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Health Standards for Keeping Poultry

Keeping poultry such as chickens is a popular activity for many people. The keeping of poultry can result in public health and nuisance complaints to Council if the poultry are poorly kept and maintained. The LOCAL GOVERNMENT (GENERAL) REGULATION 2005 provides standards that are enforceable by order for the keeping of poultry so as to ensure healthy conditions are maintained and public health is protected.

For further information please contact Councils Environmental Health Officers

Local Government (General) Regulation 2005 - Schedule 2

SCHEDULE 2 – Standards enforceable by orders

Part 5 - Standards for keeping birds or animals

Division 2 - Keeping of poultry

19. Poultry not to be nuisance or health risk

- (1) Poultry must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.
- (2) Poultry yards must at all times be kept clean and free from offensive odours.

20 Poultry not to be kept near certain premises

- (1) Fowls (that is, birds of the species *Gallus gallus*) or guinea fowls must not be kept within 4.5 metres (or such greater distance as the council may determine in a particular case) of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- (2) Poultry (other than fowls referred to in subclause (1)) must not be kept within 30 metres of any building referred to in subclause (1).
- (3) The floors of poultry houses must be paved with concrete or mineral asphalt underneath the roosts or perches. However, this subclause does not apply to poultry houses:
 - (a) that are not within 15.2 metres of a dwelling, public hall or school, or
 - (b) that are situated on clean sand.
- (4) Poultry yards must be so enclosed as to prevent the escape of poultry.
- (5) The standards in this clause apply to a person only if the council has served an order under section 124 of the Act to that effect on the person.

Planning Requirements

Development Standards for Poultry Housing

The construction or installation of a fowl or poultry house is development specified for STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008 - REG 2.42.

if it is:

- (a) constructed or installed on land in a residential or rural zone, and
- (b) not constructed or installed on or in a heritage item or a draft heritage item, and
- (c) not constructed or installed on land in a foreshore area.

The following development standards must be met or Development Consent maybe required. For further information please contact Councils Development Planners.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 - Reg 2.42

2.42 Development standards

(1) The standards specified for that development are that the development must:

- (a) if the development is constructed or installed on land in Zone R1, R2, R3, R4, R5 or RU5:
 - (i) be not higher than 3m above ground level (existing), and
 - (ii) not have a floor area of more than 15m², and
 - (iii) be located in the rear yard, and
- (b) if the development is constructed or installed on land in Zone RU1, RU2, RU3, RU4 or RU6:
 - (i) be not higher than 7m above ground level (existing), and
 - (ii) not have a floor area of more than 50m², and
- (b1) if the development is constructed or installed on land (other than land within Zone R5)-not house more than 5 fowl or poultry and not house any roosters, and
- (b2) if the development is constructed or installed on land within Zone R5-not house more than 10 fowl or poultry, and
- (c) be located at least 3m from each lot boundary, and
- (d) if it houses fowls (including guinea fowls) only-be located at least 4.5m from any dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food, and
- (e) if it houses other types of poultry-be located at least 30m from any dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food, and
- (f) be enclosed to prevent the escape of poultry, and
- (g) be constructed or installed so that roofwater is disposed of without causing a nuisance to adjoining owners, and
- (h) to the extent it is comprised of metal components-be constructed of low reflective, factory pre-coloured materials if it is located on land in a residential zone, and
- (i) if it is located on bush fire prone land and is less than 5m from a dwelling-be constructed of non-combustible material, and
- (j) if it is constructed or installed in a heritage conservation area or a draft heritage conservation area-be located in the rear yard.

(2) There must not be more than 1 development per lot.

Named land use zone	Permitted land uses
RU1 Primary Production	Primary production, including agriculture and a diverse range of primary industry enterprises
RU2 Rural Landscape	Compatible rural land uses, including extensive agriculture
RU3 Forestry	Forestry land uses and other development compatible with forestry land uses
RU4 Rural Small Holdings	Compatible rural land uses, including extensive agriculture on small rural lots
RU5 Village	Dwelling houses, business and retail premises and associated uses and facilities in a rural village setting
RU6 Transition	Housing and other land uses that provide a transition between rural land uses and other land uses of varying intensities or environmental sensitivities
R1 General Residential	Residential accommodation of various types and densities and associated services and facilities
R2 Low Density Residential	Generally low density dwellings with associated services and facilities
R3 Medium Density Residential	Mix of medium density dwellings with associated services and facilities
R4 High Density Residential	High density dwellings including residential flat buildings with associated services and facilities
R5 Large Lot Residential	Dwelling houses on large residential lots in a rural setting