



Local Orders Policy No 1 Guidelines for Keeping of Animals

DOCUMENT AUTHORISATION

RESPONSIBLE OFFICER:		DIRECTOR OF DEVELOPMENT, PLANNING AND REGULATORY SERVICES.			
REVIEWED BY:		Manager of Planning and Regulatory Services			
DATE ADOPTED:		23 February 2023			
ADOPTED BY:		Glen Innes Severn Council			
RESOLUTION NO:		17.02/23			
REVIEW DUE DATE:		September 2024			
REVISION NUMBER:		5			
DOCUMENT NUMBER:		LOP1:animals:1			
PREVIOUS VERSIONS:	DATE:	RESOLUTION NO:	DESCRIPTION OF AMENDMENTS:	AUTHOR / EDITOR:	REVIEW / SIGN OFF:
4	24/8/2017	15.08/17	Policy Review	Ranger	Acting GM
3	24/7/2014	14.07/14	Policy Review	Ranger	MDPRS & GM
2	23/6/2011	23.06/11	Policy Review	Ranger	
1	28/06/2007	37.06/07	Policy Review	Ranger	

Note: Document Control continued at Appendix A

.....

 General Manager

.....

 Date

PURPOSE

This Policy is a Local Orders Policy (LOP) prepared and adopted under Chapter 7, Part 3 of the *Local Government Act 1993*.

The purpose of this Policy is to supplement provisions of the *Local Government Act 1993* and Regulation, by specifying matters that Council must take into consideration in determining whether or not to give an Order under *Section 124* of the *Local Government Act 1993* and ensure that such matters are consistent with the objectives of *Schedule 2, Part 5 – Standards for Keeping Birds or Animals* of the *Local Government Act (General) Regulation 2021*.

This policy provides guidance about the criteria Glen Innes Severn Council will use when determining whether to issue an order when it becomes aware that animals are causing some form of undesirable impact on the community and the process which Council uses to determine when to enforce the controls within the policy, including but not limited to:-

- To inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes;
- To give guidance and advice to persons as to the keeping of animals for domestic purposes;
- To minimize local nuisance and maximise residential amenity, and to ensure that the keeping of animals does not compromise minimum standards of public health, safety and convenience;
- To establish local standards, acceptable to the community, for the keeping of animals; and
- 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 some other way, require things to be done regarding the keeping of animals.

APPLICABILITY

This policy applies to all premises/lands within the Local Government Area of Glen Innes Severn Council zoned village or residential (except rural residential subdivisions). This policy does not apply to land zoned rural RU1 – Primary Production or E3 – Environmental Management who wish to keep animal(s) for domestic purposes, as companion animals, pets or for hobby interests. This policy is not intended to replace or supersede the requirements of the *Companion Animals Act 1998* or the *Prevention of Cruelty to Animals Act 1979*.

More stringent conditions will be applied to the keeping of animals for commercial purposes, including boarding, breeding, grooming, caring, treatment, training, and 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 planning consent obtained. Consent to the operation of Commercial Animal Establishments may not be allowed where Council considers that the proposal would be harmful to the amenity of the locality.

OUTCOMES

This policy seeks to inform the Glen Innes Severn community of Council's responsibilities and regulatory powers concerning the keeping of animals in the Glen Innes Severn Council area and the process which Council uses to determine when to enforce the controls within the policy.

The policy aims to provide information and guidance to owner(s) of domestic animal(s) to ensure that the keeping of domestic animal(s) does not have an adverse impact on the adjoining premises. The policy strives to achieve a balance between:-

- responsible companion animal ownership;
- minimizing the incidence of nuisance being caused to person(s);
- protect the welfare and habitat of wildlife; and
- safeguard the environment.

ROLES AND RESPONSIBILITIES

This policy provides guidance about the criteria authorised Glen Innes Severn Council staff will use when determining whether to issue an order when it becomes aware that animals are causing some form of undesirable impact on the community. Council would like to clear that the intention of this policy is that Council officers will act only on a complaint having been made.

DEFINITIONS

The definitions in this policy relates to the *Local Government Act 1993*

POLICY STATEMENT

Prescriptive Requirements

The number of animals that may be kept at a premises should not exceed the number shown as appropriate to the kind of animal listed in the **Table of Requirements** (pages 8 to 12) included in this Policy.

