



CONSTRUCTION OF STABLES & KEEPING OF HORSES POLICY 1.1



CONSTRUCTION OF STABLES & KEEPING OF HORSES

DIVISION: DEVELOPMENT & ENVIRONMENT

PILLAR: MANAGING URBAN GROWTH

FILE / BINDER:

OBJECTIVE

In determining these guidelines the following objectives have been considered:

- 1.1 To consider the possible desires, needs and rights of residents to keep horses for commercial or hobby pursuits.
- 1.2 To balance those needs to preserve the amenity of the neighbourhood, general streetscape, healthiness of area, safety and convenience, and the need to achieve acceptable standards of construction and sanitation without imposing undue hardship on applicants.
- 1.3 To recognise the common right of all property owners to enjoy the use of their site, provided such rights are not in conflict with the public interest or rights of others.
- 1.4 To allow horses to be kept on land under such conditions as would present the creation of a nuisance which is likely to inconvenience the accepted or perceived residential amenity of individual's or neighbouring inhabitants of any adjoining land.
- 1.5 To develop legitimate existing use rights on premises already developed, subject to the continuing use having no adverse effect on the amenity, environment or public interest.
- 1.6 To recognise that Council has the power to require that building approval be obtained for any structure and further that Council has the power to require the removal of any unsafe or unsightly building structure.
- 1.7 The potential of pollution from stables and yards should be eliminated or minimised.

REASON FOR AND SCOPE OF GUIDELINES

- 2.1 Complaints have been received by Council regarding the loss of amenity from the keeping of horses on adjoining or nearby properties. The complaints cover such matters as unpleasant odours, attraction and breeding of flies, damage to boundary fences, noise, horses looking over dividing fences, often frightening people and other similar events, extending to allergies that may be aggravated through such conditions to sensitive neighbours.



Even in the case of a single horse, such as being kept for hobby pursuits, considerable objection is generated in the community when horse care and attention to sanitary issues is minimal or interest wanes.

In some situations the average allotment size of land in a residential area is too small for keeping of horses in conjunction with the household without affecting adjoining residents (if strict standards or care and control are not maintained).

Council is vested with the responsibility to address these problems controlling conditions under which horses may be kept, and recognising the genuine pursuit of the horse owner, to minimise any inconvenience to the adjoining neighbours.

The interest of the horse is also to be considered so that it does not endure conditions of discomfort or annoyance.

A booklet "Caring for Horses" is freely available from the Department of Local Government and has been endorsed by the New South Wales Welfare Advisory Council, and the Australian Equine Veterinary Association. It is an excellent publication that is informative on the problems and responsibilities of caring for a horse.

2.2 Scope of Guidelines

The purpose of these guidelines is to advise residents on the keeping of horses upon private property.

The guidelines will set standards for the number of horses permitted upon allotment size or zoning, specific issues of sanitation and measure to reduce nuisances.

The standards involved for the construction of a stable to satisfy the requirements of the Local Government Act are outlined in order to obtain the appropriate consent for the erection of any building.

2.3 Application of Guidelines

These guidelines apply to the whole of the Council of Camden.

2.4 Consideration of Proposals

In determining any proposals submitted for a site in accordance with these guidelines Council shall take into consideration the objectives stated in this document.

2.5 Performance Standard

Where possible, the objectives of Council's guidelines have been stated as performance standards, outlining the concerns of the Council and the community achieving suitable standards of development.

Council may vary any requirement where it is satisfied that the objective has been achieved, and the alternative will be just as effective or have the appropriate level of safeguard for community expectation.



SAVINGS OR EXCLUSIONS CLAUSE

The provisions of these guidelines do not apply to existing allotments and premises that have been established, upgraded or where horses are being kept prior to the date of preparation of the guidelines where they have been legally established.

