

NOTICE OF MEETING

Notice is hereby given in accordance with
Section 83 of the *Planning, Development and Infrastructure Act 2016*

Council Assessment Panel of the



will be held in

**Council Chamber
Redbanks Road, Mallala**

In light of the ongoing COVID-19 public health emergency, and social distancing requirements, **participation by representors and applicant will be facilitated by electronic means (Zoom) and public access to the meeting will be facilitated via live stream on Council's YouTube channel <https://www.youtube.com/channel/UCtMO9nfkK2HBYiFxWe4APYQ>**. Members of the public will not be permitted access to the Council Chamber.

on

Wednesday 5 May 2021 at 5.30 pm

A handwritten signature in black ink, appearing to read "David Roberts", with a long horizontal stroke extending to the right.

David Roberts

ASSESSMENT MANAGER

A Zoom link will be provided, and IT support offered, to representors and the applicant prior to the meeting. On the day of the meeting, a direct link to the livestream will be displayed on the homepage of Council's website for public access.

AGENDA

1. ATTENDANCE

- 1.1. Present
- 1.2. Apologies
- 1.3. Not Present / Leave of Absence

2. CONFIRMATION OF MINUTES

- 2.1. “that the minutes of the Council Assessment Panel meeting held on Wednesday 10 March 2021, be accepted as read and confirmed.”

3. DECLARATION OF INTEREST

4. REPORTS FOR DECISION

- 4.1. 312/371/2020 - Category 3 Development – P A Crowhurst - Retrospective approval for the keeping of up to 3 horses and construction of horse shelters in association with existing detached dwelling – Lot 40 – 356 Old Port Wakefield Road Two Wells – CT: 6033/894
- 4.2. 312/47/2021 – Category 3 Development - Choice N Control - Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse - Lot 99 - 145 Gawler River Road Lewiston - CT: 5198/181

5. REPORTS FOR INFORMATION

- 5.1. Planning and Design Code Update May 2021

“that Item 6.1 – *Planning and Design Code Update* report, dated 5 May 2021, be received.”

6. OTHER BUSINESS

7. CONFIDENTIAL ITEMS

8. NEXT MEETING

Wednesday 2 June 2021 (To be confirmed)

9. CLOSURE

MINUTES

Of

Council Assessment Panel Meeting



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

HELD

By electronic means

On

Wednesday, 10 March 2021 at 5:30pm

The Presiding Member formally declared the meeting open at 5:30pm.

1. ATTENDANCE RECORD

1.1. Present

Nathan Cunningham (Presiding Member)
Ian O'Loan
Paul Mickan
Aaron Curtis
Frank Maiolo (Council Member)

Also in Attendance

David Roberts (Manager Development Assessment)
Darren Starr (General Manager Development and Community)
Abbey Cook (Minute Secretary)
Thomas Harris-Howson (IT Officer)

Acknowledgment of the Kurna People as the Traditional Custodians of the Land

1.2. Apologies

Nil

1.3. Not Present / Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1.

Moved F Maiolo **Seconded** P Mickan

"that the minutes of the Council Assessment Panel meeting held on Wednesday 3 February 2021, be accepted as read and confirmed."

Agreed

3. DECLARATION OF INTEREST

Nil

Darren Starr gave a brief summary of the reports for decision

4. REPORTS FOR DECISION

4.1. Procedure for the Management of Appeals under PDI Act 2016

Darren Starr addressed the Panel and answered questions of the Panel

Moved P Mickan **Seconded** A Curtis

1. The Panel resolves to adopt the Adelaide Plains Council Assessment Panel Procedure for the Management of Appeals under the PDI Act 2016 dated March 2021 (Attachment 1)

Agreed

4.2. Policy for Assessment Panel Review of Decision of Assessment Manager

Darren Starr addressed the Panel and answered questions of the Panel

Moved A Curtis **Seconded** F Maiolo

1. That CAP revoke its delegations contained in Instrument of Delegation 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 dated 3 February 2021.
2. 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 10 March 2021 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 10th of March 2021 to the positions identified in the third column of the Instrument of Delegation subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation. With the amendment of the reference to 5.1.1.1 in the Schedule of Conditions being amended to read 5.1.2.1.
3. 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.
4. 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.
5. The powers in Sections 125(6) of the Planning, Development and Infrastructure Act 2016 may be further delegated by the General Manager Development & community in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Assessment Manager sees fit, unless otherwise indicated in the Schedule of Conditions contained in the proposed Instrument of Delegation.

5. REPORTS FOR INFORMATION

6. OTHER BUSINESS

6.1. An update was provided to the Panel on the Agrisano application outcome before the ERD Court. The ERD Court advised issued consent order after the LMA and Infrastructure Agreements are finalised

6.2. An update was provided to the Panel on the Agrisano ERD Court Appeal. The ERD Court issued consent order after the LMA and Infrastructure Agreements were finalised.

6.3. Question was asked relating to the backlog of Development Applications that will be dealt with under the Development Act 1993 post introduction of the PDI Act 2016.

560 development applications received by Council last calendar year. A small percentage of outstanding DA's will need to be presented to the Panel in coming months. Several applications that have been subject to public consultations which will be presented to the Panel for a decision in line with current processes.

6.4. Questions from Frank Maiolo around the Childcare Care Centre development application with advice that public consultation has been undertaken and representations are to be reviewed. Council staff suggested that no detailed discussion of the development application occur as the development application has not yet been presented to the Panel.

7. CONFIDENTIAL ITEMS

Nil

8. NEXT MEETING

Wednesday 7 April 2021 (To be confirmed)

9. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6:01pm

Confirmed as a true record.

Presiding Member:

Date: ____/____/____

Application Number	312/371/2020
Applicant	P A CROWHURST
Development Proposal	Retrospective approval for the keeping of up to 3 horses and construction of horse shelters in association with existing detached dwelling
Subject Land	Lot 40, 356 Old Port Wakefield Road Two Wells CT: 6033/894
Zone	Rural Living
Policy Area	Nil
Precinct	Nil
Nature of Development	Merit
Public Notification	Category 3
Representation(s)	2
Referrals	Nil
Development Plan Version	13 December 2018
Assessing Officer	George Jacks
Recommendation	That Development Plan Consent be APPROVED

PROCEDURAL MATTERS

Schedule 35 of the Development Act 1993 lists three kinds of development, classified as either Complying, Non-complying or Merit. The proposed development falls neither under Complying Development as prescribed by Schedule 4 of the Development Regulations 2008 nor Non-Complying Development as listed in Council's Development Plan – consolidated 13 December 2018. As such, the proposed development is assessed as a Merit form of development.

PROPOSAL

The proposal seeks retrospective Development Plan Consent to construct three horse shelters and to keep three horses on the subject land. The horses will be kept on site as pets solely for the domestic enjoyment of the occupants of the residence and will not be bred or trained on site. The shelters will be used by the owners to accommodate these horses and not as a boarding facility for other animals.

SITE AND LOCALITY

The subject land is formally described as Lot 40, 356 Old Port Wakefield Road Two Wells and on Certificate of Title Volume 6033 Folio 894. The subject land is of a rectangular configuration and has an area of 1.63 hectares.

The subject land measures 60m wide at the front and 50m wide at the rear with a total length of 312m on the northern side boundary and 345m on the southern side boundary. The

approved use of the site is adequately described as rural living including a detached dwelling, multiple domestic outbuildings and a swimming pool. There are no easements or rights of way registered on the certificate of title. The subject land has an interface with the Animal Husbandry zone on to the east of Old Port Wakefield Road.

The locality has a similar rural living character with most adjoining allotments incorporating a detached dwelling with multiple domestic outbuildings and low scale animal keeping primarily on the eastern side of Old Port Wakefield Road.

The locality is wholly within the General Bushfire Risk Area and is not affected by flooding from the Gawler and Light rivers

Figure 1: Subject land – as at 28 February 2021



Figure 2: Subject land - as at 28 February 2021**DESIGN DETAIL**

The proposal incorporates three 4.2m x 3.3m shelters structures to effectively house and provide shelter for the three horses proposed. Fenced night yards are provided around each shelter providing approximately 220m² for each horse. The section of open land to the rear of the dwelling facing west is proposed to be as a paddock for these horses allowing them to roam, graze and exercise.

The internal boundary fencing to the rear half of the allotment to the rear of the dwelling has been upgraded to consist of 1.2m tall electric fencing to deter the horses from leaving the site. The internal fencing surrounding the shelters is of a similar height and is not electrified.

The waste generated from the horses is indicated as being collected, flattened out and rotary hoed into compost to be utilised on site as fertiliser for plants.

PUBLIC NOTIFICATION

The proposed development falls neither within Category 1 or Category 2 as prescribed by Schedule 9 of the Development Regulations 2008 nor Category 1 or Category 2 as listed in Council's Development Plan – consolidated 13 December 2018. As such, the proposed development defaults to Category 3 public notification. As a result of this adjacent property owners were notified of the proposal as well as an advertisement placed in local newspapers.