Under normal circumstances, Council will not grant approval for larger animal numbers or changes to the minimum distance, however Council will consider the application for larger animal numbers and changes to the minimum distance if circumstances show no health, environmental, amenity or neighborhood problems as well as a proven record of responsible animal ownership.

Council regularly receives complaints about nuisances caused by animals being kept on residential properties. The kind of animal that is suitable to be kept at any premises will be determined having regard to 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 of Requirements.

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 harborage for vermin;
- create offensive noise or odour;
- cause a drainage nuisance or dust nuisance;
- create waste disposal problems or pollution problems;
- create an unreasonable annoyance to neighbourhood residents or cause a fear for safety;
- cause nuisance due to proliferation of flies, lice, fleas, or other insects.

Suitable facilities and 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 shelter(s) should not be erected or located a premises without the prior approval of Council. Refer to Glen Innes Severn Council guidelines for exempt development. Design guidelines for the size, layout and construction of animal shelters are produced by the various animal welfare organisations and relevant Government Departments. These may be adopted from time to time as supplements to this Policy.

Orders to Which This Policy Applies

This Policy applies to the regulatory function of Council to Order a person to take such action as is necessary to ensure compliance with relevant standards or requirements set or made by or under the *Local Government Act 1993*, in relation to the Keeping of Animals under *Section 124 of the Local Government Act 1993*.

Giving of Orders by Council

Generally, where a problem is identified with the keeping of animals and it cannot be resolved by consultation, the Council will proceed to issue a 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 which Council believes constitute a serious risk to health or safety, an emergency Order may be issued without prior notice.

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

Generally, 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*.

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; and
- Require that animals be kept in a specific manner.

Council may also issue Orders requiring:-

- The demolition of animal shelters built without the prior approval of Council; and
- 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 of Legislation:-

- *Local Government Act 1993 and Local Government (General) Regulation 2021;*
- *Companion Animals Act 1998.*
- *Protection of the Environment Operations Act 1997;*
- *Environmental Planning and Assessment Act 1979;*
- *The Impounding Act 1993 and Regulations;*
- *Food Act 2003.*

FURTHER NOTES

1. For the purposes of this policy 'Residential' and 'Village' zones are defined as being all properties within the R1 General Residential and RU5 Village zone limits
 2. Under normal circumstances Council will not grant approval for larger animal numbers or changes to the minimum distance. However, Council will consider application for larger animal numbers and changes to the minimum distance if circumstances show no health, environmental, amenity or neighbourhood problems.
 3. The distances indicated in the third column of the Table of Requirements (below) are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall or school or premises used for the manufacture, preparation, sale or storage of food.
 4. *Schedule 2 part 5 of the Local Government (General) Regulation 2021 specifies minimum standards for the keeping of animals. Refer to Appendix 1*
-

Table of Requirements

Kind of Animal	Maximum Number per Eligible Property	Minimum Distance (from certain buildings) See Further Notes 3	Applicable Regulations and Other Advisory Matters
Dogs	2	Not Applicable	<p>Where complaints are received the criteria in Appendix 1 will be used.</p> <p>Pet Foods should not be left outside. They can be a source of nourishment for foxes and other animals.</p> <p>Pests including fleas, ticks, flies, lice, and wild rodents must be controlled.</p>
Working Dogs	Seek Prior approval from Council as to the number to be allowed on site		<p>Dogs used for the purpose of tending or droving stock of the protection of stock. The <i>Companion Animals Act 1998</i> requires all working dogs to be permanently identified and registered in accordance with Part 2 of the Act. However, no registration fee applies. Demonstrations or verification paperwork may be required. Working dogs must also be kept in accordance with the above listed conditions for dogs (see above).</p>
Cats	2	Not Applicable	<p>Where complaints are received, the criteria in Appendix 2 will be used.</p> <p>Pet Foods should not be left outside. They can be a source of nourishment for foxes and other animals.</p> <p>Pests including fleas, ticks, flies, lice, and wild rodents must be controlled.</p> <p>Note: Under the <i>Companion Animals Act 1998</i>, Council does not have any regulatory powers to restrict roaming cats, unless incontrovertible evidence is available that shows the cat is causing a nuisance to neighbours.</p>

