



Objection - Development Application No. 16-2021-926-1

Animal Liberation submission
to Port Stephens Council



We acknowledge the
Traditional Owners of
country throughout
Australia and recognise
their continuing
connection to land, waters
and culture.

We acknowledge that this
document was written on
land stolen from and
never ceded by the
Gadigal People.

We pay our respects to
their Elders past, present
and emerging.





We don't have a duty to **speak** for the animals;
we have an obligation to be **heard** for the animals.

Matt Ball (2006)

DOCUMENT DETAILS

Animal Liberation. 2021. A submission by Animal Liberation in response to the DA 16-2021-926-1 lodged by Miss Erin Daniel which Animal Liberation believes to be on behalf of Mr. Alexander Verhagen, for the formalisation of existing use of an Animal Boarding and Training Establishment (operating without consent) at 8 Cook Drive Swan Bay 2324, in the Port Stephens Local Government Area. Sydney: Animal Liberation.

Prepared by Lisa J Ryan and Alex Vince.

ABOUT ANIMAL LIBERATION

Animal Liberation has worked to permanently improve the lives of all animals for over four decades. We are proud to be Australia's longest serving animal rights organisation. During this time, we have accumulated considerable experience and knowledge relating to issues of animal welfare and animal protection in this country. We have witnessed the growing popular sentiment towards the welfare of animals, combined with a diminishing level of public confidence in current attempts, legislative or otherwise, to protect animals from egregious, undue, or unnecessary harm. Our mission is to permanently improve the lives of all animals through education, action, and outreach.

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CONTACT & ENQUIRIES

Animal Liberation

Suite 378/846-850 Military Road, Mosman NSW 2088
ABN: 66 002228 328
Web: www.al.org.au
Email: alex@animal-lib.org.au
Phone: (02) 9262 3221

Contact: Lisa J Ryan

Cover photo courtesy of Jo-Anne McArthur / WeAnimals

DISCLOSURE

In line with section 147(4) of the Environmental Planning and Assessment Act 1979, Animal Liberation confirms its understanding and acceptance that any submissions made in respect of the proposed development are available for public inspection under the provisions of the Government Information (Public Access) Act 2009 (GIPA Request).

In line with Amendments to Local Government and Planning Legislation requiring the public disclosure of donations or gifts when lodging or commenting on development proposals, Animal Liberation discloses and confirms that it has not made any political donations and/or of gifts in the 2 years preceding the application.

19 November 2021

Port Stephens Council

Via email: council@portstephens.nsw.gov.au

emily.allen@portstephens.nsw.gov.au

We present this submission on behalf of Animal Liberation.

Animal Liberation is very grateful to the Port Stephens Council for the opportunity to lodge a late submission in response to Development Application (DA) No 16-2021-926-1 for the formalisation of existing use of an Animal Boarding and Training establishment which has, as we understand it, been operating without consent, at 8 Cook Drive Swan Bay 2324, in the Port Stephens Local Government Area (LGA).

We request that it be noted from the outset that the following submission is not intended to provide an exhaustive commentary or assessment in response to the issues contained within the scope of the DA, and/or, the corresponding Statement of Environment Effects (SEE) and plans.

Animal Liberation only became aware of this DA on 15 November 2021 by which time the relevant Applicant DA documents were no longer publicly available. In line with the Government Information (Public Access) Act 2009, we immediately lodged a completed GIPA Application Form with council to access these documents.

The specific DA documents we have sought include:

- App 1_Proposed Plans_8 Cook Dr Swan Bay
- App 3_Odour Assessment_8 Cook Dr Swan Bay Architectural Plans
- App 4_Acoustic Letter_8 Cook Dr Swan Bay Air Quality
- App 5_Civil Engineering Plans_8 Cook Dr Swan Bay
- App 6_AHIMs Search Results_8 Cook Dr Swan Bay
- App 7_DBYD Search Results_8 Cook Dr Swan Bay
- App 8_Deposited Plan_8 Cook Dr Swan Bay,
- App 9_Wastewater Report_8 Cook Dr Swan Bay

- App 10_Site Photos_8 Cook Dr Swan Bay
- App 11_Preventative Action Notice_8 Cook Dr Swan Bay
- Owner's Consent_8 Cook Dr Swan Bay
- Statement of Environmental Effects

In spite of our efficiency and the professional assistance provided by council staff, the documents we have sought are not available to us at the time of compiling this submission. We are however sufficiently concerned about this planning proposal, that even in the absence of these DA documents, we wish to lodge this submission for council's informed consideration during its assessment of the applicable DA.