SUMMARY OF REPRESENTATION

Two representations were received as part of this notification process and the key points of the proposal are outlined below:

Name of person making submission	Summary of Submission
Craig Hansen	<ul style="list-style-type: none"> • Opposes the proposal • Indicates that waste from the horses is present on his property and suggests that it has been placed there by the applicant • Indicates that the shelters and roofs are too close to the northern allotment boundary • Indicates that the existing fence is inadequate to hold horses as there has been 3 horses in the front yard of the subject land • Indicates that various refuse is dumped in his yard without consent • Provides highlighted sections from Council's development plan relating to Animal Keeping and the Primary Production zone • Provides photos of the existing fencing and shelters
Tony & Shelly Willemsen	<ul style="list-style-type: none"> • Opposes the proposal • Advises that the applicants horses kept pushing over the previous boundary fencing • Advises that the applicant's horse has previously gotten through the fence and been injured • Indicates they have witnessed dump rubbish on their and the other neighbouring property • Indicates the applicant has also been keeping horses in their front yard • Provides photos of boundary fencing, an injured horse, various discussed refuse and horses in the front yard of the subject land

APPLICANT'S RESPONSE

The representation received was forwarded to the applicant and the applicant has provided a response to the concerns raised by the representors. The key points of the applicant's response are outlined below:

Name of person making submission	Summary of Submission
Nina & Phil Crowhurst	<ul style="list-style-type: none"> • Advises that all issues and complaints from the represents have been addressed and cited by a Council officer • Advises a new fence has been erected which a Council officer advised was adequate • Advises the shelter structures were indicated as not requiring approval by Council

	<ul style="list-style-type: none"> • Indicates that the front fencing will be upgraded to be the same as the rear fencing and that this and the current fencing are located inside of their boundary • Indicates that on-site septic will not be impacted by the horses as is it undercover near the dwelling • Advises that waste or refuse on neighbouring allotments was not dumped but has possibly blown over during windy days
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The comments by the applicant relating to the shelters not requiring approval relates to a previous discussion the applicant had with Council officer indicating that outbuilding less than 15m² in area generally do not require development approval. No discussions occurred as to a distinction between animal shelters and outbuilding structures.

INTERNAL REFERRALS

Department	Response
Environmental Health	<ul style="list-style-type: none"> • Identified no concerns

EXTERNAL REFERRALS

Nil.

DEVELOPMENT PLAN PROVISIONS

The proposal has been assessed against the relevant Objectives (OBJ) and Principles of Development Control (PDC) of Council's Development Plan. The following detail relates to the relevant sections of Council's Development Plan as well as the relevant objectives and Principles of Development Control applicable to the proposal will the assessing officer's comment

Zone Section	Objectives	Principles of Development Control
Rural Living	1, 2, 3	1, 4, 5, 6, 9, 11, 12
<p>The desired character statement for the zone seeks to accommodate low density residential living consisting of detached dwellings on larger allotments and associated small scale non-intensive animal keeping. This animal keeping extends to horses, sheep, goats and poultry primarily.</p> <p>PDC 1 includes a list of forms of development which are envisaged within the zone. Horse keeping and associated stables are included within this list of envisages uses.</p> <p>PDC 4 indicates the keeping of animals should be ancillary to and in association with the residential use of the land. The horses will be kept as pets and ancillary to an existing and permanently occupied detached dwelling.</p> <p>PDC 5 discusses the need to accommodate horses within a stable or shelter with supplementary feeding to maintain pasture cover. Each horse will have their own individual</p>		

shelter and fenced area of approximately 220m². Each horse will also be hand fed on site and also have access to the rear of the allotment.

PDC 6 broadly indicates that development should not be undertaken unless it is consistent with the desired character of the zone. The zone does envisage horse keeping and associated stables within the zone.

PDC 9 provides parameters relating to stables. The existing structures are not considered to specifically be stables but rather individual horse shelters. These parameters are utilised as a guide as there are no specific parameters indicated for shelter structures.

Parameter	Value
Minimum setback from primary road boundary for stables measuring less than 54m ² and the vertical wall height measures no more than 2.7m	15 metres or the same distance as the existing associated dwelling, whichever is the greater
Minimum setback from primary road boundary for stables measuring greater than 54 square metres	35 metres or the same distance as an existing associated dwelling, whichever is the greater
Minimum setback from side road boundary	8 metres plus 3 additional metre for every additional 500 millimetres above the 2.7 metres wall height measured from natural ground level
Side boundary setback	8 metres plus 1 additional metre for every additional 500 millimetres above the 2.7 metres wall height measured from natural ground level
Minimum setback from rear boundary	12 metres

The proposal meets most of the relevant parameters relating to setbacks and building heights except for the northern side boundary setback parameter which suggests 8m but only achieves 6.5m for the western most shelter and 0.4m for the remaining two shelters. While each of the shelters are closer to the northern side boundary than the zone suggests for stables, each individual shelter will be of a generally smaller scale than a full sized stable structure. Each individual shelter will also not be directly adjacent any residential structures with the nearest dwelling being approximately 100m away. As a result of this while each of these structures is closer to the northern boundary the impact is considered to be minimal.

PDC 11 the total combined floor area of dog kennels, sheds, stables, garages and other outbuildings should not cover more than 25 percent of the total area of the allotment.

While the structures are not specifically considered stables, the shelters will not cover more than 25 percent of the total area of the subject land.

PDC 12 lists types of animals and numbers which should be kept within the zone

Parameter	Value
Dogs	3 per allotment
Horses	2 per allotment
Poultry	20 per allotment

The proposal exceeds the suggested number of horses which should be kept on the allotment by 1. The horses will be hand fed and watered in addition to being allowed to graze the land. The waste generated by the horses will be kept in the rear paddock flattened out and rotary hoed into the ground to fertilise future planting on site. The animals will only be kept as pets and not bred or trained on site. These uses are generally considered to be low Impact. As a result of this, the keeping of an additional horse beyond the suggested 2 horses is not considered to significantly increase the impact on the land or locality. These elements are further discussed within the following section.

General Section	Objectives	Principles of Development Control
Animal Keeping	1, 2	1, 4, 8, 9, 11, 12, 13

The objectives seek to ensure that animals are not kept beyond the carrying capacity of the land or water and that animal keeping is sited and designed to avoid adverse effects on surrounding development. A suitable number of horses (or carrying capacity) can largely depend on how the animals are maintained. Sources found online from Horse SA suggests between 0.4 hectares to 2 hectares per horse depending on how the horses are kept, fed and maintained. The smaller area is generally more acceptable when hand feeding and watering will be taking place in addition to grazing the land. The applicant has indicated that the horses will be hand fed in addition to grazing on the subject land to the rear of the dwelling, (and going from this calculation, 3 horses at # per hectare etc. etc. is considered suitable and appropriate for the allotment size.

PDC 1 relates to associated activities not creating adverse impacts on the environment, amenity or locality. Considering the animals are kept only as pets and will not be trained or bred on site the keeping of three horses is not considered to create significant adverse impacts.

PDC 4 suggests animal exercise areas being resistant to erosion and dust creation. The area where the horse shelters are located contains a coarse shell grit material and the rest of the allotment forms an open grassed area. The proposed exercise areas will be greater than

25m from a watercourse of wetland and will not result in significant loss of grass or vegetation cover.

PDC 8 indicates that horse shelters and associated yards should be sited at least 50m from a watercourse and on land with a slope no greater than 1-in-10. The existing shelters are currently located far greater than 50m from an existing watercourse and are located on generally flat land with a slope not greater than 1-in-10.

PDC 9 Each stable or horse shelter should have:

- A minimum dimension of 3.7m by 3.7m per horse
- An enclosed day yard of at least 50 square metres and a maximum of 100 square metres per horse directly adjoining and accessible from the stable or horse shelter and which is covered with low erosive materials such as coarse sand or shell grit
- kick boards installed around the internal walls of stables.

The dimension of the proposed shelters is 4.2m by 3.3m which totals a similar sheltered floor area. The enclosed day yards are approximately 220m² and include low erosive shell grit and sand materials. There are currently no kick boards installed or proposed to be included.

PDC 11 Except where otherwise specified by a zone or policy area, stables, horse shelters or associated yards should be sited at least 30 metres from any dwelling on the site and from the nearest allotment boundary to avoid adverse impacts from dust, erosion and odour. The shelters are located greater than 30m from the dwelling on site (~44m) but will be much closer to the northern boundary. As a result of the scale of the shelters and the horses being kept as pets the adverse impact from dust and odour is considered to be minimal.

PDC 12 The horse yard area is not located near any existing waste water system or drainage area. The existing septic area is located to the south of the dwelling and will not be accessible to the horses.

PDC 13 suggests that where horses will be hand fed or kept on an allotment measuring less than 5 hectares it should be on the same land as a permanently occupied dwelling. As previously mentioned, there is an existing permanently occupied dwelling on the subject land.

SUMMARY

The proposal is for the retrospective approval to construct three horse shelters and the keeping of three horses on the subject land. The horses will be kept on site as pets solely for the domestic enjoyment of the occupants of the residence and will not be bred or trained on site. The shelters will only be used by the owners to accommodate these horses not as a boarding facility for other animals.