Kind of Animal	Maximum Number per Eligible Property	Minimum Distance (from certain buildings See Further Notes 3)	Applicable Regulations and Other Advisory Matters
Roosters	Prohibited in residential areas and village zones.	Not Applicable	The keeping of roosters is not considered appropriate in residential areas due to noise.
Other Poultry (including ducks, geese, turkeys, peafowl, guinea fowl and pheasants)	5	9 metres	Same as for chickens (noted below)
Chickens	As per family requirements	10 metres Council can however require the keeping of domestic poultry or fowl have a greater distance in some cases.	<p>The numbers must be appropriate to provide poultry products, including eggs for domestic consumption of the family living at the premises. E.g., for a family of four (4) it may be acceptable to allow eight eggs per day (two (2) eggs per person)</p> <p>Keeping of poultry must not create a nuisance or be dangerous or injurious to health. Poultry yards must at all times be kept clean and free from offensive odours.</p> <p>Poultry yards must be enclosed to prevent escape of poultry. Refer to Appendix 3 Division 2</p>
Pigeons	<p>The number of pigeons will be determined by site assessment by Council officers.</p> <p>Members of a recognized racing club or Australian fancy pigeons association may keep up to 100 birds including 40 stock birds. Applications must be accompanied by Certification of membership in a Club or Association</p> <p>Non Members may keep maximum of 20 birds</p>	15 metres.	<p>Nuisance due to noise and also free flight of pigeons is to be minimized. Flying times should be restricted to either 2 hours after sunrise or 2 hours before sunset.</p> <p>Lofts must be constructed to Council approval on hard paving of a smooth surface, or with a suspended floor elevated 800mm above the ground. Racing pigeon lofts should have adequate visible landing platforms.</p> <p>On no account, should birds be allowed to roost on neighbouring buildings. "Open" lofts are not permitted. Free lofting is not permissible. Lofts are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly.</p> <p>To minimize odours, owners must design and manage lifts to prevent manure becoming wet in rain or during cleaning.</p>

Kind of Animal	Maximum Number per Eligible Property	Minimum Distance (from certain buildings See Further Notes 3)	Applicable Regulations and Other Advisory Matters
All birds except where otherwise specified	<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 Aviculture societies.</p>	Appropriate distance to avoid nuisance to adjoining premises.	<p>Cages and aviaries must be of appropriate size and regularly cleaned. For budgerigars, generally allow a maximum of 30 birds per cubic metre of aviary.</p> <p>All birds should be kept in accordance with the NSW Animal Welfare Code of Practice Number 4 – Keeping and Trading of Birds Registered bird breeders may keep more breeding/show birds but are subject to the requirements of the <i>Protection of the Environment Operations Act 1997</i></p> <p>A National Parks and Wildlife permit 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 and are subject to the requirements of the <i>Protection of the Environment Operations Act 1997</i>. Refer to Appendix 3.</p> <p>For information on the Keeping of Trade Birds, please refer to Appendix 4.</p>
<p>Sheep (ewe, wether, hogget and lamb)</p> <p>Goats (doe, wether and kid)</p> <p>Cattle (cow, ox, heifer, steer, calf, bullock, and/or buffalo)</p> <p>Horses (mare, gelding, colt, filly, foal, hinny, mule, donkey and/or ass)</p>	Maximum of 2 animals (in any combination)	9 metres	<p>The keeping of sheep, goats cattle and horses in residential properties of less than 2,000m² is not considered appropriate.</p> <p>A greater separation distance may be required by Council in particular cases.</p> <p>Fencing must be strong and durable to prevent escape. Stables and sheds must be hard paved and graded to drain.</p> <p>With regard to horses and cattle, manure shall be raked up daily and placed in suitable, fly proof containers, or other suitable means, approved by Council until removed from the site. All manure containers shall be cleaned and disinfected at least once every seven (7) days.</p>

Kind of Animal	Maximum Number per Eligible Property	Minimum Distance (from certain buildings) See Further Notes 3	Applicable Regulations and Other Advisory Matters
Rams, Bucks, and Billy Goats Bulls and Stallions	Prohibited in residential areas and village zones.	Not Applicable	The keeping of Rams, Bucks, and/or Billy Goats is not considered appropriate in residential areas. The keeping of Bulls and Stallions is not considered appropriate in residential areas
Other Hooved and Ruminant Animals except where otherwise specified	Prohibited in residential areas and village zones.	Not applicable	The keeping of other hooved and ruminant animals is not considered appropriate in residential areas due to odours and noise.
Pigs (Boar, sow, barrow, piglet, and sucker)	Prohibited in residential areas and village zones.	Not Applicable	Refer to Appendix 3 for provisions of keeping swine in areas other than residential, rural residential and village zones.
Bees	The keeping of bees is not considered appropriate in residential and village zones	Not Applicable	If bees are to be kept, refer to the "Code of Practice for Beekeeping NSW Appendix 5

