

MINUTES
MEETING BEING HELD
MONDAY 3RD NOVEMBER 2014 AT 11.00AM
VIA TELECONFERENCE

1. PRESENT:

Members: Ms Shanti Ditter (Presiding Member);
Mr Garry Thompson;
Mr Frank Hardbottle;
Mr Colin Parkyn &
Mr Trevor Roocke.

In Attendance: Mr Colin Davies (Public Officer);
Mr Peter McGuinness (CEO DC Peterborough);
Mr Stephen Rufus (CEO DC Orroroo Carrieton);
Mr Phil Denniston (DCOC Development Officer) &
Ms Ann Frick (Minute Secretary)

Members of the Public: Ms Rachel Bass (Applicant)

2. APOLOGIES: Nil

3. DECLARATIONS OF INTEREST:

Mr Colin Parkyn declared an interest in Agenda Item 6.3.1 as he personally knows a representor. Mr Parkyn advised that he would not participate in discussion on the application nor vote.

4. CONFIRMATION OF MINUTES:

4.1 ORDINARY MEETING - Held 28th November 2013

Moved Mr Roocke, Seconded Mr Thompson

That the Minutes of the Ordinary Meeting of the Flinders Regional Development Assessment Panel held on 28th November 2013 as circulated, be confirmed.

CARRIED

Mr Parkyn noted that the Minutes of the 30th August 2013 Meeting (which were confirmed at the 28th November 2013 Meeting) were still incorrect in that he had made a declaration of interest for Item 6.3.1 – DA 502/015/13 Michael Jones.

4.2 IN COMMITTEE MEETING - Held 28th November 2013

Moved Mr Roocke, Seconded, Mr Thompson

That the Minutes of the In-Committee Meeting of the Flinders Regional Development Assessment Panel held on 28th November 2013 as circulated, be confirmed;

And

That the Minutes be released to the public.

CARRIED

5. BUSINESS ARISING FROM MINUTES:

NIL

6. APPLICATIONS FOR CONSIDERATION:

6.1 THE FLINDERS RANGES COUNCIL

NIL

6.2 DISTRICT COUNCIL OF MOUNT REMARKABLE

NIL

6.3 DISTRICT COUNCIL OF ORROROO CARRIETON

6.3.1 DA 502/020/13 – Rachel Bass – Keeping of Dogs (6) Kennels

The Agenda Report advised the Panel of the details of the application for the keeping of six (6) dogs in kennels at 9754 RM Williams Way, Yatina – Lots 100, 101, 102 Yatina.

Mr Hardbottle asked if there is any Council specific By-Laws for the keeping of dogs (e.g. number). Phil Denniston, Council's Development Officer, advised that he was not aware of any By-Law. Stephen Rufus, CEO of the District Council of Orroroo advised that he was not aware of one and that if there is, it is a separate matter to this application.

Panel Members were able to ask the applicant, Ms Rachel Bass, questions in relation to the application:

- She lives on-site
- Management of noise e.g. barking dogs: dogs don't bark a lot, only at vehicles driving along back roads cause them to bark or other animals passing by.
- There will be a maximum of 6 dogs. Could have puppies but will giveaway.
- Dogs are not desexed.
- The kennels have been in place for the last 6 months.
- She has always had a lot of dogs.
- The dogs are for the protection of the yabbie farm that she runs.
- The dogs are locked up during the day and let run out at night.
- She has had RSPCA involvement for the application.
- The dogs are 5 x Shepherds and 1 x Rottweiler.
- They are not vicious dogs, may have a go if people are entering the yard at night. Have not bitten before. Chickens run around and the dogs don't touch them.
- She has high fences around their yard.

Discussion occurred with the applicant regarding an extra condition that could be imposed regarding the external fences to the property to be dog proof.

A question was posed from the Presiding Member to the Phil Denniston regarding the yabbie farm – was this a consent use? It was advised that it was approximately 20 years ago that this was given Council consent.

Stephen Rufus sought approval from Panel Members to provide unofficial comment on the application and conditions that could be imposed. Panel Members provided their approval. Stephen Rufus advised he recommended that 2 additional conditions be imposed along the lines of "that fencing be established and maintained to the satisfaction of the Council and that puppies be kept for a period of no longer than 6 months".