Our submission is intended to provide a general examination and responses to select areas of key concern. As such, the absence of discussion, consideration or analyses of any particular aspect or component must not be read as or considered to be indicative of consent or acceptance. For the purposes of this submission, Animal Liberation's focus covers aspects that we believe warrant critical attention and response in line with information available to us.

We are highly experienced and competent in reviewing and assessing DA's in line with the applicable local and state government planning instruments, and in compiling evidenced-based, comprehensive and compelling objections where warranted. It is disappointing that we cannot contribute to council's assessment in such a manner in this instance.

We understand this DA will not be referred to councillors for a decision and that the applicable decision will be made by council staff. We respect the experience and knowledge of competent planning staff. However, we are extremely concerned that this matter involves a facility that has been operating without consent, the welfare of a large number of animals, and significant public interest.

We would accordingly strongly encourage council's planning staff to refer any decision to elected councillors during the next available council public meeting to ensure full transparency and public input.

We confirm Animal Liberation is strongly opposed to the greyhound racing

industry and its inherent and entrenched culture and exploitation of greyhounds who are forced to run for gambling profits. This industry contributes to animal suffering and significant animal welfare issues and results in high numbers of greyhound injuries, deaths, over-breeding and missing greyhounds.

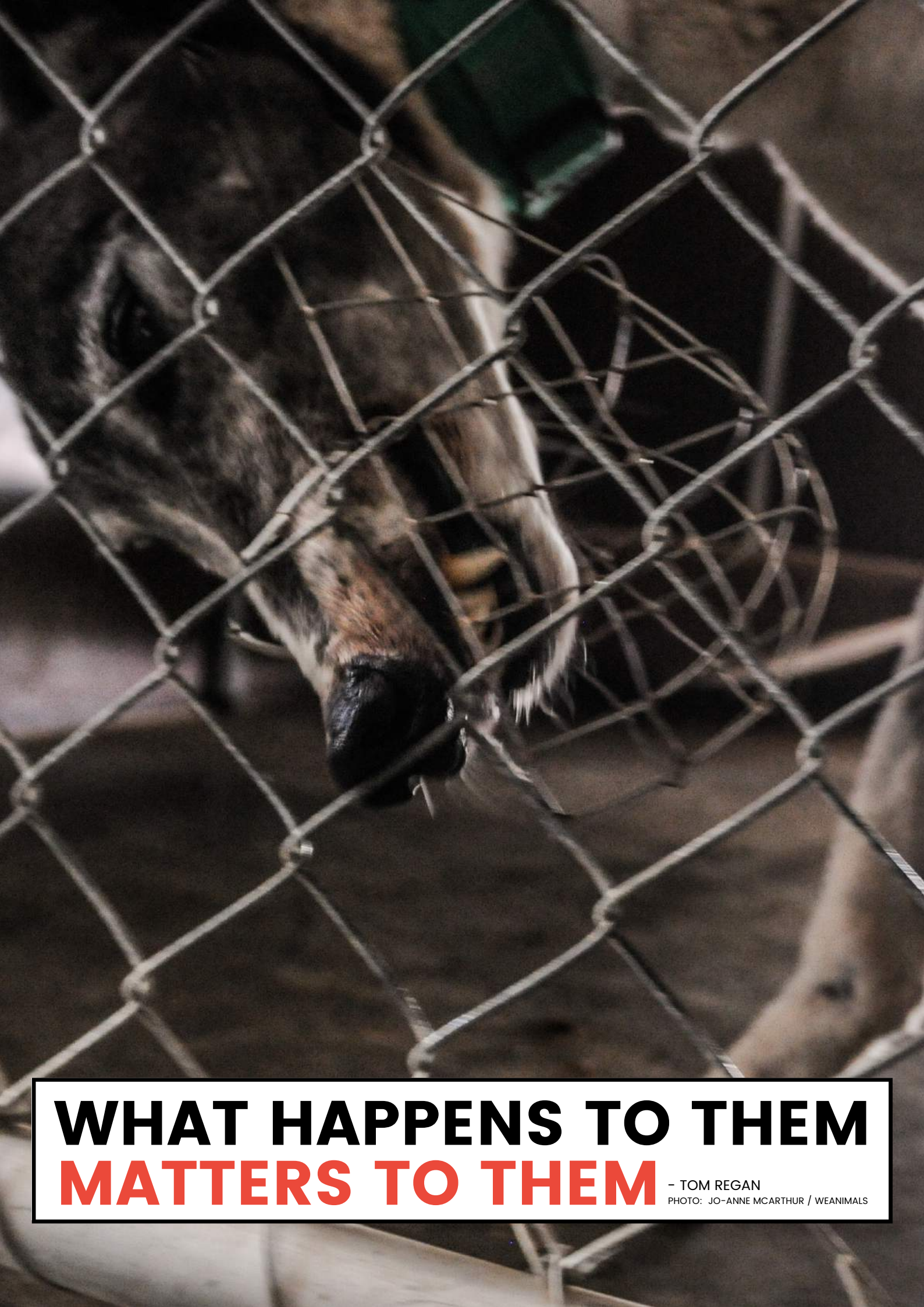
Animal Liberation has no 'economic' or 'vested interest' pertinent to this planning proposal, however, we care deeply about Animals, our shared Environment, and People including our 'humanity' which extends to our unique rural communities. We also support the democratic process of public exhibition and the right to have an opinion and voice that opinion, and we support and encourage a rigorous and robust Council assessment process.