APPENDIX 1 - PROVISIONS FOR THE KEEPING OF DOGS

Introduction

This Appendix identifies criteria and provides clear guidelines to assist persons in keeping dogs, so as to ensure that the activity does not have any detrimental impact on the health and amenity of the surrounding area or to the environment.

Objective

To maintain the amenity of residents and surrounds by ensuring no interference is caused through the emission of unreasonable noise, smell or otherwise as a result of keeping dogs.

Provisions for meeting the objective

- (a) All kennel enclosures or other structures for the keeping of dogs over 10m² of floor area and a maximum height of 2.4 metres are subject to the approval of a development application.
- (b) The floors of kennel enclosures must be paved with concrete, mineral asphalt or other equally impervious material, and must be properly graded to drain in order to facilitate easy cleaning and prevent the build-up of faeces.
- (c) Kennel and dog enclosures are to be kept clean and free of offensive odours at all times. Solid waste is to be regularly collected, 'bagged' and disposed of in the general household waste garbage bins.
- (d) Waste water associated with the cleaning of any kennel or dog enclosure should be disposed of to Council's sewer in accordance with the Local Government Act 1993 and its Regulation.
- (e) No interference with the amenity of the area by reason of the emission of unreasonable noise, smell or otherwise is to be the result of the keeping of dogs.
- (f) Dog yards must be so enclosed as to prevent the escape of dogs.
- (g) The *Companion Animals Act 1998* requires permanent identification, life-time registration, effective control of dogs at all times and annual permits for applicable dogs.
- (h) Where the above provisions cannot be met, the owner of the dogs must demonstrate methods for achieving the objective. Each method will be assessed individually.

Implications

Where complaints are received about odour, noise or other issues relating to the keeping of dogs, Council will conduct an inspection of the property. It is the responsibility of the owner to demonstrate that adequate yard size relative to the size and number of dogs, proper care and desexing has been provided and control has been maintained.

Council has powers under the *Section 124 of the Local Government Act 1993* to impose restrictions on the numbers and manner in which dogs are kept on a particular property.

APPENDIX 2 – PROVISIONS FOR THE KEEPING OF CATS

Introduction

This Appendix identifies criteria and provides clear guidelines to assist persons in keeping cats, so as to ensure that the activity does not have any detrimental impact on the health and amenity of the surrounding area or to the environment.

Objective

To maintain the amenity of residents and surrounding environment by ensuring no interference is caused through the emission of unreasonable noise, smell or otherwise as a result of keeping cats.

Provisions for meeting the objective

- (a) All structures for the keeping of cats over 10m² of floor area and a maximum height of 2.4 metres are subject to the approval of a development application. Such structures are subject to the same conditions as imposed on dog enclosures.
- (b) No interference with the amenity of the area by reason of the emission of unreasonable noise, smell or otherwise is to be the result of the keeping of cats.
- (c) The *Companion Animals Act 1998* requires permanent identification, life-time registration and annual permits for applicable non-desexed cats.
- (d) Cats must not repeatedly damage anything outside the property on which it is ordinarily kept.
- (e) It is advised that Cats be locked indoors or in a suitable enclosure, if possible, between the hours of sunset and sunrise to prevent attacks on wildlife.
- (f) The use of identity collars with multiple bells is encouraged to assist in protecting wildlife.
- (g) Where the above provisions cannot be met, the owner of the cats must demonstrate methods for achieving these objectives. Each method will be assessed individually.

Implications

Where complaints are received about odour, noise or other issues relating to the keeping of cats, Council will conduct an inspection of the property. It is the responsibility of the owner to demonstrate that proper care and desexing has been provided and control of the animal maintained.