Within the Rural Living zone the keeping of horses and construction of shelters is envisaged. The horses will be kept ancillary to a permanently occupied dwelling and will be kept within shelters that meet the minimum dimension for these types of structures.

Each horse shelter structure will be located greater than 40m (~100m) from the nearest dwelling on adjacent land. The nearest adjacent dwelling to the north east includes an enclosed fence which will assist in softening the impact of the proposed horse keeping use and will be approximately 100m from the shelter structures.

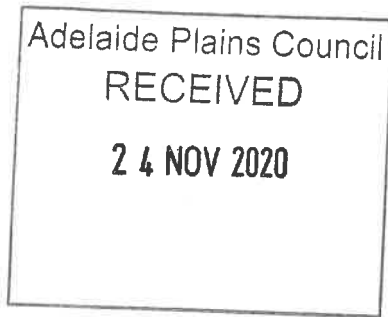
Concerns raised by the representations received primarily relate to civil matters such as dumping of rubbish on neighbouring land which is not a matter for the consideration of the Panel.

Overall the proposal is not considered to have a significant or unreasonable impact on the surrounding locality as a result of the use of the animals only as pets, the small scale non-intensive nature in which the horses will be kept and the significant distance between the proposed shelters and sensitive residential uses.

The proposed development is not considered to be seriously at variance with the provisions of the Development Plan. Accordingly, on balance, the proposal is considered to have sufficient merit and warrants approval with appropriate conditions and notes.

RECOMMENDATION

1. That the Council Development Assessment Panel resolves that the proposal by Phil & Nina Crowhurst for the retrospective approval of three horse shelters and the keeping of three horses at Lot 40, 356 Old Port Wakefield Road Two Wells (312/371/2020) is not seriously at variance with the Adelaide Plains Council Development Plan consolidated 13 December 2018.
2. That the Council Development Assessment Panel resolves that the proposal by Phil & Nina Crowhurst for the retrospective approval of three horse shelters and the keeping of three horses at Lot 40, 356 Old Port Wakefield Road Two Wells (312/371/2020) be GRANTED Development Plan Consent, pursuant to Section 33(1)(a) of the Development Act 1993, subject to the following conditions imposed:
 - 1) The development must be undertaken, completed and maintained in accordance with the details, plans, specifications and correspondence submitted with and forming part of Development Application 312/371/2020, except where varied by any conditions listed below.
 - 2) No more than 3 horses must be kept on the subject land at any time
 - 3) Horses must be kept at the rear of the dwelling until the fencing to the front of the dwelling is sufficiently upgraded to a 1.2m electric fence
 - 4) At no time shall any horse be kept on the subject site unless there is a person permanently residing on the property, being directly responsible for the care of the horses and management of the land.
 - 5) The area where the animals are kept is to be maintained in a satisfactory condition at all times so as not to create any insanitary condition or allowed to become a nuisance, offensive or injurious to health.
 - 6) The external walls and roof of the shelters shall be maintained in good appearance and condition at all times.
 - 7) All stormwater from the development must be retained on site to the reasonable satisfaction of Council.



Phil and Nina Crowhurst
356 Old Port Wakefield Rd,
0412519253

To whom it may concern,
We are writing to you to apply to keep our two horses on the property. Despite having an application to keep three horses, we currently only have two on the property.

We didn't know we needed approval for the horses, as there were horses and yards set up when we purchased the property.

There are three shelters for the horses in electrified large shell grit yards,
The shelters have sawdust for the horse's comfort; the horses have their own separate yard and shelter. The horses are locked up over night in their yards for safety and let out each morning. They are fed three times a day.

The manure is picked up each day and spread out in the back paddock; its then dug into the ground with a kanga for compost, there is never a visible manure pile etc.

New fencing has been erected between our property and the neighbor along the side,
The fence is inside our boundary.
The same fencing has been put across the back, the fence is 1.2 meters high and has an electric wire and sight wire, and the horses cannot reach over at all.

The existing fence is still standing and the side neighbor's sheep rub along it to get the wool out.

The horses don't seem to make any disturbance and are very well cared for, they are Arabian breed and used for showing, we rug them according to the conditions and give them the best care possible, we use Roseworthy university for the vet care.

Manure Composted
into the Grand

New fencing
1-2 High, Includes
Electric wire and
Sight wire

3 horse
shelters for night
stabling, Electrified yards with
shellgrit and Sawdust in the
shelters for comfort.



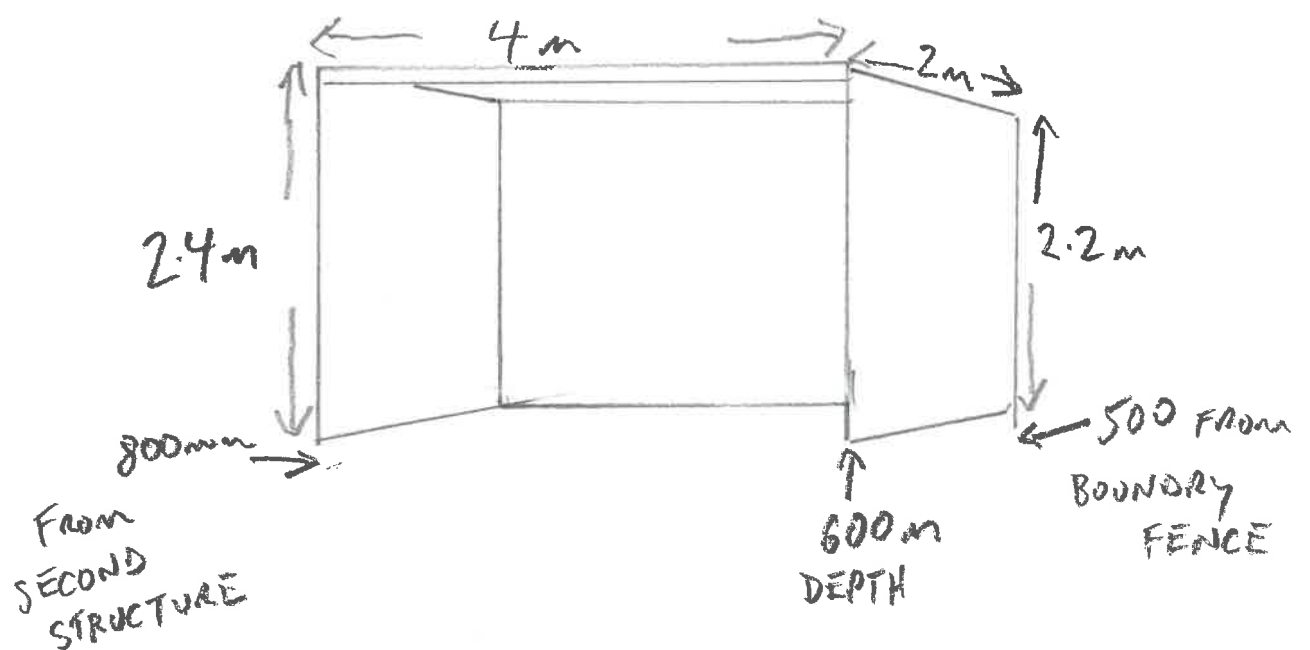
front paddock for
occasional supervised
grazing

