

Warringah Council Policy

Policy No. PL 370

Animal Management Policy

2015/296804

1 Purpose of Policy

To provide information on the keeping of animals within Warringah to:

- a) ensure residents' amenity is not impacted adversely by the keeping of animals
- b) safeguard wildlife and the environment
- c) promote responsible animal ownership

2 Principles

The principles by which Council will control and regulate the number of animals kept on premises are primarily in accordance with the *Local Government Act 1993* and *Companion Animals Act 1998*.

The Policy aims to:

- Inform the community of legal restrictions and acceptable limits which apply to keeping certain animals for domestic purposes.
- Provide guidance and advice to people on keeping animals within Warringah.
- Provide advice on where animals are restricted or prohibited within Warringah.
- To establish acceptable standards for the keeping of animals.
- Define criteria for unleashed dog exercise areas.

3 Policy Requirements

3.1 Keeping of Animals

Animal numbers should be kept in accordance with the requirements detailed in **Appendix One**.

Animals should be kept in a manner which does not:

- Create unclean or unhealthy conditions for people or animals
- Attract or provide a harbourage for vermin
- Create offensive noise or odours
- Cause a dust or drainage nuisance
- Create waste disposal problems 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 parasites.
- Cause harm to wildlife

Suitable shelter should be provided for all animals. The animals should be contained to prevent escape, and in some cases predation, by suitable fencing or caging depending on the species.



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Certain animal shelters and facilities should not be erected or located without the prior approval of the Council. Residents should refer to the Warringah Local Environment Plan and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* to determine which structures require development approval.

Notes:

- 1) Where a dwelling is owned within a Strata Plan, it will be necessary for the rules of the Owners Corporation to be examined for requirements relevant to the keeping of animals. Council does not enforce property by laws.
- 2) Development Consent is required to be obtained from Council for a commercial activity involving the keeping of animals.

3.2 Unleashed Dog Exercise Areas

Under the *Companion Animals Act 1998* Council is required to provide at least one area designated for unleashed dog exercise at all times.

Before designating an area as an unleashed exercise area Council must:

- ensure the use of that area does not compromise the environment with particular reference to threatened species;
- undertake appropriate consultation with current users and stakeholders to ensure there is no conflict with these groups; and
- adequately signpost all unleashed dog exercise areas.

Users of the unleashed dog exercise areas must:

- ensure their dog is under supervision and effective control of a person age 16 or above; and
- remove any dog faeces (poo) and waste produced by their dog(s) and dispose of in a waste bin.

Council may allocate areas on either a permanent basis or restricted time basis.

Council may terminate the use of any area as an unleashed exercise area where deemed appropriate.

Approved unleashed dog exercise areas are listed in **Appendix 2**.

3.3 Prohibited Areas

Cats are prohibited from all Wildlife Protection Areas within Warringah (**Appendix 3**).

Dogs are prohibited from:

- All beaches and rockpools
- Creeks and Lagoons (unless signposted otherwise)
- Schools, preschools and childcare centres
- Within 10 metres of children's playgrounds
- Within 10 metres of food preparation areas (except on a public thoroughfare).
- Dee Why Lagoon Wildlife Refuge Area
- Long Reef Aquatic Reserve



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- Deep Creek Reserve, Narrabeen (Wildlife Protection Area)
- Wildlife Protection Areas adjacent to the Narrabeen Lagoon Trail
- Middle Creek Reserve (Bushland portions)
- Wildlife Protection Areas adjacent to Middle Creek and Wakehurst Parkway
- The playing surface of Brookvale Park.
- The playing surface of the synthetic sportsfield at Cromer Park field one
- The playing surface of the synthetic sportsfields at Forestville Memorial Playing Fields (Melwood Oval)

Horses and other livestock are prohibited from:

