

SUMMARY OF SUBMISSIONS

PA23/537 – Lot 2, 302 Leipold Road, Oldbury - Amendment to Approved Dog Kennel - Proposed Increase in Capacity

| Submitter | No | Submitter Comments | Officer Comment |
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| | 1 | <p>I am writing to express my concerns regarding the recent application by the property owner at 302 Leipold Road to increase the number of dogs allowed on the premises during the day from 15 to 30, with 15 dogs to be kept overnight. While I understand that property owners have the right to utilise their space, I am apprehensive about the potential consequences of increasing the number of dogs on the property. My primary concern revolves around the potential noise and disturbances that a larger number of dogs will generate. I have substantial concerns that this proposal might adversely affect our community in several ways</p> <p>As you are aware, dogs have a tendency to bark, especially when placed in a group setting. Such increased barking could disturb the peaceful environment that many of us in the community have come to cherish. Since the business opened at 302 Leipold Road, there has been a noticeable increase in barking, as is often expected with commercial dog facilities. However, if the number of dogs is doubled during the day and maintained overnight, I fear that this barking issue will escalate significantly. Our area currently has a serene atmosphere, which we greatly value, and this could be disrupted by this incessant noise, potentially impacting our ability to enjoy our homes and outdoor spaces without undue disturbances.</p> <p>Moreover, I am also concerned about the impact this proposed increase might have on local traffic. Our area is already contending with traffic-related challenges, and an increase in the number of dogs could potentially lead to a corresponding increase in visitors. This, in turn, could result in additional vehicles traversing our already strained roads. Given the poor condition of the road infrastructure in our community, I am concerned that this additional traffic could lead to further deterioration of the roads, creating safety hazards and inconveniences for residents.</p> <p>Taking these concerns into account, I kindly request that the local council conducts a thorough assessment of the potential consequences associated with the proposed increase in the number of dogs at 302 Leipold Road. As the council's primary responsibility is to ensure the well-being and harmony of the community, I believe it is crucial to weigh the potential benefits against the potential disruptions this change might introduce.</p> <p>In conclusion, I firmly express my opposition to the proposed increase in the number of dogs at 302 Leipold Road due to the aforementioned concerns regarding noise disturbances, increased traffic, and the already fragile condition of our local roads. I trust that the local council will give careful consideration to these concerns when making a decision on this matter.</p> | <p>Thank you for your submission. Your concerns regarding noise and traffic. This has been addressed within the Amenity and Traffic sections of the report.</p> |

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| | | <p>I would also would like for the council to respect my privacy and confidentiality in this matter and to not have my private information such as name and address disclosed</p> <p>Thank you for your attention to these important matters that impact our community. I look forward to hearing from you regarding the steps being taken to address these concerns.</p> | |
| <p>APPLICANT RESPONSE Submission 1 to</p> | | <p>We understand the concerns raised about increased barking, which can indeed be expected in a group setting with dogs. However, the acoustic report outlines we are noise compliant for the additional dogs (Acoustic Report, page 12). Moreover, during the noise level assessment 3.2 on the Acoustic Report, page 6, monitoring at P1 (Leipold Rd) the <i>“dog barking noise was inaudible”</i>. We have also taken several proactive measures to ensure that the increase in the number of dogs during the day and overnight stays will not result in an escalation of barking disturbances.</p> <p>Professional Staff: The dedicated team of trained professionals is experienced in canine behaviour. They closely monitor the dogs to identify and address any potential sources of distress or excessive barking. This includes implementing behaviour modification techniques and ensuring that the dogs have a comfortable and stimulating environment.</p> <p>Structured Playtime: We have structured playtimes, rest periods, and enrichment activities to keep the dogs mentally and physically engaged. This approach helps to minimize boredom and reduce the likelihood of excessive barking.</p> <p>Distance: We carefully designed our facility to be located at a safe distance from our neighbours, which significantly reduces the potential for noise disturbances to the surrounding area.</p> <p>Continuous Monitoring: We provide 100% structured day care with dog attendants with the dogs 100% of the day. The dogs are never left in kennels to bark and a person is with them to monitor and supervise all day.</p> <p>Every dog enrolled in DDFS undergoes training, and adherence to DDFS requirements/standards is mandatory. Dogs failing to meet these standards are not accepted into the program.</p> | <p>N/A</p> |

