# SUMMARY: 2017 CHANGES TO DEFINITIONS, ZONES AND PARTICULAR PROVISIONS FOR INTENSIVE ANIMAL PRODUCTION

	TIONS, ZONES AND LAKINOCLARY INCUISIONS	
RURAL ZONES	FZ Farming Zone / GWZ Green Wedge Zone / RAZ Rural Activity Zone	RCZ Rural Conservation Zone / RLZ Rural Living Zone / GWAZ
Animal Production NEW     New Definition – production of birds and all mammals except rodents for production of eggs, fibre, meat, milk or other animal products.	<b>Zones:</b> Introduced as <u>Section 2</u> (permit). Specifically included in zone tables in these zones. Includes all forms of animal production, at any scale.	<b>Zones:</b> Introduced as Section 2 (permit). Specifically included in <b>GWAZ</b> zone table. Includes all forms of animal production, at any scale or intensity, in these zones.
2. Extensive Animal Husbandry DELETED  Deletes 'grazing' (farm animals kept at an intensity where most food is obtained from grazing) from planning schemes. Includes emergency and supplementary feed, and incidental penning and housing.	Zones: Deleted from Clause 74 Definitions in the planning scheme.	Zones: Deleted from Clause 74 Definitions in the planning scheme.
3. Grazing Animal Production NEW  New Definition Animal production – grazing, browsing or foraging with seasonal (6 of 12 months) and "routine" supplementary feeding.  The intensity of use allowed in the new Grazing Animal Production use is increased over the intensity of deleted Extensive Animal Husbandry use.	Zones: Section 1 (as-of-right). No conditions apply. No reference to requirements of new Particular Provision Clause 52.XX or for requirements to be met. No restrictions on location in drinking water catchment.  Particular Provision 52.XX Grazing Animal Production: NEW  Not a condition in zones. No restriction on number or type of animals.  XX-1 Section 1: no permit for building, works or equipment in these zones if 100m from dwelling in separate ownership / residential-UGZ zone / waterway-wetland.  XX-2 Permit: can be issued for buildings, works and equipment within 100m setbacks.  XX-3 Decision Guidelines: All 3 guidelines relate to impacts of supplementary feeding.	Zones: Current Extensive Animal Husbandry is deleted and replaced at Section 2 (permit) by intensified Grazing Animal Production.  No conditions apply. No restrictions on type, number, setbacks, or location in drinking water catchment.  Unclear whether any part of Particular Provision 52.XX applies to these zones.
4. Intensive Animal Husbandry DELETED  Deleted from Clause 74 and from zones where currently prohibited.— where farm animals obtain most of their food within enclosures.  Includes all forms of intensive animal husbandry.	<b>Zones:</b> Deleted from Clause 74 Definitions in the planning scheme, but remains at Section 2 (permit) in these zones.	Zones: PROHIBITED TO PERMIT Currently Section 3 (prohibited).  Deleted and replaced at Section 3 by Intensive Animal Production (which only includes Cattle Feedlot and Intensive Dairy Farm). The deletion of Intensive Animal Husbandry from Section 3 (prohibited) results in all other forms of intensive animal production becoming Section 2 (permit).
Intensive Animal Production NEW  New Definition – where animals get <u>all</u> food from within enclosures, buildings, paddocks or pens, and <u>don't graze on a daily basis</u> .  Definition is narrowed to include <i>Cattle Feedlot</i> and <i>Intensive Dairy Farm</i> only. No other defined intensive animal use is included.	<b>Zones:</b> Introduced as Section 2 (permit) other than Cattle Feedlot which remains Section 1 (less than 1,000 cattle).	Zones: Remains Section 3 (prohibited) - Cattle Feedlots and Intensive Dairy Farms only.  All other forms of intensive animal uses change from Section 3 (prohibited) to Section 2 (permit).