MANURE SPREAD
AND RAKED
INTO GROUND FOR
COMPOST





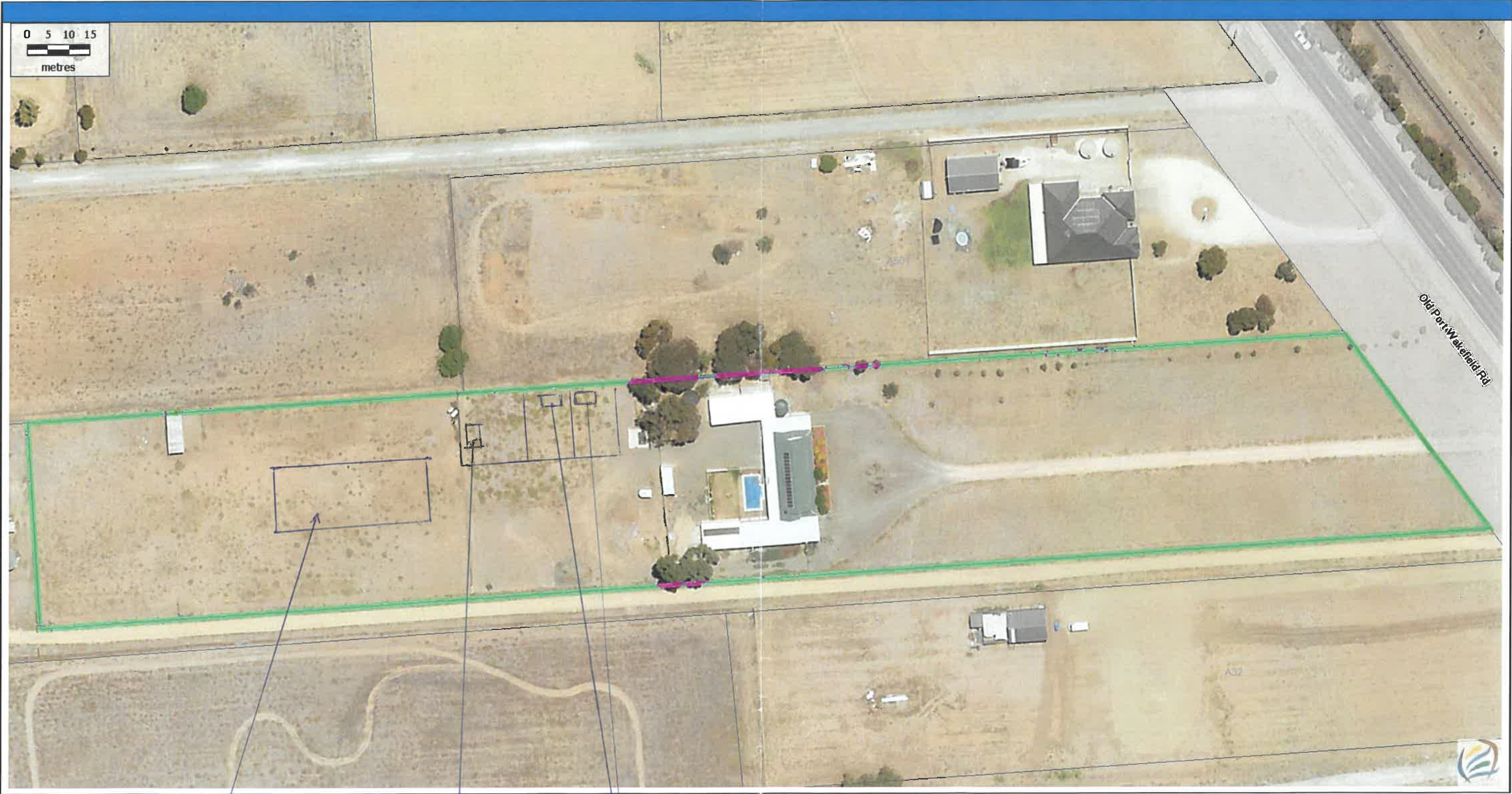
New fence 1.2 metres











Contact Details Adelaide Plains Council PO Box 18, Mallala, SA 5502 T: 08 8527 0200 F: 08 8527 2242 E: info@apc.sa.gov.au	www.apc.sa.gov.au	Disclaimer This advice and/or information is given for your private use only. The accuracy of the advice and information is not guaranteed and no responsibility is accepted by Adelaide Plains Council for any loss or damage caused by reliance upon this advice and/or information, as a result of any errors, omission, incorrect description or statement therein whether caused by negligence or otherwise.
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PICTURE 1+2
HORSE WASTE

PICTURE 3
SHELTERS

PICTURE 4-8



PICTURE 1

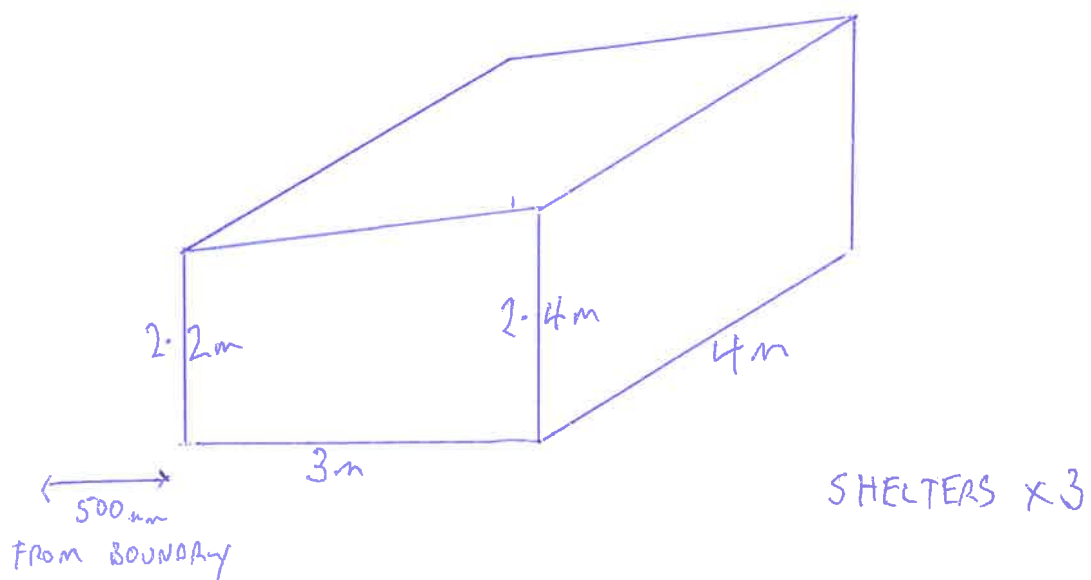
HORSE WASTE IS PUT HERE EVERYDAY
FLATTED OUT AND THEN AFTER A SMALL
SECTION IS ROTARY HOED IN.



PICTURE 2



PICTURE 3





PICTURE 4



PICTURE 5



PICTURE 6



PICTURE 7



PICTURE 8



DEVELOPMENT ACT 1993
Representation on Application

My Name: CRAIG HANSEN
Contact No: Email:
My postal address: PO BOX 498 TWO WELLS SA
.....Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/371/2020
APPLICANT'S NAME	P A CROWHURST
NATURE OF THE DEVELOPMENT	Retrospective approval for the keeping of up to 3 horses and construction of horse shelters all in association with an existing detached dwelling
SUBJECT LAND	Lot 40 – 356 Old Port Wakefield Road, Two Wells – CT: 6033/894
ZONE	Rural Living

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
356 OLD PORT WAKEFIELD RD TWO WELLS Postcode 5501

The specific aspects of the application to which I make comment on are:

.....(please attach additional information if required)

I, CRAIG HANSEN wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: <u>16 FEB 21</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>Craig Hansen</u>	

Re: Notice of Application for Category 3 Development

The specific aspects of the application to which I make comment on are:

1. Reference the applicants photomaps image dated 26 August 2020, they designate a horse manure waste area. I draw your attention to Images 3 and 4 that show horse manure inside our property, this is unsatisfactory and needs to be remedied ASAP. There is manure up to a couple of metres inside our boundary, the wind hasn't blown it there. These horse waste areas are not IAW Mallala Council Development Plan dated 13 December 2018. (see attached)
2. Reference the 2 shelters in Images 1 and 3. In these images you can see the shelters and roofs are too close to the (my) "allotment boundary". These shelters/stables are not IAW Mallala Council Development Plan dated 13 December 2018. (see attached)
3. Reference photos 5 and 6 along the "allotment boundary", this fence is inadequate to hold horses. There have been 2 to 3 horses in the front yard of this residence recently. I don't want to be in a scenario where I have to deal with an injured horse in my yard because of this fencing similar to what my neighbours have had to deal with. This needs to be remedied by the applicant at their expense or no horses.
4. I don't support "retrospective approval", everything referenced either needs to be moved, removed, fixed or remedied. I have had to deal with black 19mm irrigation pipe, wooden stakes, buckets of glass and rubble from a Dingo Bucket and a strainer post all dumped or put in my yard without consent, what's next?
5. There is due process, retrospective approval doesn't apply when the shelters/stables and waste management are either all wrong or aren't in line with the APC own Development Plan. What happens in the future if APC let this slide, what's next? There are rules and regulations for a reason. Don't waste my time having to do all this administration if APC is going to disregard it.



Craig Hansen

17 February 2021

- 6 Intensive animal keeping or dairies involving the transport and handling or sale of livestock should provide a wash down area for transport vehicles.
- 7 Piggeries, or pig keeping, and dairies should not be located within 50 metres of each other.

Horse Keeping

- 8 Stables, horse shelters or associated yards should be sited:
 - (a) at least 50 metres from a watercourse
 - (b) on land with a slope no greater than 1-in-10.
- 9 Each stable or horse shelter should have:
 - (a) a minimum dimension of 3.7 metres by 3.7 metres per horse
 - (b) an enclosed day yard of at least 50 square metres and a maximum of 100 square metres per horse directly adjoining and accessible from the stable or horse shelter and which is covered with low erosive materials such as coarse sand or shell grit
 - (c) kick boards installed around the internal walls of stables.
- 10 A concrete drainage apron should be provided along the front of stables directing water from wash-down areas onto a suitably vegetated area that can absorb all the water, or into a constructed drainage pit.
- 11 Except where otherwise specified by a zone or policy area, stables, horse shelters or associated yards should be sited at least 30 metres from any dwelling on the site and from the nearest allotment boundary to avoid adverse impacts from dust, erosion and odour.
- 12 All areas accessible to horses should be separated from septic tank drainage areas.
- 13 Horse keeping where horses will be hand fed or kept on an allotment measuring less than 5 hectares in area should only occur where either (a) or (b) is achieved:
 - (a) a dwelling is erected on the same allotment which is permanently occupied
 - (b) the activity is occurring on land located within the **Primary Production Zone, Animal Husbandry Zone** or the **Horticulture Policy Area 3** or and the person(s) caring for the horse(s) permanently reside on an allotment contiguous or adjacent to the land used for horse keeping.