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| | | <p>We will maintain an open line of communication with our neighbours and are committed to addressing any concerns promptly. Our goal is to coexist harmoniously with the community and ensure that our activities do not disrupt our peaceful environment. We have never received any complaints from any neighbours about any aspect of our business.</p> <p>Our aim is not only to provide excellent care for our furry friends but also to be responsible members of our community. We understand the importance of preserving the serene atmosphere that our neighbourhood offers, and we are dedicated to ensuring that Doggy Days and Farm Stays does not disrupt that.</p> | |
| First Submission | 2 | <p>I write in regard to lot 2, 302 Leipold road Dog kennel. This kennel at mentioned address was passed at the ordinary council meeting on Monday 15th February 2021.</p> <p>This approval had several conditions that had to adhered to. The main condition of approval was to only kennel 15 dogs during the day and 6 dogs overnight.</p> <p>Today being the 5th September 2023 some 25-30 dogs are currently on the property (photo's available on request). The noise from the now well over 15 dogs is becoming increasingly loud and unacceptable. An annual noise report was taken on 11th May, on Leipold Rd, some 600m from the kennels.</p> <p>Since this report was gathered a substantial increase in dog numbers has occurred and traffic has increase, showing no respect for the council approval conditions nor their neighbour's</p> <p>We respectfully request that these dog numbers and the excessive noise are urgently looked into, being they do not conform to the councils conditions of approval.</p> | <p>Thank you for your submission. Your concerns regarding noise, dust and traffic. This has been addressed within the Amenity and Traffic sections of the report.</p> <p>Additionally, the conditions recommended seeks to ensure suitable waste management practices are put in place to mitigate impacts of nutrient export to nearby drains or groundwater.</p> |
| Second Submission | 2 | <p>We wish to object strongly to the proposed amendment to approved dog kennels on the following grounds.</p> <p>The ordinary Council meeting on Monday 15th February 2021, Approved the original application based on several conditions that had to be adhered too.</p> <ol style="list-style-type: none"> Dust; The applicant was to water driveway morning and night. This has never occurred, to the point now the traffic has increased due to greater number of dogs then approved, we over dry months are continually being covered in dust from battle axe driveway. | |

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| | | <p>As a matter of fact over the summer months our weaned calves in paddock east of battle axe drive way all had to be treated for pink eye due to excessive dust in the air. We are now at a point that if this continues we will at our cost hire dust monitors to collect dust measurements and issue results to EPA and the shire health department for action.</p> <p>2. Noise; A noise management plan was to be implemented to maintain noise levels so to not adversely affect our property. This is not occurring as the dogs barking has rapidly become loader and loader to a point it is now at beyond acceptable levels. We believe this is mainly due to dog numbers already being greater than 15. On the 5th of September some 25-30 dogs were counted on the property. (surely this nonconforming to council approval's show the applicants ignorance to the Shire and us as neighbours). An annual noise report was gathered on the 11th May 2023. This was taken on Leipold Rd, some 600m from the kennels. Again if this continues we will at our cost hire noise monitors and record data for issue to the Shire heath department and the EPA for action.</p> <p>3. Winter Drain; Us as an accredited MLA beef producers, we are required to adhere to strong Bio-Security measures. Having dog kennels with large numbers excrement in the winter drain that flows southwards through the dog day yards, through our farm paddocks before entering the shire drainage system surely is unacceptable to the shires Heath department regulations. Something I believe the Water Corporation would be very interested in discussing. This makes it extremely difficult to control sufficient Bio- security measures.</p> <p>4. Traffic; In consideration to the new application, our question is how does a 3m wide battle axe driveway accommodate 30 cars up and back am and 30 cars up and back pm. This totals 120 vehicles per day on a single lane drive. It has been witnessed that when electric gate fails or delayed in opening traffic has built up on Leipold Rd. Being this road is only a single lane asphalt with no turning slip lane , nor acceptable overtaking area, it is creating a potential accident. We point out this battle-axe drive already services three permeant residences, coming and going as they rightly please.</p> <p>We moved here 22 years ago to enjoy our farm in Rural Farming Area (not dog kennels).</p> | |
| APPLICANT RESPONSE Submission 2 | | <p>1. Dust - The original driveway surface was indeed limestone, as previously mentioned. Initially, our driveway featured a light-coloured limestone surface, which tended to generate a considerable amount of dust when vehicles passed over it. In March 2022, in</p> | N/A |

