

9.3.2 Animal Keeping Code



9.3.2.1 Application

This code applies to development identified as requiring assessment against the Animal Keeping Code by the tables of assessment in **Part 5 Tables of Assessment**.

9.3.2.2 Purpose

- (1) The purpose of the Animal Keeping Code is to ensure that development for *Animal keeping* does not cause *environmental harm* and avoids adverse impacts on the amenity and character of the surrounding area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) *Animal keeping*;
 - (i) is established on sites of sufficient size to accommodate appropriate separation distances and where environmental and amenity impacts can be effectively managed;
 - (ii) provides for appropriate separation distances or other mitigation measures between the development and *sensitive receivers* to minimise land use conflict;
 - (iii) is of a scale and intensity that is compatible with the surrounding area and preferred character of the surrounding communities;
 - (iv) is of a high quality design which appropriately responds to local character, environment and amenity considerations; and
 - (v) can be managed so that significant environmental impacts are contained within the site itself, or are managed and mitigated so as not to unduly impact *sensitive receivers* or the environment.

9.3.2.3 Assessment Benchmark

Table 9.3.2.3.1— Criteria for Accepted and Assessable Development

Performance Outcomes	Acceptable Outcomes
Siting and Location	
PO1 <i>Animal keeping</i> occurs on a site which has an appropriate area and dimensions for: <ol style="list-style-type: none"> (1) buildings and structures; (2) waste disposal areas; and (3) separation distances between the use and: <ol style="list-style-type: none"> (a) public places; (b) <i>sensitive receivers</i>; and 	AO1 Development, including structures, complies with the minimum separation distances, boundary clearances and minimum site areas in Table 9.3.2.3.3 Standards for Animal Keeping .

Performance Outcomes	Acceptable Outcomes
(c) waterways.	
PO2 An <i>Animal keeping</i> use provides supervision and management to ensure development does not impact adversely on the amenity of neighbouring properties.	AO2 Development has on-site supervision by a person/s occupying a dwelling on the site including a <i>Dwelling House, Dwelling Unit</i> and <i>Caretaker's accommodation</i> .
Aviary	
PO3 An aviary does not cause <i>environmental harm</i> to people or properties not associated with the use.	AO3 Aviary structures have a total site cover not exceeding: (1) 5% on a site up to 4000m ² ; or (2) 200m ² on a site more than 4000m ² .
Stables	
PO4 Facilities associated with a stable do not cause <i>environmental harm</i> to people or properties not associated with the use.	AO4 A stable provides that a formal training, sporting and exercise area is used during <i>daylight hours</i> only.

Table 9.3.2.3.2— Criteria for Assessable Development

Performance Outcomes	Acceptable Outcomes
Kennels	
PO1 A kennel or cattery does not adversely impact on the amenity of neighbouring properties.	AO1.1 A kennel (including a kennel building, run or exercise yard) is a minimum distance of 1,000 metres from any kennel building, run or exercise yard of another lawfully established or approved kennel.
	AO1.2 Kennel and cattery structures are separated a maximum of 20 metres from the house on the site occupied by the supervisor of the kennel or cattery.
PO2 A kennel is of a scale that does not adversely impact on local amenity by reason of: (1) noise; (2) traffic movements; and (3) air quality (dust and odour)	AO2 A development being a kennel, does not exceed; (1) a ratio of more than 10 dogs per hectare; and (2) a maximum of 100 dogs. <i>Editor's Note - This is the maximum ratio possible under the most ideal conditions and would usually require special noise attenuation treatment.</i>
PO3 Kennels including exercise runs or pens are visually screened from public roads and adjoining properties.	AO3 No acceptable outcome is prescribed.
General Amenity	
PO4 Development is sited and designed to integrate with the streetscape and complement the scale and character of existing uses in the surrounding area.	AO4 No acceptable outcome is prescribed.

Performance Outcomes	Acceptable Outcomes
Landscaping	
<p>PO5 Development integrates with its surroundings to minimise adverse impacts on visual amenity.</p>	<p>AO5.1 A development provides for the retention of existing trees except for those located where buildings and runs or yards are to be established.</p>
	<p>AO5.2 A development does not require extensive cutting, filling, draining and/or modification of the site.</p>
	<p>AO5.3 On all common boundaries with land in a <i>residential zone</i>, development provides: (1) <i>buffer landscaping</i> with a minimum width of 2 metres designed and constructed in accordance with Planning Scheme Policy 2 - Landscape Design; or (2) solid screen fencing 1.8m high.</p>
Noise	
<p>PO6 Noise impacts from dogs and cats are minimised.</p>	<p>AO6 For kennels and catteries, animals are kept in enclosures at all times between the hours of 6pm and 7am and are kept inside buildings constructed of sound attenuating materials.</p>
Facilities and Infrastructure	
<p>PO7 Kennels and catteries are fenced to provide for the exercise and security for the number and type of dogs and cats kept on the site.</p>	<p>AO7.1 Development being a kennel: (1) provides for fencing immediately surrounding and containing the kennel building, pens and runs which has a minimum height of 1.8 metres and is mesh, chain or hinge-joint stock proof wire so that dogs are unable to escape; (2) provides that all gates and posts are of galvanised steel, fitted with dog proof catches and bolts; and (3) involving the boarding of dogs, provides security fencing with tops which crank inwards, under fence concrete dig strips and wire canopies.</p>
	<p>AO7.2 Development involving a cattery provides a double gate system to all pens and runs to prevent the escape of cats.</p>

Table 9.3.2.3.3 Standards for Animal Keeping

Maximum number of animals kept*	Minimum site area (hectares)	Minimum distance to off-site residences (metres)	Minimum Boundary clearance to any side Boundary (metres)	Minimum Boundary clearance to a constructed road Boundary (metres)	Minimum separation distance to a water way or wetland (metres)
Kennel					
5	2	100	15	50	50
6-10	2	150	15	50	50
11 or more	4	200	30	100	50
Cattery					
20	Nil	10	5	6	Nil
21 or more	0.3	30	10	20	50
Aviary					
Not applicable	Not applicable	10	1.5	6	15
Stable					
Stable housing up to 5 Horses	Not Specified	50	10	10	15
Stable housing more than 5 Horses	Not Specified	100	50	50	15
Associated Outdoor Horse Training Tracks and Arenas					
6-9 Horses	10	50	-	50	15
10 or more Horses	10	100	-	100	15

Editor's note - Animal Keeping may be subject to requirements, standards and Approvals specified in local laws. Compliance with the requirements of the planning scheme does not, on its own, provide authorisation for animal keeping to be conducted. Potential operators should contact Council for further details.