RURAL ZONES Cont	FZ Farming Zone / GWZ Green Wedge Zone / RAZ Rural Activity Zone	RCZ Rural Conservation Zone / RLZ Rural Living Zone / GWAZ
Cattle Feedlot	Zones:  FZ, RAZ: Remains Section 1 (as-of-right) with conditions (including less than 1,000 cattle, and prohibition in all drinking water catchments). If conditions not met, becomes Section 2 (permit) with conditions.  GWZ: Remains Section 2 (permit) with conditions (including prohibition in some drinking water catchments).	Zones: Remains Section 3 (prohibited).
Intensive Dairy Farm NEW  New Definition — Intensive animal production where cattle are kept for milk production.	Zones: Currently included in <i>Intensive Animal Husbandry</i> , Section 2 (permit, no conditions). No change.  No restrictions in drinking water catchments.	Zones: Remains <u>Section 3</u> (prohibited).
6. Pig Farm NEW  New Definition – Keep/breed pigs for meat production.  Currently included in Intensive Animal Husbandry.	Zones: PERMIT TO AS-OF-RIGHT Currently Section 2 (permit).  Changed to Section 1 (as-of-right) if condition (52.ZZ-1) met. If condition is not met, becomes Section 2 (permit), no conditions. No restrictions in drinking water catchments.	Zones: PROHIBITED TO PERMIT Currently <i>Intensive Animal Husbandry</i> Section 3 (prohibited). Changed to Section 2 (permit). No conditions, or restrictions on size, location, numbers, setbacks.  No restrictions in drinking water catchments.
* at an average of 6 piglets per sow	Particular Provision 52.ZZ Pig Farm: NEW  Error: shown in exhibited zones as 52.YY (Poultry Farm) condition.  ZZ-1 Section 1 - no permit for Pig Farm use for  up to 10 pigs or 3 sows, I boar and progeny (22* pigs) if:  if no pigs are located within 50m of  dwelling in separate ownership / residential-UGZ zone / waterway-wetland.  ZZ-2 Third party rights are extinguished for permit applications for Pig Farm use or buildings and works where there are no more than:  8 sows, 1 boar + progeny (57* pigs), and no pigs are within 100m of:  dwelling in separate ownership / residential-UGZ zone.	Particular Provision 52.ZZ: does not apply to RCZ, RLZ, GWAZ.
7. Poultry Farm NEW  New Definition – Keep or breed poultry for production of meat or eggs. Includes Broiler Farm. Currently included in Intensive Animal Husbandry.  Particular Provision 52.YY Poultry Farm NEW  As "Poultry Farm" includes Broiler Farm, the 52-YY controls for Poultry Farm also apply to Broiler Farm.  52.YY (which replaces the current 52.31 Broiler Farm	Zones: PERMIT TO AS-OF-RIGHT Currently Section 2 (permit).  Changed to Section 1 (as-of-right) if condition (52.YY-1) met.  If condition is not met, becomes Section 2 (permit) no conditions.  No restrictions in drinking water catchments.  Particular Provision 52.YY Poultry Farm: NEW  Error: shown in exhibited zones with 52.ZZ (Pig Farm) condition.  No restrictions in drinking water catchments.	Zones: PROHIBITED TO PERMIT Currently Intensive Animal Husbandry Section 3 (prohibited). Transferred to Section 2 (permit). No conditions, or restrictions on size, location, numbers, setbacks. No restrictions in drinking water catchments.  Particular Provision Clauses 52.YY-1 AND 52.YY-4 apply only to FZ, GWZ, and RAZ zones.
particular provision) also contains additional provisions specific to <i>Broiler Farm</i> .	YY-1 Section 1 - no permit for Poultry Farm use for up to  200 poultry / 10 emus/ostriches if:	