This exclusion is only applicable where:

- The existing or future amenity of the locality is not adversely affected.
- The environment of the locality including the subject premises or allotment is not adversely affected.
- Sanitation, waste and effluent disposal is deemed to be satisfactory by the Council.
- Where the perceived acoustic or visual aspects, and conduct of premises or allotment are deemed to be satisfactory to the Council.
- There is an absence of public complaint or public interest requiring Council involvement or control.
- Where the existing development is not significantly increased in scale or form.

DEFINITIONS

For the purpose of the Development Control Plan the following definitions apply:

4.1 "Allotment Size"

Effective allotment size shall exclude any area involved with an access of a nature known as a "battle-axe" or "hatched shaped handle" or portions of allotments including right of ways or right of carriageways.

4.2 "Approved"

Means approved by the Council.

4.3 "Day Yard or Yard"

Means a confined area for the keeping of horse usually ancillary to stables, not being a fenced paddock or substantial open space.

4.4 "Horse"

Horse or horses shall be construed to include all solid-hooved quadrupeds and includes stallion, mare, gelding, colt, filly, yearling foal or pony and includes an ass mule or donkey.



A mare with foal at foot shall be deemed to be only one horse for the purpose of this.

4.5 "Keeping of Horses for Commercial Pursuits"

Means the conduct of boarding, breeding or convalescent stables, and the keeping of horses for training, racing or sale, and includes livery stables.

4.6 "Masonry"

Means stone, brick, terracotta block, solid concrete block or other similar building unit or a combination thereof, assembled together unit by unit to form a wall. It does not include cored brick or hollow concrete blocks.

4.7 "Occupiers"

Where used in reference to the premises has the meaning ascribed to it in the Local Government Act 1993.

4.8 "Owner"

Where used in reference to a premises has the meaning ascribed to it in the Local Government Act 1993. Where used in reference to an animal, includes not only the owner of the animal but also the lessee or borrower or person in charge of the animal, with or without the consent of the owner.

4.9 "Premises"

Has the meaning ascribed to it in Section 278A of the Local Government Act, 1993.

4.10 "Residential"

Zoning as defined under the Environmental Planning Instrument for that Locality.

4.11 "Rural"

Zoning as defined under the Environmental Planning Instrument for that locality, (but shall not include rural zonings of IC definition).

4.12 "Shelter"

Means unenclosed building structure intended to provide protection from the elements to an animal, in which a horse may be free to enter and exit there from, but does not include a stable.

4.13 "Stable"

Means a shelter provided to protect the horse from the natural elements of weather, in which a horse is capable of being enclosed and includes a building or structure designed or used, or capable of being used for the



stabling, keeping, feeding, watering, grooming, shoeing or veterinary treatment of horses.

DENSITY AND SITE PARAMETERS

5.1 Minimum Allotment Sizes

No horse shall be kept on an allotment size less than 600sq.m.

5.2 Horse Numbers and Site Clearances

Site Area - The number of horses generally permitted to be kept on the site shall be determined by the area of the site and shall not exceed a rate of one horse to each 500sq.m.

5.3 Location Setbacks

5.3.1 Residential/Other Urban Zones

Horses shall not be kept nor, shall part of any stable, corral, day yard, shelter nor manure bins be nearer than twelve metres (12m) from any dwelling, school, shop, office, factory, church, hall or any business premises used for the manufacture, preparation or storage of food, located on any adjoining land. (See Drawing No1).

Provided that where more than two (2) horses are kept the above setback shall be increased to thirty metres (30m).

5.3.2 Rural Zonings

Horses shall not be kept in any stable, corral, day yard, shelter nor manure bins be nearer than twelve (12) metres from any dwelling, school, shop, office, factory, church, hall or any business premises used for the manufacture, preparation of storage of food, located on any adjoining land. (See Drawing No 1).

Provided that where more than two (2) horses are kept the above setback shall be increased to thirty metres (30m).

5.3.3 Yard Setback

Yards including day yards shall be set back two metres (2m) from the adjoining boundaries.

5.3.4 Building Setback

The external masonry wall of the stable, providing that it does not contain any windows or openings, may extend to the side or rear boundary line, if Council is satisfied that it would not materially affect the amenity of the adjoining site and sufficient steps are taken to collect and dispose of surface water run off from the adjoining sites.



