

4.11

**Animal Keeping and Intensive
Animal Husbandry Code**

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(1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The Purpose of the Animal Keeping and Intensive Animal Husbandry Code is the achievement of the overall outcomes sought for the establishment and use of Animal keeping or Intensive animal husbandry in the Shire.*
- (b) *The overall outcomes sought for Animal keeping or Intensive animal husbandry are that uses and works are located and designed so that:*
- (i) *animal wellbeing is maintained,*
 - (ii) *on-site caretakers are provided with an acceptable level of amenity,*
 - (iii) *the amenity and character in the local setting is maintained,*
 - (iv) *the wellbeing, safety and lifestyle of communities within proximity to the site are maintained,*
 - (v) *environmental and landscape values of the locality in which they are situated are maintained,*
 - (vi) *appropriate separation and buffering allows that off-site impacts on adjoining land uses are minimised to an acceptable level,*
 - (vii) *the safe and effective operations of adjacent uses, infrastructure and activities are maintained,*
 - (viii) *productive agricultural land and natural resources are protected from negative impacts and encroachment by incompatible uses,*
 - (ix) *the environmental values of land and water resources are protected, and*
 - (x) *they operate within the safe and effective design capacity of the road system servicing the area.*

(2) ELEMENTS:

(a) Site Suitability

Specific Outcome	Acceptable Solution (if self assessable)	
	Probable Solution (if code assessable)	
O1 A site is of sufficient size and shape to provide that:	S1.1	A site has areas and dimensions that comply with the maximum densities and minimum areas in Table S1.1 at the end of this Code.
(1) sustainable stocking rates are achieved relative to:		
1. the carrying capacity of water and land resources for animal sustenance,		
2. minimising land degradation, and		
3. handling any land disposal of treated waste, and		
(2) effective set backs are provided between emission generating activities and site boundaries, sensitive receptors, public roads, water resources and incompatible adjacent land uses.		

(a) Site Suitability continued

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O2	<p>Infrastructure, enclosures, vehicle movement areas and compounds are located, designed and constructed so disturbance to the geotechnical, physical, hydrological and environmental characteristics of the site or the setting minimise:</p> <ol style="list-style-type: none"> (1) the movement of sediments, nutrients and pollutants off the site, (2) any land degradation or loss or alienation of good quality agricultural lands, (3) loss of significant remnant native vegetation, (4) risk to public safety, (5) potential damage to property and essential service infrastructure, and (6) adverse impacts on the capacity to use land and upon the economic value of water and land resources. 	S2.1	<p>Infrastructure, enclosures, vehicle movement areas and compounds for <i>Intensive animal husbandry</i> or <i>Animal keeping (kennels, cattery or animal pound/refuge or holding facility)</i> are confined to slopes not exceeding:</p> <ol style="list-style-type: none"> (1) 3% for aquaculture or worm farms, (2) 6% for feedlotting of pigs or cattle or for milking sheds, or (3) 10% for other <i>Animal keeping (kennels, cattery or animal pound/refuge or holding facility)</i> or <i>Intensive animal husbandry</i> uses.
O3	<p>Existing or likely future legitimate commercial rural activities on surrounding lands are protected from any conflict with the proposed use.</p>	S3.1	<p>Where in or abutting the Rural Locality, any buildings, structures, pens or yards used for animal accommodation for <i>Animal Keeping (kennels, catteries, animal pound/refuge or holding facility)</i> or <i>Intensive animal husbandry</i> are sited no closer than 150 metres to any property boundary which adjoins land:</p> <ol style="list-style-type: none"> (1) used for commercial rural production, or (2) that is Class A or B land as shown in SMOA map 2D.

(b) Amenity and Wellbeing

Specific Outcome	Acceptable Solution (if self assessable)	
	Probable Solution (if code assessable) ¹	
04 The amenity of the setting and the safety, privacy and wellbeing of occupants or users of sensitive receptors is not adversely affected by nuisance bees, odour, vibration, dust and noise emissions from the use.	S4.1	Properties are not located within the set backs prescribed in Table S4.1 at the end of this Code.
	S4.2	For <i>Animal keeping</i> , compounds do not encroach upon set back distances prescribed in Table S4.2 at the end of this Code.
	S4.3	On-farm processing for <i>Intensive animal husbandry</i> is set back from the property boundary of the nearest sensitive receptor by at least the following distances: <ul style="list-style-type: none"> (1) 300 metres; or (2) 100 metres where topography obstructs any view of on-farm processing from the sensitive receptor(s).
	S4.4	For <i>Animal keeping (kennels, catteries or animal pound/refuge or holding facility)</i> or <i>Intensive animal husbandry</i> , where a caretaker is resident on the property, any compound, enclosures and any infrastructure are located at least 10 metres from any residence on the site.
	S4.5	Veterinary facilities provided in connection with <i>Animal keeping (kennels, catteries or animal pound/refuge or holding facility)</i> are situated under or within 20 metres of any <i>Caretakers residence</i> .