Discussion between Panel Members occurred and agreed that 3 months would be a more effective timeframe to keep the puppies for.

The applicant, Ms Rachel Bass, advised that she would agree to these conditions.

Further questions were posed to the applicant who advised the following:

- Noise concerns: has never had complaints before.
- She is trying to do the right thing by lodging this application.
- A Development Application for kennels were suggested to be lodged by Council. Furthermore, Police have been involved and they suggested separate kennels for the dogs.
- It is 300 metres to nearest house (the former Hotel) which does not have full time residents and permanent residents are further again.
- She can't hear dogs barking inside her house.
- She has had dogs on the property for the period of the yabby farm.
- Population of Yatina: 5 in her house, Cowey x 2, Barry (unknown surname) x 1, Bishops x 3
- How often have dogs escaped? Never

The Development Officer went through the 3 conditions that were recommended in the Planning Report circulated with the Agenda. The applicant advised that condition 2 (septic tank) has already been complied with.

Moved Mr Thompson, Seconded Mr Roocke

That Development Application 502/020/13 that seeks to develop the Keeping of Dogs (6) (Kennels) at 9754 RM Williams Way, Yatina - Lots 100, 101, 102 Yatina is **not** seriously at variance with the District Council of Orroroo Carrieton Development Plan, Consolidated 22nd November 2012;
and

That Development Plan Consent be **granted** to Development Application 502/020/13 for the Keeping of Dogs (6) (Kennels) at 9754 RM Williams Way, Yatina - Lots 100, 101, 102 Yatina subject to the following conditions:

1. That the noise from the kennels be attenuated with a further noise reducing barrier between the kennels and the objectors to the south and the RM Williams Way road frontage that will reduce the noise from barking dogs by 5 decibels, measured at the front of the old hotel site (or noise attenuation to the satisfaction of the Council's Environmental Health Officer).
2. Drainage of the kennel hose down shall be with an impervious drainage area that delivers the hosed down waste into an approved septic tank and disposal field.
3. Cleaning of the kennels is to be maintained at a level that keeps the animals clean and healthy and prevents the production of odour or breeding of flies or other insects.
4. Exterior fences to be erected and maintained at the property to the satisfaction of the Council.
5. Puppies only to be kept at the premises up to 3 months of age.

CARRIED

Ms Bass departed from teleconference at 11.25am.

6.4 DISTRICT COUNCIL OF PETERBOROUGH

NIL

7. ANNUAL REPORT

7.1 2013-2014 Annual Report

The 2013-2014 Annual Report was circulated with the Agenda Report.

Moved Mr Hardbottle, Seconded Mr Roocke

That the Flinders Regional Development Assessment Panel Annual Report for 2013-2014 be received.

CARRIED

8. OTHER BUSINESS:

8.1 THE FLINDERS RANGES COUNCIL NIL

8.2 DISTRICT COUNCIL OF MOUNT REMARKABLE NIL

8.3 DISTRICT COUNCIL OF ORROROO CARRIETON NIL

8.4 DISTRICT COUNCIL OF PETERBOROUGH NIL

8.5 PUBLIC OFFICER

Moved Mr Thompson, Seconded Mr Roocke

That pursuant to the provisions of Subsection 34 (18b) of the Development Act 1993, that Mr Peter Joseph McGuinness, Chief Executive Officer of the District Council of Peterborough, be appointed as the Public Officer of the Flinders Regional Development Assessment Panel for a term concluding at the end of 2016.

CARRIED

The Presiding Member thanked Colin Davies for his service as Public Officer during the last 2 years.

8.6 OTHER GENERAL BUSINESS

As this was the last Meeting of the current Panel Members, the Presiding Member wished Members all the best for the future and for the coming elections for those continuing. Mr Roocke advised that he is retiring from Local Government. All Members wished Mr Roocke all the best for retirement and thanking him for his valued input to this Panel and Local Government.

Colin Davies requested that following the elections, Councils will need to provide their appointed Panel Member details to the new Public Officer.

Panel Members extended thanks to the Presiding Member in her role.

9. NEXT MEETING: No date was set for the next Meeting of the Panel

10. CLOSURE: 11.33am