5.3.4 Water Course Setbacks

A setback of thirty metres (30m) or greater distance (as decided by Council in the individual case) shall be obtained between any yard, stable or like structure from any watercourse.

APPROVAL AND LIMITATIONS

6.1 Owner Concurrence

Where the applicant is not the owner of the property, the consent, in writing, must be obtained from the owner for the construction of horse stables and the keeping of horses on the property and submitted to Council together with the building application.

6.2 Minors and Responsible Person

Where the owner of a horse or horses is a minor, or where the owner cannot be determined or readily located by the Council, the owner or occupier of the land shall be responsible for compliance with these guidelines.

6.3 Adjoining Neighbours

In considering any application for the keeping of horses Council may seek comments from adjoining owners prior to determining the application.

6.4 Building Applications

Before any work is commenced in connection with the erection of any stable, shelter, feed shed, harness room or fencing, a building application, together with complete plans and specifications must be submitted and approved by the Council.

6.5 Serving of Mares

Serving or teasing of mares for copulation purposes shall not be permitted or carried out in any residential zones.

LAYOUT AND CONSTRUCTION OF STABLES AND YARDS

7.1 Enclosures

On residential allotments horses are to be kept within the stable or horse yard area and not allowed unlimited access to the remainder of the allotment.

7.2 Day Yard

The minimum area for a day yard is to be 20 sq.m. with a minimum width of 3 metres (3m).

For working horses the day yard or holding yards should be increased to 35 sq.m. per horse.



All day yards shall be gravelled to prevent boggy conditions and drained to Council's satisfaction. Clean sand may be used on top of gravel if required by the owner.

7.3 Yards and Fences

Fences shall be of sturdy construction to hold the horse. Wire fencing is not permitted as boundary/horse yard fencing in residential areas.

Fencing materials shall be compatible with other fencing erected in the locality of the yard or as may be directed by Council.

7.4 Yard Enclosure Fences

Acceptable yard and fence enclosures constructed with 100mm x 100mm hardwood posts spaced at 2.4 metre centres to which are bolted 2 rows of 150mm x 50mm hardwood rails or alternatively, 50mm galvanised pipe posts with 50mm x 50mm welded mesh panels, or other similar approved materials may be used. (See Drawing NO 3).

The yard areas used in conjunction with stable buildings on a property shall be so enclosed to prevent the escape of horses and cause all horses to be kept at the distance referred to within this plan.

7.5 Stable Size

Where it can be demonstrated that the horse size is smaller, i.e. shetland ponies, donkeys etc., Council may permit reduced dimensions for stables.

Stables shall be large enough to give the horse freedom of movement and room to lie down in comfort. If the stable is too small it is impossible for a horse to lie down, get into a cast position and be unable to rise.

The minimum stable dimensions required are 3.7m x 3.7m. The preferred size of a stable is usually 3.7m x 4.9m.

A height clearance of 2.75m is needed.

Doors are to be at least 1.2m wide and 2.4m high, without protrusions to injure horses. The door should open outwards and have strong latches.

Proper ventilation is essential to change the air often enough to keep it fresh without creating draughts. Half doors or mesh doors alone are not enough. An opening of 2.9 sq.m. in area, for cross ventilation of air between the roof and walls is needed. (See Drawing No 3).

7.6 Stable Construction

Size, height and design of the stable shall be such that it would not materially affect the amenity of the adjoining premises. Council may refuse an application for a stable if it considers that the design of the building is detrimental to the amenity of the adjoining premises.

7.6.1 Floors



Shall be constructed with 100mm thick reinforced concrete slab and graded to the doorway or a drain. Avoid low spots in the floor that can hold urine.

At the intersection of the wall provide a 50mm cove.

A concrete drainage apron at least 1 metre wide is to be provided along the front of the stable.

A bed of limestone or thick shaving may be permitted to be provided above the impervious concrete floor.

