



**Armidale Dumaresq**

**Development Control Plan 2012**

**Section 5      Commercial and Industrial Development Controls**

**Chapter 5.5      Animal Boarding or Training Establishments for Companion Animals**

**Effective      26 June 2013**

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## Part 1 General provisions

### 1.1 Introduction

This chapter outlines the guidelines for keeping companion animals for commercial gain and/or breeding and boarding purposes.

### 1.2 Objectives

The objectives of this chapter are:

- O.1 To outline construction standards for companion animal boarding and breeding establishments.
- O.2 To outline public health and safety standards for companion animal boarding and breeding establishments.
- O.3 To address the potential adverse impacts on adjoining land uses and the amenity of the surrounding environment.

### 1.3 Addressing the guidelines in this chapter

The guidelines for keeping companion animals for commercial gain and/or breeding and boarding purposes are set out in this chapter. These are expressed in the form of objectives which need to be addressed for each development proposal. For each objective (O), 'acceptable solutions' (S) are provided which, if met, will ensure compliance. Alternative approaches may be proposed, provided these adequately address the relevant objectives and comply with legislation.

### 1.4 Land to which this chapter applies

This chapter applies to land in LEP 2012 zoned:

RU1	Primary Production	IN1	General Industrial
RU4	Primary Production Small Lots	IN2	Light Industrial
E3	Environmental Management		

## Part 2 General Requirements

### 2.1 Aesthetics of the locality

- S.1 The kennels and runs should not be visually intrusive to the immediate locality.
- S.2 Proposals should incorporate workable screening details.

### 2.2 Containment

- S.3 Animals are to be safely and effectively contained. No dog is to be allowed to run freely in a public place or along any road reserve. The Companion Animals Act 1998 clearly specifies that dogs in a public place must be clearly restrained at all times and failure to do so can result in the issue of an on-the-spot fine for each individual offence.
- S.4 A dog-proof netting fence is to be erected around dog yards and kennels.
- S.5 In the case of a breeding establishment, all animals over the age of six months are to be registered in accordance with the *Companion Animals Act 1998*.
- S.6 Animals shall at all times be kept within the confines of approved housing except when being taken to and from the premises.
- S.7 Animals being exercised must be fully supervised.

### 2.3 Noise control

- S.8 Animals must not generate offensive noise (as defined under the *Protection of the*

*Environmental Operations Act 1997*). Consideration must be given to appropriate inbuilt features to control noise.

- S.9 Impact on surrounding properties must be addressed in accordance with the requirements of Chapter 2.8 Noise.
- S.10 Animals must be enclosed in kennels or cat cages at night to prevent barking at distractions. Soundproofing of kennels may be considered.
- S.11 Yard lighting is to be switched off after dark as a noise mitigation measure.
- S.12 A separately screened facility should be considered to separate noisy dogs from others.

#### **2.4 Hygiene**

- S.13 The design and management of the establishment must take into consideration the impact of the premises on the health and well-being of occupants, nearby residents and the animal(s). Such consideration may include:
  - a) methods of waste disposal;
  - b) cleanliness of housing and the ability of housing to be easily cleaned;
  - c) pest control;
  - d) control of odours (distances from dwellings should be considered);
  - e) drainage;
  - f) control of internal and external parasites;
  - g) accumulation of hair.

#### **2.5 Distance of kennels from boundaries**

- S.14 Consideration must be given to siting kennels and exercise yards an appropriate distance from side and rear boundaries.
- S.15 The appropriate setback distances will vary depending on circumstances and will be carefully considered during the development assessment process. In general terms the following setback distances will apply:
  - a) kennels, runs and exercise yards shall be set back a minimum distance of 200 metres from the frontage to a public road and a minimum of 60 metres, depending on site topography, from any rear or side boundary. Proprietors' pets are excluded from this requirement and may be allowed within these setbacks.
  - b) no kennels or day runs should be located within 150 metres of any dwelling or approved dwelling in existence at the date of application, other than that on the same land.
- S.16 In determining an appropriate setback distance, the following should be considered:
  - a) the location of adjoining dwellings and recreation areas and the likely noise impact on these. An Acoustic Engineer can recommend suitable setbacks consistent with kennel construction and other noise attenuation measures;
  - b) the likely generation of odours from the kennels and yards;
  - c) the appearance of the establishment and the impact of this on adjoining properties;
  - d) the distraction of dogs by activities on adjoining properties, eg. children playing, vehicles entering and leaving.

#### **2.6 Size of Lot**

- S.17 Consideration must be given to the size of the lot on which the kennel will be situated. Lot sizes will vary depending on circumstances and will be carefully considered during the

development assessment process.

## 2.7 Access and parking

S.18 Parking is to be provided and designed in accordance with Chapter 2.9 Parking of this DCP.

## Part 3 Low end establishments

A Low End Establishment means a small scale operation involving the keeping of up to four adult companion animals for commercial purposes.

