



CITY OF CHARLES STURT

By-law made under the Local Government Act 1999

DOMESTIC LIVESTOCK MANAGEMENT BY-LAW 2021

By-law No. 6 of 2021

For the management, control and regulation of the keeping of livestock on residential premises, and for related purposes.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Domestic Livestock Management By-law 2021*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law:

- 3.1 **cat** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.2 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.3 **keep** includes care, feed, control or possess, whether temporary or permanent;
- 3.4 **livestock** means animals kept or usually kept in a domestic or captive state, including cattle, goats, camels, horses, sheep, swine, birds, poultry, pigeons, bees and fish kept or usually kept in a commercial aquarium or fish farm, but does not include a dog or cat;
- 3.5 **poultry** includes chickens, roosters, turkeys, ducks and geese;
- 3.6 **prescribed livestock** means bees, birds, pigeons and fish;
- 3.7 **residential premises** means premises with a residential land use category within the meaning of *Local Government (General) Regulations 2013*; and
- 3.8 **road** has the same meaning as in the *Local Government Act 1999*; and

- 3.9 **small premises** means residential premises where the property, or part thereof, contains a secured unobstructed yard area of less than 100 square metres.

Part 2 – Livestock Management

4. **Permission to be Obtained to Keep Livestock in Excess of the Limit**

A person must not, without permission, keep or permit to be kept any livestock on residential premises where the number of livestock on the premises exceeds the limit prescribed for any kind of livestock under this by-law.

Note: In addition to requiring permission under this by-law, a person may also require approval under the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016* to keep certain livestock on residential premises.

5. **Limit on Livestock Numbers**

The limit on the number of livestock (other than prescribed livestock and poultry) kept:

- 5.1 on a small premises is one animal;
- 5.2 on premises other than a small premises is two animals.

6. **Compliance with Prescribed Standards**

- 6.1 The owner of livestock kept on residential premises must ensure that the livestock is kept in a place that complies with the prescribed place standards provided for in Part 4.
- 6.2 The owner of livestock kept on residential premises in a structure constructed on or after 21 December 2014 must ensure that the structure complies with the prescribed structure standards provided for in Part 4.

7. **Feed Storage**

The owner of livestock kept on residential premises must ensure that any food for the livestock is stored in an air-tight, rodent proof container when not in use.

Part 3 – Specific Requirements for Poultry and Pigeons

8. **Keeping Poultry**

- 8.1 The limit on the number of poultry kept:
- 8.1.1 on a small premises is five birds;
- 8.1.2 on premises other than a small premises is 10 birds.
- 8.2 A person must not, without permission, keep a rooster on residential premises.
- 8.3 The owner of a poultry kept on residential premises must ensure that all poultry faeces, feathers, refuse and dropped or scattered feed on the premises are removed and disposed of:

- 8.3.1 at least twice each week; and
- 8.3.2 as often as is necessary to prevent the escape of offensive odours from the premises.

9. Keeping Pigeons

- 9.1 The limit on the number of pigeons kept:
 - 9.1.1 on a small premises is 15;
 - 9.1.2 on premises other than a small premises is 30.
- 9.2 The owner of a pigeon kept on residential premises must ensure that the pigeon is kept in an enclosure that complies with the prescribed enclosure standards provided for in Part 4.
- 9.3 The owner of a pigeon kept on residential premises must not feed or permit a person to feed the pigeon unless it is inside in the enclosure specified in subparagraph 9.2.
- 9.4 The owner of a pigeon kept on residential premises must ensure that all pigeon faeces, feathers, refuse and dropped or scattered feed on the premises are removed and disposed of:
 - 9.4.1 at least twice each week; and
 - 9.4.2 as often as is necessary to prevent the escape of offensive odours from the premises.

Part 4 – Prescribed Standards

10. Place Standards

A place complies with the 'prescribed place standards' if:

- 10.1 the livestock may extend its legs, wings or body to their full natural extent;
- 10.2 the livestock may stand, sit or perch, or the place is otherwise adequate for the needs of the animal;
- 10.3 the place is in a clean and sanitary condition; and
- 10.4 the livestock can be adequately contained to the premises.

11. Structure Standards

A structure complies with the 'prescribed structure standards' if it is:

- 11.1 located in the rear yard of the premises;
- 11.2 located not less than one metre from the boundary line between the owner's premises and any abutting premises;

- 11.3 soundly constructed of durable materials;
- 11.4 impervious to water;
- 11.5 constructed of materials that may be readily sanitised;
- 11.6 maintained in a good state of repair free from cracks, holes, rust and other damage;
- 11.7 kept in a way that minimises the transfer of pathogenic agents; and
- 11.8 adequately ventilated for the health and comfort of the livestock.

12. Enclosure Standards

An enclosure complies with the 'prescribed enclosure standards' if it:

- 12.1 is adequate for the size and breed of pigeon;
- 12.2 has its inside walls and ceilings (except walls and ceilings constructed of wire) painted or disinfected at least twice yearly;
- 12.3 otherwise complies with the prescribed place and shelter standards provided for in paragraphs 10 and 11 of this by-law.

Part 5 – Miscellaneous

13. Granting of Permits

Prior to the Council granting permission under paragraph 4 or 8.2 the Council must (in addition to any other relevant matters) consider whether:

- 13.1 an insanitary condition exists or has existed on the premises as a result of the keeping of animals;
- 13.2 a nuisance is caused or has been caused to any neighbour as a result of the keeping of animals on the premises or is likely to be caused by the keeping of the livestock;
- 13.3 there exists sufficient space, shelter on the premises for the keeping of the livestock;
- 13.4 the livestock can be adequately contained to the premises;
- 13.5 any other animals are kept or proposed to be kept on the premises;
- 13.6 any order pursuant to Section 30 of the *Local Nuisance and Litter Control Act 2016* has been issued in respect of the premises or the applicant for permission.

14. Exemptions

- 14.1 The restrictions in this by-law do not apply to livestock for which the Council has granted a specific exemption from the restriction.

14.2 The limit prescribed in paragraphs 5, 8.1 and 9.1 does not include any livestock under three months of age.

15. Revocation

Council's *Domestic Livestock Management By-law 2014*, published in the *Gazette* on 21 August 2014, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the City of Charles Sturt held on the day of 20 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

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Mr Paul Sutton
Chief Executive Officer