7.6.2 Walls

All external and partition walls should be of masonry construction. All internal walls shall be finished to a smooth even surface with flush mortar joints.

Other suitable wall construction approved by Council may be considered provided that it is not less substantial than the foregoing.

Council may permit the construction of lesser standard of wall above a height of 1.2 metres provided no cavity construction, voids or cracks are created and the bottom 1.2 metre height from the floor is of solid masonry construction.

Hollow or cavity construction will not be permitted as the voids and cracks become a source for fly breeding.

Note: The walls may be lined inside with plywood sheets or conveyor belting to prevent injury to the horses and also protect the walls from pawing and kicking. Walls of flat iron, fibrous cement and the like are not considered to be capable of withstanding damage.

7.6.3 Roof

The roof of the stable shall be of conventional design constructed with recognised materials. It is suggested that the roof be insulated, double sided aluminium foil. Skillion and similar type roofs shall be made to drain away from adjoining properties.

7.6.4 Alternative Materials

Notwithstanding the structural standard for walls other forms of construction with a proprietary manufacture, such as composite wall panels may be permitted at the discretion of the Health and Building Surveyor, subject to the submission of satisfactory evidence of a proven maintenance record equivalent to masonry construction and a sanitation commensurate with the intended use.



7.7 Shelters

Any shelter provided to give a horse protection against the weather shall not be enclosed or be constructed in any manner contrary to the requirements of the Council.

Horse shelters shall be constructed from sound conventional building materials.

Not more than three walls may be constructed on the shelter. The shelter shall be a minimum size of 3m x 3m.

The shelter shall be constructed to allow the free access and exit of horses which are kept in a day yard or paddock.

7.8 Provision of a Shelter/Stable

Every horse kept in a residential area shall be housed in either a stable or horse shelter built to Council's requirement and have access to a day yard/paddock. (Horses in work do not require access to day yards or paddocks).

7.9 Horse Wash Areas

The method of providing this facility varies considerably in structure and consideration will be given to all proposals. It should be noted, however, that the liquid waste from this structure must be disposed of to the requirements and satisfaction of the Council.

7.10 Horse Roll Area

Each proposal will be considered on its individual merits.

7.11 Exercise Pool

Horse pools shall be constructed in accordance with detailed Structural Engineer's plans to be submitted with the building application.

Pools shall be separately fenced in accordance with Council's general policy in regard to safety of swimming pools. All measure shall be taken to prevent over-spill of waters onto adjoining premises. Waste waters must be disposed of to the requirements and satisfaction of the drainage authority.

7.12 Food Store/Harness Rooms

7.12.1 Floor

Shall be 100mm thick concrete, brick or paving tiles.

7.12.2 Walls

The walls shall be of durable material and not materials that are easily broken or damaged.



7.13 Roof Waters (See Drawing No 4)

Guttering and downpipe are needed to the roof to convey roof waters clear of the stables and adjoining properties. Stormwater discharge shall be to:

- (a) an approved existing stormwater drainage system;
- (b) an appropriate street drainage system;
- (c) an existing common drainage line.

Note: Where adverse falls prevent stormwater being conveyed within the property to Council's drainage system, sealed drainage lines may be taken through adjoining properties if that owner so consents. In these instances, drainage easements shall be established over the pipe line through the adjoining private property. Evidence of the easement on the title shall be submitted to Council prior to approval of the building application.

In all other instances, if the above stormwater disposal facilities are not available the roof water shall be piped into dispersal pits well clear of the exercise yards.

FOOD STORAGE

The storage of food if sloppy, can attract mice and vermin infestations, and can even become a harbourage for snakes.

Horse food is to be stored in approved containers, provided with close fitting lids.

8.1 Water and Feed Trough

Feed and water trough should be installed in a manner and location to avoid problems with flies, rodents, vermin, mosquito and drainage.

A suitable height for feed bins and water troughs is 1.07 metres above the ground.

8.2 On Ground Containers

If on ground containers are utilised feed and drinking water should be placed in property constructed containers which are not capable of being easily tipped over.