- All beaches
- Creeks (with exception of the Bridle Trail in Terrey Hills) and Lagoons
- Sporting fields
- Bushland Reserves (with exception of the Bridle Trail in Terrey Hills and JJ Hills Melbourne Memorial Reserve)

3.4 Dogs in Outdoor Dining Areas

Under the *Companion Animals Act 1998*, since 2010, dogs are allowed in outdoor dining areas of cafes and restaurants under the following conditions:

- Consent of café or restaurant owner
- The area must not be enclosed and must be able to be entered by the public without passing through an enclosed area
- Dogs must be on a leash at all times
- Dogs must be on the ground at all times
- Dogs may be provided with drink but not food
- Dangerous and restricted dogs are prohibited

3.5 Animals Prohibited within Residential Areas

The following animals are not permitted to be kept in residential areas due to likely impact on health and amenity:

- Roosters
- Pigs
- Goats
- Sheep
- Horses (blocks less than 1000m²)
- Cattle

3.6 Variation to the Policy

Variations to this policy may be sought by making written representation to Warringah Council. Any proposal for a variation will be considered on a case by case basis.

3.7 Compliance

The compliance of this Policy will be managed under appropriate legislation and in line with the Compliance and Enforcement Policy PDS-PL 120.



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4 Authorisation

This policy was initially adopted by Council 27 August 2013

The policy was revised and adopted 16 February 2016

It is effective from 17 February 2016

It is due for review on 17 February 2021

5 Amendments

This policy replaces

- a) ENV-PL 310 - Dog Control, Free-Run Areas
- b) ENV-PL 315 - Companion Animal Numbers in Residential Areas (Res 2a)
- c) ENV-PL 320 - Keeping non-companion animals on residential premises

6 Who is responsible for implementing this Policy?

Group Manager Parks Reserves and Foreshores

Group Manager Development Compliance Services



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7 Document owner

Deputy General Manager, Environment

8 Related Council Policies

- a) Compliance and Enforcement Policy PDS-PL 120
- b) Enterprise Risk Management Framework Policy PL 700

9 Legislation and references

- a) *Local Government Act 1993*
- b) *Companion Animals Act 1998*
- c) *Protection of the Environment Operations Act 1997*
- d) Department of Primary Industry, *Code of Practice for Keeping Birds* (1996)
www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/codes/aw-code-4
- e) Department of Primary Industry, *Beekeeping Code of Practice for NSW* (2009)
www.dpi.nsw.gov.au/__data/assets/pdf_file/0004/270679/Beekeeping-code-of-practice-for-NSW.pdf
- f) Reptile keepers licence information
www.environment.nsw.gov.au/wildlifelicences/ReptileKeepersLicence.htm
- g) Warringah Local Environment Plan 2011
www.warringah.nsw.gov.au/plan_dev/LEP2011.aspx
- h) *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
www.planning.nsw.gov.au/planning_reforms/p/sepp_exempt_and_complying_development_2008.pdf
- i) Warringah Council, *Generic Bushland Reserves Plan of Management* (2009)

10 Definitions

Residential zones – R2 and R3 in the Warringah Environment Plan 2011

Rural zones – category RU4 in the Warringah Environment Plan 2011

RHDV – Rabbit Haemorrhagic Disease Virus

Wildlife Protection Area – specifically declared land which allows Council to control domestic animals (cats and dogs) in accordance with the *Companion Animals Act 1998*



Appendix One

Requirements for keeping animals in Warringah Local Government Area

* Note: **Minimum distances** - The distances indicated in the third column of the above table are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall, school, hospital, shop or premises used for the manufacture, preparation, sale or storage of food.

