

NOTE: This Chapter should not be read in isolation. You may need to consider other chapters of this DCP when preparing your application.



CHAPTER G27: DOG BREEDING & BOARDING ESTABLISHMENTS (INCLUDING CATTERIES)



Chapter G27 – Dog Breeding and Boarding Establishments (Including Catteries)

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Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	23 June 2015	1 July 2015	New

1 Purpose

The purpose of this Chapter is to provide guidance for persons establishing and operating premises for dog breeding and boarding establishments (including catteries) within the Shoalhaven, to protect resident amenity and ensure good animal keeping practices.

2 Application

The Chapter applies to land where animal boarding or training establishments are permitted with consent.

The policy applies to premises where:

- there are 4 or more dogs kept, and
- there is provisions for boarding of dogs and/or cats; or
- more than one litter (dog or cat) at a time is kept.

3 Objectives

The objectives are to ensure that dog breeding and boarding establishments (including catteries) are sited and designed to:

- i. Prevent the amenity of the surrounding areas from being adversely affected by the emission of noise and odour from the operations of the establishment.
- ii. Prevent the discharge and waste beyond the buildings or areas in which the animals are kept.
- iii. Ensure the animals are kept in conditions that meet animal welfare standards.
- iv. Provide guidance for good management practices for dog breeding and dog and cat boarding establishments that are consistent with Animal Welfare Codes administered by the Department of Primary Industries and adopted by Dogs NSW and the Greyhound Racing Board.

Additional specific objectives are also set out in the controls contained in Section 5 and 6 of this Chapter.

4 Definitions

For the purposes of this Chapter, the following definitions have been adopted:

Hobby Breeder means a person who keeps and/or trains two (2) and not more than four (4) dogs and is eligible to register with the Dogs NSW and complies with the Animal Welfare Code of Conduct.

Professional Breeder means a person who keeps, breeds and/or trains 5 or more dogs and is eligible to register with Dogs NSW and complies with the relevant Animal Welfare Code of Conduct and/or is registered by the NSW Greyhound Board and complies with the relevant Animal Welfare Code of Conduct.

5 Controls

5.1 Minimum allotment size

5.1.1 Objectives

- i. To ensure sufficient open space area is maintained to protect the amenity of rural zoned land where the establishment is permitted.
- ii. To reduce visual, noise, odour and wind-blown impacts and to allow privacy to existing residential property on-site and to adjoining rural properties.
- iii. To ensure animal welfare is protected.

5.1.2 Controls

Performance Criteria	Acceptable Solutions
P1.1 Lot size minimises adverse amenity impacts to existing residential property on the lot and to surrounding residents.	A1.1 The minimum area of an allotment to be used for the establishment is at least 5 hectares.
P1.2 Lot size makes adequate provision for numbers of dogs/ cats permitted, separation distances and screening, establishment footprint and layout and protection of animal welfare.	Note: If seeking a minor reduction in the area (described in A1.1 above) the applicant must submit detailed information to support a variation that should include addressing the likely impacts of the proposal on nearby dwelling residents.

5.2 Maximum number of dogs and cats (boarding and breeding)

5.2.1 Objective

- i. To ensure good animal-keeping practices are exercised.

5.2.2 Controls

Performance Criteria		Acceptable Solutions	
P2	The number of dogs and/or cats kept in boarding facilities are appropriate for the size of the allotment.	A2.1	<p>The maximum number of dogs and/or cats being kept does not exceed:-</p> <p>(i) For lots with an area up to 5 hectares (see note in Section 5.1.2) - 30 dogs and/ or 15 cats.</p> <p>(ii) For lots with an area in excess of 5 hectares -50 dogs and/or 40 cats.</p> <p>Note: An additional 20% in number may be approved where the intended operator can demonstrate acceptable recent or current experience in the successful management of operations of the type of establishment proposed.</p>
		A2.2	The maximum numbers of cats will be considered on merit and applicants must demonstrate compliance with the animal welfare codes applicable to cat boarding.
P3	The number of dogs and/or cats kept in breeding facilities are appropriate for the size of the allotment.	A3.1	<p>The maximum number of dogs and/or cats being kept does not exceed:-</p> <p>(i) Hobby Breeders – up to four (4) dogs on premises and one litter on the premises at any time.</p> <p>(ii) Professional Breeders- five (5) or more dogs on premises and can demonstrate compliance with the relevant animal welfare codes and the amenity of the neighbourhood is not adversely affected.</p>
		A3.1	The maximum numbers of cats will be considered on merit and applicants must demonstrate compliance with the animal welfare codes applicable to cat breeding.

