

The General Manager  
MidCoast Council  
PO Box 482  
Taree NSW 2430

Dear Sir,

**SUBJECT: STATEMENT OF ENVIRONMENTAL EFFECTS**  
**PROJECT: USE OF ENCLOSURES FOR DOG BREEDING KENNELS**  
**38 LITTLE RUN ROAD, WHERROL FLAT**

## 1. Introduction

This Statement of Environmental Effects (SEE) has been prepared to accompany a Development Application for the proposed use of enclosures for dog breeding kennels at 38 Little Run Road, Wherrol Flat (Lot 10 DP 775028). The site of the proposed development is shown in **Figure 1**.

### Figure 1 – Site Location

Source: MidCoast Council Online Mapping  
North ^



This SEE provides an assessment of the impacts of the proposed development. The land is zoned RU1 General Rural under the provisions of Greater Taree Local Environmental Plan 2010 (LEP 2010). The proposed use includes the breeding of dogs for commercial purposes therefore it is defined as an animal boarding or training establishment being:

*a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.*

The proposed use is permissible in the zone.

The decision-making process for the proposed development falls under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Council, in deciding whether consent should be granted, must examine and consider relevant matters for consideration. This report is intended to assist in this decision-making process and to provide information that satisfies the requirements of Section 4.15 of the EP&A Act.

The proposed use of the enclosures for dog kennels is not an integrated development.

## **2. The Proposed Development**

The proposed development is the use of an existing steel frame enclosures for the keeping of dogs owned by the site occupants. The proposal includes the commercial breeding and caring of dogs.

A dog breeding business currently operates from the premises (Registered business name: "Dogs in Wolfsuits" ABN: 71 622 482 741 AAPDB registered breeder: #17741).

There are currently 23 dogs at the premises. The number of dogs often changes (stays around 15-25 - no more than 25 maximum at any time) as often dogs are retired from breeding after 1 litter or desexed and pet homed if they do not pass their health testing.

All dogs are microchipped and registered with council. All dogs are up to date with vaccinations and parasite prevention. All dogs are DNA tested and hip and elbow x-rayed and scored to screen for genetically inheritable diseases. All dogs are desexed prior to being rehomed.

All puppies have a "return to breeder" policy if they cannot be kept by their owner until they have found a suitable new home to keep them out of shelters and pounds.

Average number of litters of puppies per year: 5-6. Thorough records are kept for all dogs and litters.

Litters are whelped inside the home and raised indoors in a climate controlled clean environment until they move outside to puppy yards at 4-5 weeks of age. There is only space for 2 litters to be inside at once so matings are carefully planned to ensure this is the case.

Every individual dog has a manufactured plastic dog kennel, bed and bedding provided in their housing area.

Runs substrate:

Eucalyptus mulch is delivered as needed which is used as substrate in the dog runs and replaced regularly/ as needed.

Cleaning:

Soil / substrate and kennels/beds are sprayed regularly with F10 disinfectant and household grade pet safe disinfectant using a garden sprayer and hose attachment. Puppy yards are also pressure cleaned and disinfected regularly.

Water is carted in once a month which covers all blanket, towel, bedding washing, hosing / pressure washing / cleaning and drinking water for the dogs.

Dogs are washed and groomed regularly at Taree DIY dog wash.

Waste disposal:

There are black rubbish bins located near all dog runs where fecal matter and any food waste is disposed of which are emptied weekly. There are 2 red lid bins and use 1 for general household waste and the other for animal waste which is removed from the runs daily. Skip bins have been hired when needed to dispose of old kennels, broken beds, old blankets, excess waste etc.

Daily procedures:

Runs are spot cleaned for fecal waste daily. Water buckets cleaned and fresh water given daily.

Dogs are fed twice daily, once around lunch time (raw diet) then again late afternoon (kibble)

Dogs are also provided with treats and different toys for enrichment regularly.

Dogs are let out of their runs for minimum 20mins always once but usually twice a day for exercise.

Dogs are rotated (maximum 4 dogs at a time) in the large exercise yard.

Dogs are rotated on a roster for trips into town (Taree, Old Bar) for walks at the beach, river, bathing and grooming, socialisation and training.

The premises was audited by the RSPCA as compliant with the Animal Welfare Code of Practice for Breeding Dogs (4th October 2023) and were audited by an independent Veterinarian (9th of August 2023) to become a registered member with the AAPDB (Australian Association of Pet Dog Breeders).

The proposed development is depicted on the plans that are attached to the Development Application.

### **3. Greater Taree Development Control Plan 2010**

Greater Taree Development Control Plan 2010 (DCP 2010) outlines the development controls for development in the former Greater Taree region. This Plan is relevant to the proposed development. Section J of DCP 2010 applies to rural development and has the following objectives:

- Encourage a high standard of development that is sympathetic with the environment;
- Protect identified environmental quality, landscapes, flora and fauna;
- Protect and maintain the viability of agricultural lands; and

- Maintain and enhance the rural or environmental scenic amenity.

The proposed use of the enclosures is located well away from neighbours and Little Run Road. The shed does not detract from the visual amenity of the locality. The use of the enclosures as dog kennels has the potential to affect the amenity of the neighbourhood by way of noise impact from dogs barking. This issue is discussed further in **Section 4** below.

It is submitted that the proposed use of the shed as dog kennels is consistent with the objectives as stated above.

The relevant performance criteria outlined in **Section J1.1** are addressed below.

