

Central Coast Council

Keeping of Animals in Residential Areas Policy

Date Adopted: XX/XX/20XX

Revision: 2



DRAFT

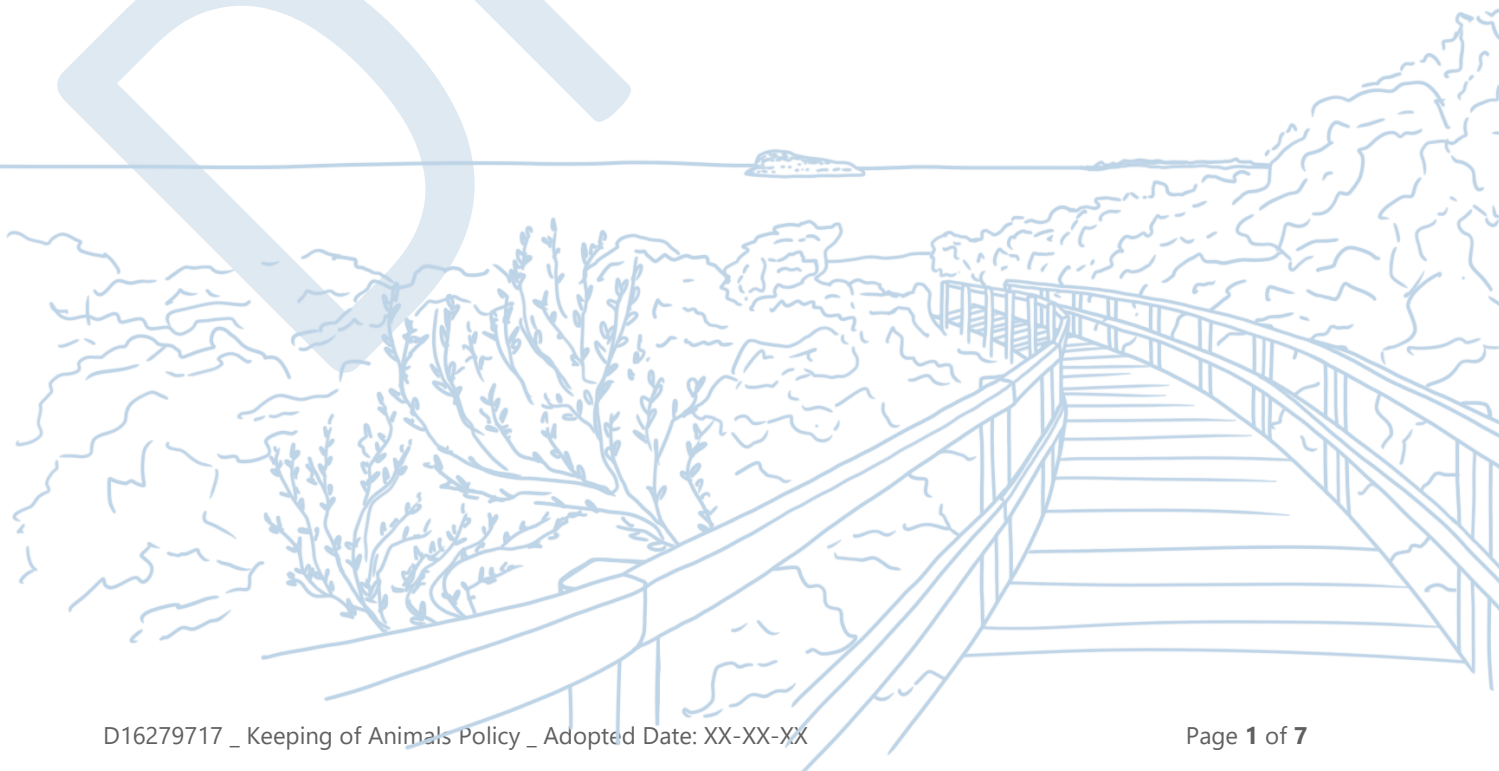


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1. Policy Objectives

- 1.1. The objective of the Keeping of Animals Policy (the **Policy**) is to provide minimum standards for the keeping of animals to:
 - 1.1.1. reduce any adverse impacts on the surrounding community and environment
 - 1.1.2. protect and promote the welfare of animals
 - 1.1.3. protect the welfare and habitat of native wildlife
 - 1.1.4. minimise the disturbance of, or damage to, protected native vegetation.
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2. Policy Scope

- 2.1. This Policy applies to all owners of animals (not dogs or cats) within the Central Coast Local Government Area in relation to residential premises on which animals are kept for domestic purposes, including as pets, hobby or companion purposes or other similar interests.
 - 2.2. This Policy applies to animals kept on land used for residential purposes and any property less than 1200m² regardless of the zone under the Central Coast Local Environment Plan (**LEP**).
 - 2.3. The Policy may also apply where animals are kept in non-residential areas where the keeping of animals is causing, or has the potential to cause, impacts on adjoining lands.
 - 2.4. This Policy does not apply to the keeping of cats or dogs managed under the Companion Animals Act.
 - 2.5. This Policy does not apply to the keeping of animals for commercial breeding or racing purposes, which requires submission of a development application.
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3. Policy Statement

