

OVERVIEW

Horse keeping (as defined in the *Development Regulations 1993*), is where more than one horse is kept on three hectares (7.4 acres) or less of land used for such purposes or where hand feeding of a horse is involved. In such an instance development approval from Council would be required for horse keeping.

EXISTING USE RIGHTS

Existing use rights may apply where a use was lawfully established in the first instance, and has been continued since that time.

For Council to determine whether existing use rights for horse keeping apply, a body of evidence including a statutory declaration need to be supplied to Council which confirms that horse keeping was being undertaken on the land prior to 1st November 1973, and has continued since that time (without discontinuing for a period exceeding 2 years).

Alternatively, if the above is not available but approval has been obtained for horse keeping on the land after that date, then upon receipt of a copy of the approval, Council would be satisfied that the use is an approved one and may continue. Note, however, that any increase in the number of horses kept on the land would require development approval.

ENVIRONMENTAL MANAGEMENT

The main concern regarding horse keeping is the environmental impacts as a result of over grazing, poor manure management and pollution of watercourses. It is therefore essential to ensure that the environment is preserved and that watercourses are protected from degradation to ensure that the quality of metropolitan Adelaide's water catchment is not negatively impacted on.

WATERSHED (PRIMARY PRODUCTION) ZONE

A large proportion of the Adelaide Hills Council area is within the Watershed (Primary Production) Zone. Within this Zone there are particular limits placed on land use to ensure that the water catchment for Adelaide's water supply is protected.

Horse keeping can be considered on its merits within the Watershed (Primary Production) Zone but only if it meets the following specific performance criteria:

- a) associated and ancillary buildings and structures, are not located in areas subject to inundation by a 1:100 ARI flood event; and
- b) not located on land where any part of the land has a slope exceeding 12 degrees; and
- c) on land where the average rainfall does not exceed 1000mm annually; and
- d) buildings, structures and intensive exercise areas associated with horse keeping not located within 25 metres from any watercourse.

If the proposal does not satisfy all of the above criteria it will be a non-complying form of development which is generally discouraged in this Zone.

Note that a land management plan may be required to ensure the sustainable use/grazing of the land in question, ensure runoff water quality into nearby watercourses is maintained and may include details regarding manure management. Impact on neighbouring residences is another factor to consider in the application assessment process.

COUNTRY LIVING ZONE

The Country Living Zone covers the next largest area within the Council area and horse keeping is a use that requires approval and is considered on its merits.

All applications for horse keeping must comply with the relevant Principles of Development Control with respect to both the Zone provisions and the general Animal Keeping & Rural Development provisions.

TOWNSHIP ZONE

Horse keeping is a non-complying form of development which is generally discouraged in this Zone (eg Balhannah, Birdwood, Lobethal, Woodside, Charleston, Forreston, Gumeracha, Houghton, Kersbrook, Mount Torrens, Mylor, Oakbank, Summertown, Uraidla and Woodside).

LAND MANAGEMENT AND HORSEKEEPING

For further information about land management and horse keeping refer to 'Horse Keeping on Small Properties in the Mount Lofty Ranges' – A Guide to Landcare responsibilities of horse owners (a copy can be obtained from Council offices).

WANT TO KEEP HORSES?

Anyone wishing to apply to keep horses on their land is encouraged to contact our Development Services Team to discuss their proposal before lodging a Development Application with Council for assessment.

PLEASE NOTE

The information provided in this Fact Sheet is only intended to be a summary. All applications are considered on their individual merits and therefore situations may vary.

Contact details

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Further information

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