



Proposed Plan Change 64: Boarding, Breeding and Training Kennels

April 2019

3H BOARDING, BREEDING AND TRAINING KENNELS

3H.1 Introduction

The Manawatu District caters for a range of dog kennel facilities for the boarding, breeding and training of dogs. However, boarding, breeding or training kennels for dogs have the potential to create adverse effects on the character and amenity values of the surrounding environment. Careful siting, design and management is needed for the operation of boarding, breeding and training kennels to ensure that potential adverse effects on the character and amenity values of the surrounding environment, in particular on residential activities, are appropriately managed.

Dog owners also have a legal requirement to comply with the Council's Dog Control Bylaw under the Dog Control Act 1996, and also the relevant codes of welfare and regulations under the Animal Welfare Act 1999.

3H.2 Resource Management Issues

The following resource management issue has been identified in relation to boarding, breeding and training kennels:

1. Boarding, breeding and training kennels have the ability to result in adverse effects on the character and amenity values of the surrounding environment.

3H.3 Objectives and Policies

Objective 1

1. To ensure the establishment and operation of boarding, breeding and training kennels do not result in adverse effects on the character and amenity values of the surrounding environment.

Policies

- 1.1. To ensure the effects of boarding, breeding and training kennels on the amenity values and character of the area in which the activity is located are managed through the provision of yard setbacks, separation distances and screening between proposed kennels and **noise sensitive activities**, particularly within 500 metres of the dog kennel site.
- 1.2. To manage adverse effects from boarding, breeding and training kennels on the character and amenity values of the surrounding area through the appropriate design and layout of the site and buildings, and the operation and management of the kennels.
- 1.3. To assess each application for boarding, breeding and training kennels recognising the size and layout of the site, the number of dogs proposed and distance of the kennels to noise sensitive activities.

- 1.4. To ensure the design and layout of the kennel site and buildings incorporates features to reduce the adverse effects of dogs barking on **noise sensitive activities** that may affect outdoor amenity or indoor sleep disturbance, including:
 - a. The extent to which the design of kennel buildings insulates against night-time noise of barking dogs;
 - b. The extent to which the design and layout of the kennels will prevent dogs in their normal runs from becoming visually and acoustically excited by activities associated with the kennels or from outside stimuli from neighbouring land;
 - c. Group housing for compatible dogs (where practical).
- 1.5. To require boarding, breeding and training kennel applicants to prepare a noise management plan which sets out the noise management measures for the site including but not limited to:
 - a. Location and times of kennel activities, including training and exercise areas, when dogs will be enclosed at night, and hours of operation of the facility;
 - b. Physical design measures, including setbacks and screening;
 - c. Management actions, including how complaints will be managed; the techniques that will be used to manage noisy dogs, and how communication with neighbours will be maintained.
- 1.6 To ensure that boarding, breeding and training kennels adequately provide for the management and disposal of waste from the operation of the kennel activity, particularly in regard to potential adverse effects associated with odour.
- 1.7 For the Flood Channel Zones, to ensure the location and design of any structure on site will not impede or divert the flow of flood waters.

Guidance Note:

When considering flood flow paths, the Council will have particular regard to expert flood hazard advice provided by Horizons Regional Council.

3H.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone. Rules in the other sections in Chapter 3 also apply to boarding, breeding and training kennels.

Guidance Note:

Dog owners are also required to meet the requirements under the Council's Dog Control Bylaw (2014) or any subsequent updates. A permit to keep dogs may also be required under this bylaw.

3H.4.1 Permitted Activities

The following are **Permitted Activities** provided that they comply with the standards in Rule 3H.4.2 below:

- a. Boarding, breeding and training kennels for up to and including 5 dogs in the Rural Zones;

- b. Boarding, breeding and training kennels for up to and including 2 dogs in the Residential and Village Zones.

3H.4.2 Standards for Permitted Activities

The permitted activities specified in Rule 3H.4.1 a) and b) above must comply with the following standards:

a. Building Envelope

- i. In the Residential Zone and Village Zone: Maximum height 9m
- ii. In the Rural Zone: Maximum height 20m
- iii. All parts of a building must be contained within a 45 degree plane commencing at 2.8 metres above ground level inclined inwards at right angles in plan. See Figure 3H.1 below.
- iv. The height recession plane in condition a. iii. above does not apply to:
 - a. Eaves
 - b. Solar panels and water heaters
 - c. Antennas, aerials or chimneys
 - d. Gable roof ends, if the total area of that part of the building above the height recession plane does not exceed 1/3 of the gable end height.