5.3 Separation distances and screening

5.3.1 Objectives

- i. To allow privacy to existing residential property on-site and to adjoining properties.
- ii. To ensure there is no unreasonable loss of amenity to existing residential property on site and to adjoining properties.

5.3.2 Controls

Performance Criteria	Acceptable Solutions
P4.1 Separation distances and screening of establishment allows privacy to existing residential property on site and to adjoining rural properties.	A4.1 The kennels and exercise or training yards are a minimum separation distance as follows: <ul style="list-style-type: none">(i) Dwellings associated with the facility – 30m.(ii) Dwellings on the subject or adjoining lot not associated with the facility – 250m.(iii) Other adjoining rural lots – 20m.
P4.2 Separation distances and screening of establishment mitigates visual, noise, odour and wind-blown impacts.	A4.2 The facility is adequately screened to minimise disturbance to and from the animals, particularly to minimise noise output. Screening may include combination of fencing, mounding and dense planting.

5.4 Design material and animal welfare

5.4.1 Objectives

- i. To ensure the establishment is designed and constructed to be compatible and sympathetic to existing development in the area it is in.
- ii. To ensure the establishment is designed and constructed to ensure good animal keeping practices.

5.4.2 Controls

Performance Criteria	Acceptable Solutions
P5.1 The establishment is designed and constructed in a way that complements surrounding development.	A5.1 The established design including orientation of buildings and facilities, materials and landscaping complements the surrounding development.
P5.2 Good animal-keeping practice is exercised and maintained for the establishment.	A5.2 The kennels and exercise or training yards are designed and constructed to satisfy the requirements of relevant animal welfare codes. A5.3 The applicant demonstrates by written statement, plans and details that compliance can be achieved.

Notes:

The animal welfare code requirements apply to both Hobby Breeders and Professional Breeders facilities and operations.

Applications must address the current published Codes from the [NSW Department of Primary Industries website](#).

5.5 Noise control

5.5.1 Objective

- i. To mitigate and reduce noise impacts to existing residential property on site and to adjoining properties.

5.5.2 Controls

Performance Criteria	Acceptable Solutions
<p>P6.1 The establishment is cognisant of and puts in measures to mitigate and reduce noise impacts to existing residential property on site and to adjoining rural properties.</p>	<p>A6.1 The animal boarding and training establishments are designed and constructed to ensure noise emitted does not exceed 5dB(A) above established background noise levels.</p> <p>A6.2 A program of noise emissions monitoring will be carried out when the boarding and/or breeding operations commence.</p>
<p>Note: Noise levels are to be measured at the curtilage of the dwelling of the nearest affected residence.</p>	

5.6 Hygiene and waste management

5.6.1 Objectives

- i. To ensure that satisfactory hygiene levels of the establishment are maintained.
- ii. To ensure satisfactory treatment of waste and on-going waste management.

5.6.2 Controls

Performance Criteria	Acceptable Solutions
<p>P7.1 The applicant demonstrates satisfactory hygiene practices.</p>	<p>A7.1 A plan of management that demonstrates appropriate hygiene levels can be maintained is to be prepared.</p>
<p>P7.2 The applicant demonstrates satisfactory waste management practices.</p>	<p>A7.2 A waste management plan that demonstrates appropriate waste disposal can be provided is to be prepared.</p> <p>A7.3 Solid wastes are kept in covered containers prior to disposal.</p> <p>A7.4 Liquid waste is collected, conveyed and treated by a method approved by Council.</p>

5.7 Access, crossovers and parking areas

5.7.1 Objective

- i. To ensure that adequate provision is made for access to the site and car parking for staff and clients.