Animal Species	Maximum Number Recommended	Minimum Distance*	Applicable Regulations and Other Advisory Matters
<p>Poultry, domestic and guinea fowl</p> <p>Poultry, other than fowls, including peafowl and other pheasants</p> <p>Geese, ducks and Turkeys</p>	<p>Residential Properties</p> <p>10</p> <p>10</p> <p>2</p> <p>Roosters are not permitted in residential zones</p> <p>Rural properties: As appropriate to size of property</p>	<p>4.5 metres</p> <p>30 metres</p> <p>30 metres</p>	<p>Keeping of poultry must not create a nuisance or be dangerous or injurious to health. Poultry yards must be kept clean and free of offensive odours.</p> <p>Must be at least 3m from boundary. Council may insist on keeping of poultry at a greater distance in particular cases.</p> <p>Poultry yards must be enclosed to prevent escape.</p> <p>Yards must be kept free from mice and rats. If located on bush fire prone land and is less than 5m from a dwelling they must be constructed of non-combustible material.</p> <p>In residential areas must be located in a rear yard, be no more than 15m² in area and not be higher than 3m above ground level. Metal components of housing must be of low reflective material.</p> <p>In rural areas be no more than 50m² in area and no more than 7m above ground level.</p>
<p>Dogs (excluding dogs under 6 months of age)</p>	<p>Residential properties:</p> <p>3</p> <p>Rural properties: As appropriate to size of property</p>	<p>Appropriate distance to avoid nuisance to adjoining premises.</p> <p>Dog kennels must be at least 450mm from a boundary fence.</p>	<p>Dogs should be kept in numbers and breeds appropriate to the size of the property.</p> <p>Dogs owners must be responsible for ensuring that yards are kept in healthy condition and faeces is suitably disposed of at all times.</p> <p>Dogs are prohibited at all locations specified in Section 3.3 of this Policy. Dogs must be on lead in all other public areas, except for unleashed areas specified in Appendix 2.</p> <p>Owners should remain aware any noise nuisance created by barking dogs as they are subject to noise restrictions under the <i>Protection of the Environment and Operations Act 1997</i> and also the <i>Companion Animals Act 1998</i>.</p> <p>The <i>Companion Animals Act 1998</i> requires all dogs to be micro chipped by 12 weeks of age and registered at 6 months of age.</p>



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Animal Species	Maximum Number Recommended	Minimum Distance*	Applicable Regulations and Other Advisory Matters
			<p>Dogs must wear a collar with tag displaying the dog's name and the owner's phone number.</p> <p>Council encourages all dog owners to desex their pet.</p>
Cats (excluding cats under six months of age)	3	Appropriate distance to avoid nuisance to adjoining premises	<p>Cats should be kept in numbers and breeds appropriate to the size of the property.</p> <p>Council encourages owners to keep their cat inside particularly at night.</p> <p>The <i>Companion Animals Act 1998</i> requires all cats born after 1 July 1999 to be micro chipped by 12 weeks of age and registered at 6 months of age.</p> <p>Cats born prior to 1 July 1999 should wear a collar with tag displaying the cats name and the owner's phone number.</p> <p>Council encourages all cat owners to de-sex their pet.</p>
Horses and Cattle	<p>Rural properties – as appropriate to size of property</p> <p>Residential properties – 1 horse with a minimum property size of 1000m².</p> <p>Cattle not permitted in residential zones.</p>	9 metres	<p><i>Local Government (General) Regulation 2005</i> applies. A greater separation distance may be required by resolution of Council in each particular case.</p> <p>Fencing must be strong and durable to prevent escape.</p> <p>Stables and sheds must be hard paved and graded to drain.</p> <p>To prevent pollution, weed growth and nutrient run off, waste products must be effectively managed and not drain to natural water courses or stormwater drains.</p> <p>Any structure is subject to any relevant planning approval.</p>
Rabbits	Appropriate to location and breed. Care should be taken to prevent excessive breeding (e.g. desex your rabbit)	Appropriate distance to avoid nuisance to adjoining premises	<p>A licence is not required to keep domestic rabbits in NSW. It remains illegal to keep wild rabbits in captivity without the approval of the Rural Lands Protection Board.</p> <p>Rabbits must be kept in a rabbit-proof enclosure and are not permitted to be 'free-range'. Rabbits must not be released, abandoned or left in any situation, which would allow them to roam outside of their enclosure.</p> <p>Rabbit enclosures should be fly meshed to prevent spread of Myxomatosis and Rabbit</p>



