ITEM 1  WELCOME:
Mr BG Ballantyne welcomed Panel members, staff and visitors to the meeting.

ITEM 2  PRESENT:
Independent members: Mr BG Ballantyne, Mr G Parsons, Ms R Perkin, Ms E Anspach.
Council members: Mrs RL Centofanti
Council Staff: Mrs CG Pedler (Berri Barmera Council Development Officer – Planning), Mr GS MacInnes (Planning Officer – District Council of Loxton Waikerie), Ms S Jardine (Renmark Paringa Council Town Planner) and Miss Alexa Angeletti (Environmental Services Assistant – Renmark Paringa Council)
David Altmann & Maddie Dobbin (Development Answers Pty Ltd)

ITEM 3  APOLOGIES: Mrs M Malthouse, Mr M Chown.

ITEM 4  CONFIRMATION OF MINUTES:
MOTION (RRDAP 217/15):
That the Minutes of the Meeting held on 9 April 2015 be taken as read and confirmed.
Mrs R Centofanti / Mr G Parsons CARRIED

ITEM 5  BUSINESS ARISING FROM THE MINUTES:
Nil

ITEM 6  DECLARATION OF INTEREST BY MEMBERS OF PANEL:
Nil

ITEM 7  HEARING OF REPRESENTATIONS:
A hearing of representations was held in respect of Item 8.1 – Development Application 551/184/13.
The following representors addressed the Panel:
Gary & Dee Fitzpatrick, Trevor Norton (on behalf of Brenton & Maria Hogg) and Louis Moss
Susan O’Toole responded to the representations on behalf of the applicant.

A hearing of representations was held in respect of Item 8.2 – Development Application 753/070/14
The following representors addressed the Panel:
John Gordon
Dennis Batge responded to the representations on behalf of the applicant.

There was no hearing of representations in respect of Item 8.3 – Development Application 753/026/15.
The representor was not present at the meeting.
ITEM 8 REPORTS:

Item 8.1 Development Application 551/184/13 – L McLachlan

<table>
<thead>
<tr>
<th>Application No:</th>
<th>551/184/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Authority:</td>
<td>District Council of Loxton Waikerie</td>
</tr>
<tr>
<td>Applicant:</td>
<td>L McLachlan</td>
</tr>
<tr>
<td>Owner:</td>
<td>L McLachlan</td>
</tr>
</tbody>
</table>
| Description of proposed development: | Intensive Animal Keeping (Dog Kennels), comprising of:  
  - Building work for expansion of existing kennels (approved via Development Application 511/348/00), recovery clinic and quarantine building  
  - The keeping of up to 60 dogs only (varying Condition 5 of Development Application 511/348/00 that limited the number of animals to 24 animals)  
  - Acoustic mounds, acoustic treatments, landscaping, car parking and associated infrastructure  
  - The demolition and decommissioning of various unauthorised structures and associated rehabilitation of land. |
| Property details: | Lot 100 in DP64198, Hundred Moorook, Swanbury Road, Moorook North |

MOTION (RRDAP 218/15):
1. Pursuant to subsections 34(12)(a)(viii) of the Development Act 1993, the Riverland Regional Development Assessment Panel orders that the public be excluded from the meeting, with the exception of:  
   - Berri Barmera Council - Development Officer – Planning  
   - District Council of Loxton Waikerie – Planning Officer, Team Leader Regulatory Services, Director Corporate and Community Services, Development Answers Pty Ltd – David Altmann and Maddie Dobbin  
   - Renmark Paringa Council – Town Planner, Environmental Services Assistant  
   on the basis that it will consider legal advice and information which relates to Development Application 551/184/13.
2. Accordingly, on this basis, the Riverland Regional Development Assessment Panel is satisfied that the principle that meetings of the Development Assessment Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Mrs R Centofanti / Ms E Anspach CARRIED

Members of the public left the meeting at 2:10pm

MOTION (RRDAP 219/15):
Resumption of open panel meeting:
The Riverland Regional Development Assessment Panel resumed open meeting at 2:35PM.

