

# Keeping Animals in Residential Areas

## Fact sheet

When keeping animals in residential areas, you should consider the type and how many animals are suitable for your place. It is important to recognise that keeping some animals or birds has the potential to compromise the wellbeing of the animal and the health or amenity of the surrounding neighbourhood.

To ensure you keep your bird or animal in a happy and safe environment without affecting your neighbours, it is recommended you follow these simple guidelines.

## Choosing an Animal

Before selecting your bird or animal, you should consider its suitability within your household and answer the following questions:

- Do you have enough space for the animal?
- Does the animal require a lot of maintenance or exercise, and if so do you have time for this?
- Can you prevent the bird or animal escaping from your yard?
- Could it cause a noise or odour nuisance to surrounding neighbours?

## What are the legal requirements?

Birds and other animals kept on any property must be kept in a way so they do not create a nuisance, offensive odour, or unhealthy conditions. If Council receives a complaint and finds that any unsuitable conditions are being created, we may legally require you to remove the animals or place specific conditions on you keeping the animal(s).

Part 5, Schedule 2 of the [Local Government \(General\) Regulation 2021](#) sets out standards for keeping birds or animals in NSW. The [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (SEPP) sets out the construction standards for animal shelters. The following is a summary of these requirements that Council may enforce if we receive justified complaints.

**Note** If you wish to build a structure to house birds or animals such as a stable, chicken coup or aviary and are unsure on the requirements of the SEPP. Please contact Council's Duty Planner.

## Poultry

If you live on a residential property:

- Chickens must not be kept within 4.5 metres of a dwelling or similar building.
- Ducks, geese and turkeys must not be kept within 30 metres of a dwelling or similar building.
- No more than 5 birds are to be housed on one property.
- Roosters are not permitted to be housed in a poultry house. They are also not recommended to be kept in residential areas, as they generally cause offensive noise.
- Poultry houses must not be larger than 15m<sup>2</sup> or higher than 3m.
- Poultry yards must be so enclosed to prevent the escape of poultry.
- The floors of poultry houses must be paved with concrete or a hard surface underneath.



## Pigs (swine)

There are no true breeds of miniature pigs in Australia. The small pig size is the result of selective breeding and many 'teacup pigs' grow much larger than the owner expects.



Pigs cause significant damage to residential yards as they like to dig with their snout. Pigs also create a lot of odour and waste.

- Pigs are not permitted to be kept within 60 metres of a house, school, shop, church or food shop.
- If Council receives a complaint about a pig closer than 60 metres to any of these buildings a Notice to remove the pig will be issued.

**Note** There are many legal requirements for pig ownership. Please read the NSW Department of Primary Industries guidelines on [Responsible Pig Ownership](#).



## Horse and Cattle

Horse and cattle are not recommended to be kept in residential areas as they require space and can create odour issues for neighbours.

- Horse and cattle are not permitted within 9 metres of a house, school, shop or food premises.
- Stable floors must be paved with concrete or similar impervious material and the floor must be graded to the drain.
- The runoff of faeces and/or urine from the yard must be prevented to avoid pollution.
- Yards must be fully enclosed to prevent escape.

**Note** You must also comply with the NSW Department of Primary Industries '[Guidelines for minimum standards for keeping horses in urban areas](#)'.

## Birds

Birds can create a noise or hygiene issues for neighbours. There are also rules about the building of aviaries set out in the [SEPP](#).

- Ensure your bird is not creating a noise issue for neighbouring properties.
- You are not permitted to have more than 2 aviaries per lot.
- Aviaries in residential areas mustn't be larger than 10m<sup>2</sup> or 2.4m high.
- Aviaries must be 900mm off the boundary and have an impervious floor.

## Goats, Sheep, Alpacas and Lamas

There are no setback rules for the keeping of goats or sheep. They must be kept in accordance with the following maintenance and care section.



## Native Animals

In NSW you need a licence to keep most native animals as pets. Not all native animals can be kept as pets, but some species which have been bred in captivity can be kept. None of these animals may be caught from the wild. See the [NSW Native Animal Keepers' Species List](#) to find out which native animals you can keep as a pet.

## Maintenance and Care

It's important you consider the health and safety of yourself, the animal(s), your neighbours, the wider community and the environment. You must:

- Ensure adequate clean water and shelter is available at all times.
- Ensure all food is stored and sealed in vermin proof containers.
- Regularly clean out the housing or yard to ensure all waste is removed and disposed of appropriately.
- Not wash waste products into adjoining properties or watercourses.
- Not overfeed or leave food scraps lying around, as this will attract vermin or nuisance bird species.
- Ensure the land is adequately fenced and enclosures are constructed to exclude entry of vermin. For example, install vermin proof mesh under the floor of aviaries and poultry houses.
- Limit the number of animals to a manageable size.
- The desexing of animals is recommended.
- Ensure your animals are well behaved and not noisy or annoying for your neighbours.
- Ensure they aren't attracting a large number of flies, lice, fleas or other pests and parasites.

## Animal Welfare

On occasions, Council receives complaints in regards to the welfare of an animal. Council does not have the authority to intervene in the treatment of animals. If you feel an animal is not being adequately looked after or cruelly treated, then it is important that you contact the [RSPCA](#), [Animal Welfare League](#) or if an emergency, call the NSW Police on 000.



## Contact Us

**P** 02 4429 3111 (Mon-Fri – 9am-5pm)

**E** [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

In-person (Digital meeting) At our office

36 Bridge Road, Nowra (Mon-Fri – 9am-5pm)

[shoalhaven.nsw.gov.au](http://shoalhaven.nsw.gov.au)