

Animals

Corangamite Shire

November 2021



CORANGAMITE
SHIRE

Council Policy



CORANGAMITE
SHIRE

Animals

Introduction

The number of animals kept at a property and the conditions they are kept in, has the potential to impact on animal welfare, neighbourhood character and/or adjoining landowners.

Purpose

To ensure appropriate animal keeping and to protect the amenity of urban and rural areas by limiting animal numbers (including poultry), while allowing for fair and reasonable use of land. This policy also protects the welfare of animals by setting the standard of housing used for animal confinement.

Scope

Applies to owners and occupiers of land, animal owners and/or animal carers within the Corangamite Shire urban and rural areas, as defined in Council's General Local Law No 1.

This policy specifically applies to dogs, cats, poultry, horses, donkeys, mules, cattle, sheep, alpacas and other animals as identified in either this policy or Council's Local Laws.

References

Council Local Laws No.1 and No.2 2015

Policy Detail

Restrictions will be placed on the number of animals including dogs, cats, horses, donkeys, mules, cattle, sheep, pigs, alpacas and poultry that are able to be kept within both urban and rural areas.

These restrictions, including the type of animals, number of animals and the conditions for housing of animals, will be identified and enforced through Council's Local Laws to ensure appropriate animal keeping and to protect the amenity of land.

Poultry

Specific issues can arise with the ownership and keeping of poultry and therefore the below requirements contained in this policy and any additional requirements within Council's Local Laws must be adhered to for the keeping of all poultry.

1. Urban areas:

- a) No person shall keep more than 15 head of poultry without a permit.
- b) A rooster must not be kept within an urban area or within 100 meters of an urban area without a permit (limits on numbers and roaming areas will apply).

2. Urban and Rural areas:

- a) All poultry must be kept within the poultry owner's property boundary.
- b) All poultry shall be maintained and housed so that it does not cause, or is likely to

cause a nuisance or offensive condition.

- c) No person shall keep or cause or permit to be kept any live poultry on any property except in a fowl-house or a structure made for the purpose of housing live poultry (which may have an enclosed fowl-pen attached) or similar structure or in a mobile cage.
- d) The construction or placement of a fowl-house or similar structure or mobile cage, must be:
- Greater than 10 metres from any dwellings on the said property or adjoining or adjacent properties.
 - Greater than 3 metres from any property boundary or dividing fence and not attached to a dividing fence or property boundary.
 - Roofed with the surface level of the floor at least 100mm above the level of the surrounding ground.
 - Constructed to hold 75mm in depth of litter on the floor
 - Rendered and maintained rat proof.
- e) The occupier of any property on which any poultry are kept or housed, must have the fowl-house, mobile cage or similar structure and any attached enclosed fowl run, thoroughly cleansed from time to time to ensure it is kept in a clean, wholesome and sanitary condition at all times.
- f) No person shall keep or store or cause or permit to be kept or stored on any property where poultry are kept, any food for consumption by poultry, unless such food is kept or stored in rat-proof receptacles.
- g) No occupier of any property on which poultry is kept shall leave or cause or permit to be left or to remain thereon for a longer period than is absolutely necessary, any waste food or other matter likely to become offensive or injurious to health or attract or harbour rodents or other vermin.

Permits

Permits may be issued for the keeping of poultry and animals that do not meet the Local Law and policy conditions.

A Permit Fee will apply.

Applications for permits are required to be in writing on the prescribed form contained within Council's General Local Law No 1.

In determining whether to grant a permit for the keeping of animals where the number exceeds that determined by Council or does not meet the conditions established in this policy, the Officer must take into account the:

- reason for requiring the permit;
- type and number of additional animals to be kept;
- proximity to adjoining properties;
- if neighbour agreements need to be obtained;
- amenity of the area;

- likely effects on adjoining owners;
- zoning and overlays applied to the land;
- topography of the land, including flood risk;
- adequacy of animal shelters including:
 - height of the shelter
 - distance from the street frontage of the property
 - distance from any other street or road
 - distance from the boundary of any adjoining property
 - the distance from any dwelling.
 - adequacy of fencing and gates and
 - any other matter relevant to the circumstances associated with the application.

Excess Animal Permit Requirements

The number of dogs, cats, poultry, horses, donkeys, mules, cattle, sheep, alpacas and other animals able to be kept in an urban or rural area is regulated by Council's General Local Law No 1.

An Excess Animal Permit is required by owners and occupiers of land to keep a number of dogs, cats, poultry, horses, donkeys, mules, cattle, sheep, alpacas and other animals, greater than the number of animals specified in this policy or Council's General Local Law No1.

If an Excess Animal Permit is granted, the permit holder must meet all of the policy requirements indicated above and ensure that animal shelters and surrounding areas are maintained at all times so that:

- All manure and other wastes are removed and/or treated as often as necessary so that it does not cause a nuisance or offensive condition.
- The ground surrounding the shelter is adequately drained.
- The area of land within 3 metres of the area or structure in which the animal is kept must be kept free from dry grass, weeds, refuse, rubbish or other material capable of harbouring vermin.

Exemptions

Animal owners that are regulated by State Government Regulations or Codes of Practice.

Penalty

See Local Law.

Human Rights

The policy gives regard to relevant legislation, principles of natural justice and procedural fairness, community values and Council's resource capacity.

It is considered that this policy does not adversely impact community members or employees of different genders and has been developed in accordance with the Gender Equality Act 2020.

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

Review Date

This Policy is to be reviewed by November 2025 or earlier if required.



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Andrew Mason
Chief Executive Officer
Corangamite Shire

Date 29/11/2021

Review Date
23 November 2025