Mr G Parsons / Ms R Perkin CARRIED
MOTION (RRDAP 220/15):
1. The Riverland Regional Development Assessment Panel determines that pursuant to Section 35(2) of the Development Act, Development Application 551/184/13 is not seriously at variance with the Loxton Waikerie Development Plan.
2. The Riverland Regional Development Assessment Panel, pursuant to Section 33(1) of the Development Act, determines to grant Development Plan Consent to Development Application 551/184/13 by Lola McLachlan for Intensive Animal Keeping (Dog Kennels) comprising of:
   - Building work for expansion of existing kennels (approved vide Development Application 511/348/00), recovery clinic and quarantine building.
   - The keeping of up to 60 dogs only (varying Condition 5 of Development Application 511/348/00 that limited the number of animals to 24 animals).
   - Acoustic mounds, acoustic treatments, landscaping, car parking and associated infrastructure.
   - The demolition and decommissioning of various unauthorised structures and associated rehabilitation of land at Lot 100 in DP64198, Hundred Moorook, Swanbury Road, Moorook north subject to the following conditions and advisory notes:
     2.1 Development is to take place in accordance with the supporting documentation and plans relating to Development Application Number 551/184/13, except as modified by any conditions attached to this Decision Notification, specifically:

<table>
<thead>
<tr>
<th>Documents/plans</th>
<th>Dated</th>
<th>Prepared By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site plans, demolition plan, floor plans, landscaping plan and elevations – Plans</td>
<td>May 2015 (issued to the</td>
<td>Integral Planning and Design</td>
</tr>
<tr>
<td>labelled May 2015.01, 02, 03, 04, 05, 06, 07, 08, dated May 2015.</td>
<td>District Council of Loxton</td>
<td></td>
</tr>
<tr>
<td>Waikerie on 15 May 2015)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Noise Assessment.</td>
<td>April 2015, reference S4535C1</td>
<td>Sonus Pty. Ltd. for Integral Property Development</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solutions Pty. Ltd.</td>
</tr>
<tr>
<td>Additional information email sent to Daniel Walton at DEWNR from Integral</td>
<td>30 March 2015</td>
<td>Integral Property Development Solutions Pty. Ltd.</td>
</tr>
<tr>
<td>Property Development Solutions Pty. Ltd.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Letter - response to representations.</td>
<td>26 March 2015</td>
<td>Integral Property Development Solutions Pty. Ltd.</td>
</tr>
<tr>
<td>Letter - additional information.</td>
<td>30 September 2014, reference</td>
<td>Integral Property Development Solutions Pty. Ltd.</td>
</tr>
<tr>
<td>011401.14.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Report (Statement of Effect)</td>
<td>30 September 2014</td>
<td>Integral Property Development Solutions Pty. Ltd.</td>
</tr>
</tbody>
</table>
2.2 The kennels/enclosures and the cattery as shown on the Site and Demolition Plan (Plan 2015.03, May 2015) shall be decommissioned and demolished. The area of land associated with the decommissioning and demolition of kennels/enclosures and the cattery shall be rehabilitated by making and keeping the area clean and tidy, the removal of all materials and goods from the land, and the provision of landscaping to the satisfaction of the District Council of Loxton Waikerie. These works shall be undertaken within three (3) months of the use or occupation of the kennels herein approved.

2.3 The additional 36 dogs the subject of this authorisation shall only be kept in the kennels/enclosures herein approved and must not be housed in the structures which are to be decommissioned pursuant to Condition 2 of this authorisation.

2.4 No more than 60 dogs (including puppies) shall be kept on the site at any one time.

2.5 No feeding of dogs shall occur between the hours of 8:00pm and 7:30am.

2.6 No individual dog shall be kept upon the subject land for a period of greater than two (2) months.

2.7 No animals other than dogs shall be housed or sheltered on the site at any time following development approval.

2.8 The whole area surrounding the kennels/enclosures shall be securely fenced, and such fences shall be maintained and kept shut where necessary to prevent the straying of dogs.