Dairies

- 14 Dairies and associated wastewater lagoons and liquid/solid waste storage and disposal areas should be located at a distance from nearby dwellings, public roads and outside the 1-in-100 year average return interval flood event area of any watercourse to avoid adverse impacts or nuisance by noise, smell or pollution on nearby sensitive receptors such as dwellings.
- 15 Dairies should include a lagoon for the storage or treatment of milking shed effluent which should be located:
 - (a) at least 20 metres from a public road
 - (b) at least 200 metres from any dwelling not located on the land
 - (c) outside any 1-in-100 year average return interval flood event area of any watercourse.

Form and Character

- 3 Development should not be undertaken unless it is consistent with the desired character for the policy
- 4 The keeping of dogs and the erection of kennels should not be undertaken unless:
 - (a) dog keeping yards, kennels and associated exercise areas are more than 10 metres from any boundary of the site and 100 metres from the nearest dwelling and outside the site
 - (b) dogs are kept for the private enjoyment of the land owner or for breeding, training or showing and do not exceed 5 dogs in number
 - (c) kennels are fully insulated with appropriate materials to all roofing and walls, and with openings orientated to minimise noise impact nuisance to residential use
 - (d) no nuisance such as from noise, dust or odour is likely to be created
 - (e) the site is screened by perimeter landscaping
 - (f) an adequate exercise area is provided
 - (g) all yards are fenced and provided with secure gates.
- 5 No more than 2 horses should be kept on an allotment, provided that a properly designed and constructed stable and attached day yard is located on the land to accommodate each horse.
- 6 Stables should be setback:
 - (a) 50 metres from the nearest dwelling outside the site
 - (b) 15 metres from the principal road boundary or the same distance as the existing associated dwelling, whichever is the greater
 - (c) 10 metres setback from side road boundary and side boundaries
 - (d) 10 metres setback from rear boundary.
- 7 No new loam pits should be opened in the area adjoining the Gawler River and further loam extraction should be contained within existing pits.

PRECINCT SPECIFIC PROVISIONS

Refer to the Map Reference Table for a list of the maps that relate to the following precinct.

Precinct 5 Horticulture

- 8 In addition to complying with relevant policy area land division policies (with the exception of minimum allotment sizes), land division is appropriate within the precinct if the resulting allotment areas are not less than 4 hectares.



2.







4.

5.



6.





DEVELOPMENT ACT 1993
Representation on Application

My Name: Tony & Shelley Willemsen
Contact No: 0417 824461 Email: willemsens@bigpond.com
My postal address: PO Box 577
Two Wells SA Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/371/2020
APPLICANT'S NAME	P A CROWHURST
NATURE OF THE DEVELOPMENT	Retrospective approval for the keeping of up to 3 horses and construction of horse shelters all in association with an existing detached dwelling
SUBJECT LAND	Lot 40 - 356 Old Port Wakefield Road, Two Wells - CT: 6033/894
ZONE	Rural Living

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen.
(Cross out whichever does not apply)

The address of the property affected is
346 Old Pt Wakefield Rd Postcode 5501

The specific aspects of the application to which I make comment on are:

As in attached letter

.....(please attach additional information if required)

I, Tony Willemsen wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person: Shelley Willemsen
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: <u>10-2-21</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>[Signature]</u>	

TONY AND SHELLEY WILLEMSSEN
PO Box 577, Two Wells
346 Old Port Wakefield Road, Two Wells SA 5501
willemsens@bigpond.com
Tony 0417 824 461 Shelley 0407 325 500

10th February 2021

Attn: Manager Development Assessment

Adelaide Plains Council
2a Wasleys Road
Mallala SA 5502

info@apc.sa.gov.au

To George Jacks

RE: Development Number 312/371/2020 - PA CROWHURST

Thank you for your correspondence dated the 3rd February 2021, your reference DD7.2020.371. Unfortunately, we **do not** support approval for this application for many reasons for which we will list below.

We are licenced stock owners (with pic numbers) have had sheep and alpacas in our front paddock for 8 years (please see photos attached Annexure 2) with adequate fencing. When the applicants moved in Tony introduced him self and asked if they were putting horses in the paddock (numbered 1 on attached Annexure 1) we were informed they would be and told them they would have to do something with the fences as they were not adequate to contain horses, he agreed. I have a voice recording with him admitting this conversation which I am happy to provide upon request.

Over the time we have had to prop up and try to get the fence stable as the applicant's horses kept pushing the fences over. They added a ribbon of broken tied together electric fence that was never turned on (see attached Annexure 3) that made no difference to the horses leaning over and eating our crop.

When the applicants horse got through the fence recently he was hurt extremely badly (which is why you, the council know anything about it. It was the last straw for us), it was very distressing to see (see attached Annexure 4), when Tony arrived home there were people standing on our fence trying to get the horse back through the part of fence that injured him, Tony told them to stop and walk the horse around through our gate, It turned out they were the other neighbours to the applicants property. Tony contacted the applicant's partner as we new she worked at the Virginia Hotel and she came straight home. We were quite happy to tell her how irresponsible they were allowing this to happen to her horse when all they had to do was fix the fence in the first place.

We have watched over the time, the applicant dump rubbish on our and the neighbouring Hansen's property (numbered 2 on Annexure 1) consisting of old fence wire, old electric ribbon and concrete wash (I saw him throw buckets and buckets over the fence myself) whilst erecting the new stable night sheds, which are right on the boundry and not approved?? We informed Mr Hansen asap and when he went to have a look at the mess, he found a star dropper hammered a metre into his property with wire attached to steady the new sheds??? Who does that??? We have a tyre that has been put over the fence and left on our property and other bits and pieces (see attached annexure 5) He seems to be a serial 'waste over the fence thrower'.

When I saw the applicant working on 'a fence' after the mentioned incident, which would also have been after the council was out to see him. I walked through the paddock to speak to him, I recorded the whole conversation on my phone, I asked him what his plans were with fixing the fence and he answered (aggressively at first until I asked him to calm down) that he would not be fixing it and that it was not his responsibility??? The conversation went on until I felt I had all the evidence I needed to take the matter further.

Unfortunately, as you will see pictured in the attached annexure 6, the applicant has no care for his surrounding neighbours and the state of his own responsibilities. He has never tried to contact us regarding any of these situations, there is loose tin flapping on his older horse shed that concerns me for the safety of our animals. I don't see why he should have any special approval for any extra anything when he clearly has not done the right thing to date.

Since the applicant received a copy of our correspondence relating to their first application, they did jump the fence and pick up the tyre they had disposed of on our property and they have not kept the third horse on their property. But as mentioned in my last letter they have been keeping their horses in the front yard to which I now have photographic evidence (time stamped), (See annexure 7) the fencing to the neighbours is definitely not adequate and the same thing is happening out to the front paddock, they are continuously doing as they please not what they have said or what they should be under council law.

I do not see possibly see how any permit can be contemplated to land owners that are so disgruntle not only to the council laws in the first place but to their surrounding neighbours on many different occasions. Not forgetting the fact that they have still **not made any effort to fix what their horses ruined** in the first place. I would appreciate a site inspection go ahead before any decision is made.

After having the development application emailed to me on todays date, as it was not listed on the council website, I can see that, even though he knows the horse stables he put up that are not approved and not to regulation. He still has not asked for approval on his submission (I'm guessing he knows council will just approve them?) These are the sheds that were erected after it was stated that they couldn't afford to fix the fences?? He is still (in his handwriting) only seeking approval for the third horse?

Importantly Mr Crowhurst is not taking responsibility for the actions coming from his property (which we have clearly proved). We have already seeked legal advise on this issue and we are just waiting on the result of this application before we proceed with legal action to have the damaged fences fixed. We are happy to attend a meeting if required and strongly oppose this application.