Council has powers under the *Section 124 of the Local Government Act 1993* to impose restrictions on the numbers and manner in which cats are kept on a particular property

APPENDIX 3 – STANDARDS FOR KEEPING BIRDS OR ANIMALS

Local Government (General) Regulation 2021

SCHEDULE 2 Standards enforceable by Orders

Part 5 Standards for Keeping Birds or Animals

Division 1 Keeping of Swine

17 Swine not to pollute

- (1) 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):
 - (a) By a person for drinking or domestic purposes, or
 - (b) In a dairy.
- (2) Swine's dung must not be deposited in such a place or manner as to pollute any water referred to in subclause (1).

18 Swine not to be kept near certain premises

- (1) Without limiting clause 18, swine must not be kept (and swine's 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 city, town, residential or other urban part of an area.
- (2) A greater distance determined under this clause applies to a person only if the council has served an order under Section 124 of the *Local Government Act 1993* to that effect on the person.

Division 2 Keeping of Poultry

19 Poultry not to be nuisance or health risk

- (1) Poultry must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.
- (2) Poultry yards must at all times be kept clean and free from offensive odours.

20 Poultry not to be kept near certain premises

- (1) Fowls (that is, birds of the species *Gallus gallus*) or guinea fowls must not be kept within 4.5 metres (or such greater distance as the council may determine in a particular case) of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
 - (2) Poultry (other than fowls referred to in subclause (1)) must not be kept within 30 metres of any building referred to in subclause (1).
-

- (3) The floors of poultry houses must be paved with concrete or mineral asphalt underneath the roosts or perches. However, this subclause does not apply to poultry houses:
 - (a) That are not within 15 metres of a dwelling, public hall or school; or
 - (b) that are situated on clean sand.
- (4) Poultry yards must be so enclosed as to prevent the escape of poultry.
- (5) The standards in this clause apply to a person only if the council has served an order under section 124 of the *Local Government Act 1993* to that effect on the person.

Division 3 Keeping of Horses and Cattle

21 Horses and cattle not to be kept near certain premises

- (1) Horses and cattle must not be kept within 9 metres (or such greater distance as the council may determine in a particular case) 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.
 - (2) The floors of stables must be paved with concrete or mineral asphalt or other equally impervious material, and must be properly graded to drain.
 - (3) Horse yards and cattle yards must be so enclosed as to prevent the escape of horses and cattle.
-

APPENDIX 4 – KEEPING AND TRADING OF BIRDS

Animal Welfare Code of Practice No 4 - Keeping and Trading of Birds

PREFACE

This code is designed for everyone involved in the keeping, breeding, showing and trading of birds (other than domestic poultry). By adhering to the code, people involved in this industry demonstrate to the general community their concern for birds in their care.

The code is neither a complete manual of aviculture husbandry nor a static document. It may be revised to take account of advances in the understanding of bird physiology and behaviour, technological changes, changing industry standards and the community's attitudes and expectations about the welfare of birds.

Compliance with the code does not remove the need to abide by the requirements of any other laws and regulations, such as local government or National Parks and Wildlife Service legislation.

The code has been prepared by the Associated Bird keepers of Australia (ABA) representing a large proportion of those in aviculture. It is not intended to apply to those premises licensed or approved under the Exhibited Animals Protection Act or by the Zoological Parks Board.

This code has been endorsed by:

- The NSW Animal Welfare Advisory Council;
- The NSW National Parks and Wildlife Service;
- NSW Agriculture;
- Pet Industry Joint Advisory Council;
- Canary & Cage Bird Federation of Australia Inc.

1. Introduction

1.1 This code recognises the following principals:

- A primary concern for the welfare of birds;
- A realisation of the need for conservation;
- A concern for others in aviculture;
- Compliance with legislative requirements.

1.2 The importance of care and competence in the handling and keeping of birds cannot be overemphasized. A sound knowledge of their husbandry requirements is essential. Appropriate expert advice and guidance should be sought whenever needed.

1.3 This code cannot replace the need for common sense and experience.

2. General Requirements

2.1 The basic needs of aviary birds are:

- Ready access to proper and sufficient food and water adequate to maintain health and vigour;
- Freedom of movement and ability to exercise or fly appropriate to the species;
- Accommodation which provides protection and which neither harms nor causes distress;
- Fresh air and exposure to suitable light; and
- Protection from predators, toxic substances and diseases.