*1. On land zoned rural the following should be addressed in the use, design and siting of any proposed development:*

- *Size and shape of the allotments;*
- *Existing vegetation and any endangered ecological communities;*
- *Mineral and water resources in the locality;*
- *The potential for soils erosion and measures that may be implemented to minimise that occurrence;*
- *Any natural hazards, including but not limited to flooding and bushfire risk;*
- *Service availability;*
- *Adjoining land uses including nearby agricultural operations;*
- *Prevailing winds, views and privacy;*
- *The scenic quality of the landscape, and any other environmental factors.*

**The proposed use of the enclosures as dog kennels will not increase the risk of natural hazards, will not impact on vegetation or any endangered ecological facilities and will not detract from operations or the amenity of adjoining land uses.**

*3. Rural development must not reduce the potential of the land for agricultural production.*

**The proposed use will not reduce the potential of the land for agricultural production.**

*4. Rural development is not considered appropriate where the slope exceeds 18°.*

**The land does not exceed 18°.**

In addition, **Section J.3.1** Ancillary Structures applies to the development. The objectives of J3.1 are:

- To minimise the visibility of ancillary structures and outbuildings from the street, adjoining properties and public spaces;
- To ensure that the appearance of ancillary structures and outbuildings is of a high quality and where appropriate integrates with the streetscape;
- To ensure ancillary structures and outbuildings are compatible in height, bulk and scale with the existing or proposed development on site in the rural locality.

The development is assessed against the performance criteria of J3.1 below:

1. All ancillary structures and outbuildings should be of a quality construction, have minimal visual impact on adjoining properties, be constructed using materials, colours and finishes that complement the principal dwelling, including low reflective neutral/earth tones and blend with the natural landscape.

**The enclosures are of quality construction and will have minimal visual impact on adjoining properties.**

2. All ancillary structures and outbuildings are to be located such that they do not impact on the agricultural or environmental land uses/qualities.

**The enclosures will not impact on the agricultural or environmental qualities of the land.**

3. The maximum wall height for ancillary structures and outbuildings is 4.5m and the roof height is not to exceed 7m at any given point.

**The enclosures does not exceed these requirements.**

4. Enclosed ancillary structures and outbuildings are to be setback 20m from the primary road boundary and 10m to the rear and side boundaries.

**The enclosures complies with these setback requirements.**

5. The maximum floor area of ancillary structures used in conjunction with agriculture is 500m<sup>2</sup>.

**The enclosures have a floor area of less than 500m<sup>2</sup>.**

6. Ancillary structures and outbuildings may be used for habitable space, but must not be used as a separate occupancy.

**The enclosures are not habitable.**

7. Farm buildings should feature pitched roofs within the range of 15-25 degrees.

**Not applicable.**

**Part G Car Parking and Access** of DCP 2010 does not provide any specific car parking and access requirements for this type of rural development. The following general requirements for all developments are addressed for the development.

1. Car parking spaces will not be permitted closer than 3m to the street alignment in residential areas and 6m to the street alignment in industrial areas. Wherever practical a minimum 3m set back will also be applied in commercial areas.

**The development is in a rural location and adequate car parking area is available in exiting driveway near the house. Visitors only come to pick up dogs on an infrequent basis (one per month) and such the informal parking arrangement is considered appropriate for this development. Most puppies are delivered to new owners, or professionally transported by road, or air.**

2. The minimum width of an enclosed garage shall be 3m. The garage opening may be a minimum of 2.6m provided the width is sufficient to allow convenient access to and from the garage in accordance with the design car turning path.

**Not applicable.**

3. Combined entry/exit driveways are to have a minimum width of 6m and singular driveways (separate entry/exit ways) are to have a minimum width of 4m, unless otherwise specified.

**The existing driveway is adequate for the development consistent with driveways in a rural location.**

4. Hardstand areas should be minimised, but where used shall be concrete or bitumen and, where soil conditions and vehicular traffic permit, be substantially constructed using semi-pervious materials.

**Hardstand areas for parking are not proposed.**

5. All rights of way and access corridors for battle axe blocks shall have a concrete driveway constructed to the satisfaction of Council in conjunction with civil works required for subdivision. The driveway shall be a minimum of 3m wide and is not to service more than 3 lots.

**Not applicable.**

## **4. Environmental Assessment**

### **Noise**

The noise from the proposed use of the shed is limited to dogs barking. Such occurrences do not exceed a couple of minutes at any one time. There are no occurrences of dog barking at night.

An Acoustic Assessment has been prepared for the proposed development and concludes that the development can meet the required noise criteria.

## **Vegetation**

There will be no trees removed for the proposed development.

## **Acid Sulfate Soils**

The site is not classified as potentially containing Class 5 Acid Sulfate Soils under the provisions of GTCC DCP 2010. There will be no disturbance of ASS soils necessary for the proposed development.

## **Contamination**

The subject land is identified as not potentially contaminated on Council's mapping.

## **Aboriginal Heritage**

There are no known Aboriginal heritage items on the land.

## **Bushfire**

The proposed development is not subject to the provisions of Planning for Bushfire 2019.

## **Traffic**

The proposed development will have no adverse traffic impact.

## **Flooding**

The subject land is not classified as flood affected as identified on Council's mapping.

## **5. Conclusion**

Information presented in this Statement of Environmental Effects indicates that the proposed use of the existing enclosures for dog breeding kennels at 38 Little Run Road, Wherrol Flat (Lot 10 DP 775028) is consistent with the relevant Local and State planning instruments. The potential impact of the proposed use has been examined in detail and the environmental impacts have been found to be acceptable or able to be managed so that there are no detrimental impacts. The proposed use will not adversely impact upon the surrounding environment.

Yours faithfully

**PDA Planning**

*A signed copy can be provided upon request.*

**TONY FISH**

Town Planner