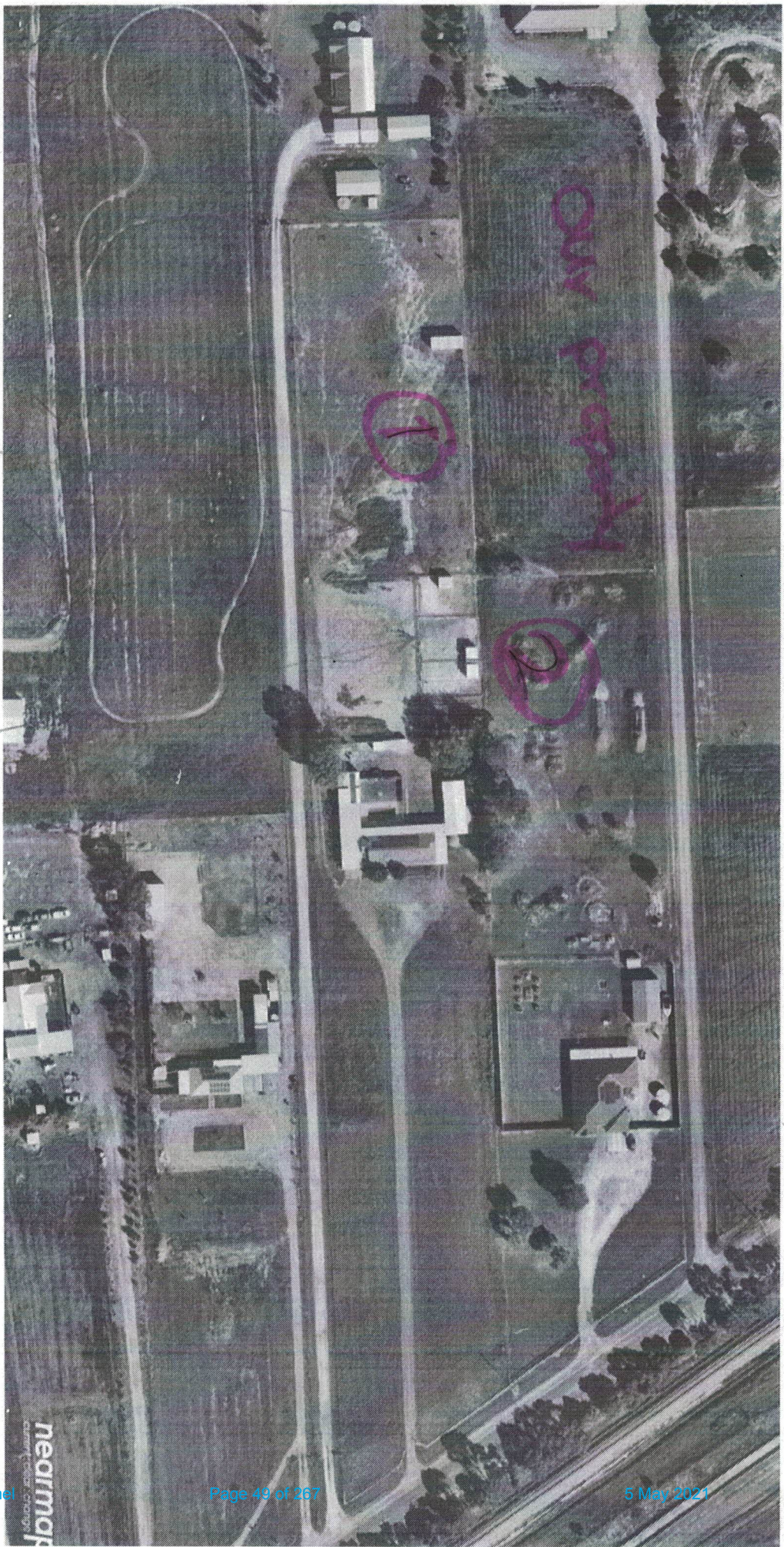
Yours sincerely



Tony and Shelley Willemsen

Date: Wed, 26 Aug 2020

Notes:



Annexure 1

WE ARE REQUESTING FOR 3 HORSES ON THIS PROPERTY

ANNEXURE 2



Our adequate fences before the horse damaged occurred

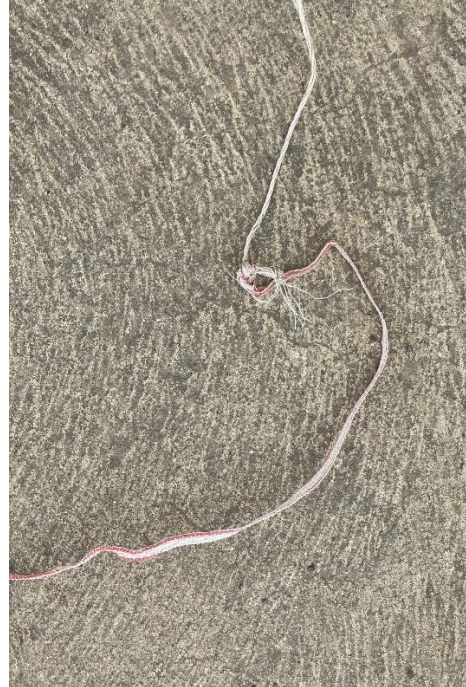
ANNEXURE 3



ANNEXURE 4



ANNEXURE 5



Some of the discarded things from the applicant on our property



discarded tyre on our property

THIS IS WHERE THE 3 PROPERTIES JOIN

ANNEXURE 6



ANNEXURE 7

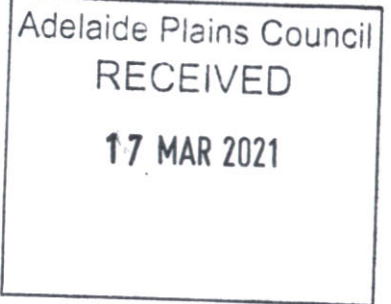
You can clearly see on 2 separate occasions (and there has been plenty more) the horses are in the front yard WITHOUT ADEQUET FENCING TO THE NEIGHBOURING PROPERTY



NEIGHBOURING KNEE HIGH FENCING FOR HORSES???



Nina and Phil Crowhurst
356 Old Port Wakefield rd.
Two Wells 5501



17th of March 2021

To George Jacks

We're writing to you to inform you that all of the issues and complaints from the Willemsen's and the Hansen's have been fixed and then sited by a councilor.

There is a new fence erected along the side of the Willemsen's which the councilor saw and said it was fine, the sheds he also said was fine where they were after we offered to move them, the sheds were undersized and the council said approval was not needed anyway.

The horses waste management has also been checked with the council.

The approval we seek is for a third horse and not an argument over such petty things!!!

Front fencing will be erected the same as rear of the property along the side between ours and Mr. Hansens, it will be inside our boundary 1.2 meters high.

Septic has no impact to horses as its undercover near the dwelling.

Nina and Phil Crowhurst

Three handwritten signatures in black ink. The first signature on the left is stylized and appears to be 'Nina'. The middle signature is 'Phil'. The third signature on the right is more complex and appears to be 'Crowhurst'.



Contact Details Adelaide Plains Council PO Box 18, Mallala, SA 5502 T: 08 8527 0200 F: 08 8527 2242 E: info@apc.sa.gov.au	www.apc.sa.gov.au	Disclaimer This advice and/or information is given for your private use only. The accuracy of the advice and information is not guaranteed and no responsibility is accepted by Adelaide Plains Council for any loss or damage caused by reliance upon this advice and/or information, as a result of any errors, omission, incorrect description or statement therein whether caused by negligence or otherwise.
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FRONT FENCING

SEPTIC IS UNDERCOVER

Application Number	312/47/2021
Applicant	Choice N Control Pty Ltd
Development Proposal	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programs and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work, signage and the keeping of one horse
Subject Land	Lot 99, 145 Gawler River Road Lewiston CT 5198/181
Zone	Animal Husbandry
Policy Area	N/A
Precinct	N/A
Nature of Development	Merit
Public Notification	Category 3
Representation(s)	80
External Referrals	Nil
Development Plan Version	13 December 2018
Assessing Officer	Josh Banks – Senior Planning Officer
Recommendation	That Development Plan Consent be REFUSED

PROCEDURAL MATTERS

Schedule 35 of the Development Act 1993 lists three kinds of development, classified as either Complying, Non-complying or Merit. The proposed development falls neither under Complying Development as prescribed by Schedule 4 of the Development Regulations 2008 nor Non-Complying Development as listed in Council's Development Plan Consolidated 13 December 2018. As such, the proposed development is assessed as a merit form of development.

BACKGROUND

In late 2019 an application was lodged with Council (DA312/390/2019) for *Change of use to a Disability Service Facility (Comprising Library & Computer room, Music & Sensory room, Art & Craft room, Living Skills & Cooking room, Gymnasium, Education & Indoor games room, Advertising sign, Cricket pitch and the keeping of one horse and shelter) and ancillary dwelling together with respite accommodation.*

This application was lodged following a meeting between the applicant and Council staff in early 2019, where it was identified that a business use and building work was occurring on the land without approval. Discussions also took place between the applicant and Council in an attempt ameliorate the impacts of the unauthorised use whilst an assessment was undertaken.

The application (DA312/390/2019) underwent assessment and public notification, and was to be presented to the CAP in November 2020 for a decision with a recommendation by the Administration of refusal, however a request to withdraw the report from the agenda by the applicant's representative was received and accepted. The application was placed on hold and remains as such.

A fresh development application was lodged with Council that sought a new consent that specifically did not seek to retain the use of the main building as a dwelling. Otherwise the proposal remains similar to the former application.

It is noted that the unauthorised use of the land and building works continue to this day.

PROPOSAL

The proposal is for the establishment of an integrated disability services facility that provides day programs and overnight stays for people, building work in the form of modifications and additions to the main building, partial demolition and replacement of an outbuilding, internal alterations to the outbuilding, identification signage and the keeping of a horse.

Information presented to Council outline the facility will operate day programs Monday to Friday, 10am – 3pm with typically 2 to 3 carer staff present. On occasions an additional 1 to 2 administrative staff may be present.

Up to 10 participants will be using the facility for day programs at any time. These programs will include a range of indoor and outdoor recreational and learning activities such as cooking, gardening, and spending time with the horse, and these will be tailored to the individual needs of the participants.

The overnight stays are proposed to occur “on average between 4 and 5 nights per week for between 1 – 3 participants per night”. The applicant has stated these will be mostly on weekends, to a lesser extent Wednesdays through Fridays, and occasionally Mondays and Tuesdays. One staff member will reside with participants overnight.

