

Item 8.1 & 8.2

Additional Information Ordinary Meeting

Thursday, 14 October 2021

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Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	14 October 2021
Requesting Councillor:	Various		
Item:	8.1 – Development Permit for a Material Change of Use to Establish Animal Keeping at 2312 Steve Irwin Way Landsborough		
Circulation	12 October 2021		
Officer (title):	Development Planner	Approving GE (title):	Group Executive, Customer Engagement and Planning Services

In response to questions raised by several Councillors, please note the following additional information for your consideration.

1. The Number of puppies which could be produced by 60 breeding dogs at any one time

The applicant has advised that breeding dogs can have anywhere between 2-6 pups, twice per year and on average it is estimated that there could be 10 pups from each breeder per year. The applicant also advises that all Diamond Valley Kennels breeding dogs only have four litters in their lifetime and are de-sexed and re-homed at the age of five, which is compliant with the Pet Industry Association of Australia (PIAA) laws.

Council's Customer Response Branch were asked advice on the Pet Industry Association of Australia (PIAA) laws. The advice from Customer Response is that this organisation appears to be based in New South Wales and appears to provide a National Code of Practice for members for the sole purpose of self-regulation. There is no legislative requirement in Queensland for this to occur that Council's Customer Response Branch is aware of.

2. What is the quantum and qualitative impact of dogs on site, including puppies?

Through the application process, the primary issue relevant to the assessment was in relation to noise impacts, especially from sensitive receivers such as nearby dwellings.

Council's external acoustic expert from MWA Environmental has provided the following response in relation to noise impacts:

The development as assessed is for:

- 48 dogs total in boarding kennel
- 60 adult dogs plus puppies in Breeding kennel.
- It is understood that a puppy is a dog less than three months of age.

The noise impact assessment prepared by RoadPro for the development application is stated to have been prepared on a "worst case" scenario.



Experience with kennels which are well designed and limit visual stimulus to dogs in outdoor areas is that worst case conditions are not the scenario of all dogs at the facility barking at the one time, but rather a percentage at the one time, more likely 50%.

The RoadPro assessment noise predictions in Table 6 of their most recent report is as predicted noise levels, all dogs barking in outdoor run areas. This is taken to relate to all adult dogs, i.e. 108 dogs at the one time.

The above is considered an unrealistically conservative scenario, i.e. all dogs barking at the one time, continuously.

The predicted noise levels with the above assumptions demonstrate that the resultant noise levels at the nearest residences during the daytime period would be 34 dB(A) as compared to the adopted daytime noise limit of 38 dB(A). The noise predictions include the effect of the 2.5 m high noise barriers, the buildings and the acoustic absorptive treatments proposed and addition of + 5 dB(A) tonality correction to account for the characteristic of dog barking noise.

The quantum of the noise level, on the basis of the above worst case assessment identifies that the predicted resultant dog noise, for all adult dogs barking, with physical noise mitigation measures is that resultant noise is 4 dB(A) lower than the permissible noise criteria. On this basis, dog barking noise would be detectable at the nearest residence for this worst case scenario, but would not be considered to be an intrusive noise given the fact that the level is so much lower than the noise criteria. Qualitatively, noise from dogs barking would not be at such a level as to be considered intrusive to a resident in a rural area. Whilst it may at times be audible during the 7am to 6pm period, it will not be at levels that cause environmental nuisance. During the time period 6pm to 7am with dogs locked within kennel buildings, the proponent design is to achieve inaudibility at surrounding residences, this is supported.

The assessment on the basis of all adult dogs barking at the one time, whilst it does not include noise from puppies, is regarded as above worst case. In my experience, young puppies, whilst they generate noise, they are not at a mature size to generate high noise levels, nor noise that has potential to carry significant distances. On this basis, the assessment being based upon large adult dogs is considered conservative and the addition of puppies would not result in any detectable change in resultant noise levels during the daytime period.



3. Provide a visualisation of the required Department of Transport and Main Roads traffic treatments from Steve Irwin Way

Within their Concurrence Agency SARA Response, the State government did not provide a plan for visualisation of the conditioned traffic upgrades/treatments from Steve Irwin Way.

The SARA response (which is an attachment to the Council report) contains conditions relating to the existing development access to Steve Irwin Way as follows:

Condition 3 (Stage 1 access) – no Steve Irwin Way works required. Existing pavement widening on Steve Irwin Way at existing site access driveway intersecting is retained. Road access works comprising a rural driveway are required to be provided with auxiliary right and left turn treatments at the road access location.

Condition 4 (Stage 2 access) – works undertaken to widen Steve Irwin Way as necessary to create left and right turning lanes at the existing site access driveway intersection. Although SARA did not refer to it in their response, the below drawing provided by the applicant gives a general indication of what would be needed for Stage 2 access works. Exact details, including lane widths, lengths etc, would be subject to subsequent approval being obtained by the applicant from the Department of Transport and Main Roads for detail design, in accordance with their guidelines and specific design requirements.





