

Division 26 Kennels Code

26.1 Overall Outcomes

- (1) The overall outcomes are the purpose of this code.
- (2) The overall outcomes sought by the Kennels Code are the following:-
 - (a) The siting and physical form of any **kennels**:-
 - (i) are appropriate to the desired character and environmental values of the area in which they are situated; and
 - (ii) allow for ready cleaning and disinfection of facilities;
 - (b) Acceptable levels of amenity for occupants of adjoining premises are provided and maintained; and
 - (c) Safe, convenient and adequate infrastructure is available to the premises.

26.2 Compliance with the Kennels Code

Assessable development that is consistent with the specific outcomes of the Development Requirements *Table 6.1.26 – Assessment Criteria for Assessable Development* contained in Section 26.4 complies with the Kennels Code.

26.3 Development Requirements

The development requirements of this code relate to the following elements:-

- (1) Development Site Area Limitations
- (2) Siting, Setbacks and Buffers
- (3) Construction Standards and Building Appearance
- (4) Artificial Lighting
- (5) Infrastructure Provision
- (6) Public Access Times
- (7) Supervision of Operations
- (8) On-Site Car Parking Facilities
- (9) Noise Controls

26.4 Development Requirements Table

Table 6.1.26: Assessment Criteria for Assessable Development

Specific Outcomes for Assessable Development	Probable Solutions
Development Site Area Limitations	
SO 1 The overall development site is of a size which adequately accommodates the siting of the kennels , their associated facilities and the necessary waste storage and washdown processes while maintaining:- <ol style="list-style-type: none"> (1) the established or desired character of the area; and (2) an environment on adjacent land which is free from any unreasonable impact of noise, offensive odours and vermin emanating from the kennels. 	PS 1 The overall development site has an area of no less than 16ha.
Siting, Setbacks and Buffers	
SO 2 All buildings and other structures comprising the kennels are located on the development site in a manner which:- <ol style="list-style-type: none"> (1) does not adversely impact on the existing or desired streetscape for the area; (2) is in keeping with the desired or established character of the area; (3) preserves an environment on adjacent land that is free, to a reasonable extent, from any impact of noise, offensive odours or vermin directly attributable to the normal operating activities of the kennels; and (4) does not result in adverse effects on the safe and efficient operation of the vehicle carriageways and pedestrian thoroughfares within the frontage road. 	PS 2.1 Unless more extensive buffering is required under another code within this planning scheme which is applicable ¹ to the development site , a setback of no less than 30m is provided between any boundary of the development site and any buildings, structures (other than freestanding retaining walls and fences), animal enclosures or materials storage areas comprising the kennels . For purposes of this provision, the property boundary includes any identified probable future land acquisition line . <p style="text-align: center;">AND</p>

Specific Outcomes for Assessable Development	Probable Solutions
	<p>PS 2.2 No buildings and structures (other than freestanding retaining walls and fences) comprising the kennels are less than 400m from any existing building used for residential purposes on land other than the development site.</p> <p>For purposes of this provision, an existing building is a building which is either in place or under construction at the time that application to establish the kennels on the land is made.</p> <p style="text-align: center;">AND</p> <p>PS 2.3 No buildings and structures (other than freestanding retaining walls and fences) comprising the kennels are less than 60m from any building used for residential purposes on the development site.</p>
Construction Standards and Building Appearance	
<p>SO 3 All buildings and other structures comprising the kennels are constructed in a manner which allows the facility to be readily cleaned and disinfected on a regular basis.</p>	<p>PS 3 The roof, wall and suspended floor elements of the kennels are constructed of materials that will not degrade, due to normal weathering effects or the necessary disinfection and washing procedures for the facility, to the extent necessary to require replacement of non-sacrificial material within a 10 year period.</p>
<p>SO 4 All buildings and other structures comprising the kennels have an appearance which:-</p> <ol style="list-style-type: none"> (1) does not adversely impact on the existing or desired streetscape for the area; and (2) is in keeping with the desired or established character of the area. 	<p>PS 4.1 If specific appearance requirements are set for building work under another code which is applicable¹ to the particular development site, all buildings and other structures comprising the kennels which are established on land covered by that code have the external appearance characteristics prescribed therein.</p> <p style="text-align: center;">OR</p> <p>PS 4.2 If PS 4.1 does not apply, all buildings and other structures comprising the kennels which can be seen from land adjacent to or remote from the land on which such structures are erected, have an external colour scheme which incorporates only those colours listed in <i>Schedule A</i> to this code.</p>
Artificial Lighting	
<p>SO 5 Artificial lighting necessarily associated with the use of the kennels is operated in such a manner as not to cause unreasonable disturbance to any person or animal on adjacent land.</p>	<p>PS 5 Artificial lighting associated with the operation of the kennels is directed and shielded in such a manner as not to exceed the "recommended maximum value of light technical parameters for the control of obtrusive light" given in Table 2.1 of <i>Australian Standard AS 4282 (1997) Control of Obtrusive Effects of Outdoor Lighting</i>. For purposes of that table, "curfewed hours" are taken to be those hours between 10pm and 7am on the following day.</p>
Infrastructure Provision	
<p>SO 6 The development has access to infrastructure capable of adequately catering for the reasonable everyday demand of the kennels in regard to:-</p> <ol style="list-style-type: none"> (1) road access; and (2) effluent disposal. 	<p>PS 6.1 The development site has direct vehicular access² to a dedicated road constructed to a standard which satisfies the requirement of <i>Planning Scheme Policy PSP28 Civil Infrastructure Design</i>.</p> <p style="text-align: center;">AND</p> <p>PS 6.2 A liquid effluent disposal system incorporating an underground absorption or transpiration system which has sufficient capacity to dispose of all liquid wastes from the cleaning of the kennels without contaminating underground waters, stormwater surface flows or adjacent land is provided on the development site.</p>
<p>SO 7 Liquid effluent resulting from the operation of the kennels is disposed of in a manner which does not cause unreasonable contamination of any water or adjacent land.</p>	<p>PS 7 Liquid effluent resulting from the operation of the kennels is collected and discharged directly into the effluent disposal system referred to in PS 6.2.</p>