Sincerely,

Lisa J Ryan
Regional campaign manager



Alex Vince
Campaign director



WHAT HAPPENS TO THEM
MATTERS TO THEM

- TOM REGAN
PHOTO: JO-ANNE MCARTHUR / WEANIMALS

1. INTRODUCTION

- 1.1 Animal Liberation understands that the assessing staff and decision-makers of Port Stephens Council ('PSC') have an onerous responsibility with this planning proposal and that the assessment review must remain independent, objective, and informed during the entire process. We acknowledge and appreciate that this planning proposal also includes risks and impacts including, strong public interest, which extends beyond the Port Stephens Local Government Area ('LGA'), and accordingly, carries an added and heavy burden of responsibility.
 - 1.1.1 Animal Liberation is strongly opposed to DA No 16-2021-926-1 lodged by Miss Erin Daniel, which Animal Liberation believes to be on behalf of Mr. Alexander Verhagen, for the formalisation of existing use of an Animal Boarding and Training Establishment (operating without consent) at 8 Cook Drive Swan Bay 2324, in the Port Stephens LGA.
- 1.2 As the primary consent authority, PSC is required to thoroughly assess the adequacy of information provided and the measures proposed by the Applicant, to mitigate any potential risks and impacts (including cumulative impacts). This is clearly outlined in the Environmental Planning and Assessment Act 1979 which requires Council to give due consideration to social impacts and public interest relating to any proposed development.
 - 1.2.1 All these considerations are accordingly an important and integral part of any comprehensive, objective and meaningful development assessment in line with the applicable planning instruments. Decision makers must consider current strong public perceptions, expectations, and the overwhelming public opposition towards the commercial housing of dogs and the greyhound racing industry.
- 1.3 The onus is on the Applicant to provide sufficient information and detail in their Statement of Environmental Effects ('SEE') to enable a comprehensive, objective and meaningful development assessment by the consent authority. While we have been unable to review the applicable DA documents, we note there is no Operational Plan, Animal Welfare Plan or Emergency Management Plan, and it is Animal Liberation's informed and experienced view that the Applicant has likely failed to address these important considerations, as is required in line with the applicable planning instruments.
 - 1.3.1 Due to circumstances outlined earlier, Animal Liberation has not been able to thoroughly review the SEE and plans

1.3.1 lodged by the Applicant. It is therefore not possible for us to provide specific comments. However, we question whether any aspect of this development triggers consideration under either Designated or Integrated planning and which State Environmental Planning Policies ('SEPPs') apply.

1.4 Animal Liberation is very familiar with the ongoing strong local community opposition and numerous valid concerns raised by the broad public about the greyhound racing industry and the intensive housing of companion animals, and we share these valid concerns.

1.5 We note the Applicant has acknowledged, in the redacted DA Application Form, that the DA is intended to 'formalise' an existing operation specific to Boarding and Training. Animal Liberation is very concerned that a facility involving large numbers of greyhounds has been operating without any consent and the applicable oversight. We would request council note that no inclusion of 'breeding' has been requested by the Applicant and in the event of DA approval, the applicable consent conditions must include a complete restriction on any breeding.

1.5.1 We also appreciate and note that in line with NSW planning laws, any DA approval consent is tied to the land rather than the Applicant or landowner. This is of serious concern to us because such an approval consent would allow the ongoing operation of this facility, with little if any oversight in regards to the welfare of many animals.