3. Food

- 3.1 Adequate food suitable for the needs of the particular species of birds should be readily available. Most species of birds should have access to food at all times.
- 3.2 Food should not be moldy or contaminated with harmful substances. It should be stored in a manner which best prevents its deterioration, refrigerated or prepared daily depending on the nature of its ingredients.
- 3.3 Food should be placed where it is least likely to be spoiled or contaminated. Open containers should not be located below perches.
- 3.4 Except where it is a species requirement, direct feeding on the ground should be avoided and suitable containers used to reduce the risk of disease.
- 3.5 Food containers should be checked frequently to ensure that food of suitable quality and quantity is available to the birds. Containers should be constructed and used in a manner which is not dangerous to the birds.
- 3.6 Most birds benefit from a regular supply of fruit, greens or seeding grasses. These should be fresh, preferably supplied daily and old or stale food removed. For most species, grit and other supplements should be readily available, especially to breeding birds.
- 3.7 Care should be taken to avoid providing food that is contaminated with insecticides or other substances of toxic potential or food that is toxic.

4. Water

- 4.1 Clean, cool water should be available at all times;
- 4.2 Water containers should be located to minimize contamination and exposure to the sun and rain. Placement below perches should be avoided.
- 4.3 Containers should be cleaned at least weekly, disinfected regularly. They should be designed by size, shape, depth, slope of sides or contents, so as to avoid drowning or causing distress to birds. Containers should be disinfected before being transferred to other cages.
- 4.4 Except for water birds continually wet areas may present health hazards and should be avoided as far as possible.
- 4.5 Bathing water should be available for many species.
- 4.6 It is totally unacceptable for birds to die from lack of food or water.
-

5. Accommodation

- 5.1 Each species should be accommodated according to its need, including:-
- Protection from the extremes of climate;
 - Safety from predators;
 - Ability to escape from, or to avoid distress caused by other birds, animals and humans;
 - Protection of food and water containers from contamination or from rain or direct sunlight;
 - Sufficient space, perches, nesting areas and /or feed and water stations to meet the needs of all the birds in the cage or aviary;
 - Nesting sites and materials appropriate for the species for breeding purposes where intended.
- 5.2 Cages and aviaries should be sited and constructed to minimize risks from flood or fire. Exits should allow for emergency evacuation.
- 5.3 In cold climates some insulation or heating may be needed for some species. Where birds are likely to be distressed by heat, some form of cooling mechanism should be provided. Birds in small cages should not be left exposed in the hot sun without shelter.
- 5.4 Cages and aviaries should be designed and constructed so as to minimise the threat posed to birds by predators. Many species of birds, animals and reptiles are predators of or cause distress to aviary birds by day or by night. These include cats, dogs, foxes, birds of prey including owls, butcherbirds and currawongs, snakes and even children
- 5.5 Vermin and other pests should be rigidly controlled to prevent their entry to cages, aviaries or food storage areas. If vermin are observed, control measures should be taken promptly.
- 5.6 Bird enclosures or cages should be fitted with openings or doorways designed so as to avoid the risk of injury or escape.
- 5.7 Roosting sites, perches or hiding areas should be provided in the manner and positions most appropriate for the species, e.g. many aviary species require high perches in protected areas for roosting, and some ground dwelling species remain distressed if unable to use areas in which to hide. Perches should be of varied size and shape. Metal or plastic perches are not suitable. Natural branches are preferable.
- 5.8 Water birds given free range or swimming/wading areas, require protection from predators.
- 5.9 Unless compatible, different species should be confined separately.
- 5.10 Care should be taken with new equipment. New galvanised wire may be toxic, especially for parrots. The risk of "New Wire" disease can be reduced by allowing the wire to be weathered for 4-8 weeks or by washing with a mild acidic solution, e.g., vinegar, and rinsed.
-

6. Health and Hygiene

- 6.1 Good animal husbandry, as for any animal species, is essential for the welfare of birds.
- 6.2 Newly acquired birds should be quarantined for a suitable time for treatment/observation before release into aviaries or cages.
- 6.3 Birds show ill health or stress in a great variety of ways, but careful observation may be needed as sick birds are able to suppress some signs when stimulated.

