

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 if:
 - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment; or
 - (b) impact assessable development for animal keeping or an unidentified use of a similar nature.
- (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 assess the suitability of development to which this code applies.
- (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

Table 9.3.1.3.a – Animal keeping code – assessable development

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

Performance outcomes	Acceptable outcomes
<p>PO2 Setbacks from all external boundaries: (a) ensures the efficient use of the site; (b) maintains the visual character of the locality; (c) protects the amenity of nearby sensitive land uses and environments.</p>	<p>AO2.1 The use is setback in accordance with Table 9.3.1.3.b.</p> <p>AO2.2 Animals are kept in enclosures, inside buildings at all times between the hours of 6.00pm and 7.00am.</p> <p>AO2.3 A person who is responsible for the supervision of the operation of the development is accommodated on the site at all times.</p>
<p>PO3 Noise and odour levels generated by the use are compatible with that experienced in the locality.</p> <p>Note – A Noise impact assessment report is likely to be required to demonstrate compliance with this particular performance outcome.</p>	<p>AO3 No acceptable outcomes are prescribed.</p>
<p>PO4 The use: (a) does not have openings that face adjoining sensitive land uses; (b) ensures facilities that house animals incorporate noise attenuating measures; (c) ensures buildings are ventilated to minimise potential for odour nuisance.</p>	<p>AO4 No acceptable outcomes are prescribed.</p>
<p>PO5 The use: (a) ensures the safe, humane and hygienic keeping, breeding, training and care of animals; (b) ensures protection of animals from wind, rain, sun, extreme weather conditions and vermin.</p>	<p>AO5 The use: (a) ensures buildings used to house animals are roofed; (b) provides facilities that are available for the isolation of animals suspected of having an infectious condition; (c) provides floors that are impermeable to assist cleaning and drainage; (d) provides animal-proof fencing immediately surrounding kennels and catteries, including pens and runs, that: (i) are a minimum of 2 metres high; (ii) are constructed of mesh, chain or similar materials; (iii) prevent animal escape through climbing, jumping or digging.</p>
<p>PO6 The collection and disposal of animal waste: (a) does not adversely impact on the quality of receiving waters; (b) minimises odour impacts on nearby sensitive receiving environments.</p>	<p>AO6 The use: (a) ensures solid wastes are collected and placed in weather, fly and vermin proof receptacles and disposed of by a licensed disposal service; (b) ensures drainage and disposal of liquid waste is diverted to: (i) Council's sewerage system under the conditions of a Trade Waste Permit; or (ii) a wastewater treatment system; or</p>

Performance outcomes	Acceptable outcomes
	(iii) a holding tank for collection by a licensed liquid waste transporter.
P07 Storm water 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.	A07 No acceptable outcomes are prescribed.

Table 9.3.1.3.b — Minimum setback requirements for Animal keeping (inc. buildings and runs)

Setbacks	Kennel	Cattery	Stable	All other
Road frontages	50 metres	50 metres	30 metres	Dependant on 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 or land within the Environmental management zone or within the Conservation zone	100 metres	100 metres	30 metres	