¹ *Intensive animal husbandry* is assessable in all Localities in the Shire. Exact set backs will be determined as part of assessment of an application through reference to Environmental Codes of Practice, Environmental Management Guidelines, Reference Manuals, Separation Guidelines and other documents held by State government and endorsed under the *Environmental Protection Act*. PSP 1 includes possible set back distances to sensitive receptors from *Intensive animal husbandry* compounds. This is a guide only.

(c) Traffic and Access Management

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
<p>O5 Premises are located on a site with frontage to a public road:</p> <p>(1) having a standard of construction and service necessary to safely and effectively accommodate traffic generated by the use, and</p> <p>(2) where the amenity of residences is not adversely affected by the passage of heavy vehicles to access the nearest sub-arterial road.</p>	<p>S5.1 In the Rural Locality, the minimum standard of formed, constructed and gazetted public road from which direct property access to any <i>Intensive animal husbandry</i> or <i>Animal keeping (kennels, catteries or animal pound/refuge or holding facility)</i> development is taken and to which access to the nearest higher order road is provided is:</p> <p>(1) a collector of higher order road as depicted on the Zone maps, or</p> <p>(2) an all-weather road of at least:</p> <ol style="list-style-type: none"> 1. 4 metres carriageway width for any <i>Animal keeping (kennels, catteries or animal pound/refuge or holding facility)</i>, where no heavy vehicles access the site, or 2. 6 metres carriageway width for <i>Intensive animal husbandry</i> where no more than 6 return heavy vehicle trips occur a day from the site. <p>S5.2 Heavy vehicles from <i>Animal Keeping</i> or <i>Intensive animal husbandry</i> on a premises in any Rural Residential Zone:</p> <p>(1) have access from a collector or higher order road as depicted on the Zone maps, or</p> <p>(2) from a bitumen road of at least 6 metres carriageway width to the nearest collector or higher order road depicted on the Zone maps.</p>

(d) Visual Impact

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O6	Buildings, structures and compounds are of a scale, design and location that is compatible with maintaining an open landscape character dominated by natural features and land extensive activities.	S6.1	Buildings, structures and compounds for <i>Animal keeping</i> do not encroach upon the road set back distances prescribed in Table S6.1 at the end of this Code.
		S6.2	For <i>Intensive animal husbandry</i> , buildings, structures and any compounds do not encroach upon the road set back distances prescribed in Table S6.2 at the end of this Code.
O7	Signage is unobtrusive in the setting.	S7.1	One sign per business not exceeding 1.6 square metres in area and 3.6 metres in height measured above ground level, which displays the street number of the premises, together with the premises' logo/name. The logo/name may be illuminated only with an incandescent globe of no more than 180 watts.

(e) Servicing and Stormwater Management

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O8	<p>(1) Sufficient and reliable water supplies are available for the safe and effective use of the premises.</p> <p>(2) Environmentally acceptable waste management practices are located and designed so that impacts on soils, downstream water quality and amenity, character and community wellbeing are minimised to an acceptable level.</p>	<p>S8.1 Premises are provided with water supply to a standard of service and construction as nominated in Division 3 of Schedule 2.</p> <p>S8.2 For <i>Animal keeping (kennels, catteries or animal pound/refuge or holding facility)</i>:</p> <p>(1) solid wastes are stored in level, covered, screened and bunded areas on site with a maximum permeability of 0.1mm/day, and</p> <p>(2) wash waters and liquid wastes are:</p> <ol style="list-style-type: none"> 1. drained to holding tanks for removal, or 2. discharged to an on-site effluent treatment system producing secondary level treated effluent. <p>S8.3 For <i>Intensive animal husbandry</i>:</p> <p>(1) stockpiling and composting is located in the compound in level and bunded areas,</p> <p>(2) spreading and irrigation of treated waste occurs so:</p> <ol style="list-style-type: none"> 1. the base of the disposal area will be greater than 5 metres above the seasonal high ground water level, and 2. all runoff and leachate is captured and drained to the compound waste water treatment system, and <p>(3) contaminated waste water and runoff is captured and treated in the compound.</p>	

(f) Water Quality Maintenance and Riparian Land Management

Specific Outcome	Acceptable Solution (if self assessable) Probable Solution (if code assessable) ²
<p>O9 Premises are located, designed and constructed to function effectively and in a manner that:</p> <ul style="list-style-type: none"> (1) minimises disturbances to geotechnical, physical, hydrological and environmental characteristics of the site and its setting, and (2) minimises contamination of downstream waters so the environmental values of ground and surface waters for ecosystem health and drinking (with minimal treatment) are not degraded. 	<p>S9.1 For <i>Animal keeping</i>, compounds do not encroach upon set back distances to water resources prescribed in Table S9.1 at the end of this Code.</p>

² *Intensive animal husbandry* is assessable in all Localities in the Shire. Exact set backs will be determined as part of assessment of an application through reference to Environmental Codes of Practice, Environmental Management Guidelines, Reference Manuals, Separation Guidelines and other documents held by State government and endorsed under the *Environmental Protection Act*. PSP 1 includes possible set back distances to sensitive receptors from *Intensive animal husbandry* compounds. This is a guide only.

