. Fish and aquatic plants must not be disposed of into any type of waterway, pond or dam.

## **9. The Keeping of Guinea Pigs and Ferrets, Rats and Mice**

- a) The maximum number shall be limited to four of each type.
- b) These animals must be kept at least 9 meters from a prescribed premise.
- c) Waste material, including litter and bedding, must be disposed of via an approved waste disposal service or composted.
- d) These animals are to be kept indoors at all times in appropriate cages which are to be kept odour free.

## **10. The Keeping of Rabbits**

- a) No more than 4 domestic rabbits may be kept on premises.
- b) All rabbits are to be kept in accordance with the Model Code of Practice for the Welfare of Animals – Intensive Husbandry of Rabbits.
- c) Rabbits must be kept at least 9 meters from a prescribed premise.
- d) Rabbits should be de-sexed to prevent unwanted litters.
- e) Must be of a recognised domestic breed and kept in a rabbit proof enclosure.

## **11. The Keeping of Reptiles**

- a) The *National Parks and Wildlife Act 1974* requires a Reptile Keeper's Licence to be held for anyone who keeps captive-bred reptiles.
- b) It is against the law to take reptiles from the wild. Reptiles must be obtained from a licensed breeder only.

- c) Advice on the keeping of reptiles should be sought from the National Parks and Wildlife Service in all cases.
- d) There is no maximum number of reptiles permitted however numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- e) Reptiles may only be kept if in accordance with the Code of Practice for the Private Keeping of Reptiles and Hygiene Protocol for the Control of Disease in Captive Snakes, this includes obtaining a licence to keep reptiles.

## **12. Animals Prohibited from being kept as domestic pets**

The following animals are not permitted to be kept in RU5, R5, B2, IN1 and IN2 or residential dwellings that exist in any other zone other than RU1; due to the likely impacts on health and amenity:

- a) Roosters
- b) Peacocks
- c) Geese
- d) Swans
- e) Turkeys
- f) Horses
- g) Cattle



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## Contact

 **Main Service Centre**  
61 Darling Street, Wentworth

 **Postal Address**  
PO Box 81, Wentworth NSW 2648

 **(03) 5027 5027**

 **council@wentworth.nsw.gov.au**

 **wentworth.nsw.gov.au**

**Have Your Say:**  
[wentworth.nsw.gov.au/have-your-say](https://wentworth.nsw.gov.au/have-your-say)