RURAL ZONES cont	FZ Farming Zone / GWZ Green Wedge Zone / RAZ Rural Activity Zone	RCZ Rural Conservation Zone / RLZ Rural Living Zone / GWAZ
52.YY Poultry Farm Particular Provision cont	no poultry within 30m of waterway no poultry housing or constructed shelter within 50m of dwelling in separate ownership / residential-UGZ zone  YY-4 Third party rights are extinguished for permit applications (Section 2) for use or buildings and works for Poultry Farm if:  up to than 450 poultry / 25 emus/ostriches if: no poultry housing or constructed shelters within 100m of dwelling in separate ownership / residential – UGZ zone;  Or meets requirements of the Code for a "Class A Broiler Farm" (up to 400,000 chickens).	
8. Broiler Farm  "Special Class Broiler Farm" or "Farm Cluster" Broiler Farms have over 400,000 birds.	Zones: PERMIT TO AS-OF-RIGHT Currently Section 2 (permit) with conditions. Changed to Section 1 (as-of-right) with conditions. If conditions not met, becomes Section 2 (permit) with conditions.  No restrictions in drinking water catchments.  Particular Provision 52.YY Poultry Farm (Broiler Farms) NEW Error: shown in exhibited zones as 52.ZZ (Pig Farm) condition.  YY-2 Permit application for use or buildings and works for Broiler Farm must comply with Victorian Code for Broiler Farms 2009 – except existing broiler farms, if number of chickens not increased.  YY-3 Any planning scheme requirement for use or buildings and works ( other than an overlay), does not apply to an outdoor range area for an existing Broiler Farm if:  the number of chickens is not increased, and there are no more than 150,000 chickens.  YY-5 S52 Notice to EPA of applications for use and buildings and works if Broiler Farm meets requirements for "Special Class Broiler Farm" or "Farm Cluster" in the Victorian Code for Broiler Farms 2009.	Zones: PROHIBITED TO PERMIT Currently Intensive Animal Husbandry Section 3 (prohibited). Transferred to Section 2 (permit), with condition – Clause 52.YY-2 is to be met:  Particular Provision Clause 52.YY-2  Error: shown in exhibited zones as 52.ZZ (Pig Farm) condition.  Permit application for use or buildings and works for Broiler Farm must comply with Victorian Code for Broiler Farms 2009 – except existing broiler farms, if number of chickens not increased.  A 'Class A Broiler Farm' under the Code may have up to 400,000 birds.  Particular Provision Clauses 52.YY-3 and 52.YY-5 may also apply.  No restrictions in drinking water catchments.
9. Poultry Hatchery NEW  New Definition: "incubate or hatch poultry eggs".	Zones: Defaults to (remains) Section 2 (permit).	Zones: PROHIBITED TO PERMIT Currently Intensive Animal Husbandry Section 3 (prohibited). With deletion of Intensive Animal Husbandry changes to Section 2 (permit). No conditions, or restrictions on size, location, numbers, setbacks. No restrictions in drinking water catchments.
10. Any other intensive animal use	<b>Zones:</b> Remains <u>Section 2</u> (permit), through retention of both current Intensive Animal Husbandry and new Animal Production use at <u>Section 2</u> .	Zones: PROHIBITED TO PERMIT Currently Section 3 (prohibited). Changes to Section 2 (permit). No conditions, or restrictions on size, location, numbers, setbacks. No restrictions in drinking water catchments.

INDUSTRIAL ZONES	Industrial 1 IN1 / Industrial 2 IN2 / Industrial 3 IN3
Changes remove current prohibitions on intensive animal production in all industrial zones, potentially introducing these uses into or adjacent to towns.	
11. Animal Production NEW	<b>Zones:</b> Introduced as <u>Section 2</u> (permit). Includes all forms of animal production, at any scale and any location in any industrial zone. No conditions, or restrictions for drinking water catchments.
12. Extensive animal husbandry DELETED	Zones: Deleted from Section 1.
13. Grazing Animal Production NEW	<b>Zones:</b> AS-OF-RIGHT TO PERMIT Currently <u>Section 1</u> (as-of-right). Changed to <u>Section 2</u> (permit). No conditions apply. No reference to requirements of new Clause 52.XX. Can be any scale, any number, anywhere. No setbacks. No conditions, or restrictions for drinking water catchments.
14. Intensive Animal Husbandry DELETED	<b>Zones:</b> PROHIBITED TO PERMIT Deletion of <i>Intensive Animal Husbandry</i> from <u>Section 3</u> (prohibited), except IN1, results in all forms of intensive animal use defaulting to <i>Agriculture</i> ( <u>Section 2</u> ). Retention in IN1 creates conflicting use requirements (both permit and prohibited) – error?
15. Intensive Animal Production NEW	Zones: PROHIBITED TO PERMIT Introduced as Section 2 (permit). Includes Cattle Feedlot and Intensive Dairy Farm only.
Cattle Feedlot	<b>Zones:</b> PROHIBITED TO PERMIT Currently included in <i>Intensive Animal Husbandry</i> , Section 3 (prohibited). Changed to Section 2 permit with single condition (52.26). No restrictions for size, or drinking water catchments.
Intensive Dairy Farm NEW	<b>Zones:</b> PROHIBITED TO PERMIT Currently included in <i>Intensive Animal Husbandry</i> , Section 3 (prohibited). Changed to Section 2 (permit). No conditions. No restrictions on size, location, numbers, setbacks. No restrictions in drinking water catchments.
16. Pig Farm NEW	<b>Zones:</b> PROHIBITED TO PERMIT Currently included in <i>Intensive Animal Husbandry</i> , Section 3 (prohibited). Changed to Section 2 (permit). No conditions to be met, or restrictions on size, location, numbers, setbacks. No restrictions in drinking water catchments. New Particular Provision 52.ZZ does not apply to Industrial zones.
17. Poultry Farm NEW Includes Broiler Farm	<b>Zones:</b> PROHIBITED TO PERMIT Currently included in <i>Intensive Animal Husbandry</i> , <u>Section 3</u> (prohibited). Changed to <u>Section 2</u> (permit). No conditions to be met, or restrictions on size, location, numbers, setbacks. No restrictions in drinking water catchments. New Particular Provision 52.YY does not appear to apply to Industrial zones.
18. Broiler Farm Particular Provision Clause 52.YY-2  Error: zones show condition as 52.ZZ-2 (Pig Farm)	Zones: PROHIBITED TO PERMIT Currently <i>Intensive Animal Husbandry</i> Section 3 (prohibited). Changed to Section 2 (permit), with condition – Clause 52.YY-2 is to be met: Permit application for use or buildings and works for <i>Broiler Farm</i> must comply with <i>Vic Code for Broiler Farms</i> 2009 – except existing broiler farms, if number of chickens not increased. No restrictions in drinking water catchments.
19. Poultry Hatchery NEW	<b>Zones:</b> PROHIBITED TO PERMIT Current <u>Section 3</u> (prohibited). With deletion of <i>Intensive Animal Husbandry</i> from <u>Section 3</u> (prohibited), becomes <u>Section 2</u> (permit). No conditions, or restrictions on size, location, numbers, setbacks.
20. Any other intensive animal use	<b>Zones:</b> PROHIBITED TO PERMIT Current <u>Section 3</u> (prohibited). With deletion of <i>Intensive Animal Husbandry</i> from <u>Section 3</u> (prohibited), becomes <u>Section 2</u> (permit). No conditions, or restrictions on size, location, numbers, setbacks.