PHOTO: JO-ANNE MCARTHUR / WEANIMALS

2A. OBJECTION

APPLICANT AND OPERATOR

- 2.1 Whilst we note the Development Application Form for DA No 0520/21DA was lodged by Ms. Erin Daniel, Animal Liberation understands this DA has been lodged on behalf of Mr. Alexander Verhagen, for the formalisation of existing use of an Animal Boarding and Training Establishment which has been operating without consent.
- 2.1.1 We believe that it is reasonable to conclude that Mr. Verhagen's notable and verified history, substantiated by the findings of the inquiries outlined below, should form an important component of council's assessment and decision-making process in regards to the proposed DA.
- 2.2 Mr. Alexander Verhagen is a greyhound industry participant and breeder (MGGRC 2021). NSW tracks Mr. Verhagen has entered greyhounds include: Moree, Nowra, Dapto, Taree, Maitland, Richmond, Grafton, Gunnedah and the Gardens (Greyhound Recorder 2021).
- 2.3 The following is testimony, given by Mr. Verhagen, to the Select Committee at the Greyhound Welfare and Integrity Commission ('GWIC') inquiry on 27 May 2021. Where relevant, additional information contained within the McHugh Report (2016) is referred to. These inclusions provide a brief overview of Mr. Verhagen's previous involvement in the greyhound industry.
- 2.4 ***"I had a couple of unexplained deaths in the kennel. I had autopsies done by my local vet. The local vet said the pathologists do not know what caused the death of these dogs."***
- 2.4.1 Mr. Verhagen claims that the cause of these "unexplained deaths" was Escherichia coli ('E. coli') (Anon. 2015). Though E. coli has been associated with systemic infections and the death of dogs, this is associated with genetical tract infections and is therefore most pronounced in early life stages (Linde 1983; Beutin 1999). As it applies to the alleged cause of the "unexplained deaths" referred to by Mr. Verhagen, much of the risk is associated with food-borne infection (Hill 1998), particularly from raw, non-human grade meat (GRV n.d.-b).

- 2.4.2 It is vital to note and acknowledge that neither possibility or diagnosis removes Mr. Verhagen's responsibilities under the Prevention of Cruelty to Animals Act 1979 ('POCTAA'). Rather, given the symptoms described above, it is reasonable to conclude that an attentive person would recognise these as concerning and seek veterinary advice. The failure to provide such veterinary treatment, as per the provisions of POCTAA, constitutes an offence under state law (see Part 2, Section 5). This was amply explained in the final report of the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales, to which several important sections explicitly apply to Mr. Verhagen's conduct vis-a-vis the denial of veterinary attention to greyhounds in his care (McHugh 2016).
- 2.4.3 Though the industry provides a range of documents relating to nutrition and the importance of diet in greyhound health (GRV n.d.; GWIC n.d.), there are indications that this continues to present a problem (GRV 2021).
- 2.4.4 In August of 2020, GWIC issued a statement claiming that it had "placed the industry on notice" after finding that contaminated meat obtained from knackereries "could be responsible for positive swabs of prohibited substances", including ketamine or procaine . It noted that such prohibited substances may be used in 1 the "tranquillisation or euthanasia" of animals, whose corpses are subsequently processed into meat products (GWIC 2020).
- 2.4.5 The statutory authority of the NSW Government responsible for food safety and regulation, the Food Authority, explains that "knackereries do not include abattoirs slaughtering animals for human consumption" (NSW Food Authority n.d.). Under NSW Food Regulation 2015, a "knackery" means premises that are used for or in connection with the slaughter of animals for use as animal food (i.e., not for human consumption). Unlike abattoirs, knackereries are not required to comply with relevant state or territory legislation or regulations on the basis that they produce food for companion animals rather than food for human consumption (RSPCA Australia 2021). Further, the pet food industry is largely self-regulated under a voluntary standard (RSPCA Australia 2019). This has recently generated significant public concern.
- 2.4.6 In addition to the prohibited status of some substances associated with meat obtained from knackereries, the GWIC statement maintained that "the ingestion of these substances is harmful to the wellbeing of racing greyhounds". Despite this and the history of similar warnings (GRV 2018), however the Commission did not prohibit the use of meat obtained from knackereries in the

2.4.6 diets of racing greyhounds (GWIC 2020).

2.4.7 This high-risk approach to greyhound diets is mirrored elsewhere in the world. For example, in the United States raw meat obtained from rendering plants ('4-D meat') is regularly fed to greyhounds (Hertzke et al. 1995; Mee 2019). Such meat is often "rife with E-coli toxins", yet is used to "minimally sustain the greyhounds' nutritional requirements and athletic bodies" (Atkinson and Young 2005).

2.5

"I was one of the five trainers to give evidence at the commission of inquiry with Justice McHugh. I was one of those people there. I was the bloke who took dogs from Carroona to Kempsey to have them euthanised".

2.5.1 During the 2015 Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales, Mr. Verhagen explained that eight (8) dogs he described as "savaged" or "injured" were euthanised by a Kempsey Shire Council ('KSC') ranger for free. This example, which involved a 250km trip, was described as his preferred option over veterinarian involvement because the latter cost Mr. Verhagen money (approx. \$180) (Anon. 2015). In response, the KSC general manager maintained that the free euthanasia service was intended to curb the rise of abandoned dogs in the community, that they did not expect people from outside the LGA to utilise it and that Mr. Verhagen's usage was "not why the service is in place" (Ward 2015).