### 3.1 Screening of kennels

S.1 Kennels must be fully screened from the view of adjacent premises and roadways to prevent dogs barking at cars, pedestrians and animals. This may be achieved by:

- a) a planted screen of trees and bushes;
- b) wire mesh fencing over which a vine or creeper is grown;
- c) a solid wall;
- d) a metal fence which is permanently colour treated and in good order.

S.2 Any construction must take into account the welfare of the animal and will be subject to the provisions of the *Prevention of Cruelty to Animals Act 1979* and published animal welfare codes.

### 3.2 Floor

S.3 The floor is to be 75mm minimum thickness concrete finish with wooden float graded to catchment drain which has fall to the outlet trap.

S.4 Concrete is to extend for 300mm beyond the plane of the kennel walls.

S.5 An alternative impervious floor construction may be considered by Council.

### 3.3 Walls

S.6 Walls should be designed to be:

- a) of a solid impervious type being capable of easy cleaning;
- b) if masonry, to be sealed to a height of 1200mm;
- c) the base of wall is to be coved to the floor;
- d) if of timber frame construction, bottom plates are to be secured to a raised impervious hob of minimum height of 450mm (hob may be constructed of brick work rendered internally) which is coved at its junction with the floor.

### 3.4 Stormwater Drainage

S.7 Ample provision is to be made for disposal of surface and roof drainage so as not to interfere with adjacent premises.

### 3.5 Floor wastes and other wastes

S.8 Floor wastes and other wastes (including wastes from animal wash activities) shall be designed in accordance with the *Liquid Trade Waste Regulation Guidelines 2009* (NSW Office of Water).

S.9 Where the type of animal housed requires a yard enclosure, the yard shall be design to facilitate effective cleaning and removal of refuse.

### 3.6 Yard areas

S.10 Facilities require an ample fenced grassed area for dog exercise (a minimum of 100m<sup>2</sup>).

S.11 Faeces is to be removed daily.

### **3.7 Bedding and sleeping areas**

S.12 Bedding and sleeping areas are to be raised timber slats, hessian or equivalent, and able to be removed for cleaning purposes.

S.13 A means of suspending bedding whilst cleaning should be provided.

### **3.8 Dividing walls**

S.14 Dividing walls of cages are to be of solid material such as masonry and steel mesh.

S.15 Small mesh is to be used to avoid nose biting.

### **3.9 Ventilation**

S.16 Condensation must not form on inside surfaces. Facilities are to be passively ventilated through air spaces such as windows (located a minimum of 2m above floor level) beneath doors or simple roof or wall mounted vents.

### **3.10 Hygiene**

#### **3.10.1 Cleaning of kennels and yard areas**

S.17 Kennels shall be cleaned daily and all food scraps, bones and manure removed.

S.18 Water shall be replenished daily and care should be taken to ensure the storage receptacles for water do not provide a breeding ground for mosquitoes.

S.19 Yard area shall be raked clean of all scraps and manure and grass shall be kept short mown.

### **3.11 Disposal of waste**

#### **3.11.1 Disposal of manure and scraps**

S.20 Disposal of manure and scraps shall be carried out to ensure that nuisance does not arise from the breeding of flies or offensive odours. Suitable plans should be provided outlining management and disposal.

S.21 Burning or burying of excrement on site is strictly prohibited.

S.22 Distances of kennels and yard areas from surrounding dwellings should be considered and shown on development application plans.

## **Part 4 High end establishments**

A 'high end establishment' means a larger scale operation requiring significant investment and involves the keeping of five or more adult companion animals for commercial purposes.

### **4.1 Screening of kennels**

S.1 Kennels must be fully screened from the view of adjacent premises and roadways to prevent dogs barking at cars, pedestrians and animals. This may be achieved by:

- a) a planted screen of trees and bushes;
- b) wire mesh fencing over which a vine or creeper is grown;
- c) a solid wall;
- d) a metal fence which is permanently colour treated and in good order;
- e) similar methods may also be considered.

### **4.2 Noise control**

S.2 High End Establishments must provide an acoustic assessment of their proposal with their development application.

- S.3 Kennels should be fully sound proofed to keep noise in and neighbourhood noise out.
- S.4 Animals must be enclosed at night.
- S.5 A separately screened facility should be available to separate noisy dogs from others.
- S.6 Kennel operators must be able to demonstrate to Council the ability to quickly quiet the dogs when necessary.
- S.7 Operators shall take reasonable precautions to ensure that the dogs do not cause a noise nuisance between 8.00pm and 6.30am (as defined in the 'offensive noise' provisions of the *Protection of the Environment Operations Act 1997*).
- S.8 Sites should be selected with consideration for the location of clients, feed supplies and adjoining land uses.

#### **4.3 Construction and layout of kennels and housing - floor**

- S.9 Floors are to be 75mm minimum thickness concrete finish with wooden float graded to catchment drain which has fall to the outlet trap. Concrete is to extend for 300mm beyond the plane of the kennel walls.
- S.10 Alternate impervious floor construction may be considered by Council. Floors in enclosed areas are to be treated with a waterproof seal to facilitate cleaning and avoid odours.