2.9 Landscaping as shown on the approved plans (inclusive of landscaping of the acoustic mounds) shall be completed prior to the use or occupation of the development herein approved and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

2.10 Additional landscaping shall be planted within the subject land of at least 10 metres wide along the Swanbury Road property boundary, and comprise of native trees and shrubs of approximately 3-4 metres high. The landscaping shall be completed prior to the use or occupation of the development herein approved and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

2.11 Acoustic treatment of the kennels' structure and also the area surrounding the kennels to be undertaken in accordance with the details submitted by Sonus Pty. Ltd. April 2015, prior to use or occupation of the development herein approved.

2.12 Any stormwater falling within the kennel exercise yards is assumed to be contaminated and must be directed to the kennel wastewater collection, storage and disposal system.

2.13 Prior to use, the kennels herein approved must have an impervious floor that drains to the wastewater collection system.

2.14 Prior to use, the kennels herein approved must be connected to one of two wastewater collection, storage and disposal systems, each of which is designed for 30 dogs, and is constructed and operated so as not to result in the contamination of any water resource (surface or underground).

2.15 Solid waste from the kennels/runs must be collected daily and contained within sealed bins, prior to removal off-site weekly, in a manner that does not result in the contamination of any water resource (surface or underground) and in a manner such that odour does not cause a nuisance beyond the boundaries of the site. The waste receptacles are not to be located on the District Council of Loxton Waikerie road verge and must be located in accordance with the approved plans.

2.16 Any mortalities must be removed from the kennels immediately on discovery and be disposed of off-site within 24 hours.
2.17 Car parking areas depicted on the plans herein approved shall be constructed in accordance with Australian Standard AS 2890 Parking facilities.

2.18 Driveways and car parking areas shall be paved or surfaced, drained and marked to accepted engineering standards prior to the use or occupation of the development herein approved and shall be maintained in good condition at all times to the satisfaction of the District Council of Loxton Waikerie.

2.19 Effective measures are to be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
   • prevent silt and water run-off from the land to adjoining properties, roads and drains;
   • control dust arising from the construction and other activities, so as not to, in the opinion of the District Council of Loxton Waikerie, be a nuisance to residents or occupiers on adjacent or nearby land;
   • ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site and;
   • ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure.

2.20 In the rare event of the kennels herein approved being subject to inundation of flood waters from the River Murray (site located on periphery of the 1956 flood plain of the River Murray) the kennels and acoustic mounds the subject of this authorisation must be completely or partially demounted in accordance with the information accompanying the application and also in accordance with the Notes attached to this authorisation from the Department of Environment, Water and Natural Resources.

2.21 In such a rare flood event, the owner/applicant may create alternative emergency housing for the dogs housed in the kennels at that time on the site to the satisfaction and approval of the District Council of Loxton Waikerie. This condition is only contemplated in the rare event of the approved kennels being inundated by flood waters only, and is not for any other situation. Emergency housing must be removed from the site as soon as flood waters subside, to the reasonable satisfaction of the District Council of Loxton Waikerie. This condition does not allow the applicant/owner to house dogs outside of the approved kennels in any other circumstances. Condition 4 of this authorisation must be adhered to at all times.

Department of Environment, Water and Natural Resources Conditions:

2.22 During demolition and construction activities the property must be managed in a manner as to prevent erosion and pollution of the subject site and the environment, including keeping the area in a tidy state and ensuring any waste materials are appropriately contained to ensure no pollutants (including excavation or fill material) enter the River Murray system.

2.23 Any fill material brought to the site must be clean and not contaminated by construction or demolition debris, industrial or chemical matter, or pest plant or pathogenic material.

2.24 Any excavation or fill material surplus to the requirements of the development must be disposed of such that it will not:
   a. be located within the 1956 floodplain;
   b. adversely impact native vegetation;
   c. impede the natural flow of any surface waters;
   d. allow sediment to re-enter any water body;
   e. facilitate the spread of pest plant and pathogenic material.

