

GUIDELINES

Animals and Birds

Residents of The Flinders Ranges Council are permitted to keep animals and birds on their property as long as they comply with the guidelines to prevent animals and birds causing a nuisance or being injurious to health.

This section covers:

- Guidelines for Keeping Animals and Birds,
- Poultry,
- Roosters,
- Food and Rats,
- Dead animals or birds,
- Nuisance animals or birds, and
- Bees.

Definitions

Noisy bird - Includes any rooster, goose, pheasant, parrot, cockatoo, galah or peacock; and

Poultry - Includes fowls, ducks, geese, pheasants and turkeys of either sex over the age of four (4) weeks.

For information on assistance with sick, injured or orphaned wildlife, visit [Fauna Rescue of South Australia](#).

1 Guidelines for Keeping Animals and Birds

To prevent animals and birds causing a nuisance or being injurious to health.

Section 254 of the *Local Government Act 1999* provides Council with the 'power to make orders' to prevent a person(s) from doing or refrain from doing a specified thing, under the *Local Nuisance and Litter Control Act 2016*. The provisions cover:

- Unsightly condition of land
- Hazards on lands adjoining a public place
- Animals that may cause a nuisance or hazard

To help members of the community understand the expectation of Council in these matters, the following guidelines for keeping animals and birds are provided to help avoid action being taken under the Order Making provisions of Section 254 of the *Local Government Act 1999* and under the *Local Nuisance and Litter Control Act 2016*.

The following provisions provide some guidance to the Community.

However, even if these guidelines are followed, Council may still make an order under the *Local Government Act 1999* and under the *Local Nuisance and Litter Control Act 2016* if the Council considers it appropriate to do so.

2 Poultry Shelters

Poultry should be contained in a structure which:

Has a floor area of at least one square metre for each bird therein;

- Is provided with a shelter of solid construction with a rainproof roof and an internal floor surface constructed of or paved with concrete or other material approved by Council to a smooth, hard, impervious finish with a floor area of at least 0.3 square metres for each bird therein;
- Is maintained at all times in good order and repair, and in a clean and sanitary condition free from rats, vermin, offensive odours or conditions; and which is located:
 - Not less than 25 metres from the front boundary of the property;
 - Not further forward on the property than the rear half thereof or the rear alignment of any house thereon;
 - Not less than one metre from any boundary of the property; or
 - Not less than 15 metres from any dwelling or one metre from a shed.

3 Roosters

Persons should not keep or allow to remain on the land of which he or she is the owner or occupier any noisy bird, where the noise emanating from the noisy bird may cause a nuisance to any neighbour.

4 Food and Rats

Persons should not keep or allow to remain on the land of which he or she is the owner or occupier any poultry unless:

- Vermin-proof receptacles are provided for storing bran, pollard, grain or other matter intended for the feeding of such poultry;
- Such receptacles are at all times kept clean, sanitary and in good order and condition;
- No food for poultry is allowed to remain outside of such receptacles unless for the purpose of immediate consumption; and
- The land is kept free from rats and mice.

5 Dead Animals or Birds

A person should not:

- Neglect to bury or otherwise lawfully dispose of in a sanitary manner any dead animal or bird belonging to him or her, or in his or her charge; or
- Allow any dead animal or bird to remain on any premises in his or her occupation unburied or not otherwise lawfully disposed of in a sanitary manner.

6 No Animal or Bird to Be a Nuisance

Persons should not keep or allow to remain on the land of which he or she is the owner or occupier any animal or bird so as to be a nuisance or injurious to health by reason of:

- The number of animals or birds
- The noise made by the animal or bird
- The dust or odour generated by the presence of the animal or bird
- The attraction of flies, rats, mice or other vermin
- The nature and location of housing facilities for the animal or bird
- The animal or bird not being adequately contained on the land
- The animal or bird being allowed to wander or fly from or to land either alone or in numbers
- Droppings emanating from the animals or birds
- For any other justifiable reason

Please note that this information sheet is only intended to provide guidance to the community and does not in any way bind the Council.

If you wish to lodge a formal complaint with The Flinders Ranges Council in relation to an animal or bird which is creating a noise or nuisance persistently to such a degree that it unreasonably interferes with your peace, comfort or convenience please complete a Section 254 Log Sheet Nuisance Diary available from Council.

Council also has traps available for hire for the trapping of cats and possums.

For further information, contact the Council office on 8620 0500 during normal office hours.