COMMERCIAL ZONES	Commercial 1 C1 / Commercial 2 C2
21. Animal Production NEW	Current Intensive Animal Husbandry is deleted from Section 3 (prohibited) and replaced with Animal Production (Section 3).
New Definition – production of birds and all mammals except rodents for production of eggs, fibre, meat, milk or other animal products.	This prohibits all intensive animal production uses including <i>Grazing Animal Production</i> (currently <i>Extensive Animal Husbandry</i> (grazing) is <u>Section 2</u> ).  These new prohibitions reflect and respond to the intensification of <i>Grazing Animal Production</i> with supplementary feeding.

RESIDENTIAL ZONES	RGZ Residential Growth / GRZ General Residential / NRZ Neighbourhood Residential / MUZ Mixed Use / TZ Township / LDRZ Low Density Residential / UGZ Urban Growth
22. Animal Production NEW  New Definition – production of birds and all mammals except rodents for production of eggs, fibre, meat, milk or other animal products.	Current Intensive Animal Husbandry is deleted from Section 3 (prohibited) and replaced with Animal Production (Section 3).  This prohibits all intensive animal production uses including Grazing Animal Production (currently Extensive Animal Husbandry (grazing) is Section 1 in the UGZ and Section 2 in all other residential zones).  These new prohibitions reflect and respond to the intensification of Grazing Animal Production with supplementary feeding.
OTHER ZONES	UFZ Urban Flood Zone
23. Animal Production NEW  New Definition – production of birds and all mammals except rodents for production of eggs, fibre, meat, milk or other animal products.	Intensive Animal Husbandry, currently Section 2 (permit), is deleted and replaced with Animal Production at Section 2 (permit). All intensive animal production is allowed.  Extensive Animal Husbandry (i,e, grazing) - currently Section 1 (as-of-right) - is deleted and replaced with Grazing Animal Husbandry at Section 1 (as-of-right).
	Cattle Feedlot and Broiler Farm remain Section 2 but with new conditions added.