#### **4.4 Construction and layout of kennels and housing - walls**

- S.11 Walls are to be of a solid impervious type that is easy to clean and maintain. If masonry to be sealed to a height of 1200mm.
- S.12 Base of wall is to be coved to the floor.
- S.13 If of timber frame construction, bottom plates are to be secured to a raised impervious hob of minimum height of 450mm (hob may be constructed of brick work rendered internally) which is coved at its junction with the floor.

#### **4.5 Bedding and sleeping areas**

- S.14 Bedding and sleeping areas are to be raised timber slats, hessian or equivalent, and able to be removed for cleaning purposes.
- S.15 A means of suspending bedding whilst cleaning should be provided.
- S.16 Semi secluded beds are advisable to avoid noise at night.

#### **4.6 Dividing walls**

- S.17 Cages are to be of solid material such as masonry or steel mesh.
- S.18 Small mesh is to be used to avoid nose biting.

#### **4.7 Exercise areas**

- S.19 Outside runs need to be half or totally roofed, with a concrete drained floor.
- S.20 A continuous supply of water should be available.
- S.21 Solid partitioning for concealment may be necessary for some runs, for example to avoid competition between males.

#### **4.8 Ventilation**

- S.22 Condensation must not form on inside surfaces.
- S.23 For High End Establishments, forced ventilation is required. This may be achieved best by wind and heat powered turbine extractors or electrical ventilators.

#### **4.9 Hygiene and cleaning of kennels and yard areas**

**4.9.1 Cleaning of kennels and yard areas**

- S.24 Kennels shall be cleaned daily and all food scraps, bones and manure removed.
- S.25 Water shall be replenished daily and care should be taken to ensure the storage receptacles for water do not provide a breeding ground for mosquitoes.
- S.26 Yard area shall be raked clean of all scraps and manure and grass shall be kept short mown.
- S.27 Where the type of animal housed requires a yard enclosure, the yard shall be design to facilitate effective cleaning and removal of refuse to be carried out effectively.

**4.10 Disposal of waste****4.10.1 Disposal of manure and scraps**

- S.28 Disposal of manure and scraps shall be carried out to ensure that nuisance does not arise from the breeding of flies or offensive odours. Suitable plans should be provided outlining management and disposal.
- S.29 Burning or burying of excrement on site is strictly prohibited.
- S.30 Distances of kennels and yard areas from surrounding dwellings should be considered and shown on development application plans.
- S.31 All excrement and loose hair, if not removed immediately, it is to be collected in an impervious fly – proof container which is to be emptied and cleansed at least once daily.
- S.32 All such waste shall be deposited at an approved waste disposal depot and shall not be incinerated or buried on the premises.

**4.10.2 Disposal of waste water and liquid waste**

- S.33 Waste water is to be transported through earthenware or plastic pipe to a suitable arrestor pit, then to a properly constructed absorption trench meeting the requirements of Council's Policy 225 On-site Waste Water System.
- S.34 Liquid waste from the grit arrestor shall discharge into a Council approved septic tank.

**4.10.3 Floor wastes and other wastes**

- S.35 Floor wastes and other wastes (including wastes from animal wash activities) shall be designed in accordance with the *Liquid Trade Waste Regulation Guidelines 2009* (NSW Office of Water).

**4.11 Stormwater drainage**

- S.36 Ample provision is to be made for disposal of surface and roof drainage. Drainage must not interfere with adjacent premises.

**Part 5 Development application checklist**

Any construction must take into account the welfare of the animal and will be subject to the provision of the *Prevention of Cruelty to Animals Act 1979* and published animal welfare codes.

- S.1 The following additional information is to accompany a Development Application for a Companion Animals Boarding or Training Establishment:
  - a) a location plan showing location of all dwellings within a one kilometre radius of the kennel site;
  - b) a detailed site and elevation plans of the proposed kennels, runs and compound, fences and details of drainage and effluent disposal;
  - c) a landscaping plan.
- S.2 A submission addressing:

- a) maximum number of dogs to be kept on the premises at any time;
- b) noise;
- c) location of feed storage;
- d) arrangements for housing sick or injured animals;
- e) details of water storage and reticulation to kennels;
- f) waste disposal and kennel planning.

#### Part 6 Definitions

**companion animal** includes a dog or cat, pup or kitten and either male or female.

**companion animal boarding and breeding establishment** means a building or place used for the purpose of breeding or training or accommodating or nurturing companion animals for gain or reward, otherwise than as ancillary to the use of the building or place for the purpose of agriculture.

**coved** means a concave surface forming a junction between a ceiling and a wall.

**housing** means dog kennels yards and catteries and includes caravans, garages, carports, sheds, commercially sold dog kennels, and any room forming part of a dwelling, dual occupancy, or urban housing development used for human habitation.

**low end establishment** means a small scale operation involving the keeping of up to four (4) adult companion animals for commercial purposes.

**high end establishment** means a larger scale operation requiring significant investment and involves the keeping of five or more adult companion animals for commercial purposes.