

STABLES CODE

1 Purpose of the Code

The purpose of the Stables Code is to:

- allow the establishment of a stable or stables in appropriate locations where environmental standards can be met;
- ensure that the stabling of horses has no adverse impacts on adjoining or nearby areas of ecological significance such as the wetlands in the Town Common Special Use Area or the Fitzroy River;
- ensure that the establishment of a stable or stables does not adversely or unreasonably impact on residential amenity of a Residential Area;
- ensure that the location of a stable or stables is in an area where they would be reasonably expected to occur;
- control the keeping of all horses when in a Stable in order that the health and living conditions of all horses in a Stable is to an appropriate standard.

2 Application of the Code

The provisions of this code apply to any material change of use or building works for the purposes of stables.

This section is applicable to Code Assessable development, made Code Assessable by;

- (1) the Level of Assessment Table for an Area; or
- (2) because the development may have been listed as Self Assessable development in the Level of Assessment Table for an Area but was unable to comply with an Acceptable Solution in its applicable primary code(s).

For code assessable development, the code for assessment consists of:

- (A) the primary code(s) listed in the relevant Level of Assessment Table; and
- (B) the secondary code(s) listed below.

However, where a code assessment is required as a result of not complying with an Acceptable Solution in self assessment (refer to item (2) above in this section), the code for assessment consists of the primary code(s) and any secondary code(s) referred to in the particular Acceptable Solution in the primary code with which the development did not comply. In all other cases the secondary codes that comprise the code for assessment include:

- Airport Code; and
- Bushfire Risk Minimisation Code; and
- Flood Prone Land Code

3 Definitions

Day Yard: Means any open, covered or enclosed area not used overnight, but used to spell a horse or



horses for a period of time while a stall is being cleaned or so that a horse may have access to fresh air, sunlight or greater room for exercise. A day yard includes any structures over or in a day yard as well as any fencing used to create the day yard.

Maximum Average Building Height: Means the 'mean height' as defined in the *Standard Building Regulations 1993*.

Race Horse: A horse which is registered under the Rules of Racing and is actively engaged in the business of racing.

Rules of Racing: Those rules as adopted by the governing bodies responsible for development of the Australian Rules of Racing and the Australian Rules of Harness Racing.

Stable: As defined in section 3.7 of this planning scheme.

Stall: Is an enclosed or semi enclosed, but covered, area in a stable used for the purposes of housing a horse overnight that can be used for other purposes such as feeding, grooming, and the like. Stalls also have a suitably drained floor constructed of concrete, masonry or the like which is impervious to moisture.

4 Explanation

This code sets out the performance criteria that must be met in identifying a suitable location for the development of a stable or stables on a site. This code also establishes the performance criteria that must be met in respect to the building of a stable or stables and its ongoing use.

While this code applies to stables for any horses proposed in any part of the City, the Rockhampton Regional Council has identified the North Rockhampton Stables Residential Area as the only Residential Area in the City suitable for stables. This is a reflection of the Area's close proximity to Callaghan Park Racecourse and the historical presence of stables in this Area. Other Areas identified as suitable for stables have a lower residential density. Any application for a stable outside of these Areas identified as suitable will be assessed against this Code however due to the character and amenity of these other Areas, compliance with this Code may not be sufficient to mitigate the impacts of the proposed stable(s).



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While it is expected that this code will apply more frequently to the development of stables for racehorses, this code applies to the development of stables for any type of horse. This code does not contain operational detail on the management or maintenance of a stable or stables. Reference should instead be made to Council's Local Law for requirements in respect to operational details as they apply to horses.

Different development standards apply to a stable for race horses than those that apply to a stable for non race horses. This is a reflection of the higher level of care and attention that race horses receive in comparison to non race horses as well as the higher density of race horses needed to be kept on a premise. Any proposal to stable non race horses at a density similar to that permitted for race horses would be expected to comply with the requirements set for race horses. At any time that there is a combination of race horses and non race horses, the Stable requirements for race horses will apply.