2.25 Stormwater run-off from any structures associated with the development must be managed to prevent erosion or pollution of the site and the environment, and diverted away from wastewater disposal areas, such as septic tanks and aerobic systems. Connection to a water storage tank would assist in complying with this condition.
Department of Environment, Water and Natural Resources Notes:

a. The applicant is advised of their general duty of care under the River Murray Act 2003 to take all reasonable measures to prevent any harm to the River Murray through his or her actions or activities.

b. The following actions should be taken within 24 hours of a flood warning being issued for the district so as to not impede any floodwaters, pollute water resources or become a safety hazard:
   - Completely or partially demount all solid structures such that floodwaters can flow through the area relatively unimpeded;
   - Remove any materials that may pollute water resources (eg. chemicals, pesticides, waste etc.), and transport them to a site above the 1956 flood level.

c. If the applicant wishes to use water (other than for firefighting purposes) from the River Murray Prescribed Watercourse or wells, then they may be required to apply to the Department of Environment, Water and Natural Resources for a water licence, pursuant to the Natural Resources Management Act 2004. Further, a permit is required from the Department for any work to be carried out on a well or for new wells to be drilled. For further information contact the Department on 8595 2053 or visit: http://www.environment.sa.gov.au/licences-and-permits/water-licence-and-permit-forms.

d. The River Murray and many of its tributaries and overflow areas have abundant evidence of Aboriginal occupation and Aboriginal sites, objects or artefacts may be present on the subject land (eg. scarred trees, campsites, burial sites, middens, etc). Under section 20 of the Aboriginal Heritage Act 1988 (the Act), an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land of any Aboriginal sites, objects and remains to the Minister responsible for the administration of the Act, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act.

e. If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine relevant requirements under the Native Vegetation Act 1991 and its Regulations, which may include the provision of a Significant Environmental Benefit. Note that ‘clearance’ means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information contact the Native Vegetation Council on telephone 8303 9741 or visit: http://www.nvc.sa.gov.au.

f. The applicant is strongly encouraged to incorporate locally indigenous plant species into any landscaping, screen planting or revegetation activities at the site to enhance the natural character of the locality, stabilise soils and provide habitat for native species. For information on appropriate species to be planted, please contact State Flora at Bremer Road, Murray Bridge on telephone 8539 2105, or within Belair National Park on telephone 8278 7777 or visit: http://www.stateflora.sa.gov.au.

g. This approval does not obviate any considerations that may apply to the Environment Protection and Biodiversity Conservation Act 1999 (Cth). For further information visit: http://www.environment.gov.au/epbc.
Other Notes:

h. No work can commence on the development herein approved unless a Development Approval has been obtained. Building Rules Consent must be obtained within 12 months of this notice prior to Development Approval being granted.

i. Separate approvals will be required (at the Building Rules/Development Approval stage) pursuant to the SA Public Health (Wastewater) Regulations, 2013 (and any related legislation) for on-site wastewater and effluent disposal, prior to the commissioning of such.

j. Any person proposing to undertake building work within the District Council of Loxton Waikerie is reminded of their obligation to take all reasonable measures to protect Council infrastructure. Any incidental damage to the infrastructure - pipes, footpath, verge, street trees etc. must be reinstated to a standard acceptable to the District Council of Loxton Waikerie at the applicant’s expense.

k. Any advertising signage proposed for the facility may require Development Approval from the District Council of Loxton Waikerie. All appropriate consents should be obtained prior to the erection of any signage.

l. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

m. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: http://www.epa.sa.gov.au

Mr G Parsons / Ms E Anspach CARRIED

Item 8.2 Development application 753/070/14 – Cavalier Homes Riverland

<table>
<thead>
<tr>
<th>Application No:</th>
<th>753/070/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council:</td>
<td>Renmark Paringa Council</td>
</tr>
<tr>
<td>Relevant Authority:</td>
<td>Council</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Cavalier Homes Riverland</td>
</tr>
<tr>
<td>Owner:</td>
<td>John Pearce</td>
</tr>
<tr>
<td>Description of development:</td>
<td>Variation To DA 753/127/08: Part change of land use – horticulture to office/light industry</td>
</tr>
<tr>
<td>Property details:</td>
<td>20187 Renmark Avenue, RENMARK SA 5341</td>
</tr>
</tbody>
</table>

MOTION (RRDAP 221/15):


2. The Riverland Regional Development Assessment Panel determines to grant Development Plan Consent to Development Application 753/070/2014 subject to the concurrence of the Development Assessment Commission with the following conditions:
   2.1 Development must take place and be maintained in accordance with the supporting documentation and plans relating to Development Application 753/070/2014 except as modified by any conditions attached to this Decision Notification.
   2.2 The hours of operation of the premise must not exceed the following periods, Monday to Friday 6:00am – 6:00pm.

