

MINUTES

of the

Council Assessment Panel Meeting

of the



Pursuant to the provisions of section 83 of the
Planning, Development and Infrastructure Act 2016

HELD via

Electronic Means

on

**Wednesday 4 May 2022
at 5.30pm**

The Presiding Member formally declared the meeting open at 5.30pm and acknowledged the Kaurna People as the Traditional Custodians of the Land.

1. ATTENDANCE RECORD

1.1 Present

Mr Nathan Cunningham	Presiding Member
Mr Ian O'Loan	Independent Member
Mr Paul Mickan	Independent Member
Mr Aaron Curtis	Independent Member

Also in Attendance

Assessment Manager	Mr David Roberts
Planning Officer	Mr George Jacks
Administration Support Officer/Minute Taker	Miss Abbey Cook
IT Support Officer	Mr Sean Murphy

1.2 Apologies:

Ms Margherita Panella	Council Member
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2. CONFIRMATION OF MINUTES

2.1 Confirmation of Minutes – Meeting held 2 February 2022

Moved Ian O'Loan

Seconded Paul Mickan

“that the minutes of the Council Assessment Panel meeting held on Wednesday 2 February 2022, be accepted as read and confirmed.”

AGREED

3. DECLARATION OF MEMBERS' INTERESTS

Nil

4. REPORTS FOR DECISION UNDER THE PLANNING, DEVELOPMENT & INFRASTRUCTURE ACT 2016

4.1 21028566 – Construction of kennel and puppy shelters and the keeping of up to 46 greyhounds in association with an existing dwelling – R Romyn – Lot 61 – 31-33 Germantown Road Two Wells – CT 5387/425

Representor Shane Cowey addressed the Panel and Staff

Chair Nathan Cunningham gave 1 minute notice to Representor Shane Cowey

Independent Member Ian O’Loan addressed Representor Shane Cowey

Representor Shane Cowey answered questions of Ian O'Loan

Applicant Rebecca Romyn joined the meeting and addressed the Panel

Independent Member Aaron Curtis asked questions of the Applicant

Applicant Rebecca Romyn answered questions of Aaron Curtis

Independent Member Paul Mickan asked questions of the Applicant

Applicant Rebecca Romyn answered questions of Independent Member Paul Mikan

Independent Member Ian O’Loan asked questions of the Applicant

Applicant Rebecca Romyn answered questions of Independent Member Ian O'Loan

Independent Member Paul Mickan addressed the Panel

Independent Member Ian O’Loan asked questions of staff through the Chair

Planning Officer answered questions of Independent Member Ian O'Loan



Independent Member Aaron Curtis asked questions of Staff

Assessment Manager answered questions of Independent Member Aaron Curtis

Planning Officer answered questions of Independent Member Aaron Curtis

Independent Member Aaron Curtis asked further questions of Staff

Planning Officer answered questions of Independent Member Aaron Curtis

Chair Nathan Cunningham asked questions of staff

Planning Officer answered questions of Independent Chair Nathan Cunningham

Independent Member Paul Mickan asked questions of staff

Planning Officer answered questions of Independent Member Paul Mickan

Independent Member Ian O'Loan addressed the Panel

Independent Member Aaron Curtis addressed the Panel

Independent Member Paul Mickan addressed the Panel

Chair Nathan Cunningham addressed the Panel

Independent Member Ian O'Loan addressed the Chair

Independent Member Aaron Curtis addressed the Chair

Assessment Manager addressed the Chair and Independent Members

Independent Member Paul Mickan answered questions of Assessment Manager

Independent Member Aaron Curtis answered questions of Assessment Manager

Assessment Manager addressed the Panel

The Panel delegates authority to the Assessment Manager to draft a condition requiring the applicant to undertake landscaping adjacent the buildings to soften and obscure the built form when viewed from adjoining properties

Moved **Ian O'Loan**

Seconded

Aaron Curtis

RECOMMENDATION

It is recommended that the Council Assessment Panel resolves that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

2. Development Application Number 21028566 by Ms Rebecca Romyn for Construction of kennel and puppy shelters and the keeping of up to 46 greyhounds in association with an existing dwelling at Lot 61, 31-33 Germantown Road Two Wells is GRANTED Planning Consent, pursuant to Section 102(a)(i) of the Planning, Development and Infrastructure Act 2016, and subject to the following conditions and advisory notes:

CONDITIONS

Planning Consent

1. The development must be undertaken and completed in accordance with the details, plans, specifications and correspondence submitted with and forming part of this application, except where varied by any condition(s) below.
2. The external walls and roof of the kennels and any associated pens, yards and fencing must be maintained to an acceptable standard of appearance and condition at all times to the satisfaction of Council.
3. The greyhounds must be managed and attended to on a regular basis and be appropriately supervised to ensure noise is managed to minimise adverse impacts to owners or occupiers of land in the locality.
4. The kennelling, associated structures and yards must be cleaned regularly to prevent the accumulation of waste and the potential creation of unsanitary conditions to the reasonable satisfaction of Council's Environmental Health Officers.
5. The walls and roof of the kennel and puppy shelter must be appropriately insulated in accordance with provided "Proposed Private Greyhound Keeping Facility" plan to provide protection against extreme temperatures and to reduce noise from barking.
6. Manure and other solid waste generated by the keeping of greyhounds on the land shall be collected and removed regularly in accordance with provided "Proposed Private Greyhound Keeping Facility" plan in an appropriate manner to avoid offensive odours to adjacent or nearby sensitive receivers to the reasonable satisfaction of Council.
7. The kennel structure must include a lint filter on the drainage system to the satisfaction of Council's Environmental Health Officer
8. The feeding of any animals on the subject land must not result in offensive odours that may cause nuisance to adjacent or nearby properties to the reasonable satisfaction of Council.
9. No more than 12 adult greyhounds to be outdoors during the evening time period
10. The runs associated with the puppy shelters must not be used for training of greyhounds
11. Greyhounds are to be kept indoors during night-time period (10:00pm – 7:00am) and all doors and windows of the shed to remain closed.

12. No more than 26 adult greyhounds and 20 puppies shall be at the facility at one time.
13. A 1.4m high solid fence must be constructed around the runs associated with the puppy shelters.

4.2 PDI Act Delegations 2016

Independent Chair addressed the Panel

Assessment Manager addressed the Panel through the Chair

Independent Member Paul Mickan asked Staff to provide statistics on the applications that have come through the CAP.

Moved

Paul Mickan

Seconded

Aaron Curtis

RECOMMENDATION

That the Council Assessment Panel:

1. In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 4 May 2022 and entitled [INSTRUMENT C, INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL] are hereby delegated this 4 of May 2022 to the position of Assessment Manager subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
2. The delegated powers and functions may be exercised individually by each delegate in respect of any particular matter where the delegate is required or proposing to act in the course of their duties.
3. Such powers and functions may be further delegated by the Assessment Manager in accordance with Section 100(2) (c) of the Planning, Development and Infrastructure Act 2016 as the Assessment Manager sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

AGREED

5. REPORTS FOR INFORMATION

Nil

6. OTHER BUSINESS

Independent Member Ian O'Loan queried the expressions of interest for Independent Members for the CAP.



Manager Development Assessment answered questions of Independent Member Ian O'Loan

7. CONFIDENTIAL ITEMS

Nil

8. NEXT MEETING

Wednesday 1 June 2022

(To be confirmed)

9. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6:45pm.

Confirmed as a true record.

Presiding Member:.....

NATHAN CUNNINGHAM

Date: 5 / 4 / 2023