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5 Performance Criteria and Acceptable Solutions

Performance Criteria		Acceptable Solutions	
Location			
P1	Stables are located in areas specifically set aside for this use or where they would be expected to occur.	A1	Stables are developed on a site located in one of the following areas; <ul style="list-style-type: none"> (i) The North Rockhampton Stables Residential Area; or (ii) Any Rural Area; or (iii) The Parkhurst Industrial Area north of Limestone Creek; or (iv) The Rural Residential Precinct in the Norbank Estate Special Use Area; or (v) The Town Common Special Use Area; or (vi) The Yeppoon Road Corridor Environmental Protection Area, or (vii) The Parkhurst Future (Post 2015) Residential Area, or (viii) The Airport Special Use Area.
Residential Amenity			
P2	On any allotment that accommodates a stable; <ul style="list-style-type: none"> (a) The amenity of the Planning Area is maintained to a reasonable level especially in regards to issues such as noise, odour and dust; (b) The stable does not adversely affect the streetscape within the Area; (c) A sufficient number of stalls are provided within a stable to prevent the overcrowding of horses; (d) A sufficient number of day yards are provided to allow the proper spelling, exercise or training of horses; <p><i>Note: Variances or modifications of the setbacks or height in A2.3 will only be considered having regard to the</i></p>	A2.1	The allotment has a minimum area of 800 m ² .
		A2.2.1	AND The number of race horses kept on the allotment at any one time does not exceed the density of one race horse per 175m ² of allotment area. <i>(Example. An allotment with an area of 950m² can have 5 race horses kept on the site)</i>
		A2.2.2	OR The number of non race horses kept on the allotment at any one time does not exceed the density of one non race horse per 800m ² of allotment area. <i>(Example. An allotment with an area of 950m² can have 1 non race horse kept on the site)</i>
		A2.3	AND Stables within the North Rockhampton Stables Residential Area or the Town Common Special Use Area are sited on an allotment: <ul style="list-style-type: none"> (i) no closer than 1.5 metres to any common boundary with another allotment; (ii) no closer than 6 metres to any street frontage; (iii) no closer than 4 metres to the outermost projection of any house not on the same allotment as the stable; (iv) with all buildings having a maximum building height of 4.5 metres and a maximum average building height of 3.5 metres, both measured above natural ground level; and (v) no closer than 10 metres to any existing

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Performance Criteria	Acceptable Solutions	
<p>following matters as reasons for consideration;</p> <p>(a) The existing stable or day yard configuration in the area;</p> <p>(b) The topography of the allotment;</p> <p>(c) The shape of the allotment;</p> <p>(d) The colour, materials of construction and design of a stable or day yard;</p> <p>(e) The proposed installation of screen fencing along adjoining allotment boundaries;</p> <p>(f) The proposed installation of a vegetated buffer strip.</p>	<p>A2.4.1 premises where food stuffs for human consumption are manufactured or stored for sale or reward.</p> <p>AND</p> <p>Stables used for the stabling of 5 or less horses at any one time in;</p> <p>(i) Any Rural Area; or</p> <p>(ii) The Parkhurst Industrial Area north of Limestone Creek; or</p> <p>(iii) The Rural Residential Precinct in the Berserker Range Environmental Protection Area; or</p> <p>(iv) The Yeppoon Road Corridor Environmental Protection Area, or</p> <p>(v) The Parkhurst Future (Post 2015) Residential Area, or</p> <p>(vi) The Airport Special Use Area are sited on an allotment:</p> <p>(1) no closer than 1.5 metres to any common boundary with another allotment;</p> <p>(2) no closer than 6 metres to any street frontage;</p> <p>(3) no closer than 4 metres to the outermost projection of any house not on the same allotment as the stable;</p> <p>(4) with all buildings having a maximum building height of 4.5 metres and a maximum average building height of 3.5 metres, both measured above natural ground level; and</p> <p>(5) no closer than 10 metres to any existing premises where food stuffs for human consumption are manufactured or stored for sale or reward.</p> <p>OR</p> <p>Stables used for the stabling of;</p> <p>(a) 6 or more horses in any of the Areas mentioned in Acceptable Measure A2.4.1, or</p> <p>(b) any number of horses in an Area not mentioned in Acceptable Measure A2.4.1 or A2.3;</p> <p>at any one time are sited on an allotment:</p> <p>(1) no closer than 10 metres to any common boundary with another allotment; and</p> <p>(2) no closer than 10 metres to any street frontage; and</p> <p>(3) no closer than 40 metres to the outermost projection of any house not on the same allotment as the stable; and</p> <p>(4) with all buildings having a maximum</p>	
	<p>A2.4.2</p>	
	<p>A2.5</p>	<p>(1) no closer than 10 metres to any common boundary with another allotment; and</p> <p>(2) no closer than 10 metres to any street frontage; and</p> <p>(3) no closer than 40 metres to the outermost projection of any house not on the same allotment as the stable; and</p> <p>(4) with all buildings having a maximum</p>



