

2014

NORTH BURNETT REGIONAL Planning Scheme

Uses involving the keeping of animals

Info Sheet

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This info sheet explains the 2014 planning scheme as it applies to uses involving the keeping of animals—'Intensive animal industry' (e.g. feedlots, piggeries, and poultry farms), 'Animal keeping' (e.g. aviaries, catteries, kennels, stables, wildlife refuge), 'Animal husbandry' (e.g. grazing), 'Aquaculture' and 'Veterinary services'. The North Burnett provides some unique incentives to encourage these activities to establish or expand.

Animal-related uses explained

The North Burnett is an attractive region to establish and operate intensive animal uses such as feedlots, piggeries and kennels.

Scheme definitions

There are several planning scheme uses involving the keeping of animals—

The definition of 'Animal husbandry' is—

Premises used for production of animals or animal products on either native or improved pastures or vegetation.

The use includes ancillary yards, stables and temporary holding facilities and the repair and servicing of machinery.

This use is not to be confused with a related

one, 'Animal keeping' which the scheme defines as—

Premises used for boarding, breeding, or training of animals.

The use may include ancillary temporary or permanent holding facilities on the same site and ancillary repair and servicing of machinery.

The definition of 'Aquaculture' is—

Premises used for the cultivation of aquatic animals or plants in a confined area that may require the provision of food either mechanically or by hand.

'Intensive animal industry' means—

Premises used for the intensive production of animals or animal products in an enclosure that requires the provision of food and water either mechanically or by hand.

The use includes the ancillary storage and packing of feed and produce.

'Veterinary services' means—

Premises used for veterinary care, surgery and treatment of animals that may include provision for the short-term accommodation of the animals on the premises.

Being a rural local government, all of these animal-related uses regularly occur in the North Burnett.

While the above definitions are mandatory standard planning scheme definitions applying across Queensland, the explanation or views expressed in this information sheet

may be different to those of other Councils. North Burnett Regional Council is unaware of any Queensland Government interpretation.

Distinguishing different uses

The following table summarises the differences between the various animal-related uses in the planning scheme—

| Defined use | Keeping what animals | Purpose of keeping | Further explanation |
|----------------------------------|---------------------------------------|--|---|
| Animal husbandry | any animal other than aquatic animals | Production of animals or animal products on pasture or vegetation | For example, livestock grazing, bee-keeping, weaning pens, drought feeding |
| Animal keeping | any animal other than aquatic animals | Boarding, breeding, training | For example catteries, kennels, stables—for commercial purposes Does not include keeping domestic pets |
| Aquaculture | aquatic animals only | Cultivation in confined areas | Fish farming, hatcheries, crayfish aquaculture—cultured for commercial purposes |
| Intensive animal industry | any animal other than aquatic animals | Intensive production in enclosures where food and water provided mechanically or by hand | Feedlots, piggeries, chicken meat production Keeping less than 150 standard cattle units of cattle is not an ERA. For the planning scheme keeping any number of animals in enclosures is 'Intensive animal industry' however these smaller feedlots are accepted subject to requirements in the Hinterland precinct of the Rural zone. |
| Veterinary services | any animal other than aquatic animals | Only ancillary to the veterinary care, surgery or treatment | For example a Vet surgery or Vet hospital |

Planning scheme requirements

For the Rural zone—

- Animal husbandry is accepted and therefore does not need any planning approval.
- Animal keeping is assessable requiring code assessment and requires a development application; there is no public notification.
- Aquaculture is accepted subject to requirements under certain circumstances but is otherwise assessable requiring code assessment.
- Intensive animal industry is assessable requiring code assessment in the 'Hinterland precinct' but otherwise requires impact assessment and public notification.
- Veterinary services is assessable requiring code assessment.

These categories of development and assessment are relatively facilitative—noting for example that intensive animal industry mostly requires impact assessment in other local government areas.

Intensive animal uses code

One of the key codes applying to animal uses is the *Intensive animal uses code* contained in section 9.3.6. Council uses that code to assess applications for *Intensive animal industry* or *Animal keeping*. Its purpose is to avoid or minimise adverse impacts on water, air, soil, vegetation, amenity, or productive agricultural land.

The code refers to complying with the separation distances in several external standards and guidelines as a means for complying with the code. These include—

- Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland;
- Interim Guideline—Sheep Feedlot Assessment in Queensland May 2010
- National Environmental Guidelines for Piggeries 2nd Edition (Revised) 2010.

Other matters

Domestic animals and pets

The planning scheme has no specific definition for keeping domestic animals or pets. It is not a separate use and can be simply part of a *Dwelling house*, provided the purpose of keeping the animals is not commercial in nature, i.e. the animals are not being kept for reward or gain e.g. breeding for sale.

Environmentally relevant activities

In addition to a development approval from Council, an environmental authority (EA) may also be necessary under the *Environmental Protection Act 1994*.

There is further information on forms and fees for environmental authorities available from the Department of Agriculture and Fisheries website—

<https://www.business.qld.gov.au/business/running/environment/licences-permits/form-fees-finder>

Local laws

North Burnett Regional Council also administers local laws relating to animals—

- Local Law No. 02 Animal Management 2011
- Subordinate Local Law No.2 Animal Management 2011.

These deal with the situations in which keeping of animals is prohibited or an approval is necessary, standards for keeping of animals, control in public places, sale or disposal of impounded animals, and the declaration of dangerous animals.

These and other local laws are available from—

<http://www.statedevelopment.qld.gov.au/local-government/laws/local-laws-online-database.html>

The North Burnett Regional Council website contains information on animals—management, adoption, barking dogs, dangerous dogs, disease, leashes, and registration.

Other approvals, licences or permits

There is a wide range of legislation applying to the keeping or handling of animals. Most of these involve matters that are beyond Council's jurisdiction, however it is worth noting that it may be necessary to obtain other approvals, licences or permits. Some examples include—

- keeping or displaying native wildlife;
- housing, moving or displaying exotic or non-native animals (except domestic animals);
- moving animals, including between states;
- animal management or welfare;
- animals at saleyards;
- destruction of stock;
- dog breeding and 'cruel puppy farming'.

Information on aquaculture (policies, licences, pests, site selection, species) is available from—

<https://www.business.qld.gov.au/industry/fisheries/aquaculture>





Still need help?

This information sheet summarises the key matters to consider for people considering carrying out development. The process and legal aspects relating to property and development can be complex and confusing. Council's development services staff may be able to help.

Sometimes however it may be advisable for you to obtain your own professional help from a qualified practitioner such as a Lawyer, Surveyor, Town Planner, Architect, Building Designer, or Engineer.

Property and development can be confusing—obtain appropriate help

Encouraging economic development

The North Burnett Regional Council is a small rural local government but it is big on facilitating good economic development. That is why the planning scheme seeks to enable business growth and expansion while simultaneously creating and protecting the appeal of living in a *naturally beautiful* area. While the Council can encourage or enable good development projects it is up to locals to see opportunities and then to take the initiative.

Make contact with Council's Development Services staff to find out how to streamline your next development project.



Contact Us

Give us a call for more information about the planning scheme and making an application.

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North Burnett—*Naturally beautiful*

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