WASTE AND EFFLUENT DISPOSAL

9.1 Manure Disposal

All manure and refuse must be removed from the stables and yards daily.

9.2 Manure Storage Bins

Large metal drums with flange fitting metal lids are to be used for the daily reception of all dung/manure, refuse, including damp stable bedding and feed waste.

The bins are to be emptied weekly (see also insitu typical manure bin plan).



9.3 Bedding

Bedding, shavings and straw are to be cleaned (and provided with fresh clean bedding) daily. At least once a week the stable floor shall be lime dusted.

9.4 Drainage

Horse yards, enclosures and access areas to stables are to be kept clean and surfaces graded to prevent the ponding of liquid. The land shall be graded and drained so as to facilitate the flow of surface stormwater away from day yard.

The concrete apron outside the stables shall be drained to a catch drain.

Surface water from day yards should not be allowed to flow onto adjoining properties.

Waters from stable floor, sealed areas or surface waters from yard areas shall be drained to an arrester type pit, and where appropriate, drained to the requirements and satisfaction of the drainage authority. Where there is no reticulated public drainage system, disposal shall be to absorption trenches installed to the requirements of the Council. The location of the absorption area shall be at least 30 metres from any watercourse. (see Drawing No 4).

NUISANCES AND FLY CONTROL

10.1 Sanitary Conditions

The premises shall be kept free from nuisance of any kind and maintained in a clean and sanitary condition at all times.

10.2 Dust Control

Stables and horse yards are to be maintained to prevent any dust nuisance likely to effect contiguous or other premises in the vicinity.

10.3 Pest Control

The premises shall be maintained free from insects, rodents and other vermin.

10.4 Fly Control

Fly Control can be achieved by:

- (i) Eliminate Fly Breeding Places
 - (a) Keep manure and stable waste in fly proof containers;
 - (b) Dispose of manure properly;
 - (c) Clean out all crevices in stables where flies breed;
 - (d) Eliminate and seal off all crevices and cracks in building.
- (ii) Kill Flies
 - (a) Use knock down sprays;
 - (b) Use surface residual sprays;
 - (c) Use fly baits and impregnated cords.



- (iii) Proper Sanitation
 - (a) Clean up all Spillage;
 - (b) Use proper storage bins;
 - (c) Proper construction.

Note: By far the major opposition to horse stables from residents are the odour problem and lack of fly control.

Proper sanitation of horse stables and disposal of manure will go a long way towards overcoming this criticism.

Should you require further advice on these measures, they can be discussed with Council's Health and Building Surveyor.

10.5 Poison

Insecticides/pesticides can poison people and horses if not handled and used properly.

Keep out of reach of children and animals. Store away from foods.

Read the label and precautions, wash off all spillages and change out of clothes - wash hands after handling insecticides/pesticides and before eating.



INSPECTION

1. References

This policy has been adopted without prejudiced to any action deemed necessary by statutory authorities in the pursuit of their responsibilities.

Further reading on horse care may be obtained by contacting:

- * Department of Agriculture, N.S.W.
- * Department of Local Government, Animal Welfare Advisory Council
- * R.S.P.C.A.

Consideration has been given to the requirements of the Public Health Act, Cruelty to Animals Act and Regulations, Local Government Act and Regulations.

Compliance with this plan alone does not relieve any person from his or her responsibility or obligations under any other Act or Regulation.

2. Inspections

Where a certificate of inspection is required for the conduct of a livery stable, riding school or stables as required by statutory authorities, Council will consider the compliance of the establishments with the provision of this policy unless otherwise excluded.

The fee applicable for council inspection will be in accordance with the Fees and charges properly resolved by the Council.

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RELATED LEGISLATION

Public Health Act
Cruelty to Animals Act & Regulations
Local Government Act & Regulations

RELATED POLICIES

n/a

STAFF TRAINING REQUIRED?

N

NEXT REVIEW DATE: JUNE 2009

PREVIOUS POLICY
ADOPTED:
MINUTE: