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**COUNCILS POWER’S UNDER THE LOCAL GOVERNMENT ACT, 1993**

Council has the power under section 124(18) of the Local Government Act (Orders) Regulation, 1993 to control and regulate the keeping of animals. The council may, if it deems necessary serve an Order on the occupier of the premises to remove, limit the numbers of, or keep in a particular manner animals which are causing a nuisance.

Council maintains the right to take legal action to have any horse removed from any premises which are not being maintained in accordance with these conditions or which are allowed to become the subject of a nuisance.

Horses should be kept in a manner that does not:

- Create unclean or unhealthy conditions for the horses, or people on or surrounding the subject property.
- Attract or provide a harbourage for vermin.
- Create offensive odours or noise.
- Cause a drainage or dust nuisance.
- Cause unreasonable annoyance to surrounding residents.
- Create nuisance due to the attraction and/or proliferation of flies, lice, fleas or other insects.

### **GENERAL PROVISIONS**

1. Horses must be kept a minimum of 9m from any residence, shop, church, public hall, public place.
2. Horses must be confined to prevent escape.
3. A receptacle of suitable size (impervious to moisture) shall be maintained with a flanged close fitting lid for the daily reception of all manure and waste including damp bedding and feed waste.
4. Horses are to be kept within the stable or yard area and not allowed unlimited access to the remainder of the allotment.
5. All manure and refuse shall be removed from the subject premises at least once every week, or more frequently if required by Council, and disposed of in such a manner as not to create a nuisance.
6. All feed shall be stored in moisture proof containers sealed with a close fitting lid, so as to provide effective protection against rats or vermin.
7. All necessary measures shall be taken for the control of insects, rodents and vermin.

## **HORSE KEEPING POLICY**

### **INTRODUCTION**

Horses are a popular recreational animal, unfortunately Council occasionally receives complaints regarding the keeping of horses on residential allotments. The complaints generally involve the creation of odour, attraction of flies/vermin and the production of dust.

This policy seeks to inform the community of Council's regulatory powers concerning the keeping of horses in the residential areas of the Cessnock Local Government area.

### **SCOPE**

This policy applies to horses kept for domestic purposes, as companion animals, pets or for hobby interests on allotment in the following zonings; 2(a) Residential, 2(b) Village, 3(a) General Business, 3(b) Neighbourhood Business and 3(c) Centre Support zoning's.

The policy will apply retrospectively to all of the above properties.

It should be noted that as a rule Council investigates the keeping of horses as a result of complaints. It is not intention of this policy to initiate an audit of properties on which horses are kept.

Where it is intended to keep animals for commercial purposes, Council should be contacted to

determine if development consent need to be obtained prior to carrying out that activity or business.

**OBJECTIVES:**

1. To provide Council with a standard from which responsible horse ownership may be measured.
2. To provide the community with information on the keeping of horses within residential areas.
3. To establish local standards, acceptable to the community, for the keeping of horses.
4. To notify the public as to the circumstances under which Council will serve an Order under Section 124(18) of the Local Government Act, 1993 to prohibit, restrict or in some other way, require action regarding the keeping of horses.

**SITE AND CONSTRUCTION REQUIREMENTS**

Should stables or shelters be constructed the following requirements shall be followed.

1. Horse stables and yards are to be constructed and maintained so as not to create a dust nuisance.
2. Stables shall be at least one (1) metre from all boundaries, subject to condition 2 below.
3. Horse stables shall not be constructed closer than nine (9) metres to any residence, shop, church, public hall, public place, or side street.
4. Stables are to be constructed with a floor of concrete with a minimum thickness of 100mm suitably graded and coved at the intersection of all walls.
5. The floor of the stable shall be graded and drained to a sump pit. Where sewer is available and site limitations exist for the disposal of liquid waste, then the stable shall be graded and drained to a sewer connection in accordance with the Hunter District Water Corporation's requirements.
6. Horse yards are to be kept in a clean condition and graded to prevent the accumulation of liquids and water run-off to adjacent premises.

Note: Stables and shelters may require specific approval from Council prior to construction.

For further information please contact:

Cessnock City Council

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