The building works include modifications to the main building to create two new bedrooms, a games room, a reading/resource room, an additional bathroom and toilet, and an extension to the existing verandah. Also proposed is retrospective approval for changes to the outbuilding in order to house a living skills/cooking room, art and craft room, music and sensory room and a library and computer room.

Signage will comprise a 1.9 metre high freestanding identification sign near the entrance to the land, and small identification signs on the main building and each outbuilding.

A cricket pitch with netting is also proposed along with the keeping of one horse on the land. The full set of plans and information lodged with Council is contained within Attachment 1.

SITE AND LOCALITY

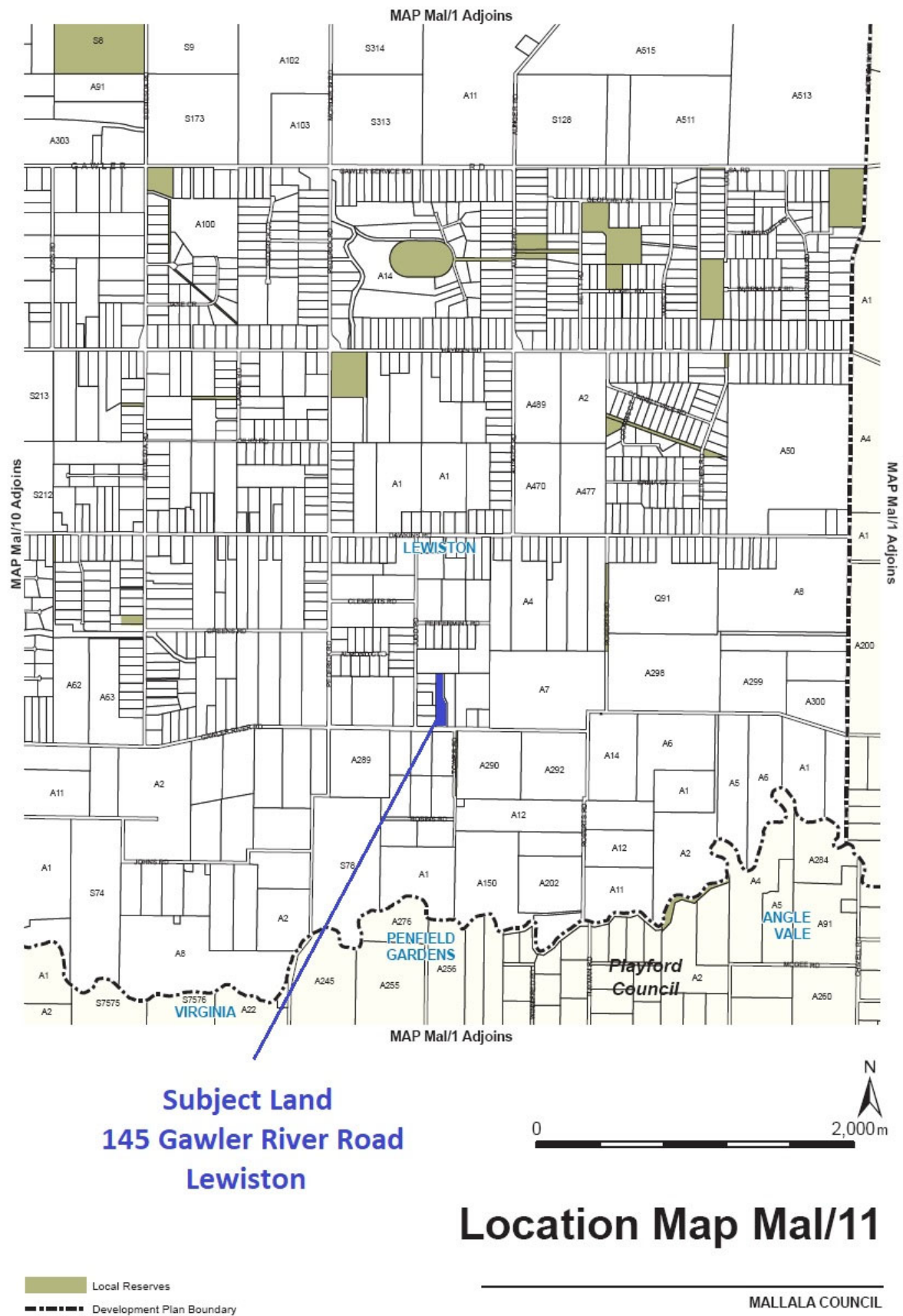
The subject land is formally described as Lot 99, 145 Gawler River Road Lewiston and on Certificate of Title Volume 5198 Folio 181. The subject land is of an irregular configuration and has an area of 2.03 hectares. There are no easements or rights of way registered on the Certificate of Title.

The subject land has a primary frontage of 70 metres to Gawler River Road and measures 50 metres wide at the rear. The land has a depth of 336 metres. Topographically the land appears relatively flat. The current authorised use of the land is residential and comprises a detached dwelling, multiple domestic outbuildings and a swimming pool.

The locality has a similar rural living character with most adjoining allotments incorporating a detached dwelling with multiple domestic outbuildings, and to a lesser extent animal keeping. On the southern side of Gawler River Road the locality presents a different character being for agricultural purposes with no dwellings or structures within close proximity. Trees along the roadside and on private land lend strong positive contributions to the amenity of the locality.

It is noted that the locality exhibits many of the desired outcomes of the Animal Husbandry Zone, being detached dwellings on large allotments, small scale animal keeping, and outbuildings in association with dwellings. Locality and location maps are shown below:





PUBLIC NOTIFICATION

The proposed development falls under neither Category 1 or Category 2 as prescribed by Schedule 9 of the *Development Regulations 2008* nor Category 1 or Category 2 within the procedural matters of the Animal Husbandry Zone of the Development Plan. As such the proposal defaulted to Category 3 for public notification purposes, and consequently adjacent property owners were directly notified in addition to an advertisement placed in local newspapers.



SUMMARY OF REPRESENTATIONS

80 representations were received during the notification process. 75 representations were in support of the proposed development, and 5 were not in support.

The representations have been summarised below with key points made by each category of representors – i.e. those against the proposal and those in support of the proposal:

Name of representor – not in support	Summary of submission points
<p>(Wishing to be heard) Roger Nicks</p> <p>(Not wishing to be heard) Dianne Emsley David Wren Annette Scott Pauline Cattell</p>	<ul style="list-style-type: none"> • The proposal is in no way congruent with the zoning • The proposal should never have been set up in this Animal Husbandry zoned area. The business is totally incompatible with the ambience of the area. • The applicant doesn't live at the premises • Size of business (staff and vehicles) not in line with development control • Large business and not small, home based business • Loud noises from some clients affecting amenity and causing stress. Occasionally interpreted as domestic disturbance, and affects animal wellbeing as well as people • Noises from the facility can be heard indoors at all hours. No respite as the facility runs 7 days a week, day and night • Building extension demonstrates further growth of business • Increased traffic • Potential impact on sale-ability of land in future • Notwithstanding the importance of the business to users, it has been operating for over two years without approval • Will set an undesirable precedence for others to undertake business without approval • If originally established in suitable area, three applications and impact on quality of life would have been avoided • Some neighbours suffer from diagnosed conditions. Ongoing noises including screaming exacerbates conditions and stress.

Name of representer – in support	Summary of submission points
<p>(Wishing to be heard)</p> <p>Tony Vidorin Joanne Vidorin Janie & Michael Farrugia Frances Demaria Helen Ortenstein Kerry King Andrew Scully Sebastien Hughes Adawynn Hughes Sharon Hughes Jasper Hughes Renata and Tony Brown Christine Streeter Suzanne Wilson (represented by Sunny and Raji) Suzanne Kay Mark St John Starks Angela Fulco Kat Morey Sharon Deverson</p> <p>(The following wish to be represented by Tony Vidorin)</p> <p>Shonea Deeks Clifford and Josephine Bigg Stephen John Caitlin Hill Luke Washer Sunder Singh Peter Flowers Dana Van Pelt Andrew Cummings Casey Mangonson Courtney Hassett Jag Dhaliwal Sergei Konivets Raji Mann</p> <p>(Not wishing to be heard)</p> <p>Sean Margrison</p>	<ul style="list-style-type: none"> • Many representations in support are from parents/guardians and participants of the facility • The facility provides services that improve quality of life for attendees and families • The facility benefits various people living with a disability • The facility is the only service in the area and is a much needed facility • Andrew Scully of 46 Gawler River Road – no issues with regard to noise or traffic from the property and is a benefit to the community • The facility is a great place for vulnerable people in our community • The facility is vital/crucial to the ongoing health and wellbeing of its participants.

