

### 9.3 Use codes

#### 9.3.1 Animal keeping code

##### 9.3.1.1 Application

- (1) This code applies to assessing development for Animal keeping.
- (2) When using this code, reference should be made to Part 5.

##### 9.3.1.2 Purpose

- (1) The purpose of the Animal keeping code is to establish animal keeping activities in appropriate locations while maintaining the amenity of its location, adjoining sensitive land uses and environmental areas and ensuring the safety of animals being accommodated or trained.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) sites are of a size and configuration capable of accommodating the use;
  - (b) the amenity of the locality and adjoining sensitive land uses is maintained;
  - (c) animals are protected from vermin, wind, rain, sun and extreme weather conditions;
  - (d) adequate facilities are provided for the collection and disposal of animal waste.

##### 9.3.1.3 Criteria for assessment

Part A - Criteria for assessable development

**Table 9.3.1.3.a – Animal keeping code – assessable development**

Performance outcomes	Acceptable outcomes
<b>For assessable development</b>	
<b>Site requirements</b>	
<p><b>PO1</b> The site has sufficient area to accommodate:</p> <ul style="list-style-type: none"> <li>(a) the number and type of animals to be kept;</li> <li>(b) buildings and structures;</li> <li>(c) setbacks;</li> <li>(d) access, parking, manoeuvring and circulation;</li> <li>(e) pedestrian access;</li> <li>(f) landscaping;</li> <li>(g) the keeping of animals consistent with the amenity of adjoining and nearby properties;</li> <li>(h) servicing requirements such as waste and recyclable material storage facilities and collection areas;</li> <li>(i) adequate separation between buildings, pens, waste disposal areas and other service facilities from wells or bores, and adjoining sensitive receiving environments.</li> </ul>	<p><b>AO1.1</b> The use is located on a lot with a minimum area of:</p> <ul style="list-style-type: none"> <li>(a) 1 hectare for a kennel;</li> <li>(b) 1 hectare for a cattery;</li> <li>(c) 2 hectares for a stable;</li> <li>(d) all others – lot size is determined on the number and type of animals to be kept.</li> </ul>
<b>Setbacks</b>	
	<p><b>AO2.1</b> The use is set back in accordance with Table 9.3.1.3.b - Minimum setback requirements for animal keeping.</p> <p><b>AO2.2</b></p>

Performance outcomes	Acceptable outcomes
<p><b>PO2</b> Setbacks from all external boundaries:</p> <ul style="list-style-type: none"> <li>(a) ensures the efficient use of the site;</li> <li>(b) maintains the visual character of the locality;</li> <li>(c) protects the amenity of nearby sensitive land uses and environments.</li> </ul>	<p>Animals are kept in enclosures, inside buildings at all times between the hours of 6.00pm and 7.00am.</p> <p><b>AO2.3</b> A person who is responsible for the supervision of the operation of the development is accommodated on the site at all times.</p>
<b>Amenity</b>	
<p><b>PO3</b> Noise and odour levels generated by the use are compatible with that experienced in the locality.</p>	<p><b>AO3.1</b> No acceptable outcomes are provided.</p>
<p><b>PO4</b> The use:</p> <ul style="list-style-type: none"> <li>(a) does not have openings that face adjoining sensitive land uses;</li> <li>(b) ensures facilities that house animals incorporate noise attenuating measures;</li> <li>(c) ensures buildings are ventilated to minimise potential for odour nuisance.</li> </ul>	<p><b>AO4.1</b> No acceptable outcomes are provided.</p>
<b>Animal safety</b>	
<p><b>PO5</b> The use:</p> <ul style="list-style-type: none"> <li>(a) ensures the safe, humane and hygienic keeping, breeding, training and care of animals;</li> <li>(b) ensures protection of animals from wind, rain, sun, extreme weather conditions and vermin.</li> </ul>	<p><b>AO5.1</b> The use:</p> <ul style="list-style-type: none"> <li>(a) ensures buildings used to house animals are roofed;</li> <li>(b) provides facilities that are available for the isolation of animals suspected of having an infectious condition;</li> <li>(c) provides floors that are impermeable to assist cleaning and drainage;</li> <li>(d) provides animal-proof fencing immediately surrounding kennels and catteries, including pens and runs, that: <ul style="list-style-type: none"> <li>(i) are a minimum of 2 metres high;</li> <li>(ii) are constructed of mesh, chain or similar materials;</li> <li>(iii) prevent animal escape through climbing, jumping or digging.</li> </ul> </li> </ul>
<b>Environmental quality</b>	
<p><b>PO6</b> The collection and disposal of animal waste:</p> <ul style="list-style-type: none"> <li>(a) does not adversely impact on the quality of receiving waters;</li> <li>(b) minimises odour impacts on nearby sensitive receiving environments.</li> </ul>	<p><b>AO6.1</b> The use:</p> <ul style="list-style-type: none"> <li>(a) ensures solid wastes are collected and placed in weather, fly and vermin proof receptacles and disposed of by a licensed disposal service;</li> <li>(b) ensures drainage and disposal of liquid waste is diverted to: <ul style="list-style-type: none"> <li>(i) Council's sewerage system under the conditions of a Trade Waste Permit;</li> <li>(ii) an appropriate wastewater treatment system; or</li> <li>(iii) a holding tank for collection by a licensed liquid waste transporter.</li> </ul> </li> </ul>
<p><b>PO7</b></p>	<p><b>AO7.1</b></p>

Performance outcomes	Acceptable outcomes
Stormwater is managed to ensure contaminants are diverted away from buildings, structures and areas used for the keeping or washing of animals and waste disposal areas.	No acceptable outcomes are provided.

**Table 9.3.1.3.b – Minimum setback requirements for animal keeping**

Boundary	Kennel	Cattery	Stable	All other
Road frontages	50 metres	50 metres	30 metres	Dependant on the number and type of animals to be kept
Side and rear boundaries	15 metres	15 metres	15 metres	
Where having a common boundary with a sensitive land use, land within the Environmental management zone or land within the Conservation zone.	100 metres	100 metres	30 metres	