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Animal Species	Maximum Number Recommended	Minimum Distance*	Applicable Regulations and Other Advisory Matters
			<p>Haemorrhagic Disease Virus (RHDV)</p> <p>Council recommends vaccination of pet rabbits against RHDV</p> <p>Rabbits must not be vaccinated with the fibroma (myxomatosis) vaccine. It is illegal to possess fibroma vaccine.</p> <p>Rabbit farming is not permitted without approval and must comply with NSW Department of Primary Industries guidelines.</p>
Sheep and Goats	<p>Rural properties – as appropriate to size of property</p> <p>Residential properties – nil</p>	10 metres	<p>Goats and sheep are not permitted to be kept on residential properties.</p> <p>These animals are not to be slaughtered at the properties where they are kept.</p>
Pigs	<p>Rural properties – as appropriate to size of property</p> <p>Residential properties – not permitted in residential zones</p>	60 metres	<p><i>Local Government (General) Regulation 2005</i> applies. The keeping of pigs is not permitted in residential areas. This applies to all breeds of pigs, including miniature pigs.</p>
Reptiles and Frogs	As appropriate in the circumstances with the appropriate licenses.	Appropriate distance to avoid nuisance to adjoining premises.	<p>All lizards, snakes, frogs and turtles are protected under the <i>National Parks and Wildlife Act 1974</i> and it is against the law to take them from the wild. You can get a licence from the National Parks and Wildlife Service to keep captive-bred reptiles and frogs as pets.</p> <p>All species must be adequately housed to prevent escape.</p> <p>Owners should remain aware any noise nuisance created by captive frogs (males) as they are subject to noise restrictions under the <i>Protection of the Environment and Operations Act 1997</i>.</p>
Birds other than cockatoos and domestic pigeons	Appropriate to location and breed and with appropriate licenses for native birds	Appropriate distance to avoid nuisance to adjoining premises.	<p>Compliance with the NSW Animal Welfare Code of Practice No. 4 – Keeping and Trading of Birds is required.</p> <p>Aviaries must have an impervious floor and be constructed or installed so that roofwater is disposed of without causing a nuisance to adjoining owners. There must not be more than two aviaries per property.</p> <p>If located on bush fire prone land and is less than 5m from a dwelling they must be constructed of</p>



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Animal Species	Maximum Number Recommended	Minimum Distance*	Applicable Regulations and Other Advisory Matters
			<p>non-combustible material.</p> <p>In residential properties aviaries must not have a floor area of more than 10m², be located in the rear yard at least 900mm for each side and rear boundary, not be higher than 2.4m, metal components must be low reflective, factory pre-coloured materials.</p> <p>In rural areas they must not have a floor area of more than 30m², not higher than 3m, be at least 20m from the road boundary and 5m from each other lot boundary.</p>
Cockatoos (including Corellas)	2	Appropriate distance to avoid nuisance to adjoining premises.	<p>Cockatoos and corellas are generally not appropriate as domestic pets as they often present a significant noise nuisance. Appropriate enrichment and training should be provided to minimise noise.</p> <p>Owners should remain aware any noise nuisance created by the cockatoos as they are subject to noise restrictions under the <i>Protection of the Environment and Operations Act 1997</i></p> <p>Conditions for aviaries applies as per above.</p>
Domestic Pigeons	<p>10 pairs – Non registered owners</p> <p>60 pairs – registered racing pigeon owners</p> <p>Keeping of pigeons is not permitted in medium and high density residential developments</p>	4.5 metres	<p>Construction of a pigeon loft will require Council approval with plans detailing ventilation, waterproofing and drainage. Cladding on the loft should be unobtrusive in colour.</p> <p>Lofts should be kept clean and insect free. No feathers or droppings to escape from subject land.</p> <p>Open lofts are not permitted.</p> <p>Food must be stored in vermin proof containers.</p> <p>Owners should remain aware any noise nuisance created by the pigeons as they are subject to noise restrictions under the <i>Protection of the Environment and Operations Act 1997</i></p>
Ferrets	2	Appropriate distance to avoid nuisance to adjoining premises.	<p>The keeping of ferrets is not recommended. However where proper care, including secure caging, the keeping of ferrets may be undertaken provided no nuisance is created. Cages must be adequate to prevent escape.</p>
Pet rats, mice and guinea pigs	4 of each variety	Not applicable	<p>Rats and mice are to be kept indoors only in appropriate cages which are to be kept odour free. Care should be taken to prevent excessive</p>



