



# Planning requirements for dog and cat breeding

The purpose of this document is to explain how dog and cat breeding is regulated by the planning scheme. It does not apply to the keeping, breeding, boarding or training of racing dogs.

This document has been developed in consultation with the Department of Transport and Planning.

## What is a planning scheme?

Each municipality in Victoria is covered by a planning scheme that regulates the use and development of land.

The planning scheme zones land for particular uses – for example, residential, industrial, rural or business. The zones are listed in the planning scheme and each zone has a purpose and set of requirements. The zone also contains information relating to land use, subdivision of land, construction of new buildings and other changes to the land. This information describes when a planning permit is required, and the matters that council must consider before deciding to grant a permit.

A zone sets out land use controls in three sections:

- Section 1: Land uses that do not require a planning permit
- Section 2: Land uses that require a planning permit
- Section 3: Prohibited uses

Some uses are not allowed on land in a particular zone because they may conflict with other uses; for example, industry is a prohibited use in the General Residential Zone.

The planning scheme also applies overlays to land. If an overlay applies, the land will have a special feature such as heritage values, significant vegetation or flood risk. While a parcel of land will always be included in a zone, it will only be affected by an overlay (or more than one overlay) where a specific development outcome is sought for that land. The overlay describes if a planning permit is required for development, and the matters that council must consider before deciding to grant a permit.

In some cases, a planning permit may be required for:

- both the use and development of land

- either the use or development of land.

**When is a planning permit required for dog or cat breeding?**

Under a planning scheme, dog or cat breeding is included in the meaning of domestic animal husbandry. Domestic animal husbandry is defined as ‘Land used to keep, breed, board or train domestic animals.

The following table summarises when a planning permit is required to **use** land for dog or cat breeding:

Zone <sup>1</sup>	Is a permit required to use land for dog or cat breeding?
<b>Residential zones</b>	
Low Density Residential	<p>A permit is required for more than <b>2 animals</b></p> <p>A permit cannot be granted for more than <b>5 animals</b></p>
Mixed Use	
Township	
Residential Growth	
General Residential	
Neighbourhood Residential	
<b>Industrial zones</b>	
Industrial 1	<p>A permit is required for any number of animals</p>
Industrial 2	
Industrial 3	
<b>Commercial zones</b>	
Commercial 1	<p>A permit is required for any number of animals</p>
Commercial 2	
Commercial 3	
<b>Rural zones</b>	
Rural Living	<p>A permit is required for more than <b>2 animals</b></p>
Green Wedge A	
Rural Conservation	
Farming	<p>A permit is required for more than <b>5 animals</b></p>
Green Wedge	
Rural Activity	

<sup>1</sup> This table does not set out the permit requirements for public land zones or special purpose zones. Public land zones apply to Crown land or land that is owned, vested in or controlled by a Minister, government department, public authority or municipal council. Special purpose zones set out specific permit requirements that apply in a specific location. Refer to the relevant planning scheme for the specific permit requirements of a special purpose zone.

Even if a planning permit is not required to **use** your land for a particular purpose, a planning permit may still be required to **develop** your land depending on the planning controls in place, the location of the buildings and the nature of the works.

**Development** includes the construction, alteration or demolition of a building and the construction or carrying out of works.

**What happens after I have met the requirements of the planning scheme?**

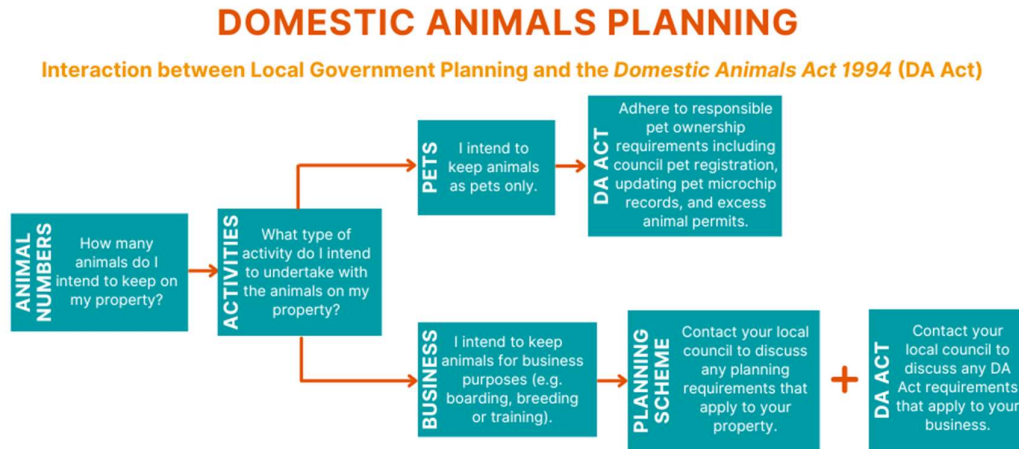
In addition to meeting the requirements of the planning scheme, it is important you meet the requirements of the *Domestic Animals Act 1994* (DA Act) and any other relevant requirements of the local council (e.g. excess animal permits).

The following table summarises DA Act requirements according to whether you hold a membership with an applicable organisation, and the number of fertile females you wish to keep. For a list of applicable organisations please visit [www.animalwelfare.vic.gov.au](http://www.animalwelfare.vic.gov.au)

Member of an applicable organisation	
1-10 relevant fertile females*	<ul style="list-style-type: none"> <li>Excess animal permit may apply</li> </ul>
11-50 relevant fertile females*	<ul style="list-style-type: none"> <li>Excess animal permit may apply</li> <li>Domestic animal business registration with local council required</li> <li>Commercial dog breeder approval from Minister for Agriculture required</li> </ul>
Not a member of an applicable organisation	
1-2 relevant fertile females*	<ul style="list-style-type: none"> <li>Excess animal permit may apply</li> </ul>
3-10 relevant fertile females*	<ul style="list-style-type: none"> <li>Excess animal permit may apply</li> <li>Domestic animal business registration with local council required</li> </ul>
11-50 relevant fertile females*	<ul style="list-style-type: none"> <li>Excess animal permit may apply</li> <li>Domestic animal business registration with local council required</li> <li>Commercial dog breeder approval from Minister for Agriculture required</li> </ul>

\* Relevant fertile female means a female dog, 12 months of age or more, that has not been rendered permanently infertile.

The below flowchart provides an overview of considerations under the planning scheme and DA Act, depending on the purpose of the animals you wish to keep. Contact your local council to discuss domestic animal business requirements (if relevant), and the need for any excess animal permits. To find your local council contact details, visit [www.knowyourcouncil.vic.gov.au](http://www.knowyourcouncil.vic.gov.au)



### Where can I find more information?

You should contact your local council for more detailed information about:

- the planning controls affecting your land
- whether a planning permit is required for the activities you want to undertake on your land
- if a planning permit is required, the matters an application will need to address and how the application will be processed by local council (including whether public notice of the application will be required).