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| | | <p>an effort to mitigate dust-related issues and uphold our commitment to environmental responsibility, we opted to refurbish the driveway using recycled bitumen. Our primary goal was to minimize dust production and its potential effects on the nearby environment, especially the adjacent properties. This combined with the strict speed limit of 20km/hr for us and our clients reduces visible dust omitted when using the driveway.</p> <p>Pink eye in calves is more commonly observed during the summer months and can be attributed to various factors, including the availability of summer grass and infected pastures, the presence of flies, close contact with other animals during yarding and feeding, and indeed dusty conditions. We find it challenging to establish a direct association between our driveway and the occurrence of pink eye in calves.</p> <p>We appreciate the neighbour's vigilance in ensuring a clean environment and their willingness to hire dust monitors to collect measurements. We are fully supportive of this effort and will cooperate with them to ensure accurate and reliable data is collected and shared with the Shire.</p> | |

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Initial Driveway



In Progress



Finished

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| | | Furthermore, the play areas for the dogs are surfaced with natural ground cover that minimises dust. | |
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Ground Cover in Dog Paddock

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| | | <p>2. Noise</p> <p>Acoustic Engineer Assessment:</p> <p>It is true that we engaged an independent acoustic engineer to conduct acoustic readings to ensure that we operate in a manner that respects our neighbours and maintains compliance with council approvals. We value the expert guidance provided by the acoustic engineer. We want to clarify that the readings were taken at various locations, including within the dog area, within our home, and at locations chosen by the acoustic engineer to provide a comprehensive assessment of noise levels. The readings were conducted impartially, without our influence, to ensure accuracy and compliance with regulatory standards. The acoustic report details the noise generated by the proposal, and these noise levels fall comfortably within acceptable limits.</p> <p>The Acoustic Report finalises with the Compliance Assessment on page 12.</p> <p><i>“ Table 6-2 presents a compliance assessment. It is shown that the adjusted noise levels are below the assigned noise levels at all receivers for all scenarios. This demonstrates that full compliance is achieved for the proposed DDFS extension.”</i></p> <p>Number of Dogs on the Property:</p> <p>Regarding the concerns raised about the number of dogs on the property, we want to clarify that it has never been our intention to breach these limits. We maintain that there has never been any situation where 25-30 dogs were on the property at one time.</p> <p>Noise Levels and Upcoming Noise Monitors:</p> <p>We understand our neighbours ongoing concerns about noise levels, especially as it relates to the dog population. We are dedicated to addressing these concerns and will continue to work diligently to comply with council regulations. We appreciate their proactive stance in hiring noise monitors to record data. Transparency and accurate data are essential in addressing this matter effectively, and we will cooperate the neighbours if they wish to collect this data and provide it to the Shire.</p> <p>When our capacity is reached, we will restrict outdoor activities for dogs to half of the group at a time, while the remaining dogs will stay in the backyard.</p> | N/A |