5.7.2 Controls

Performance Criteria		Acceptable Solutions	
P8.1	The design of carparking areas is consistent with Chapter G21: Car Parking and Traffic.	A8.1	Car parking complies with the provisions outlined in Chapter G21: Car Parking and Traffic.
P8.2	The design and location of access and carparking areas has regard to the safety of pedestrians, cyclists and vehicles.	A8.2	A bitumen/gravel access is required, minimum 3m wide at the property boundary splayed to 4m wide at the pavement edgeline. If the natural flow of stormwater is impeded a 375mm diameter concrete pipe will need to be placed under the access in line with the table drain complete with headwalls and erosion protection.
P8.3	Vehicles are able to enter and exit the site in a forward direction and stack parking arrangements are avoided.		
P8.4	There is sufficient car parking for staff and clients relative to the scale of the activity.	A8.3	When the distance from the road table drain to the property boundary is less than 10m an indented and fenced rural access is required.
		A8.4	Boarding kennels, public training tracks and other significant developments shall provide off-street parking areas and vehicle access ways constructed to an all-weather gravel standard, with a minimum compacted pavement thickness of 200mm, together with associated stormwater drainage. Access ways shall be a minimum 4m wide and carparking is demonstrated to be sufficient for the proposal.

5.8 Advertising signs

5.8.1 Objectives

- i. To ensure that advertising structures and signs do not proliferate and that signage does not adversely affect and is in keeping with the character of the area.
- ii. To ensure that there is adequate directional signage for kennels.

5.8.2 Controls

Performance Criteria	Acceptable Solutions
P9.1 Advertising structures and signs are in keeping with the character of the area.	A9.1 One advertising sign per property, located within the boundary. Refer to Chapter G22: Advertising Signs and Structures.
<p>Note: Conceptual details of advertising signs and their locations should be supplied with the development application.</p>	

6 Additional requirements for the CalyMEA Street/Albatross Road area

Due to the lot pattern and the existence of existing animal boarding and breeding establishments in the CalyMEA Street/Albatross Road area, there are additional criteria that will apply. The additional criteria apply to the subject land outlined in Figure 1 and prevail to the extent of any inconsistencies with the provisions in Section 5.

