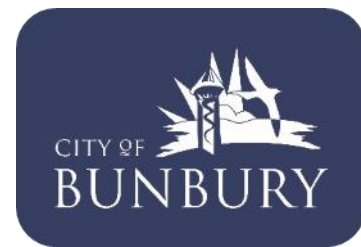


# Local Planning Policy 2.3

## Animal Establishments



### 1 Preliminary

- 1.1 **Citation:** This local planning policy is prepared in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 1.2 **Policy Area:** This local planning policy applies to the area covered by the City of Bunbury Local Planning Scheme ('the Scheme').
- 1.3 **Policy Application:** The provisions of this local planning policy apply to development applications that seek approval for an Animal Establishment, being:

*premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry – intensive or veterinary centre<sup>i</sup>*

### 2 Purpose

- 2.1 To guide decision makers in exercising discretion for development proposals that include Animal Establishment premises – i.e. where permissibility within the Zoning Table of the Scheme is shown as either 'D' or 'A'.
- 2.2 To ensure that future development applications for Animal Establishments are considered in accordance with this Policy and that assessments are accountable, comparable and consistent.

### 3 Objectives

In accordance with the aims of the Scheme, this local planning policy seeks to ensure that Animal Establishments:

- (a) are consistent with the zone objectives within which it may be proposed
- (b) are compatible with other land uses and in particular any sensitive land uses class that may be located nearby and/or is permissible within the local area
- (c) are sympathetic to the prevailing or emerging local built form
- (d) operate at a scale and during times that are appropriate to their setting.

### 4 Relationship with Local Laws

- 4.1 Where a provision of this local planning policy is inconsistent with a local law, the provision of the local law shall prevail.

### 5 Land Use Policy Provisions

- 5.1 In keeping with the objectives of this local planning policy, a distinction is made between those Animal Establishments that typically involve operations and activities that can be regarded as

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Whilst all care has been taken to accurately portray the current Scheme and/or policy provisions, no responsibility shall be taken for any omission or errors in this documentation. Consultation with the City of Bunbury should be made to view a legal version of this document.

‘higher impact’ in that they may become a source of conflict or nuisance the result of noise, dust or odour emissions, and those considered ‘lower impact’ by way of having comparatively little or no such emissions.

5.2 The following types of commercial operation are typical of ‘higher impact’ Animal Establishments:

- animal shelter
- boarding kennels / catteries
- breeding kennels / catteries
- stables
- premises where animals may be kept overnight.

5.3 The following types of commercial operation are potentially ‘lower impact’ Animal Establishments:

- pet day care – with no overnight stay
- pet grooming services.

5.4 The suitability of an Animal Establishment is guided by reference to the table below. ‘Higher impact’ and ‘lower impact’ Animal Establishment operations appear adjacent to Zones of the Scheme. An ‘X’ symbol designates that the activity is generally regarded as not consistent with the Scheme’s Zone objectives, whereas a ‘✓’ symbol identifies activity that is potentially consistent.

Type of Animal Establishment	Zones & Zone Objectives												
	Regional Centre	District Centre	Neighbourhood Centre	Local Centre	Mixed Use – Commercial	Mixed Use – Residential	Tourism	Residential	Private Community Purpose	Service Commercial	Light Industry	General Industry	Rural Zone
Higher Impact	X	X	X	X	X	X	X	X	X	X	X	X	✓
Lower Impact	✓	✓	✓	X	✓	X	X	X	X	✓	✓	X	✓

- Not permissible under the Scheme.

5.4 In assessment, the potential impact of an Animal Establishment will also include consideration of the following factors specific to each proposal:

- scale and intensity of the activity - including the extent and form of indoor and outdoor activities;
- days and times of business opening;
- nuisance mitigation measures – an operational management plan may be required to be submitted in support of the development application. This plan should identify operational measures to be implemented to mitigate potential nuisances such as noise, dust and odour;
- the immediate setting – including the proximity of any sensitive land uses; and,
- any recommended buffer distance where applicable

## 6 Exemptions

- 6.1 Notwithstanding Section 5, the Scheme designates a residential area of Carey Park as Additional Use No. 7 (A.U.7) within which 'Stables' are recognised as a permitted use. This is the only Residential Zone area within the City of Bunbury considered suitable for 'residential stables' and reflects of the location's close historical and on-going relationship with Bunbury's horse racing facilities.
- 6.2 Operations and development incidental to the racing of horses undertaken by the Bunbury Turf Club and Bunbury Trotting Club over land occupied by them within the Private Community Purpose Zone are not subject to the requirements of this Local Planning Policy.

## 7 Variations

Where an Animal Establishment is proposed within a Local Reserve the assessment will have regard to the objectives of that Reserve as set out in the Scheme.

## 8 Meaning of Terms

Unless stated otherwise below, the terms used in this Local Planning Policy shall have the same meaning as defined in the *Planning and Development Act 2005*, the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), the Scheme or the Residential Design Codes (R-Codes). The meaning of other specific words and expressions relevant to this policy are given below:

**Pet Animal:** generally extends to dogs & puppies, cats & kittens, birds, fish, rabbits (domestic breeds only), guinea pigs, rats and mice, ferrets, reptiles, spiders and insects.

**Pet Day Care:** means a commercial premises where supervision and care of a pet animal is provided for a limited period of time during a single day and may include pet grooming services. Pet animals are not housed overnight.

**Pet Grooming Service:** means a commercial premises where pet animals, typically dogs, are professionally brushed, bathed, and/or dried, as well as trimmed or clipped with brushes and/or clipper blades. Activity may extend to the ancillary sale of products related to the service but does not include any associated outdoor kennel or overnight accommodation.

**Residential Stables:** means a building which is incidental to a single house, used for the keeping, caring and feeding of one or more horses by an occupier of the dwelling.

**Stables:** means a building for the keeping, caring and feeding of one or more horses.

**Sensitive Uses:** generally extends to residential developments, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds, and some public buildings. Some commercial, institutional and industrial land uses which require high levels of amenity or are sensitive to particular emissions may also be considered "sensitive land uses".

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<sup>i</sup> In keeping with 'Clause 49. Land Use Terms Used' within the Planning and Development (Local Planning Schemes) Regulations 2015.

Local Planning Policy for Animal Establishment Premises

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Responsible Business Unit	City Growth
LPP Category	Land Use Policy
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Review Date	