Specific Outcomes for Assessable Development	Probable Solutions
Public Access Times	
SO 8 Times for public access to any of the buildings or other structures used for the housing of dogs are regulated in such a manner as to:- (1) not have a significant adverse effect on the desired or established character of the area; (2) not encourage excessive vehicular traffic to or from the development site during twilight hours; and (3) not encourage excessive vehicular traffic to or from the development site over an extended period of time.	PS 8.1 Public access to any of the buildings, other structures and runs used for the housing of dogs is not made available between the hours of 7pm and 7am on the following day. AND PS 8.2 Animals are neither delivered to, nor picked up from, the development site between the hours of 7pm and 7am on the following day.
Supervision of Operations	
SO 9 The operation of the kennels is supervised to the extent necessary to ensure:- (1) the safekeeping and wellbeing of all animals housed within the facility; (2) the effective operation of the facility; and (3) the preservation of a reasonable level of amenity for uses on adjacent land; during those hours that any dog is housed within the kennels .	PS 9 A person employed in the operation of the kennels is present on the development site at all times that any dog is housed within the kennels .
On-Site Car Parking Facilities	
SO 10 Sufficient space is available on the development site to accommodate:- (1) the parking needs of those people employed either temporarily or permanently on the site ; and (2) the likely demand of visitors to the site in terms of numbers and location of visitor parking bays.	There is no probable solution for the number of visitor car parking spaces required under this element. PS 10.1 The required visitor car parking bays ³ are provided on the development site in a location visible from the vehicular access point to the development site and are signposted for use by visitors to the site . AND PS 10.2 Employee car parking bays are provided on the development site at a rate of no less than 1 bay per staff member, (other than those resident on the development site) employed on the site at any point in time.
Noise Controls	
SO 11 All activities necessarily associated with the keeping of dogs within kennels are undertaken within an environment incorporating sufficient controls to ensure that adjacent premises are not adversely affected by an unreasonable noise nuisance resulting from those activities.	PS 11 No solution provided.

Schedule A to the Kennels Code - Acceptable Colours

Acceptable Colours from Australian Standard AS2700S – 1996		
G14 - Moss Green	G53 - Banksia	N41 - Oyster
G15 - Rainforest Green	G54 - Mist Green	N45 - Koala Grey
G23 - Shamrock	G56 - Sage Green	N55 - Lead Grey
G24 - Fern Green	G64 - Slate	X62 - Dark Earth
G25 - Olive	G65 - Ti-Tree	X63 - Iron Bark
G34 - Avocado	N25 - Birch Grey	Y51 - Bronze Olive
G52 - Eucalyptus	N32 - Green Grey	Y61 - Black Olive
G55 - Lichen	N35 - Light Grey	Y63 - Khaki

¹ Those codes identified in the assessment table and any overlay code relevant to the land.

² Physical attributes of vehicle access crossings to development **sites** are set out in detail in the Access and Parking Code.

³ Physical attributes of on-site parking facilities are set out in detail in the Access and Parking Code.