2.5.2 In the final report of the same inquiry (McHugh 2016), Mr. Verhagen is described as failing to have provided a greyhound ('Debbie Mulwee') who was injuring during a private trial with appropriate or timely veterinary attention. Rather, Mr. Verhagen is described as attempting to treat the injury himself (see s17.12 of the McHugh Report). When Mr. Verhagen gave evidence before the Commission, he explained that the intention was to rehabilitate Debbie Mulwee so that they could continue to serve as a brood bitch (i.e., a female used for breeding). When the injury did not heal, Mr. Verhagen used the services described above (see s17.13 of the McHugh Report).

2.5.3 As such, Mr. Verhagen has confessed to not taking greyhounds to a veterinarian prior to arranging for their euthanasia (see s17.39 of the McHugh Report). The McHugh Report indicates that this is in contravention of industry rules and the provisions of the Prevention of Cruelty to Animals Act 1979 ('POCTAA') (see s17/56 of the McHugh

- 2.5.3 Report). While experts cited in the McHugh Report state that “providing animal veterinary care is a basic level requirement” (see s17.54), this was not provided by Mr. Verhagen.
- 2.5.4 While Mr. Verhagen also admitted to the use of “muscle men” (i.e., individuals who carry out procedures on a greyhound who are not trained or qualified veterinarians), he maintained that the decision to do so was because such people can provide better treatment than veterinarians (see s17.40 of the McHugh Report). This is in spite of evidence given by Mr. Verhagen that veterinarians advise against the use of “muscle men” (see s17.39 of the McHugh Report).
- 2.5.5 Elsewhere, the Commission found that the primary motivating factor behind the use of “muscle men” is the comparatively low cost (see s17.42 of the McHugh Report) and the fact that they are more likely to carry out treatments or use substances that veterinarians would not (see s17.43 of the McHugh Report). As such, their use raises significant animal welfare concerns (see s17.53 and s17.54 of the McHugh Report).

2.6

“The ranger at Kempsey in the commission of inquiry is a good friend of mine. He said, “If you have dogs”—and this was at the time that there were no records kept—“I could euthanise them and dispose of them for you if they are broken down or whatever.” Which was fine; that was not a problem. I had a couple that I took up to him”.

- 2.6.1 The subsequent final report by Michael McHugh AC QC includes reference to a Senior Ranger of KSC who “took it upon himself” to euthanise animals who were injured on-track in the absence of a veterinarian. It also contains reference to the same individual would receive injured greyhounds so that they could be euthanased by him off-track (see s8.152 of the McHugh Report). The report also included sharp criticisms of the transfers to third parties, noting that this does not necessarily mean rehoming but could be for the purposes of euthanasia. The report cites the KSC ranger as one known official carrying out such a practice (see s9.29 of the McHugh Report). This individual, who did not have veterinary training, is recorded in the final report of the special commission as responsible for the killing of 46 greyhounds on R106 (‘Notification of Retirement’) forms submitted to GRNSW in the eight (8) months between February and September of 2015 (see s10.62 of the McHugh Report).

2.7

“At the commission of inquiry I thought I was going to be out of greyhounds for life”.

2.7.1 Following Mr. Verhagen’s testimony, his actions were described by others in the industry as those of a “bad apple” (Ward 2015). The findings outlined in the McHugh report indicate otherwise.

2.7.2 We further note that in May 2020, Mr. Verhagen was the subject of disciplinary action following an investigation by the Greyhound Welfare and Integrity Commission ('GWIC') for the detection of a prohibited substance (Cobalt) in greyhound ('Lady Brae') from a race meeting at Gunnedah on 8 September 2019. The pre-race urine sample revealed cobalt at a mass concentration of greater than 200 nanograms per millilitre. GWIC's investigation and subsequent penalties towards Mr. Verhagen included a 12-week suspension for breaching the industry's own Rule 83(2)(a).