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	<p>building height of 4.5 metres and a maximum average building height of 3.5 metres, both measured above natural ground level.</p> <p>A2.6</p> <p>AND</p> <p>A2.7 Any allotment that has a common boundary with public open space or an allotment located within a Residential Planning Area (except for the North Rockhampton Stables Residential Area) has a 1.8 metre high screen fence constructed along the full length of the common boundary that is optional within 6 metres of a street frontage.</p> <p>A2.8</p> <p>AND</p> <p>A2.9 One (1) horse stall is provided within the stable for every horse on the allotment at any one time over night.</p> <p>AND</p> <p>One (1) day yard is provided in conjunction with and on the same allotment as a stable for every four (4) stalls or part thereof provided within the stable.</p> <p>AND</p> <p>Stables are designed so that all door and windows are orientated away from any house on an adjoining allotment to reduce the potential of creating a noise or odour nuisance.</p> <p>AND</p> <p>Stalls and day yards each have a minimum area of 9m².</p>
Environmental Health	
<p>P3 Use of stables and day yards must provide for the collection, treatment and disposal of solid and liquid wastes such that there are no negative environmental impacts¹.</p>	<p>A3.1 All liquid waste from parts of a stable that have an impervious floor are drained into the reticulated sewerage system.</p> <p>OR</p> <p>A3.2 Where the development involves the stabling of less than 6 horses at any one time, stables are constructed in a manner whereby the stalls and any other area hosed out frequently;</p> <p>(i) opens directly onto a grassed area that measures 3 metres in width perpendicular</p>

¹ Where the development involves the stabling of 6 horses or more at any one time, an Environmental Management Plan (as set out in **Planning Scheme Policy No. 1 – Preparation of Ecological Assessment Reports and Environmental Management Plans**) will need to be prepared by a suitably qualified person that sets out:

- (i) The nature of any waste discharge from the allotment and how this complies with the Environment Protection (Water) Policy; and
- (ii) Measures to mitigate impacts during the operation of the use.

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	<p>to the area being hosed out; or</p> <p>(ii) drain directly to a concrete spoon drain of a sufficient size able to move all water and other matter (including waste) to an area of turf measuring no less than 3 metres x 3 metres.</p>
<p>P4 Stables and day yards are used in a manner that ensures there are no adverse impacts on;</p> <p>(a) the amenity, health and/or safety of residents on the allotment or on other allotments in the area; or</p> <p>(b) the safety of the operational airspace of the Rockhampton Airport due to the attraction of wildlife</p>	<p>A4.1 A fly and rat eradication program is developed for the site to control any infestations that may occur or be expected at the premises and includes as a minimum the following;</p> <p>(i) the installation of one (1) fly bait per four (4) horse stalls or part thereof that is installed within 10 metres of each horse stall²; and</p> <p>(ii) the distribution of rat poison in commercially made and sold baits, boxes or other containers around the base and perimeter of all stable buildings at a rate of one (1) per 10 metres or part thereof² above; and</p> <p>(iii) the removal of all manure and urine impregnated horse stall bedding daily to a waste storage receptacle; and</p> <p>(iv) the throwing up and airing daily of all Horse stall bedding; and</p> <p>(v) the use of timber shavings, rice husks or shredded paper only as Horse stall bedding installed throughout all stalls at a minimum depth of 100mm.</p> <p>A4.2.1</p> <p>AND</p> <p>A covered, weather-proof, fly-proof and rat-proof waste storage receptacle is provided for the storage of all manure and urine impregnated horse stall bedding of a sufficient capacity to hold all manure and urine impregnated horse stall bedding generated from the stables over at least a seven day (7) day period with the waste storage receptacle serviced³ by any person before it is 95% full.</p> <p>A4.2.2</p> <p>OR</p> <p>A commercial waste collector is engaged to provide the stables with a covered, weather-proof, fly-proof and rat-proof waste storage receptacle of a sufficient capacity to hold all wastes generated from the stables over an eight (8) day period and to service the bin at least once a week.</p> <p>A4.3.1</p>



