Wendy Joy

From: Steven Blyth <[redacted]>
Sent: Wednesday, 20 July 2022 2:53 PM
To: Ashwin Nair
Cc: Norman Heslington; Steven Blyth
Subject: RE: 846 Rowley Road, Oakford - Proposed Apiary - Submission

Dear Ashwin

In response to the submission opposing the proposed apiary (undated), and provided to our client for comment on 5 July 2022, we respond on behalf of our client as follows:

1. Because you have not specified the property or property owner who makes the submission, our client is denied procedural fairness and cannot fully and properly respond to the objection.

2. If the property that is objecting is the road train depot property immediately to the east of Lot 39, then we make the following observations:

    - Our client does not accept, and has no knowledge, of any child being allergic to bees.

    - Our client does not accept the alleged condition, and no medical evidence has been provided to support the proposition.

    - The proposed location of the bee hives appears to be 150 metres or thereabouts from the residence of that property.

    - There are already 2 wild bee hives on our client's property, which are adjacent to the property that is objecting – those bee hives were observed by Ashwin Nair when he inspected the property and they are nested in steel coils. The existence of those wild bee hives has not been the subject of any complaint or action.

    - It goes without saying that the subject property and the said adjacent property are in a rural setting and bees are a natural part of the amenity of the area.

    - There is nothing to suggest that the bee hives our client proposes to use will in fact increase the risk to the child in question.

    - The proposed location of the bee hives is likely to be in the order of 50-100 metres from the boundary to the adjacent property that is objecting.

    - The bees that our client will introduce will no doubt venture far and wide for food supplies, and the vegetation in the general locality is well dispersed, meaning the bees themselves will be well dispersed, and there is no evidence that they will swarm where it is alleged that "the children play".

    - The objector is incorrect when suggesting the existing shed is of timber frame – it is of a metal frame and the Shire can inspect to verify that should it so desire.

    - The balance of the objection concerning beekeeper registration, the shed not being structurally sound (of which there is no evidence to that effect), and other comments are irrelevant or not relevant planning considerations.

Regards,

Steven Blyth | Director

SJB LEGAL

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