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| | | <p>The noise concerned raised about a distance of approx. 600 meters closely aligns the proximity of P1 and R4, as indicated in the acoustic report on page 14. The complainant resides at R4, and according to the noise monitoring data on page 6, the acoustic assessment recorded a noise level P1 (Leipold Rd), where the <i>“dog barking noise was inaudible”</i>.</p> <p>Currently, we have dogs residing in our home, and we are diligent about preventing them from barking. It's important to highlight that our residence is also our primary dwelling, and at night, the dogs peacefully sleep within. It's crucial for us that they remain quiet during night-time, as any disruption in the form of barking would significantly impede our ability to sleep.</p> <p>Our primary goal is to maintain a positive relationship with our neighbours while providing a safe and harmonious environment for the dogs in our care. We will continue to work toward addressing noise concerns and maintaining compliance with council regulations.</p> <p>We want to highlight that we have never received any noise-related complaints at our property.</p> <p>3. Winter Drain</p> <p>Accredited MLA Beef Producers:</p> <p>It's important to emphasise that we are accredited MLA beef producers too, and we are fully committed to adhering to stringent bio-security measures. We ensure that all dog excrement is promptly picked up, collected, kept in airtight containers and disposed of. We want to clarify that there is no excrement flowing into any drainage system, and the dog area does not interact with the Water Corporation drain located at the western end of our property. We are dedicated to maintaining the integrity of our bio-security measures and ensuring they are not compromised by our dog care operations.</p> <p>4. Traffic</p> <p>Operation of a Bus and Varied Arrival Times:</p> <p>We would like to clarify that we operate a bus that collects approximately half of the dogs that attend our day care. Our clients that drop off and pick up arrive between the hours of 7am and 9.30am, and then again between 2.30pm and 5.30pm with arrivals spread across</p> | |

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| | | <p>various times within these windows. The front gate has been recessed to allow for 4 cars to pull into the driveway at a single time without any effect to the road. This approach is designed to prevent traffic congestion on the road, and we do not have cars backed up down the road as a result of these improvements from the original development.</p>  <p style="text-align: center;"><i>DDFS Bus</i></p> <p>Concerns About Battle-Axe Driveway Traffic:</p> <p>We understand the concerns raised about the capacity of the 3m wide battle-axe driveway to accommodate the traffic associated with our business. The question regarding how it can handle 30 cars in the morning and 30 cars in the evening is valid. We appreciate the vigilance of our neighbours in observing the potential traffic issues. We would like to clarify the following points:</p> <p>The traffic issues that may arise when our electric gate either fails or experiences delays in opening, leading to a temporary buildup of vehicles on Leipold Rd. We acknowledge that Leipold Rd is a single-lane asphalt road with no turning slip lane or overtaking areas, which can create concerns for traffic safety. To address these concerns, we are committed to working closely with our clients to ensure efficient entry and exit, preventing traffic buildup</p> | |

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| | | <p>on Leipold Rd. We have designed our front gate, so it is recessed from the road, safely allowing 4 cars to pull in off the road before entering the gate.</p> <p>We also would take immediate measures to address any gate-related delays if they were to occur and have potential solutions to minimize any impact on road safety. For example, if the gate does not open, it can be opened manually with the override key and left open for the duration of the day.</p> <p>The driveway spans a width of more than 6 meters and features three dedicated pull-off bays. Furthermore, along the entire length of the driveway, excluding the gate entries, two cars can comfortably pass each other by utilising the level grass shoulder that we mow and maintain and as such no traffic delays will be experienced.</p> <p>We have not had any traffic difficulties in the time we have been operational.</p> | |

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Example of a passing bay

We acknowledge that the battle-axe driveway already services three permanent residences and respect their right to come and go as they please. Our goal is to be considerate neighbours and to operate in a way that is harmonious with the existing community.