Signs requiring urgent attention include:

- Changes in appearance of droppings;
- Changes in food or water consumption;
- Changes in attitude or behaviour e.g. inability to fly or to see;
- Changes in appearance or posture, ruffled feathers, tail pumping etc;
- Changes in weight;
- Enlargements or swelling;
- Vomiting, injury or bleeding;

Other signs that should be noted include:-

- Excessive loss of feathers;
 - Lameness or sores on feet;
 - Overgrown beak or nails;
 - Stains or scabs around feet, eyes or nostrils.
- 6.4 Sick or injured birds should be isolated to facilitate observation and treatment and to prevent further damage, and/or to restrict the spread of infection.
 - 6.5 The provision of a heated hospital cage is a valuable adjunct. Hospital cage temperature should be kept between 28°C -35°C as appropriate to the species.
 - 6.6 Cages and aviaries should be cleaned regularly; the floor and food and water containers in holding cages should be kept clean.
 - 6.7 Birds should be inspected regularly, preferably daily, to ensure that adequate feed and water is available, to check on their state of health, and to identify and promptly remedy any problem that may develop. New, sick or young birds should be inspected more frequently.
 - 6.8 Where treatment to restore health or to repair injury is not possible or is not successful, euthanasia should be performed by a competent person and in an appropriate and humane manner. Veterinary advice should be sought.
-

7. Trading

- 7.1 Sick, injured or aged birds should not be traded without the full knowledge of the purchase or their condition.
- 7.2 Birds traded should not be misrepresented as to sex, age origin, species or breeding history and soundness.
- 7.3 Juvenile birds are unable to feed themselves should not be traded except for the purpose of hand rearing. The sale of fledglings unable to feed themselves must be restricted to persons competent in the procedures of hand rearing and they must be adequately informed of the nutritional and husbandry requirement of the species and the hygiene and management of standards necessary.
- 7.4 A person trading to another should endeavour to ensure that the buyer understands the feeding and general husbandry requirements of the species being traded.
- 7.5 Birds known or suspected of being obtained illegally should not be traded.

8. Procedures

8.1 Catching

Catching aviary birds usually causes distress and some species are particularly susceptible. Birds should be caught by the least stressful method available and subjected to minimal handling.

8.2 Restraint

Special care and knowledge is necessary in holding or restraining birds, and the most appropriate method should be used for each species.

8.3 Wings

Pinioning of wings is an unacceptable practice and is defined as an act of cruelty. The clipping of wing feathers of small birds or nervous species is also unacceptable.

8.4 Rings

The application of rings for identification purposes requires care for selection of the appropriate ring and its application. Some species, especially adult birds should not be ringed because of the risk of self-mutilation. Special care is needed should a ring require removal, for example, to attend to a leg injury.

8.5 Beak Trimming

Overgrown beaks should be carefully trimmed. Unless due to curable disease or nutritional problem, birds with overgrown beaks should not be used for breeding.

8.6 Toe Trimming

Excessively long nails should be trimmed without drawing blood but does should not be cut with the intent of preventing nail growth. Overgrown nails may be indicative of inadequate conditions, particularly in small cages.

9. Parasite Control

- 9.1 Worm control is necessary with most aviary birds.
 - 9.2 Water or feed medication may be indicated in some circumstances but is least efficient.
-

- 9.3 Individual dosing should be performed by competent operators.
- 9.4 Chemicals (insecticides should be selected and used carefully and in accordance with pesticide laws. (e.g. pest strips are ineffective except in enclosed areas).

10. Transport

- 10.1 Transport creates distress and therefore should be kept to the minimum necessary. Birds should not be left in parked vehicles in the sun or hot weather.
- 10.2 Except for short journeys, feed should always be available during transport, especially for small or young birds, and water should be provided at intervals, especially in hot periods.
- 10.3 Transport cages should be spacious enough for the birds to move around but excessive space may predispose birds to injury and should be avoided.
- 10.4 For some species the roof of transport boxes should be padded to prevent head injuries. Other species may require transportation in bags. For some species, at least for shorter journeys or periods of time, cages should be darkened.

11. Trapping

Trapping of native birds is illegal except under license issued by the National parks and Wildlife Service for the trapping of pest species for damage mitigation purposes.

12. Birds on Display

12.1 Shows and Exhibitions

Shows and exhibitions should be conducted over as short a period as possible and not more than 72 hours. Public access should be controlled. Birds exhibiting signs of distress, injury or disease must be removed from the display area for appropriate attention or treatment. Birds on display must be under competent supervision at all times. Food and water must be available to birds accompanied in accordance with this code. Cage sizes to be not less than the show standards for the particular species.