Height Recession Plane

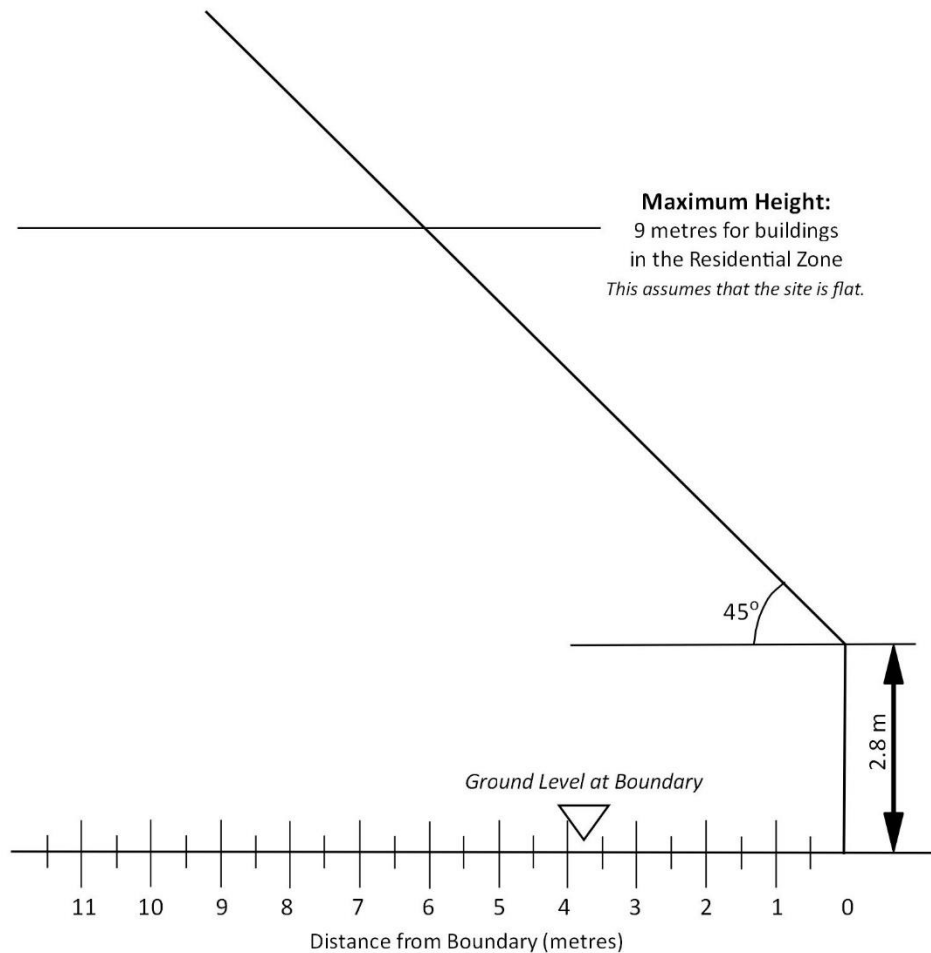


Figure 3H.1

In the Rural Zone, the following standards apply:

- v. No part of any building, structure, mast, tree or other object shall penetrate any of the climb surfaces, transitional surfaces, horizontal surfaces or conical surfaces associated with Milson Airport or Feilding Aerodrome. These surfaces are shown in Appendix 3B and Appendix 3C. Where two or more surfaces intersect, the lower shall apply.

NB: Special height controls also apply in the vicinity of the Ohakea Airfield. (Refer Appendix 7B).

b. Yard and Separation Distances

Buildings and structures associated with boarding, breeding and training kennels must comply with the following setbacks:

- i. In the Rural Zone:

- a. From any Residential Zone or Village Zone – 100m
 - b. Front yards – 10m
 - c. Other yards – 30m
 - d. From the top of the bank of the Oroua River or Kiwitea Stream – 20m
 - e. From the top edge of any other public drain or watercourse – 10m
- ii. In the Residential Zone and Village Zone:
- a. From all yard boundaries – 3m
 - b. From the bank of the Oroua River or Kiwitea Stream – 20m
 - c. From the top edge of any other public drain or watercourse – 10m
 - d. Within the National Grid Yard in Growth Precinct 1 (Appendix 9A) – 12m from the outer visible edge of a National Grid support structure (tower). All fences must be located a minimum of 5m from the support structure, network utility structure, road sign or safety sign.

Guidance Note for 3H.4.2 b. ii. e:

Buildings and structures need to demonstrate compliance with the requirements of NZECP34:2001.

- c. **Noise**
Compliance with Rule 3C.4.2.
- d. **Signs**
Compliance with Rules 3E.4.1 and 3E.4.2.
- e. **Glare**
Compliance with Rule 3B.4.4.

3H.4.3 Discretionary Activities

The following activities are discretionary activities with respect to boarding, breeding and training kennels:

- a. Boarding, breeding and training kennels in Rule 3H.4.1 which do not meet the performance standards in Rule 3H.4.2;
- b. Boarding, breeding and training kennels in the Rural Zone for 6 or more dogs;
- c. Boarding, breeding and training kennels in the Residential and Village zones for 3 or more dogs;
- d. Boarding, breeding and training kennels in all other zones or not otherwise provided for.

