

DISTRICT-WIDE MATTERS

# KEN – Boarding, Breeding and Training Kennels

## Introduction

The Manawatū District caters for a range of dog kennel facilities for the *boarding*, breeding and training of dogs. However, *boarding, breeding and 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, including the regulations relating to the provision of dry and shaded shelter for dogs.

## Issues

KEN-I1

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

## Objectives

KEN-O1

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

<b>KEN-P1</b>	To ensure the <i>effects of boarding, breeding and training kennels</i> on the <i>amenity values</i> and character of the area in which the activity is located are managed through the provision of <i>yard setbacks</i> , separation distances and screening between proposed kennels and noise <i>sensitive activities</i> , particularly within 500 metres of the dog kennel <i>site</i> .	
<b>KEN-P2</b>	To manage adverse <i>effects</i> from <i>boarding, breeding and training kennels</i> on the character and <i>amenity values</i> of the surrounding area through the appropriate design and layout of the <i>site</i> and <i>buildings</i> , and the operation and management of the kennels.	
<b>KEN-P3</b>	To assess each application for <i>boarding, breeding and training kennels</i> recognising the size and layout of the <i>site</i> , the number of dogs proposed and distance of the kennels to noise <i>sensitive activities</i> .	
<b>KEN-P4</b>	To ensure the design and layout of the kennel <i>site</i> and <i>buildings</i> incorporates features to reduce the adverse <i>effects</i> of dogs barking on noise <i>sensitive activities</i> that may affect outdoor amenity or indoor sleep disturbance, including:	
	<b>KEN-P4.1</b>	The extent to which the design of kennel <i>buildings</i> insulates against night-time noise of barking dogs;
	<b>KEN-P4.2</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;
<b>KEN-P4.3</b>	Group housing for compatible dogs (where practical).	
<b>KEN-P5</b>	To require <i>boarding, breeding and training kennel</i> applicants to prepare a noise management plan which sets out the noise management measures for the <i>site</i> including but not limited to:	

	<b>KEN-P5.1</b>	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>KEN-P5.2</b>	Physical design measures, including setbacks and screening
	<b>KEN-P5.3</b>	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.
<b>KEN-P6</b>		To ensure that <i>boarding, breeding and training kennels</i> adequately provide for the management and disposal of waste from the operation of the kennel activity, particularly in regard to potential adverse <i>effects</i> associated with odour.
<b>KEN-P7</b>		For the Flood Channel <i>Zones</i> , to ensure the location and design of any structure on <i>site</i> will not impede or divert the flow of flood waters.  <b>Guidance Note:</b> When considering flood flow paths, the <i>Council</i> will have particular regard to expert flood hazard advice provided by Horizons <i>Regional Council</i> .

## 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 chapters Infrastructure, Transport, Noise, Earthworks, Signs, Temporary Activities, and Relocated Buildings 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.

## Permitted Activities (PER)

The following are *Permitted Activities* provided they comply with standards KEN-ST1 to KEN-ST5

<b>KEN-R1</b>	<i>Boarding, breeding and training kennels</i> for up to and including 5 dogs in the General Rural Zone
<b>KEN-R2</b>	<i>Boarding, breeding and training kennels</i> for up to and including 2 dogs in the General Residential and Settlement Zones.

## Standards for Permitted Activities

<b>KEN-ST1</b>	<b>Building Envelope</b>	
	<b>KEN-ST1.1</b>	In the General Residential <i>Zone</i> and Settlement <i>Zone</i> : Maximum <i>height</i> 9m
	<b>KEN-ST1.2</b>	In the General Rural Zone: Maximum <i>height</i> 20m
	<b>KEN-ST1.3</b>	All parts of a <i>building</i> 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 25 below.
	<b>KEN-ST1.4</b>	The <i>height</i> recession plane does not apply to: <ul style="list-style-type: none"> <li>a) Eaves</li> <li>b) Solar panels and water heaters</li> <li>c) <i>Antennas</i>, aerials, chimneys</li> <li>d) Gable roof ends if the total area of that part of the <i>building</i> above the <i>height</i> recession plane does not exceed 1/3 of the gable end <i>height</i>.</li> </ul>