We acknowledge the community's desire to maintain the traditional rural character of the area. It's important to highlight that our application is in full compliance with the allowed land use for rural properties within the Serpentine Jarrahdale Shire. Our intention is to provide a solution for dogs who may not have adequate space to exercise, alleviating issues associated with the diminishing backyard sizes. Our aim is to create a welcoming

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| | | <p>environment where dogs can run and play freely, returning home tired and content. This rural setting is ideally suited for our business, enabling dogs to thrive. We also plan to coexist harmoniously with our small herd of beef cattle and horses on the property, ensuring that all our residents, both canine, bovine and equine, live in harmony with one another and with our community.</p> | |
| | 3 | <p>I am <u>extremely opposed</u> to the application to increase the number of dogs in this kennel. This is NOT a kennel zone.</p> <p>We experience the noise of incessant barking for hours at a time and this disturbs our enjoyment of our property.</p> <p>I wish to lodge my distress at this proposal.</p> <p>I objected to the original application and attended the meeting where it was discussed and spoke about my concerns.</p> <p>We have already had some of our horses traumatized by being chased by unrestrained dogs and as such they are sensitized to the noise of barking dogs. I have been hearing loud barking which lasts for sometimes hours that comes to our property. This morning was an example. It does depend on which way the wind is blowing to some extent, however the noise carries for a long distance and disturbs our activities frequently.</p> <p>I would like to lodge my objection to this proposal in the strongest terms possible.</p> | <p>Thank you for your submission. Your concerns regarding noise and zoning. This has been addressed within the Amenity and Land Use sections of the report.</p> |
| APPLICANT RESPONSE submission 3 | to | <p>As noted above, our application is in full compliance with the allowed land use for rural properties within the Serpentine Jarrahdale Shire.</p> <p>We believe that the incessant barking noise this neighbour is experiencing may originate from a different property, potentially one closer to their home. We do not have evidence of such persistent barking on our property, and we are committed to maintaining an environment where barking occurs during an activity time for short periods, never any extended periods of time.</p> <p>Throughout our various rest periods during the day, the dogs return to the house. While we sit outside to eat, take breaks, and so on, the dogs stay in a smaller enclosure, under constant supervision. Any and all barking is dealt with immediately.</p> | N/A |

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| | | <div data-bbox="763 316 1496 865" data-label="Image"> </div> <p data-bbox="846 882 1413 914">Smaller back yard near the house for dogs.</p> <p data-bbox="517 933 1742 1066">We have heard of the unrestrained dogs at this neighbour's property, these alleged dogs causing this disturbance originate from a neighbouring property and have no connection to my property or business. Our dogs have never escaped our premises due to the presence of a council-mandated 1.8m high chain mesh fence that secures the perimeter of the dog area.</p> | |

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Dog Boundary Fences Photo 1 & 2 is the boundary to the North, South, and East. Photo 3 is the boundary to the West

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| | 4 | <p>Whilst at this stage there has been very little impact on our property I would raise the question of where do you stop once you have given an initial approval. 2 days a week and 15 dogs with 6 overnight was the original approval and this restricted operating hours must have been given for a reason. If approved the business moves to 5 days a week and 30 dogs with 15 overnight. There are kennel zones to cater for these types of operations. The next step will be 7 days a week and more dogs which based on experience does become very noisy.</p> | <p>Thank you for your submission. Your concerns regarding noise. This has been addressed within the Amenity section of the report.</p> |
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| APPLICANT RESPONSE 4 | | We will stop at the allowed number as outlined by the Shire. Initially we were given approval for 5 day per week. We also need a break and do not intend to operate dog day care on weekends ever. | N/A |
| | 5 | I am objecting to the extension of more dog kennels because of extra barking dogs | Thank you for your submission. Your concerns regarding noise. This has been addressed within the Amenity section of the report. |
| APPLICANT RESPONSE 5 | | <p>As previously mentioned, we've outlined our strategies for addressing barking dogs, considered our proximity to neighbours, referenced the acoustic report findings, and also point out our residence is within the buffer zone of the commercial developments.</p> <p>As noted above, the acoustic report outlines that full compliance is achieved for the proposed extension and barking dogs should not be a problem to the surrounding properties.</p> | N/A |