## **NOTES: ALL ZONES**

- Definitions are no longer tied to "farm animal". Now any bird or mammal production except rodents is allowed.
- Rural Conservation Zone opens up intensive animal agriculture (and agribusiness) to the most sensitive areas of the State. Victoria only has one conservation zone, and these changes ear-mark it for pig and poultry farms, and almost any other type of intensive animal use, all forms of which are currently prohibited.
- In Macedon Ranges Shire, the Farming Zone is also applied to drinking water catchments (Eppalock).
- "Grazing" Animal Production is a misnomer. This new use is supplementary feeding, with incidental grazing.
- Error Conditions for uses in zones that are based on proposed new Clause 52 Particular Provisions incorrectly require Pig Farms (52.ZZ) to meet Poultry Farm (52.YY) requirements, and Poultry Farms (52.YY) to meeting Pig Farm (52.ZZ) requirements.
- Currently Broiler Farms are required to meet ALL of the requirements of Particular Provision Clause 52.31 Broiler Farms. This is replaced with a requirement to meet only SOME requirements of new Clause 52.YY, creating confusion about how the remaining Clause 52 requirements apply.
- Proposed Particular Provision 52.XX Grazing Animal Production is not applied as a Section 1 or Section 2 condition in any zones. To what and when does it apply?

## **NOTES: RURAL ZONES**

#### **ALL RURAL ZONES**

Introduces Poultry Hatchery and Intensive Dairy Farming without a Particular Provision or conditions in any zone. No scale or setbacks.

#### **FZ GWZ RAZ**

- At Grazing Animal Production, there are no conditions or references to proposed Clause 52.XX Grazing Animal Production (allowed without a permit if 100m from dwelling in separate ownership / residential zone / waterway)
- CONFLICT Retains Intensive Animal Husbandry as Section 2 despite it being deleted from planning scheme definitions (and other zones).
- Changes Pig Farm, Poultry Farm and Broiler Farm from Section 2 (permit required) to Section 1 (as-of-right) with conditions.

#### **RCZ GWAZ RLZ**

Replacement of Intensive Animal Husbandry with Intensive Animal Production means only Cattle Feedlot and Intensive Dairy Farm are prohibited and all other currently prohibited intensive animal uses become Section 2 permit required (and specifically Pig Farm, Poultry Farm (and Broiler Farm) and Poultry Hatchery), and none include conditions (including conditions prohibiting in special water supply catchments).

#### **Green Wedge Zones**

- GWZ At Section 1 Agriculture "other than": Intensive Animal Husbandry is deleted (but remains at Section 2); Pig Farm and Poultry Farm are made Section 1 with conditions but not included in "other than" at Agriculture, and Grazing Animal Production is added to the Section 1 table when it is already included in Agriculture at Section 1.
- GWAZ Extensive Animal Husbandry is currently Section 1, but as Grazing Animal Production becomes Section 2.

## NOTES: COMMERCIAL, INDUSTRIAL AND UFZ ZONES

#### C1 C2

- Prohibition of extensive animal husbandry (grazing animal production) through prohibition of grazing animal production.
- Deletion of Extensive Animal Husbandry and inclusion of Animal Production changes 'grazing' from Section 2 (permit) to Section 3 (prohibited).

#### UFZ

Adds conditions to existing Section 2 (permit) for Broiler Farm (error – 52.ZZ-2 pig farm) and Cattle Feedlot (52.26 Code and catchments in Code only).

#### IN2 IN3

Deletion of Intensive Animal Husbandry Section 3 allows all forms of intensive animal uses.

### IN1

CONFLICT Intensive Animal Husbandry is retained at Section 3 (no exceptions) but deleted from "other than" at Agriculture Section 2 (permit), and from Clause 74 definitions. Concurrently Broiler Farm and Cattle Feedlot are included at Section 2 (permit). Other intensive animal uses become both prohibited OR permit required at the same time. If the intent is to delete Intensive Animal Husbandry from Section 3 (as in IN2 and IN3), all intensive animal uses would become Section 2, as in those zones.

#### IN1 IN2 IN3

- Deletion of Extensive Animal Husbandry and inclusion of Animal Production results in 'grazing' changing from Section 1 (as-of-right) to Section 2 (permit) in industrial zones.
- Cattle Feedlot and Broiler Farm are added to Section 2 each with a condition to be met. Neither includes restrictions for water catchments.

#### IN1 IN2 IN3 UFZ

Broiler Farm condition Clause 52.ZZ-2 relates to the Particular Provision for Pig Farm, not Poultry Farm.

## **NOTES: RESIDENTIAL ZONES**

- \* ALL At Section 3, Intensive Animal Husbandry is replaced with Animal Production, which means intensive uses remain prohibited, and current extensive animal husbandry (Grazing Animal Production) is also prohibited.
- MUZ Currently does not include Intensive Animal Husbandry at Section 3. Changes correct this.