

Preparing a planning permit application for animal production

Planning Practice Note 87

December 2022

This practice note provides information and guidance for applicants about preparing a planning permit application to use and develop land for animal production.

What is animal production?

Animal production is defined in Clause 73.03 of planning schemes as:

Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.

Animal production includes the following uses (which are separately defined in Clause 73.03):

- grazing animal production
- intensive animal production
- cattle feedlot
- intensive dairy farm
- poultry farm
- broiler farm
- pig farm
- poultry hatchery.

Preparing an application

The key steps in preparing a planning permit application to use and develop land for animal production are set out below:

Step 1 - Check the planning scheme and land title details

Planning scheme information

At the outset, check what planning scheme controls and policies apply to the land and the proposed use and development, including:

- State and local planning policies
- the zone applying to the land
- overlays applying to the land
- applicable particular provisions:
 - Clause 53.08 for cattle feedlots
 - Clause 53.09 for poultry farms and broiler farms
 - Clause 53.16 for pig farms
 - Clause 52.17 for native vegetation removal



- applicable codes of practice or guidelines incorporated in the planning scheme:
 - *Victorian Code for Broiler Farms 2009 - Plus 2018 Amendments* (Department of Primary Industries, 2009) - 'Broiler Code'
 - *Victorian Code for Cattle Feedlots*, (Department of Agriculture, Energy and Minerals, August 1995) - 'Feedlot Code'
 - *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (DEDJTR, 2018)
 - *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (DEDJTR, 2018)
 - *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (Department of Environment, Land, Water and Planning, 2017)

This is essential information for preparing an application and may affect the size, siting or design of the proposal as well as the information that should accompany the application.

Planning schemes can be viewed on the 'Browse Planning Schemes' page at planning.vic.gov.au

To find out what zone and overlays apply to the property, use the free VicPlan map resource at planning.vic.gov.au

The Broiler Code and Feedlot Code include specific guidance and requirements for applicable applications.

If preparing an application for a broiler farm or pig farm, also refer to:

- Planning Practice Note 86 - *Applying for a planning permit for a pig farm*
- Planning Practice Note 63 - *Applying for a planning permit to farm broiler chickens.*

Land title details

Obtain a copy of the title for the property to check for any restrictions such as easements or restrictive covenants. A full, current copy of the title will need to accompany the application.

A copy of the title can be purchased at: landata.vic.gov.au

Step 2 - Talk to the council

Talk to the council before lodging an application. The council can provide information about:

- the relevant planning scheme requirements

- the matters that will need to be addressed in the application
- how the application will be processed (including whether public notice of the application will be required).

Step 3 - Prepare plans and supporting information

An application should be accompanied by plans and information that show or describe the existing conditions of the land, proposed buildings and works, how the use will be carried out and how risks to the environment and amenity will be managed.

The type of information provided with a planning permit application should be proportionate to the anticipated environmental and amenity risk of the proposal.

The following are examples of plans and information that may be required.

Existing conditions plan

An existing conditions plan should be drawn to scale and dimensioned, and show:

- property boundaries, dimensions of the site and easements
- the location of dwellings (including dwellings under construction) and other sensitive land uses on the site and on surrounding properties
- the location and use of buildings on the site and surrounding properties
- significant slopes and other topographic features, including vegetation
- the location of drainage, farm bores, dams and other water supply sources, and waterways
- areas prone to flooding
- internal and external roads.

Development plans

Development plans should be drawn to scale and dimensioned, and show the location, layout and construction details of proposed buildings and works, including:

- plans showing:
 - the location and use of proposed buildings and structures
 - areas where the animals will be kept, housed and fed
 - setbacks from areas where animals are kept (including all animal complex facilities,



effluent management and re-use areas) to property boundaries, waterways, and dwellings and other sensitive uses

- new vehicle access points
- new or upgraded internal roads, and loading and parking areas
- waste management areas (including wastewater and stormwater) and effluent management areas
- mortalities management areas
- external lighting
- landscaping and fencing, including vegetation to be removed and planted
- areas planned for removal of topsoil and excavations
- elevations of proposed buildings, including details of the colours and materials used.

Description of the proposal

A written description of the proposal will assist the responsible authority (usually the local council) in assessing the application. This may include details of:

- the type and maximum number of animals to be kept on the land
- the purpose of keeping the animals on the land, and where and how the animals will be kept or housed
- the proposed type of production system including an explanation of:
 - the breeding cycle and the maintenance of any breeding herd
 - the growing system including the dispatch of animals for market
- the type and amount of feed that will be used and where it will be stored
- anticipated effects on the surrounding land (from odour, noise, traffic, emissions to land and water, light spill and glare) and how these will be mitigated
- how solid and liquid effluent will be managed and treated, including:
 - details of proposed onsite collection and treatment, and offsite disposal
 - areas for effluent and manure reuse
- how stormwater will be managed, treated and discharged

- how other water will be managed
- mortalities disposal
- how pasture and soil will be managed
- the frequency and time of animal, feed and other regular delivery and dispatch to and from the site (including vehicle type, external and internal routes and access points)
- the source and capacity of water supply and power to the site
- whether a works approval or licence is required from Environment Protection Authority Victoria for the proposal
- any applicable biosecurity requirements
- an explanation of how the proposal responds to:
 - the requirements of any applicable incorporated code
 - applicable decision guidelines in the planning scheme
 - applicable State and local policies in the planning scheme.

Environmental Management Plan

An Environmental Management Plan (EMP) provides a framework for the ongoing evaluation and active management of farms and their risks to environment and amenity. An EMP should be reviewed and updated to reflect changing practices, approaches, risks and other circumstances.

An EMP should include (as applicable):

- a description of the site and the proposed operation
- strategies and measures to address odour, dust, noise, effluent, stormwater, manure, dead animals, waste chemicals, chemical containers, vermin, pest animals and weeds
- a risk assessment, including strategies and measures to address any risks identified from the assessment
- a monitoring system to assess environmental performance
- a contingency plan to manage environmental issues that may arise during construction and operation, such as:
 - loss of water or power supply
 - interruptions to feed supply
 - flooding and fire
 - disease outbreaks and mass mortalities



- chemical or effluent spills
- pesticide use
- procedures to:
 - respond to complaints
 - investigate causes after an environmental incident
 - review management practices and management of incidents
 - report to the responsible authority (if required)
- record keeping protocols for matters such as:
 - complaints
 - manure reuse
 - nutrient management
- a plan for the regular review and updating of the EMP.

Step 4 - Assemble the application

The application should consist of the following:

- the mandatory application information (the council will usually provide an application form or checklist on its website to assist with providing the required information)
- application fee
- current copy of title

- existing conditions and development plans
- a description of the proposal
- an EMP (if appropriate)
- any additional information necessary to enable council to assess the application.

After an initial assessment of the application, the council may require more information to be submitted.

More information is available online

- Information about planning schemes and the permit application process, and incorporated codes and guidelines: planning.vic.gov.au
- Information about different animal production systems, biosecurity, farm management and other legal requirements: agriculture.vic.gov.au
- Information about managing risks to the environment and human health, and related legal requirements: epa.vic.gov.au
- Council contact details and websites: localgovernment.vic.gov.au

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