7 Bees

Residents of The Flinders Ranges Council are permitted to keep bees on their property as long as they comply with the guidelines.

Guidelines for the Keeping of Bees

To prevent the keeping of bees in places where they may be a nuisance or danger to persons, and for the comfort and safety of the inhabitants of the area.

Section 254 of the *Local Government Act 1999* and under the *Local Nuisance and Litter Control Act 2016* provides Council with the 'power to make orders' to prevent a person(s) from doing or refrain from doing a specified thing. The provisions cover:

- Unsightly condition of land
- Hazards on lands adjoining a public place
- Animals that may cause a nuisance or hazard

To help members of the community understand the expectation of Council in these matters the following guidelines for keeping bees are provided which may help avoid action being taken under the Order Making provisions of Section 254 of the *Local Government Act 1999*.

ANIMAL MANAGEMENT

Guidelines to prevent Animals and Birds causing a nuisance or being injurious to health

Version
Issued
Reviewed
Next Review
GDS

3
August 2016
March 2022
March 2027
9.63.1.1

The following provisions should be adhered to:

Restrictions on Bee Keeping

Bees should not be kept in those parts of the area which are within 50 metres of:

- Any building in the occupation of another person
- Any street, road or public place
- On any street, road or public place under the control of the Council.

Bee Keeping Nuisance

Bees should not be kept in any part or parts of the area where the keeping of bees is or may be a nuisance or danger to persons therein.

Notification of Intention to Keep Bees

Appropriate communications should be given to adjoining neighbours by the person(s) intending to keep bees outlining their intentions. This information should include location, number of hives, and the management and maintenance program to be put in place.

Please note that this information is only intended to provide guidance to the community and does not in any way bind the Council.

Further advice and clarification on information provided can be gained by contacting Council's Animal Management Officer on 8620 0500 or visit The Flinders Ranges Council Office at 1 Seventh Street, Quorn SA 5433



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Registration of Section 254 Complaint

Complainants Name:

Address:

Contact Phone: Home: Work: Mobile:

Have you verified where the noise or nuisance is coming from? Yes/No

Address of offending animal/s or birds/s:

.....

.....

Description of animal/s or bird/s and nuisance behaviour:

.....

.....

.....

Have you seen the animal or bird? Yes ☐ No ☐

Have you spoken to the property owner about this problem? Yes ☐ No ☐

Have any of your neighbours mentioned this problem to you? Yes ☐ No ☐

If yes, are they prepared to support your claim? Yes ☐ No ☐

If yes, please supply their name address and telephone number below:

☐

☐

Witness No (1) Name:

Address:

..... Phone

Number:

Witness No (2) Name:

Address:

..... Phone

Number:



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Statement:

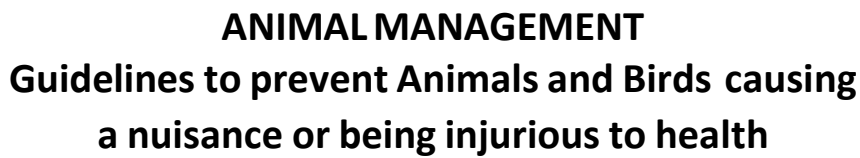
I, the undersigned, wish to lodge a formal complaint with The Flinders Ranges Council, in relation to the animal/s and or bird/s described above which create a noise or nuisance.

Persistently to such a degree that it unreasonably interferes with my (peace), (comfort) or (convenience) in my premises.

(Please strike out items not applicable in bracketed areas)

Signature of complainant Date: .../.../...

This document and the log sheet must be completed in full, signed and returned to The Flinders Ranges Council within **14 days** of the date of completion. Council will take no action in this matter until this document is completed and returned.

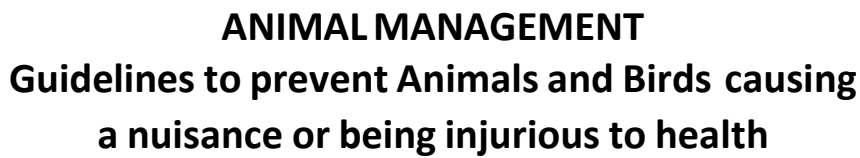


3
August 2016
March 2022
March 2027
9.63.1.1

This log sheet must contain at least 7 consecutive day's recordings.

[illegible]

The applicant understands that the personal information provided is for the purpose of evaluating a Sec 254 complaint and that they may apply to Council for access and / or amendment of the information.



3
August 2016
March 2022
March 2027
9.63.1.1

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

(Date)