2B. OBJECTION

GENERAL

- 2.8 We request council give informed and due consideration to the following matters during its assessment of the applicable DA:
- 2.8.1 Current inadequate NSW 'animal welfare' legislation does not meet the behavioural, social and/or emotional needs of dogs. Accordingly, facilities operating to these minimum standards do not provide dogs with a quality of life, and nor do they adequately prepare puppies or discarded dogs for life as human companions.
- 2.9 We acknowledge Council is somewhat constrained by current NSW planning legislation which permits the 'legal' intensive housing of companion animals, and that current NSW animal welfare legislation, regulations and the NSW Animal Welfare Code of Practice No 5 - Dogs and cats in animal boarding establishments and NSW Animal Welfare Code of Practice - Breeding Dogs and Cats, are all seriously outdated, inadequate, and provide bare minimal 'welfare' protection for animals. However, we respectfully remind Council that Section 4.15 of the Environmental Planning and Assessment Act 1979, Clause 1(e), requires and compels Council, as the consent authority, to consider "the public interest".
- 2.9.1 The commercial intensive housing of companion animals is a major animal welfare issue across Australia and increasingly so in NSW. It is Animal Liberation's strong recommendation that in consideration of the highly contentious nature, and the strong level of public interest in this DA, including the animal welfare issues which require specialist and expert input, Council has a duty and a responsibility to consult a recognised and authorised animal welfare agency such as RSPCA NSW through their Senior Inspector. Animal Liberation contends RSPCA NSW or RSPCA Australia guidance and input is essential.
- 2.10 We respectfully ask council to consider:
- 2.10.1 Whether the Applicant's DA, SEE and plans are confusing, void of critical information, or in any respects, potentially misleading. For example: has the Applicant only included selective information about the proposed development, but failed to provide sufficient detail regarding housing "sheds" and infrastructure, and/or the relationship between this infrastructure and the proposed operations, and any dog

- 2.10.1 boarding and training activities?
- 2.10.2 Similarly, has the Applicant failed to include any reference to consultation with the Office of Environment and Heritage ('OEH') or the Environment Protection Authority ('EPA')? Has there been adequate and informed consideration of 'buffers', which would accordingly prevent adequate assessment of noise, odour, biosecurity and disease management risks, impacts and mitigation measures, or consideration of environmental matters (including topography, weather patterns, soil, water and general heritage and biodiversity implications)? Animal Liberation contends EPA and OEH guidance and input is essential.

ADDITIONAL QUERIES

2.11 Has the Applicant:

- 2.11.1 provided an SEE that has failed to identify, respond to and address all risks and impacts including cumulative risks and impacts as required under Section 4.15 of the Environmental Planning and Assessment Act 1979?
- 2.11.2 provided an SEE that has failed to adequately demonstrate how they would monitor, avoid, minimise, mitigate and manage these risks and impacts as required under Section 4.15 of the Environmental Planning and Assessment Act 1979?
- 2.11.3 relied on numerous assumptions and is the SEE generally void of adequate justification or evidence to support any non-evidenced conclusions?
- 2.11.4 failed to consider other relevant and applicable State Environmental Planning Policies ('SEPPs'), and other relevant planning instruments as contained in the Local Environment Plan ('LEP') and Port Stephens Council Development Control Plan 2014 ('DCP 2014')?

2.12 Does the Applicant's SEE:

- 2.12.1 reference to existing infrastructure and/or approval of a shed or sheds on the subject land, include consent for the breeding and housing of puppies and dogs?

- 2.12.2 demonstrate any consultation with or consideration of sensitive receptors and the community including consideration of applicable buffer zones and adequate assessment of noise, odour, biosecurity, disease management and emergency planning considerations?
- 2.12.3 demonstrate any consultation with relevant agencies to obtain expert technical guidance or input including the NSW Royal Society for the Prevention of Cruelty to Animals ('RSPCA'), the NSW Environment Protection Agency ('EPA') or the NSW Office of Environment and Heritage ('OEH')?
- 2.12.4 fail to consider and/or address "public interest" and the required relevant NSW animal welfare legislation, including details about the daily and ongoing welfare needs of any dogs and puppies? Has the Applicant adequately demonstrated their compliance with the relevant NSW animal welfare legislation?
- 2.13 Finally, how does the proposed development provide any benefit to the local community or the public at large and how would it be in the "public interest"?
- 2.14 In summary, any lack of detail and/or omitted detail in the Applicant's DA and SEE will greatly restrict council's ability to undertake a comprehensive, objective and meaningful development assessment in line with the mandatory and applicable planning instruments and public expectations.

2C. OBJECTION

LEGISLATION AND PLANNING INSTRUMENTS

2.15 In addition to applicable planning Instruments and regulations, and Government Guidelines; Council must also take the following matters into consideration in line with Section 4.15 of the Environmental Planning and Assessment Act 1979. The provisions of particular interest are:

- 1(b) the likely impacts of that development including environmental impacts on both the natural and built environments and social and economic impacts in the locality;
- 1(c) the suitability of the site for the Development;
- 1(d) any submissions made in accordance with this Act or the Regulations and;
- 1(e) the public interest.

2.16 Animal Liberation contends that any lack of detail and omitted detail in the Applicant's DA and EIS will greatly restrict Council's ability to undertake a comprehensive, objective and meaningful development assessment in line with the mandatory and applicable planning instruments and public expectations.