12.2 Markets and Auctions

These are stressful to birds and must be conducted over a short period as possible and not more than 12 hours. Otherwise conditions as in 12.1 apply.

13. Recommended Reading

- (a) The Bird Observers Club's *'Code of Ethics' for Bird Watchers*.
 - (b) The Australian Agricultural Council's *"Code of Practice for The Welfare of Animals - No. 1, The Fowl"* for those with poultry species.
 - (c) The International Air Transport Association's (IATA) Regulations for Air Transport of Birds Interstate or Overseas.
 - (d) There are many commercially available books which address husbandry of specific species, diseases and their treatment
-

APPENDIX 5 – KEEPING AND TRADING OF BEES

Aims

To allow the keeping to bees in a manner compatible to the area in which they are located and to encourage the keeping of bees in such a way as to be acceptable to the general public.

Objectives

- To ensure public safety and social amenity.
- To encourage good beekeeping practice.
- To maintain public and neighbourhood relations.

Number of Permanent Hives

A hive is a colony of bees headed by a queen bee.

- Small Block - 2 hives;
- Average Block (up to 1000m²) - 4 hives;
- Roomy (up to 2000m²) - 12 hives;
- Rural - No limit.

Note: The number of hives is a guide only and circumstances may allow more or less hives to be kept. In some circumstances the keeping of bees may be inappropriate in some locations as determined by Council.

Method to Help Achieve Aims and Objectives Listed Above

- Beekeepers must obtain permission from the owners of private lands or from the authority of government controlled lands before placing bee hives on such lands.
 - Flight paths should be above 2m when crossing property boundaries. This may be achieved by using screens, shrubs, walls, hedges, fences, etc, therefore setting distance between hives and buildings is unnecessary;
 - Hives should be sited in a warm sunny location to enhance the health of bees.
 - Only docile strains of bees should be kept in hives;
 - Water should be provided for the bees;
 - Consider others when manipulating hives and plan work to cause the least impact;
 - Use escape boards to remove honey rather than shaking, brushing or blowing methods;
 - Control swarming - options include:
 - re-queening;
 - population control;
 - splitting into smaller hives (temporarily).
 - Keep the apiary neat and tidy;
 - Take care when mowing around hives. Try to mow when hives are not active. If the hives are active use a smoker;
 - Communicate with neighbours about beekeeping - discuss any problems they may have.
-

- Hives should not be positioned within close proximity of schools, child care centres, hospitals or other public facilities or areas.

Beekeepers must be registered with NSW Department of Primary Industries and comply with the *Apiaries Act 1985*. Beekeepers are encouraged to increase and update their knowledge by attending field days, study courses and/or belonging to a beekeeping association.

LEGISLATION AND SUPPORTING DOCUMENTS

Relevant Legislation, Regulations and Industry Standards include:

- *Local Government Act 1993*.
- *Local Government Act (General) Regulation 2021*;
- *Protection of the Environment Operations Act 1997*;
- *Environmental Planning and Assessment Act 1979*;
- *The Impounding Act 1993 and Regulations*;
- *Food Act 2003*; and
- *Companion Animals Act 1998*.

Relevant Council Policies and Procedures include:

- Glen Innes Severn Council Local Approvals Policy

VARIATION AND REVIEW

The Local Orders Policy 1 – Keeping of Animals for Domestic Purposes shall be reviewed every three (3) years, or earlier if deemed necessary, to ensure that it meets the requirements of legislation and the needs of Council. The term of the Policy does not expire on the review date, but shall continue in force until superseded, rescinded or varied either by legislation or a new resolution of Council.

Document Control Continued

PREVIOUS VERSIONS:	DATE:	RESOLUTION NO:	DESCRIPTION OF AMENDMENTS:	AUTHOR / EDITOR:	REVIEW / SIGN OFF:
5	27 January 2022		<ul style="list-style-type: none"> • Policy Review and Amendment • Legislation Update • Permitted number of dogs per household • Permitted number of Cats per household • Inclusion of working dogs 	Ranger	MDPRS & GM
4	24 August 2017	15.08/17		Ranger	Acting GM
3	24 July 2014	14.07/14			
2	23 June 2011	23.06/11			
1	28 June 2007	37.06/07			