

Division 3 - Keeping of Large Animals

Interpretation

5.3.1 In this Division, unless the context otherwise requires -

"**approved animal**" includes a horse, cow or large animal the subject of an approval by Council under Section 5.3.2;

"**cow**" includes an ox, calf, or bull;

"**horse**" includes an ass, mule, donkey or pony; and

"**large animal**" includes a pig, sheep, goat, deer or camel.

Conditions for keeping of an animal

5.3.2 (1) An owner or occupier of premises, within a townsite shall not keep a horse, cow or large animal on those premises without approval of the Council.

- (2) An owner or occupier of premises who has an approved animal shall ensure -
- (a) the premises has an area of not less than 0.2 hectares for the exclusive use of the approved animal; and
 - (b) the approved animal does not approach within 30 metres of a dwelling.

Stables

5.3.3 (1) The owner or occupier of premises within a townsite, who has an approved animal shall provide for its use a stable which shall -

- (a) not be situated within 30 metres of a house or other premises;
- (b) have a proper separate stall -
 - (i) for each horse or cow; and
 - (ii) with walls measuring not less than 3 metres, both horizontally and vertically, unless it has a sand floor provided in accordance with subsection (2);
 - (iii) with a floor area of not less than 11 square metres, unless it has a sand floor provided in accordance with subsection (2);
- (c) have each wall and roof constructed of an approved impervious material;
- (d) have a roof that covers the entire floor area of the stall;
- (e) have on all sides of the building between the wall and the roof a clear opening of at least 150 millimetres in height;
- (f) subject to subsection (2), have a floor, the upper surface of which shall -
 - (i) be at least 75 millimetre above the surface of the ground;
 - (ii) be constructed of cement, concrete or other similar impervious materials;
 - (iii) have a fall of 1 in 100 to a drain, which shall empty, into a trapped gully

situated outside the stable and shall discharge in a manner approved by the Council.

- (2) A stable constructed with a sand floor may be permitted by the Council, subject to the following-
- (i) the site must be well drained with the highest known water table at least 1.5 metres below the sand floor level, which may be achieved artificially;
 - (ii) a 300mm thick bed of crushed limestone shall be laid under the sand of the stable
 - (iii) sand, whether natural or imported, must be clean, coarse and free from dust;
 - (iv) footings to each stable shall be a minimum of 450mm below ground level;
 - (v) the stable design must allow for the access of small earth moving machinery, such as a skid steer loader, into each individual stall, to maintain the correct floor height;
 - (vi) the minimum floor area of each stall shall be not less than 28 square metres and walls shall not be less than 3 metres vertically or 4 metres horizontally;

(vii) the roofed area of each stall shall not be less than 50 percent of the floor area of the stall.

- (3) The owner or occupier of any premises on which a stable is located shall -
- (a) maintain the stable in a clean condition and when so directed by an Environmental Health Officer, clean, wash and disinfect it;
 - (b) keep all parts of the stable so far as possible, free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
 - (c) when so ordered by an Environmental Health Officer, spray the stable or such parts as may be directed, with a residual insecticide.

Manure Receptacle

- 5.3.4 An owner or occupier of premises on which an approved animal is kept shall -
- (a) provide in a position convenient to the stable a receptacle for manure, which is constructed of smooth, impervious, durable, easily cleanable materials and, provided with a tight-fitting cover, and with no part of the receptacle base being lower than the surface of the adjoining ground;
 - (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
 - (c) cause the receptacle to be emptied at least once a week and as often as may be necessary to prevent it becoming offensive or a breeding place for flies or other vectors of disease;
 - (d) keep the receptacle so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
 - (e) cause all manure produced on the premises to be collected daily and placed in the receptacle.

Division 4 - Keeping of Poultry and Pigeons

Interpretation

- 5.4.1 In this Division, unless the context otherwise requires -
- "poultry" includes bantams, ducks and other domestic fowls;

Limitation on Numbers of Poultry and Pigeons

- 5.4.2 An owner or occupier of premises within a townsite shall not keep a combined total of more than 12 poultry and pigeons without the approval of Council, on any one lot of land.

Conditions for Keeping Poultry in Limited Numbers

- 5.4.3 A person who keeps poultry or permits poultry to be kept shall ensure that -
- (a) no poultry is able to approach within 9 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
 - (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure;
 - (c) the structure is in a yard having an otherwise unobstructed area of at least 30 square metres;
 - (e) no poultry is able to approach within 9 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance;
 - (f) no poultry is able to approach within 1.2 metres of any side or rear boundary of the premises; and

(e) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with in a way as directed by an Environmental Health Officer.

Roosters, Geese, Turkeys, Peafowl's and Gamebirds

- 5.4.4 (1) An occupier of premises within a townsite, shall not without the written approval of the Council, keep or permit to be kept on those premises, any one or more of the following fowl -
- (a) a rooster;
 - (b) a goose or gander;
 - (c) a turkey;
 - (d) a peacock or peahen;
 - (e) a gamebird (includes emus and ostriches)
- (2) The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1) of this section.
- (3) A person who has been granted approval under this Section to keep a bird may keep the bird on the premises only while he is the occupier thereof.
- (4) The Council may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

Pigeons or Doves

- 5.4.5 A person who keeps, or permits to be kept, pigeons or doves shall ensure that -
- (a) none is able to approach within 9 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold; and
 - (b) except where registered homing pigeons are freed for exercise, the pigeons or doves are kept in a properly constructed pigeon loft or dove cote that -
 - (i) is in a yard having an otherwise unobstructed area of at least 30 square metres; and
 - (ii) does not allow them to approach within 1.2 metres of any side or rear boundary of the premises; and
 - (iii) is maintained in such a manner so as not to create a nuisance by the emission of dust, effluvia or odours.

Removal of Non-Conforming Structure or Enclosure

- 5.4.6 (1) If a structure or enclosure is used for the keeping of poultry or pigeons or doves contrary to the provision of Section 5.4.3 and 5.4.5, the Council may direct the owner or occupier to remove it.
- (2) An owner or occupier shall comply with a direction from the Council under this Section.

Restrictions on Pigeon Nesting or Perching

- 5.4.7 (1) The Council may order an owner or occupier of a house in or on which pigeons which are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so.
- (2) An owner or occupier shall comply with the Council order under this Section.

Division 5 – Feedlots

Interpretation

- 5.5.1 For the purpose of this division -