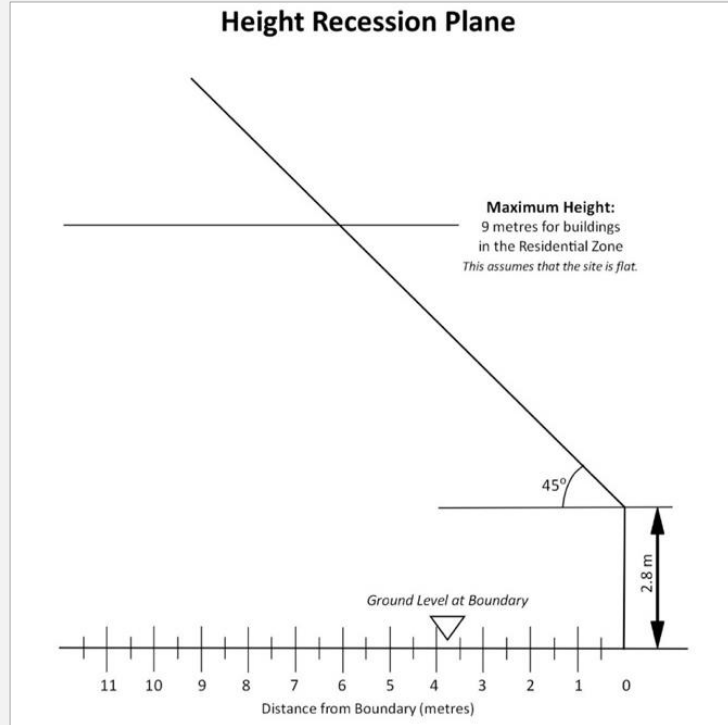


Figure 25 - Height recession plane

**KEN-ST1.5**

In the General Rural Zone, the following standards apply:

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 Palmerston North Airport or Feilding Aerodrome. These surfaces are shown in GRUZ-APP2. Where two or more surfaces intersect, the lower shall apply.

**NB:** Special *height* controls also apply in the vicinity of the Ohakea Airfield (Refer DES-APP1).

**KEN-ST2**

**Yard and Separation Distances**

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

**KEN-ST2.1**

In the General Rural Zone:

**KEN-ST2.1.a**

From any General Residential or Settlement Zone – 100m

**KEN-ST2.1.b**

Front Yards – 20m

		<b>KEN-ST2.1.c</b>	<i>Yards</i> where a <i>Noise Sensitive Activity</i> is located on an adjoining site in different ownership – 100m
		<b>KEN-ST2.1.d</b>	Other <i>yards</i> – 30m
		<b>KEN-ST2.1.e</b>	From the top of the bank of the Oroua River or Kiwitea Stream – 20m
		<b>KEN-ST2.1.f</b>	From the top edge of any other public drain or watercourse – 10m
	<b>KEN-ST2.2</b>	In the General Residential <i>Zone</i> and Settlement <i>Zone</i> :	
		<b>KEN-ST2.2.a</b>	From all <i>yard</i> boundaries – 3m
		<b>KEN-ST2.2.b</b>	From the bank of the Oroua River or Kiwitea Stream – 20m
		<b>KEN-ST2.2.c</b>	From the top edge of any other public drain or watercourse – 10m
		<b>KEN-ST2.2.d</b>	<p>Within the <i>National Grid Yard</i> in <i>Growth Precinct 1</i> (see SUB-APP3) – 12m from the outer visible edge of a <i>National Grid</i> support structure (tower). All fences must be located a minimum of 5m from the support structure, <i>network utility</i> structure, <i>road sign</i> or <i>safety sign</i>.</p> <p><b>Guidance note:</b> <i>Buildings</i> and structures need to demonstrate compliance with the requirements of NZECP34:2001.</p>
<b>KEN-ST3</b>	<b>Noise</b> – Compliance with NOISE-ST1 to NOISE-ST4.		
<b>KEN-ST4</b>	<b>Signs</b> – Compliance with SIGN-R1, SIGN-R2, and SIGN-ST1 to SIGN-ST3.		
<b>KEN-ST5</b>	<b>Glare</b> – Compliance with TR-ST2.		

## Discretionary Activities (DIS)

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

<b>KEN-R3</b>	<i>Boarding, breeding and training kennels</i> in KEN-R1 and KEN-R2 which do not meet the performance standards in KEN-ST1 to KEN-ST5.
<b>KEN-R4</b>	<i>Boarding, breeding and training kennels</i> in the General Rural Zone for 6 or more dogs
<b>KEN-R5</b>	<i>Boarding, breeding and training kennels</i> in the General Residential and Settlement zones for 3 or more dogs
<b>KEN-R6</b>	<i>Boarding, breeding and training kennels</i> in all other zones or not otherwise provided for.

## Standards for Discretionary Activities

Performance standard for *boarding, breeding and training kennels* that are *discretionary activities* in KEN-R3 to KEN-R6.

<b>KEN-ST6</b>	The following information must be submitted to Council on lodgement of an application under this rule for <i>boarding, breeding and training kennels</i> :
<b>KEN-ST6.1</b>	A noise management plan prepared by a suitably qualified person(s) who has knowledge and experience in dog behaviour.

## Assessment Criteria (AC):

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 chapters: Infrastructure, Transport, Noise, Earthworks, Signs, Temporary Activities, Relocated Buildings, assess any application in terms of the following assessment criteria:

<b>KEN-AC1</b>	The degree of non-compliance with the particular performance standards that the proposed <i>boarding, breeding or training kennel</i> fails to meet.
<b>KEN-AC2</b>	The degree to which the proposed mitigation methods will avoid or mitigate the adverse <i>effects</i> on noise <i>sensitive activities</i> .