2.16.1 Such omissions can impede sound and effective assessment and decision-making can become problematic and flawed, and can potentially lead to serious, adverse, ongoing, permanent and irreversible consequences.



3. SUMMARY AND CONCLUSION

- 3.1 Port Stephens Council is compelled to act impartially and ensure the correct and consistent application of local, state and federal legislation, including the objective and transparent assessment of planning proposals. Councillors are elected to represent everyone in the community, including balanced consideration of matters which hold strong public interest. It is imperative that decision-makers don't ignore public interest, or place the unsustainable, short-term, economic benefits of a privately owned commercial business ahead of the welfare of animals, the environment or the long-term best interests of the broad community.
- 3.2 Animal Liberation thanks Council for reading and considering our objection. For all the above reasons, we are requesting Council refuse this DA.



PHOTO: JO-ANNE MCARTHUR / WEANIMALS

SOURCES AND REFERENCE MATERIAL

APPLICANT DOCUMENTS	Development Application Form 0520/21DA lodged by Miss Erin Daniel which Animal Liberation believes to be on behalf of Mr Alexander Verhagen, for the formalisation of existing use of an Animal Boarding and Training Establishment (operating without consent) at 8 Cook Drive Swan Bay 2324, in the Port Stephens Local Government Area (LGA).
PLANNING INSTRUMENTS AND COUNCIL DOCUMENTS	Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Act Regulation 2000 NSW State Environmental Planning Policies Port Stephens Council Local Environmental Plan 2013 Port Stephens Council Development Control Plan 2014
ANIMAL WELFARE LEGISLATION AND POLICY	Animal Welfare Code of Practice No 1 - Companion Animal Transport Agencies Code of Practice for Breeding, Rearing and Education Code of Practice for the Keeping of Greyhounds in Training Race Day Hydration and Hot Weather Policy Trial Track Policy Companion Animals Act 1998 Companion Animals Regulation 2008 Companion Animals Breeding Standards NSW Greyhound Welfare Code of Practice NSW Animal Welfare Code of Practice – Breeding Dogs and Cats NSW Animal Welfare Code of Practice No 5 - Dogs and cats in animal boarding establishments Prevention of Cruelty to Animals Act 1979 Prevention of Cruelty to Animals Regulations 2012
OTHER	Anonymous. 2015. Greyhound trainer avoids vets, drives 250km to have dogs euthanised free. <i>The Guardian</i> , 17 November. — — —. 2021. Horse meat is now the focus for authorities. <i>Gippsland Times</i> , 2 August. Atkinson, M. and Young, K. 2005. Reservoir dogs: greyhound racing, mimesis and sports-related violence. <i>International Review for the Sociology of Sport</i> , 40(3): 335-356. Beutin, L. 1999. <i>Escherichia coli</i> as a pathogen in dogs and cats. <i>Veterinary Research</i> , 30: 285-298. Carpenter, J., Andelman, N., Moore, F. and King, N. 1988. Idiopathic cutaneous and renal glomerular vasculopathy of greyhounds. <i>Veterinary Pathology</i> , 25: 401-407. Cook, H. 2021. 'You don't expect horse meat': Victorian investigators probe mysterious dog deaths. <i>The Age</i> , 30 July. Field, E. and Davis, R. 2021. Dog owners criticise pet-food regulator as more dogs die in Victoria. <i>ABC News</i> , 13 July. — — — and Burns, A. 2021. Pet food crisis deepens with spotlight on NT horse meat, questions over recalls. <i>ABC News</i> , 2 August. Greyhound Racing New South Wales (GRNSW). 2012. Procaine in NSW greyhound racing. Available via www.grnsw.com.au/uploads/Procaine%20Fact%20Sheet.pdf .

SOURCES AND REFERENCE MATERIAL

OTHER (CONT.)

---. Greyhound Racing NSW Annual Reports – 2013, 2014, 2015, 2016, 2017, 2018, 2019.

Greyhound Racing Victoria (GRV). n.d.-a. Nutrition fact sheet. Available via www.greyhoundcare.grv.org.au/wp-content/uploads/2019/04/Welfare_Fact_Sheets_2019_Nutrition.pdf.

---. n.d.-b. Veterinary fact sheet: frequently asked questions – nutrition. Available via <https://fasttrack.blob.core.windows.net/fasttrackpublic/stewardsHearing/2020/frequently%20asked%20questions%20-%20nutritionc0ba5957-6c3f-4163-8979-028fff3ca0a7.pdf>

---. 2018. RADB delivers warning over knackery meat. Available via www.grv.org.au/news/2018/06/25/radb-deliverswarning-over-knackery-meat.