Performance Standard for boarding, breeding and training kennels that are discretionary activities under Rule 3H.4.3 above:

- a. The following information must be submitted to Council on lodgement of an application under this rule for boarding, breeding and training kennels:
 - i. A noise management plan prepared by a suitably qualified person(s) who has knowledge and experience in dog behaviour.

Determination Clause

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of the relevant zone and Chapter 3 District Wide Rules, assess any application in terms of the following assessment criteria:

- 1.1. The degree of non-compliance with the particular performance standards that the proposed boarding, breeding or training kennel fails to meet.
- 1.2. The degree to which the proposed mitigation methods will avoid or mitigate the adverse effects on noise sensitive activities.

Consequential Amendments to the Manawatu District Plan

Text that is proposed to be deleted is highlighted with ~~strikethrough~~ font.

Text that is proposed to be inserted is ***italicised and underlined***.

2 DEFINITIONS

Insert the following definition:

Boarding, Breeding and Training Kennels

means the use of any land and/or buildings where board for a fee (which may include overnight or during the day) is provided or intended to be provided for dogs, or the breeding and/or training of dogs for direct or indirect commercial gain, and includes rehoming kennels. Farm working dogs and puppies up to three months of age, are excluded.

Make the following consequential amendment:

FARM BUILDINGS:

means **buildings** used in connection with **farming** practices on the land concerned, such as hay barns, farm implement sheds, and greenhouses. It does not include buildings used for accommodation, milking sheds, pens housing animals, **boarding, breeding and training kennels**, or for **intensive farming** activities.

Make the following consequential amendment:

FARMING:

means a land based activity, having as its main purpose the production of any livestock or vegetative matter except as excluded below. Farming includes:

- a. Grazing, cropping and the cultivation of land necessary and appropriate to normal agricultural and horticultural activity.
- b. Keeping farm working dogs and puppies.
- c. Keeping, raising or breeding pigs where the productive processes are not carried out within **buildings**, or not within closely fenced outdoor runs where the stocking density precludes the maintenance of pasture or ground cover.

Farming does not include:

- a. **Intensive** farming.
- b. **Pig farming**.
- c. Planting, tending and harvesting forests, woodlots, specialised tree crops or shelter belts.
- d. **Boarding, breeding and training kennels** or catteries.

Make the following consequential amendment:

HOME OCCUPATION:

means an occupation, craft, profession or service carried out in a dwelling unit or an associated accessory building, by an occupant of that dwelling that meets all of the following:

- a. Is incidental and secondary to the residential use of the property
- b. Is undertaken or operated by a member(s) of the household residing on the property where the home occupation occurs and can include up to a maximum of two (2) other persons who do not reside on the property
- c. Involves no exterior storage, display or other indication of the home occupation (other than advertising sign permitted by this Plan)
- d. Involves no visits, delivery or collection of goods, materials or wastes outside the hours of 7am to 8pm.
- e. Does not result in significant adverse effects including noise, odour, traffic movements.

The following activities are specifically excluded from home occupation:

- f. any industry
- g. any light industry
- h. catteries and **boarding, breeding and training kennels**
- i. motor vehicle sales and servicing
- j. waste/recycling collection and storage.

Make the following consequential amendment:

INTENSIVE FARMING:

means the breeding or rearing of animals (including birds) where the productive processes are carried out year-round within **buildings**, or within closely fenced outdoor runs where the stocking density precludes the maintenance of pasture or ground cover. Intensive farming includes mushroom farming but does not include catteries, **pig farming, boarding, breeding and training kennels** or aviaries.

Delete existing definition:

~~“KENNELS:~~

~~“means any site used for housing more than two dogs, excluding farm working dogs and puppies”.~~

Insert and delete the following words:

4. Managing Land Use Effects

...

4.3.4 Potential Conflict Between Rural Land Uses

...

Explanation

Some land uses that are discretionary activities in the rest of the Rural zone may be more appropriate as non-complying activities in nodal areas. Activities like intensive farming, landfills, **and** rural industries **and kennels** are potentially incompatible with the rural-residential housing that can be expected to develop in such areas over time.

Insert the following amendments:

3 District Wide Rules

3B Transport

3B.4.5 Car Parking – Standards for Permitted Activities

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Table 3B.1 – Car Parking Standards

Activity	Car parking Requirements
<u>Catteries, and Boarding Kennels for six or more dogs;</u>	No less than four car-parking spaces.
<u>Breeding and training kennels, including rehoming kennels, for six or more dogs</u>	<u>One park per staff member</u>

Delete the following clause:

RULE B3 – RURAL ZONES

3.5 DISCRETIONARY ACTIVITIES

3.5.1 Rural Zones Except Nodal Areas

- a. The following shall be discretionary activities in the Rural Zone, except in nodal areas:

...

vii) Kennels