² It is recommended that the services of an approved commercial pest controller be used for the provision, positioning and maintenance of fly and rat baits at the stables.

³ Serviced means, taking the waste off site to another use that would recycle the waste such as a nursery or taking the waste to a lawful landfill.

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	<p>AND A4.3.2 An impervious rat-proof storage container constructed of metal with a metal lid that gives a fit to the container without any gaps is provided for the storage of all horse feed.</p> <p>OR A4.4 All horse feed is kept in a feed room that is sealed⁴ (other than at the time of being accessed) that prevents infestation by rats.</p> <p>AND All parts of a stable required to be hosed out on a frequent basis are located within 10 metres of a water outlet to allow for the effective cleaning of the stable.</p>
<p>P5 Stables are constructed in a manner that limits the potential for an adverse health environment occurring that may be harmful not only to the stabled horses but also persons who may live or work on the allotment or any other allotment.</p>	<p>A5.1 Walls and Partitions are constructed of masonry or steel that has no cavities greater than 10mm in diameter that would allow for a rat or other vermin to harbour.</p> <p>A5.2 AND All sides of a stall in a stable have a wall or partition that is constructed a minimum height above the ground of 1.35 metres of concrete, masonry, colorbond or other material that is impervious to moisture.</p> <p>A5.3 AND Ceilings and Roofs are constructed with no cavities under the roof and excludes the use of heat insulation materials such as sisalation.</p> <p>A5.4 AND Rat Walls are installed in the construction of a stable a minimum of 600mm below the natural ground level and constructed of masonry or steel.</p> <p>A5.5 AND Every stable is naturally or artificially illuminated and ventilated in accordance with Part F4 of the Building Code of Australia to ensure that there will be no dark areas during the day time that would prevent or hinder the capacity of any person to assess the condition of bedding material and/or any other item in a stable.</p> <p>A5.6.1 AND A5.6.2 Storm water from the roof of any stable is piped</p>

⁴ Sealed in this instance means all feed room doors are fitted with a self closing device and a self latching device with a metal strip attached to the bottom edge of the door so that no more than a 10mm gap exists to the floor. Sealed also means all windows and other openings are fitted with insect screens kept in good order over the openings and secured to the window or opening.