4. Details on the breeding history is requested from applicant (such as number of puppies for the past 3 years)

The applicant has advised that they are not prepared to make this information publicly available.

Council should note that any issues in relation to animal welfare or breeding operations on another independent site are not relevant planning considerations for the assessment of the submitted development application under the planning scheme.

5. Data on number of dogs euthanised in SCC; SEQ and Queensland to be provided

Council should note that this is not a relevant planning consideration for the assessment of the submitted development application under the planning scheme.

Council's Customer Response Branch advise that in Australia, there is no national or state-based system for ongoing monitoring of numbers of dogs surrendered to or euthanised by animal pounds or shelters. Additionally, the Australian Veterinary Association Policy outlines that a veterinarian must recommend euthanasia for an animal that is suffering however there is no requirement to report a euthanasia to a central database. Therefore, the numbers presented below are representative only of Council's internal data collection, and those presented by the RSPCA.

As a sample of the available information, the RSPCA reported in the 2019/2020 financial year they accepted 28,072 dogs nationally and 12.35% of these dogs were euthanised. The number of animals surrendered is less than previous years, however the euthanasia rate remains consistent. The data does not indicate the reason for euthanasia.

Table1: Extract from the [RSPCA Annual Report](#) showing the number of dogs surrendered and euthanised by financial year

	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020
Dogs surrendered	45256	44770	40286	33863	28072
Dogs euthanised	5872	5763	5577	4308	3466
% of dogs euthanised	13.0%	12.9%	13.8%	12.7%	12.3%

Council records where a dog is surrendered by its owner to Council's Pound. There are a number of reasons a person chooses to surrender a dog to Council including:

- the dog is no longer safe to keep following an incident with the family
- the family can no longer afford to care for the dog
- the family has been unable to find housing with the dog.

Council partners with local animal welfare groups to rehome as many suitable animals as possible, including those requiring medical support or intervention where there is a chance of recovery. A dog would not be considered suitable for rehoming if:



- they are terminally ill or significantly injured, this decision is made in consultation with a qualified vet for the welfare of the animal or
- the dog has been identified as a risk to the community due to an attack on another animal/s or person.

Table 2: Dogs impounded by Sunshine Coast Council between 1 July 2015 – 30 June 2020

	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020
Dogs impounded	922	924	890	633	489
Surrendered by owner	116	114	128	94	89
% of dogs surrendered by their owner	12.6%	12.3%	14.4%	14.8%	18.2%
Dogs euthanised	141	108	129	96	69
% of dogs euthanised	15.3%	11.7%	14.5%	15.2%	14.1%

6. Question in relation to the definition of a puppy, given the applicant advises that the proposal is for a total of 108 adult dogs with puppies to be in addition to this figure.

Condition 8 from the officer's recommendation (Appendix A to the Council report) specifies the breakdown of the breeding and boarding numbers for this facility, excluding puppies. This condition states.

8. *The maximum number of dogs on site must not exceed 108 dogs excluding puppies, consisting of:*
- Maximum of 60 adult dogs for breeding on site*
 - Maximum of 48 dogs boarding on site.*

The above condition shows how there would be a conditioned cap on each of the two activities nominated for the animal keeping use. In compliance with this condition, the applicant could not seek to use the 108 total dogs limit to increase the number of breeding dogs beyond 60.

Council determines a puppy to be between 0 and 3 months of age based on the registration obligation outlined in the *Animal Management (Cats and Dogs) Act, section 44*. Dogs older than 3 months of age would be determined to be adult dogs for the purposes of breeding, and dogs for the purposes of boarding in line with the recommended condition.

Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	14 October 2021
Requesting Councillor:	Councillor R Baberowski		
Item:	8.2 – Systematic Inspection Program – Regulated Dogs		
Circulation	12 October 2021		
Officer (title):	Coordinator Response Services	Approving GE (title):	Group Executive Customer Engagement and Planning Services

In response to a question raised by Councillor R Baberowski, please note the following additional information for your consideration.

Question:

Can we research the details of this approach adopt don't shop as part of our recently endorsed SC Animal management plan?

Response:

As part of our recently adopted Management Plan for Domestic Animals (Cats and Dogs) 2021 – 2030 Council outlines its commitment to working with our key partners – RSPCA, SCARS and 4PAWS to support and guide responsible pet ownership, advocate for animal welfare and promote strong messages to 'adopt, don't shop'. (page 15 of the Plan)

The Plan also expands on Council's role in relation to Animal Welfare Advocacy

Council has a strong partnership with the RSPCA and works closely with them to support animal welfare advocacy. We are committed to continuing to strengthen and build our relationships with SCARS, 4Paws and the RSPCA over the next ten years with a focus on supporting the rehoming of animals through adoption and fostering. (page 28 of the Plan)

The Action Plan commits Council to:

Advocate and partner with key rehoming partners to promote the message 'adopt don't shop' and this will be measured through annual pet partner education events, number of breeding permits investigated, increase in the number of animals rehomed.