Mr G Parsons / Mrs R Centofanti CARRIED
Item 8.3 Development application 753/026/15 – Rockford Homes

<table>
<thead>
<tr>
<th>Application No:</th>
<th>753/026/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council:</td>
<td>Renmark Paringa Council</td>
</tr>
<tr>
<td>Relevant Authority:</td>
<td>Council</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Rockford Homes</td>
</tr>
<tr>
<td>Owner:</td>
<td>Benmat Pty Ltd</td>
</tr>
<tr>
<td>Description of development:</td>
<td>Tourist accommodation comprising 28 units, manager / amenities building and swimming pool</td>
</tr>
<tr>
<td>Property details:</td>
<td>Lot 270, 269, 23, 24 &amp; 25 Pauline Street / Hughes Avenue, PARINGA SA 5340</td>
</tr>
</tbody>
</table>

MOTION (RRDAP 222/15):

1. The Riverland Regional Development Assessment Panel determines that Development Application 753/026/2015 is not seriously at variance with the Renmark Paringa Council Development Plan.

2. The Riverland Regional Development Assessment Panel determines to grant Development Plan Consent to Development Application 753/026/2015 subject to the concurrence of the Development Assessment Commission with the following conditions:
   2.1 Development must take place and be maintained in accordance with the supporting documentation and plans relating to Development Application 753/026/2015 for Tourist accommodation comprising 28 units, manager/amenities building and swimming pool, except as modified by any conditions attached to this Decision Notification.
   2.2 The finished floor level of the building must be a minimum of 300mm (or 600mm depending on relevant area) above the adjacent natural ground level.
   2.3 All stormwater from roofs, tanks and sealed areas must be discharged into the street stormwater system, or appropriately managed on site by a suitably designed drainage system to ensure management of excess water in a manner that will not impact on the site or premises adjoining the site of the development.
   2.4 All external lighting must be directed away from residential development and, if necessary, shielded to prevent light spill causing nuisance to the occupiers or those residential premises.
   2.5 Any verandah areas must not be enclosed without the prior written consent of Council.
   2.6 The proposed landscaping must be established on the site in accordance with the approved plan (Site Plan prepared by Rockford Homes Riverland dated 01/05/2015) prior to the occupation of the development and must be maintained in good condition at all times to the reasonable satisfaction of Council. Any such landscaping must be replaced if it dies or becomes seriously diseased.
   2.7 Ancillary activities including refuse storage, cleaning equipment storage, and clothes/linen drying must be screened to the reasonable satisfaction of the Council.
   2.8 The development must be connected to an approved waste control system. Applications for approval of a waste control system must be assessed by Council prior to commencement of any plumbing work.
   2.9 The development is to be used only for short-term tourist accommodation and not for permanent human habitation.

Mr G Parsons / Mrs R Centofanti CARRIED
ITEM 9 OTHER BUSINESS:

9.1 Annual Report

MOTION (RRDAP 223/15):
That the 2014 RRDAP Annual Report be sent to the three Councils for their information.

Mrs R Centofanti / Ms E Anspach CARRIED

ITEM 10 NEXT MEETING:
Thursday 9 July 2015

ITEM 11 CLOSE:
3:20 pm

Date: ________________________ 2015
Signed

______________________________
Mr BG Ballantyne

The Berri Barmera Council, District Council of Loxton Waikerie, Renmark Paringa Council
Minutes of the meeting of the Riverland Regional Development Assessment Panel, to be held on Thursday 11 June 2015.

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