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	<p>directly to the Council's storm water system.</p> <p>OR</p> <p>A5.7.1 Where there is no Council controlled storm water system servicing the allotment or the topography of the land prevents storm water from the stable roof discharging by gravity to the Council's storm water system, all storm water from the roof of any stable is piped directly into a gravel pit that is at least 1m³ in size.</p> <p>A5.7.2 AND The stable is constructed with a minimum 600mm roof overhang on all buildings to provide some weather proofing.</p> <p>OR</p> <p>A5.7.3 All external openings onto a stall in a building are covered with an adjustable covering device that is opaque with no openings that is attached to the top of the opening and opens vertically.</p> <p>OR</p> <p>The stable is constructed without external window openings and is instead constructed using breeze blocks for the purposes of providing ventilation.</p>
<p>P6 Day Yards are constructed in a manner that limits the potential for an adverse health environment occurring that may be harmful not only to horses but also persons who may live or work on the allotment or any other allotment.</p>	<p>A6.1 The floor base material is sand, granite, blue metal or any other type that will not allow by its use the attraction of flies or cause odour.</p> <p>AND</p> <p>A6.2 Day yards have at least two sides (if only two sides they are opposite to one another) that are open in design and construction that allows natural ventilation of the day yard to occur and there is no opaque material used (being a material with 50mm minimum diameter openings having a minimum 75% transparency) within 1.2 metres of the natural ground level.</p> <p>A6.3 AND Day yards do not by their design or construction result in the pondage of water in or around the day yard and a pervious surface is used; or if an impervious surface is used, it is drained in accordance with Performance Criteria P3 of this code.</p> <p>A6.4 AND There are no materials used in the construction</p>



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			of a day yard or structures, materials or devices for use within a day yard that have cavities greater than 10mm in diameter.
Vehicle Parking			
P7	Stables are designed in a manner that ensures that; (a) vehicles associated with the use; and (b) the loading and unloading of horses; is done in a safe manner and location and does not create traffic or parking impacts on the immediate area or normal vehicle movements.	A7.1 A7.2 A7.3	Stables are designed in a manner that provides an area on site (at least 30m ² in area with dimensions of at least 3m and 10m) where horses can be loaded or unloaded to or from a vehicle. AND Stables have a parking space for a horse float on the site that measures at least 3m x 5m and that is directly accessible to a street frontage. AND Car parking spaces for trainers, jockeys, etc are provided on site in accordance the rate stated in Schedule 1 of the Parking and Access Code .
Natural Hazard			
P8	The Stables are protected from adverse natural hazards wherever possible and do not: (a) significantly interfere with the passage, storage or quality of stormwater or the natural functions of a waterway; or (b) put damage to property at high risk.	A8.1 A8.2	Stables involving building work (but not minor building work) are not located within the Q100 floodable area as shown on the Planning Area Map. AND Stables involving building work (but not minor building work) are not located on Bushfire Prone Land . <i>Note: New Stables or extensions to Stables within the Q100 line or on Bushfire Prone Land are required to submit a code assessable application and are subject to the Flood Prone Land Code or Bushfire Risk Minimisation Code respectively.</i>
Airport			
P9	The building height of stables (including ancillary structures such as sheds, etc) or fixtures / devices attached to or associated with a stable (such as light poles, etc) do not affect the navigation or safe operation of the Rockhampton airport or aircraft by	A9.1 A9.2	Stables (including ancillary structures) are of a height that does not penetrate the Obstacle Limitation Surface for the Rockhampton Airport as shown on Airport Code Map 2. AND Fixtures or devices attached to a building or structure (eg. aerals, antennae, mast poles, advertising signs and the like) do not penetrate the Obstacle Limitation Surface for the Rockhampton Airport as shown on Airport Code Map 2.

⁵ As defined in the Airport Code.

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<p>way of;</p> <p>(i) The physical intrusion into aircraft take-off and approach flight paths; or</p> <p>(ii) transient intrusions into the airports operational airspace.</p> <p><i>Note:</i> Any proposal to intrude into the operational airspace will be referred by Council to the Airport Operator whose advice and decision on the proposal will be adopted by the Council.⁵</p>	<p>A9.3 AND</p> <p>Cranes and other temporary machines, devices or structures do not penetrate the Obstacle Limitation Surface for the Rockhampton Airport as shown on Airport Code Map 2.</p>
<p>P10 The stables (including ancillary structures such as sheds, etc) or fixtures / devices attached to or associated with a stable (such as light poles, etc) do not affect the safe operation of Aviation Facilities associated with the Rockhampton airport or other aircraft.</p>	<p>A10.1 The stables are not located within an Aviation Facilities Sensitive Area identified on Airport Code Map 3.</p> <p>A10.2 OR</p> <p>The stables comply with the requirements of Performance Criterion P3 within the Airport Code.</p>