- 3.1. Central Coast Council is committed to providing best practice by establishing clear guidelines and standards for the community in relation to keeping of animals within the Central Coast Local Government Area.
 - 3.2. It is Council's responsibility to ensure the maintenance of a reasonable level of residential amenity and public health, by using Council's legislative powers to control and regulate the keeping of animals.
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4. Guidelines

- 4.1. Animals must be kept in a manner that is:

- 4.1.1. clean and healthy for the owner and surrounding community
 - 4.1.2. free from promoting the harbourage of vermin, including flies and/or insects
 - 4.1.3. free of offensive odours, noise and/or dust
 - 4.1.4. free of waste, including body/organic waste having the potential to produce pollution
 - 4.1.5. free of any other impacts upon neighbouring residents, including safety risks.
- 4.2.** While Council provides this information as a guide, the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (**SEPP**) outlines required setbacks for the structures required for keeping of animals in NSW. Structures which do not comply with the SEPP will require development consent.
- 4.3.** Council has prepared the Advisory Table below to provide guidance for keeping animals on residential land, including the appropriate number per species to maintain a healthy and safe environment for the animals. Council may consider this Table when required to address any impact created by the keeping of any animal species.

Table 1: Keeping of Animals Advisory Table

Species	Guidance on the Keeping of Animals
Bees	Refer to Department of Primary Industries requirements
Caged birds	Appropriate to location, enclosure, and breed
Horses, cattle, pigs, sheep, goats	Not recommended in residential areas
Pet rats, mice and guinea pigs	4 of any variety
Pigeons	10 pairs
Poultry	10 fowl/poultry Roosters are not recommended in residential areas
Rabbits/ferrets	2
Reptiles	Only where the owner holds a licence under the <i>Biodiversity Conservation Act 2016</i> (NSW).
Any other species	Contact with Council is recommended before introduction to residential area

- 4.4.** The numbers of animals are a guide and is a maximum of any, that is, 10 fowl/poultry only, not 10 of each.
- 4.5.** Enforcement action may be taken where less than the number are being kept and are unhealthy, unsafe, or any other adverse impacts are being produced.
- 4.6.** Other species include any animal kept, subject to the keeping of the animal not causing impacts listed below.

5. Responsibilities

Compliance, monitoring and review.

- 5.1.** Council may take regulatory action to address any impact produced by the keeping of any animal(s), regardless of the number being kept or the distance from a dwelling. An impact may include:
- 5.1.1. odour
 - 5.1.2. noise
 - 5.1.3. effluent discharge
 - 5.1.4. dust
 - 5.1.5. insect or pest generation
 - 5.1.6. safety risks
- 5.2.** Where Council decides to take action to address any impact, such action will be undertaken in accordance with Council's Regulatory Policy.

Records management

- 5.3.** Staff must maintain all records relevant to administering this protocol in accordance with Council's Information and Records Management Policy and the *State Records Act 1998* (NSW).

6. Policy Definitions

Act	means the <i>Local Government Act 1993</i> (NSW)
Animals	means any animal that is not a companion animal under the <i>Companion Animals Act 1998</i> (NSW).
Council	means Central Coast Council
Healthy	means clean, free of accumulation of wastes and odour, or unlikely to harbour vermin.
Residential Areas	means Land zoned R1, R2, R3, R5 under the Central Coast Local Environment Plan 2022 or land which is less than 1200m ² in size.

7. Policy Administration

Business Group	Environment and Planning
Responsible Officer	Unit Manager Environmental Compliance Services
Policy Review Date	Four years from date of adoption unless legislated otherwise.
File Number / Document Number	D16279717
Relevant Legislation	This Policy supports Council's compliance with the following legislation: ▪ <i>Local Government (General) Regulation 2021</i> (NSW) ▪ <i>Environmental Planning and Assessment Act 1979</i> (NSW) ▪ <i>Local Government Act 1993</i> (NSW) ▪ <i>Protection of the Environment Operations Act 1997</i> (NSW) ▪ <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>
Link to Community Strategic Plan	Theme 4: Responsible Goal L: Healthy lifestyle for a growing community B-A4: Enhance community safety within neighbourhoods, public spaces and places.
Related Policies / Protocols / Procedures / Documents	▪ Information and Records Management Policy ▪ Code of Conduct ▪ Delegations Register ▪ Regulatory Policy

8. Policy Authorisations

No.	Authorised Function	Authorised Business Unit / Role(s)
1.	Monitor and regulate this policy within the community.	Environmental Compliance Services

9. Policy History

Revision	Date Approved / Authority	Description Of Changes
1	23 February 2021 Minute No.: 46/21	Original Policy adopted
2	TBA	Minor Review