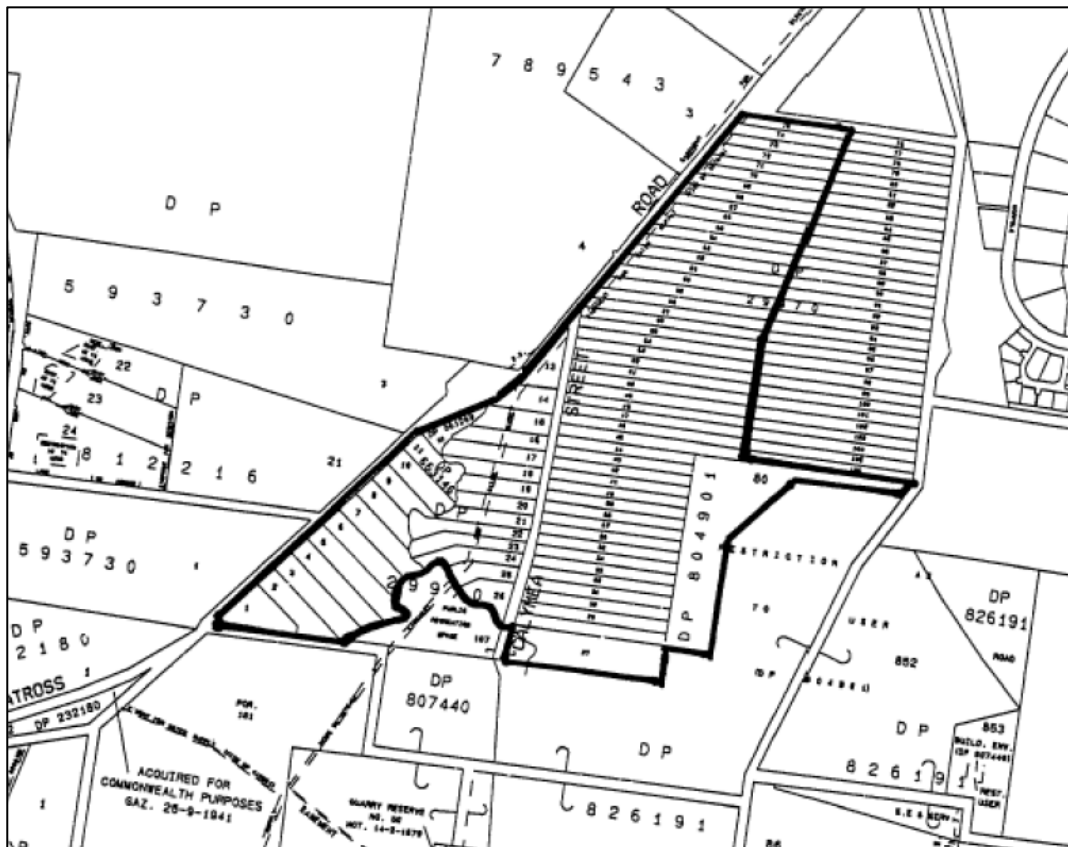


Figure 1: The CalyMEA Street/Albatross Road subject area

6.1 Objectives

- i. To ensure good animal-keeping practices for the CalyMEA Street / Albatross Road area are exercised.

6.2 Controls

Performance Criteria	Acceptable Solutions
<p>P10.1 The number of dogs and/or cats kept in breeding and/or boarding facilities are appropriate for the size of the allotment.</p>	<p>A10.1 The maximum number of dogs to be kept in a boarding facility is at a rate of 10 dogs per 0.4 hectares, up to a maximum of 30 dogs, subject to satisfying environmental and amenity controls outlined within the policy.</p> <p>A10.2 The maximum number of dogs that may be kept on an allotment within the area to which this cause applies, without development consent is:</p> <ul style="list-style-type: none"> (i) Less than 5000m² – 2 dogs per allotment plus 1 litter at any one time (ii) More than 5000m² – 4 dogs plus 1 litter per allotment at any one time (iii) All litters must be removed from the property within three months of whelping. <p>A10.3 The number of cats kept per allotment are justified by the submission of details for a merit assessment.</p>
	<p>Note: A development application is required:</p> <ul style="list-style-type: none"> (i) where the numbers proposed to be kept by hobby or professional breeders exceeds the above numbers. (ii) where boarding and/or training facilities are proposed irrespective of the number of animals to be kept.

7 Advisory Information

7.1 Application for development consent

Your development application should include:

- A detailed management plan for the operations of the breeding and/or boarding establishment;
- A written statement demonstrating how the operation of the premises will comply with the relevant standards, including;
 - [Animal Welfare Code of Practice No 5 – Dogs and Cats in Animal Boarding Establishments](#); and
 - [Animal Welfare Code of Practice –Breeding Dogs and Cats](#).

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- Where the dogs being kept are greyhounds, demonstrate that the person and premises are eligible to be registered by the Greyhound Racing NSW and will meet the animal welfare standards;
- An acoustic report prepared by a person suitably qualified and experienced that includes an assessment of the design, construction details and materials to demonstrate that noise level output will be no more than 5dB(A) above established background noise levels; and
- Details of the intended operators' experience and competence in management of a similar operation, including qualifications and references.

7.2 Other legislation or policies you may need to check

Note: This section is not exclusive and you may be required to consider other legislation, policies and other documents with your application

Council Policies & Guidelines • Nil

External Policies & Guidelines • [Animal Welfare Code of Practice No 5 – Dogs and Cats in Animal Boarding Establishments](#)
• [Animal Welfare Code of Practice –Breeding Dogs and Cats.](#)

Legislation • Shoalhaven Local Environmental Plan 2014