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Animal Species	Maximum Number Recommended	Minimum Distance*	Applicable Regulations and Other Advisory Matters
			breeding and release into the environment. Guinea Pigs kept outside need to be in secure enclosure to prevent escape and also protect from dogs and foxes.
Bees	Residential areas - 2 hives. Rural properties – as appropriate to the size of property	Flight paths must be a minimum of 2 m above neighbouring properties.	Hives should not be located in view of the public. Hives should not be located within the vicinity of schools, childcare centres, hospitals or other public facilities. Registration must be undertaken with the NSW Department of Primary Industries. Beekeepers must comply with the Beekeeping Code of Practice for NSW produced by NSW Department of Primary Industries.
Fish	As appropriate in the circumstances	Appropriate distance to avoid nuisance to adjoining premises.	Unwanted pet fish must not be released into waterways. Aquarium weed must not enter waterways.

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Appendix two – Unleashed Dog Exercise Areas

Beverly Job Park (part), Narraweena
Curl Curl Lagoon, Curl Curl - swimming area (lagoon water may be contaminated; the effects on dog health are unknown)
Currie Road, Forestville - just prior to Forestville Park
Flora and Ritchie Roberts Reserve, Griffin Road, Curl Curl
Forestville Memorial Playing Fields (part)
Frenchs Forest Showground, Blackbutts Road
Griffith Park (part), Anzac Avenue, Collaroy
Hinkler Park, Pittwater Road, Queenscliff
John Fisher Park (part), Adams Street, Curl Curl
Truman Reserve, Cromer

Off-leash Exercise Areas – Restricted Times

Allambie Heights Oval: 12am-7am daily
Beacon Hill Oval: 11pm-8.30am weekdays; 11pm-7.30am weekends
Karl Brown Oval, Terrey Hills: 12am-8.30am daily
Melwood oval (natural turf field), Forestville Memorial Playing Fields, 10pm-8am weekdays and 10pm-7am weekends



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Appendix Three – Wildlife Protection Areas

Allenby Park, Allambie Heights
Anembo Reserve, Duffys Forest
Anzac Avenue Reserve, Collaroy Plateau
Dee Why Headland / Escarpment
Dee Why Lagoon Wildlife Refuge, Dee Why (dogs prohibited)
Deep Creek Reserve, Narrabeen (dogs prohibited)
Forestville Park, Forestville
Golden Grove Reserve, Beacon Hill
Grace Avenue Reserve, Frenchs Forest
Jamieson Park, Narrabeen
Lincoln Reserve, Collaroy Plateau
Long Reef Headland, Collaroy
Long Reef Aquatic Reserve (dogs prohibited)
Manly Warringah War Memorial Park/Manly Dam (special conditions apply)
Middle Creek Reserve, Narrabeen (dogs prohibited in bushland portions)
Narrabeen Lagoon Multi-use Trail (Middle Creek to Deep Creek)
Red Hill Reserve, Beacon Hill
Stony Range Flora Reserve, Dee Why
Towradgi Reserve, Narraweena