---. 2021. Increase to penalties regarding knackery meat, other human foods and personal medication matters. Available via [https://fasttrack.blob.core.windows.net/fasttrackpublic/stewardsHearing/2021/warning%20to%20industry%20increase%20in%20penalties%20b%20update%2018_05_21%20754%20final%20so_%20\(0_02\)48f0f2ba-09fa-4259-bde4-fc5ac5951a7b.pdf](https://fasttrack.blob.core.windows.net/fasttrackpublic/stewardsHearing/2021/warning%20to%20industry%20increase%20in%20penalties%20b%20update%2018_05_21%20754%20final%20so_%20(0_02)48f0f2ba-09fa-4259-bde4-fc5ac5951a7b.pdf).

Greyhound Recorder. 2021. Alexander Verhagen (Swan Bay). Available via www.thegreyhoundrecorder.com.au/trainers/alexander-verhagen.

Greyhound Welfare and Integrity Commission (GWIC). n.d. Greyhound nutrition and diet: industry practice guide 1.0. Available via www.gwic.nsw.gov.au/_data/assets/pdf_file/0011/955595/IPG-1.0_-Greyhound-nutrition-and-diet.pdf.

---. 2020a. GWIC media statement in relation to knackery meat. Available via www.gwic.nsw.gov.au/news-and-updates/gwic-updates/gwic-media-statement-in-relation-to-knackery-meat.

---. 2020b. Disciplinary action decision. Available via www.gwic.nsw.gov.au/_data/assets/pdf_file/0003/892074/GWIC-Disciplinary-Action-Decision-Verhagen.pdf

Hertzke, D., Cowan, L., Schoning, P. and Fenwick, B. 1995. Glomerular ultrastructural lesions of idiopathic cutaneous and renal glomerular vasculopathy of greyhounds. *Veterinary Pathology*, 32: 451-459.

Hill, R. 1998. The nutritional requirements of exercising dogs. *Journal of Nutrition*, 128(12): 2686S-2690S.

Holm, L., Hawkins, I., Robin, C., Newton, R., Jepson, R., Stanzani, G., McMahon, L., Pesavento, P., Carr, T., Cogan, T., Couto, C., Cianciolo, R. and Walker, D. 2015. Cutaneous and renal glomerular vasculopathy as a cause of acute kidney injury in dogs in the UK. *Veterinary Record*, 176(15): 384.

Jepson, R., Cardwell, J., Cortellini, S., Holm, L., Stevens, K. and Walker, D. 2019. Cutaneous and renal glomerular vasculopathy: what do we know so far? *Veterinary Clinics of North America: Small Animal Practice*, 49(4): 745-762.

Linde, C. 1983. Partial abortion associated with genital *Escherichia coli* infection in a bitch. *Veterinary Record*, 112: 454-455.

McLennan, C. 2021. Tests have confirmed horse meat was used in pet mince. *Farm Online*, 18 August.

McHugh, M. 2016. Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales Report: Vol. 1. Sydney: State of NSW.

Mee, K. 2019. Greyhound racing: an analysis of state laws and regulation. *Journal of Animal and Natural Resource Law*, 15: 85-121.

Mount Gambier Greyhound Racing Club (MGRC). 2021. Barely old enough to race, but Silver Cadillac impresses in maiden win. Available via www.mountgambiergreyhounds.com.au/news/barely-old-enough-to-race-but-silver-cadillacimpresses-in-maiden-win.

NSW Food Authority. n.d. Knackereries. Available via www.foodauthority.nsw.gov.au/industry/meat/knackereries.

SOURCES AND REFERENCE MATERIAL

OTHER (CONT.)

PrimeSafe. 2021. Pet meat investigation (update). Available via www.primesafe.vic.gov.au/news/primesafe-andagriculture-victoria-statement---indospicine-in-pet-meat.

Richards, A. and Kavanagh, D. 2009. Pathogenesis of thrombotic microangiopathy: insights from animal models. *Nephron: Experimental Nephrology*, 133: 97-103.

RSPCA Australia. 2019. How is the pet food industry regulated in Australia? Available via <https://kb.rspca.org.au/knowledge-base/how-is-the-pet-food-industry-regulated-in-australia>.

---. 2021. How is animal welfare regulated at Australian knackereries? Available via <https://kb.rspca.org.au/knowledgebase/how-is-animal-welfare-regulated-at-australian-knackereries>.



CONTACT US

Postal Address: Suite 378/846-850 Military Road,
Mosman NSW 2088 | ABN: 66 002228 328 |

Email: lisa.r@animal-lib.org.au | Web:
www.al.org.au | Phone: (02) 9262 3221

Lisa J Ryan, Regional Campaigns Manager



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