TABLE S1.1 – MAXIMUM STOCKING RATES AND MINIMUM SITE AREA

Element	INTENSIVE ANIMAL HUSBANDRY							ANIMAL KEEPING – Kennel, Cattery or Animal Pound/Refuge or Holding Facility	
	Aqua-culture	Feedlot - 1-49SCU & 10-500SPU	Poultry	Stables	Goats	Emus and Ostrich	Dairy	up to 50 animals	50+ animals
Maximum Stocking Rate (animals/hectare):	-	1 SCU or 10 SPU per 4ha	-	Per hectare: 1 free range animal plus up to 5 animals in enclosures	3/ha	16/ha	2 free range/ha	8/ha	10/ha
Minimum Site Area (hectare):	- 2ha for tank-based and/or on a lot under 5ha. - 10ha for other circumstances.	40ha	< 20000 birds - 8ha. >20000 birds - 16ha	2ha	-	1ha	8ha	3ha	5ha

TABLE S4.1 – BOUNDARY SET BACK TO SENSITIVE RECEPTORS

	ANIMAL KEEPING				INTENSIVE ANIMAL HUSBANDRY
	Kennel, Cattery or Animal Pound/Refuge or Holding Facility	Bee Hives	More Animals than Constitutes Domestic Pets under Local Law	Feedlot	
Minimum boundary set back in metres to:	<i>up to 50 animals</i>	<i>50+ animals</i>	<i>2 or more hives</i>	<i>Cats, Dogs or Birds</i>	<i>1-49 SCU or 10-500 SPU</i>
<ul style="list-style-type: none"> • Residential or Community Expansion zone • Rural Residential C zone 	1000	1500	200	100	2000
Village A zone	600	1000	-	60	2000

TABLE S4.2 – ANIMAL KEEPING – ANIMAL COMPOUND SET BACKS TO PROPERTY BOUNDARIES

	ANIMAL KEEPING				INTENSIVE ANIMAL HUSBANDRY
	Kennel, Cattery or Animal Pound/Refuge or Holding Facility	Bee Hives	More Animals than Constitutes Domestic Pets under Local Law	Feedlot	
Minimum compound set back in metres to:	<i>up to 50 animals</i>	<i>50+ animals</i>	<i>2 or more hives</i>	<i>Cats, Dogs or Birds</i>	<i>1-49 SCU or 10-500 SPU</i>
Rural Residential B zone	350	500		40	150
Village B zone	350	500		40	750
Rural Locality					
<5 ha -	350	500		40	750
5-20 ha -	150	250		20	300
20-40 ha -	120	200		15	150
Residence on surrounding land	400	1000	200	50	1000
Other property boundaries	30	50	50	20	50

TABLE S6.1 – ANIMAL KEEPING - SET BACKS TO PROPERTY BOUNDARY TO ROADS

	Kennel, Cattery or Animal Pound/Refuge or Holding Facility		More Animals than Constitutes Domestic Pets under Local Law <i>Cats, Dogs or Birds</i>
	<i>up to 50 animals</i>	<i>50+ animals</i>	
<i>Minimum set backs in metres for buildings, structures or compounds to the following:</i>			
<i>Sub-arterial and higher order road as depicted on the Zone maps and any stock route shown in PSP 8</i>	50	70	10
<i>Collector and gazetted, formed and constructed public roads</i>	20	40	10

TABLE S6.2 – INTENSIVE ANIMAL HUSBANDRY – SET BACKS TO PROPERTY BOUNDARIES TO ROADS

<i>Minimum set backs in metres for buildings, structures or compounds to the following:</i>	<i>Aqua-culture</i>	<i>Feedlot 1-49SCU</i>	<i>Piggeries 10-500SPU</i>	<i>Poultry</i>	<i>Stables /Emus</i>	<i>Dairy 1-49Head</i>	<i>Worms</i>
<i>Sub-arterial and higher order road as depicted on the Zoning maps and any stock route as shown on PSP 8</i>	30	150	150	100	20	50	20
<i>Collector and gazetted, formed and constructed public roads</i>	20	100	100	50	10	30	10

TABLE S9.1 – ANIMAL KEEPING - COMPOUND SET BACK TO WATER RESOURCES

	Kennel, Cattery or Animal Pound/Refuge or Holding Facility		More Animals than Constitutes Domestic Pets under Local Law <i>Cats, Dogs and Birds</i>
	<i>up to 50 animals</i>	<i>50+ animals</i>	
<i>Minimum set back of compound to water resources (on or off the site):</i>			
<i>Top bank of creek, river, stream, wetland, or</i> <i>Edge of well, bore, dam, weir or Council riverine intake that provides potable water supply to the site or surrounds</i>	100	100	30
<i>Centre line of dry or perennial gully</i>	30	40	15
<i>Full supply level of a referable dam</i>	600	800	30