Aanchal Garg Greg Hughes John Gee MP Nina Van Pelt Kellie Hughes Mr L Panella Mr G Zotti Verica Plesa Rosa Leitch Lakota Venditto Kate Smedley Rhuah Pietersen Sonia Sandercock Garry Sandercock Hannah Sandercock Riley Mitchell Kimberley Alley Nadia Cammarere Antonio Cammarere Guiseppe Marchesan Krishna Devi Sharma Tony Radile Emma Krause (Angle Vale Car Service Centre) Natasha Childs (Angle Vale Family Practice) Ben Rutgers Graeme East Keyvan Aziziazar Adam Orsini Amarpreet Singh Sandeep Kumal Sharone Mutch Rodney Hunt Hannah Griffin Manpreet Sandhu Isaac Johnson Kayla Liu Sue Lange Kerry Durrant Betty Marchesan	
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SUMMARY OF APPLICANT'S RESPONSE

The representations received were forwarded to the applicant's legal counsel. A response to the concerns raised by the representors was provided. The key points of the applicant's response are outlined below:

- A retrospective application will not set a precedent to develop first and seek approval later. Case law is clear on this point.
- Nature of the activities and compatibility with land uses in the Animal Husbandry Zone is reasonable given the number of staff and participants would be no greater than that associated with a large family or home-based business such as dog kennels, car mechanic, dog grooming or specialty food production business.
- Noise levels are no different to levels generally associated with uses existing on surrounding land, and any residential or rural living uses emit noises from time to time. An acoustic report by Sonus Acoustic Engineers concludes that at full operation, the facility is well within the objective noise goals applicable to a rural living use within the zone. A further letter from Sonus reinforces this opinion.
- Traffic and parking have been considered in a report by traffic consultants MFY. Impacts on the road network are considered to have no measurable impact on Gawler River Road, and traffic associated with the development is well within what is contemplated within the zone.
- Expansion of the facility is not proposed and any such consideration is irrelevant in this assessment.
- Impact on property values is an irrelevant consideration as part of the development assessment process, and this is well established.

Copies of the representations received are contained within Attachment 2.

A copy of the response is contained within Attachment 3.

INTERNAL REFERRALS

Department	Response
Environmental Health	<ul style="list-style-type: none">• Identified no concerns

EXTERNAL REFERRALS

Nil.

DEVELOPMENT PLAN PROVISIONS

The proposal has been assessed against the relevant Objectives (OBJ) and Principles of Development Control (PDCs) of Council's Development Plan as follows:

Zone Section	Objectives	Principles of Development Control
Animal Husbandry	1, 2, 3	1, 2, 3, 4, 7, 9, 12, 14
<p>The Animal Husbandry Zone speaks primarily about being a zone for rural living including small scale farming, horse keeping and dog kennelling, but excluding other forms of intensive animal keeping (OBJ 1). The zone is unique to Adelaide Plains Council and seeks to facilitate a zone where land uses such as residential and small-scale animal-keeping can occur in harmony. The provisions of the zone seek to achieve this by being reasonably prescriptive in nature, including a short list of envisaged land uses as well as many quantitative measures for various built forms and associated activities such as horticultural buildings, veterinary clinics and commercial vehicle parking.</p> <p>The Desired Character of the Animal Husbandry Zone is as follows:</p> <p>This zone will accommodate detached dwellings on large allotments and intensive animal husbandry pursuits, including horse keeping and dog kennelling. Small scale, low impact home based business activities associated with a dwelling on the land will operate in a manner that does not detract from the low-key rural character or adversely impact on the residential amenity. Detached dwellings will coexist with the rural activities in the area, with vegetation screening used to provide some interface treatment between uses. The scale, siting and built form including materials and colours should harmonise and be compatible with the rural character of the zone.</p> <p>The zone will be developed in a way that minimises potential amenity impacts on sensitive land uses through the use of appropriate buffers. Development will be low density, with buildings and other structures clustered on each allotment, generously setback from all boundaries. The open rural character of the area will be maintained, with open informal street treatments and predominantly post wire fencing along allotment boundaries. Development within the <i>Gawler River Flood Plain</i> as shown on the relevant <i>Overlay Maps - Development Constraints</i> will be designed to minimise the effects of flooding on the property and surrounding area.</p> <p>Buildings in this area will be single storey and unobtrusive in nature, and screened by low to medium scale vegetation. The building siting, roof forms and building massing will reflect the rural landscape and exercise passive solar design elements in order to be climatically responsive.</p> <p>Horse keeping and dog kennelling will be ancillary to a residence on an allotment and will be the predominant activities in the area. Such activities will be developed, be of a scale, and be operated in a manner with minimal impacts from noise and odour (including animal faeces). Kennel buildings, stables and yards will be sited, orientated, or screened from adjoining dwellings and properties where appropriate. Landscaping around buildings including kennels and stables will provide important shading and screening.</p> <p>The statement opens with the zone seeking to accommodate detached dwellings on large allotments and intensive animal husbandry activities, including horse keeping and dog kennelling. The proposal is for neither a detached dwelling or for intensive animal husbandry activities.</p>		

The Character Statement continues on to seek small scale, low impact home based business activities associated with a dwelling on the land that operate in a manner that does not detract from the low-key rural character or adversely impact on the residential amenity.

Small scale and *low impact* are not terms defined in legislation, however the Oxford dictionary defines *small scale* as something that is of a limited size or extent and *low-impact* as an activity, industry or product affecting or altering the environment as little as possible. Ultimately whether the proposal is considered to be of a small scale and low impact is a matter of fact and degree.

Home based business is also undefined in legislation, however, *home activity* is defined in the Development Regulations. There is no argument that the proposal lies outside of this definition – indicated by the applicant lodging both the previous development application and this application now before the Panel.

The Cambridge dictionary defines *home-based* in relation to a workplace as people who work at home, instead of from an office for example. Considering this new proposal has been lodged fresh by the application without a dwelling component, it is not considered to be a home based business. It is clear that the proposal is a commercial (business) use of the land, and therefore the proposal is not considered to satisfy the desired character in relation to home based business activities in this regard. OBJ 1 and 3 and PDC 2 of the Animal Husbandry Zone are not satisfied.

In addition to the above, should the proposal be considered to be *home based* for a moment, PDC 12 provides guidance and suggests the following parameters which the land use should satisfy:

12 Home based industry/office should only occur where all of the following are satisfied:

a) The allotment on which the home based industry/office is located is the principal place of residence of the operator;

Comment: The owner and operator of the proposal has clarified that they do not permanently reside on the site at this stage or have previously. There will be no dwelling component to the proposal.

b) The allotment is not less than 1 hectare in area;

Comment: Met.

c) The building or portion of the building used for such purposes does not occupy a floor area in excess of 100 square metres;

Comment: Combined measurements of the areas indicated as being shared spaces used for both residential purposes and for use as part of the facility are indicated as the following:

- Approximately 260m² – areas of the house including the existing verandah and proposed verandah extension
- Approximately 47m² – area of the cricket pitch

- Approximately 210m² – areas of educational and indoor games room, garden shed, proposed verandah addition, living skills & cooking room, art & craft room, music & sensory room and library & computer room
- Approximately 48m² for the outbuilding accommodating the gym
- Total approximate area of use associated with the facility is 565m²

The area proposed within the existing dwelling alone far exceed the suggested 100m².

d) The area for roofed or unroofed storage of materials does not exceed 20 square metres in area and is screened from public view;

Comment: No material storage is proposed or required.

e) The total number of persons involved in the home based industry/office is limited to 3 persons of which one is the resident occupier on the subject premises;

Comment: The total number of persons involved in the proposed use exceeds 3 with up to 10 persons inclusive of staff and participants potentially being on site at the same time.

f) Not more than one commercial vehicle of no greater than 9 tonne unladen weight is parked or stored on the subject premises or is used in the conduct of that business or industry;

Comment: The proposal does not require the use of commercial vehicles greater than 9 tonne (unladen).

g) Goods produced on the premises are not made available for public sales from the site;

Comment: Not applicable.

h) Vehicles only entering and exiting the property within the following hours:

- Monday to Friday – Between 8.00am to 6.00 pm
- Saturday – Between 8.00am to 12.00 noon;

Comment: The proposal mostly meets these hours above however the overnight accommodation component is unclear on any variation to the proposed hours of 10am – 3pm.

i) The home based industry/office does not require the imposition on the services provided by a public utility organisation of any demand or load greater than that which is ordinarily imposed by other users of the services in the locality.

Comment: The provision is difficult to ascertain, however it is not considered to be of a scale that would have a meaningful impact or imposition on the services provided by a public utility organization (i.e. water, electricity).

The wording of this PDC is clear in that all of the above parameters should be satisfied. As the proposal does not meet all of these parameters, this provision cannot be considered met.

The Environment, Resources and Development Court has provided some guidance that the Desired Character outcomes for a zone can have significant weight placed upon them when considering the merits of a development application - *Shopov v The Corporation of the City of Adelaide & Anor (2015) SAERDC 41* and *Ned Ritan Design v The Corporation of the City of Adelaide (2016) SAERDC 32* are relevant.

General Section	Objectives	Principles of Development Control
Advertisements	1, 2, 3	1, 2, 4, 5, 6, 8, 9, 10, 13, 15

The proposed freestanding sign is considered reasonable in size and height, and is not considered to offend the relevant provisions for advertisements. The advertisement is modest in size in relation to the frontage of the allotment, is not considered to create a hazard, is not illuminated, and relates directly to the proposed use of the land. The other signage associated with the proposed use is of no concern.

General Section	Objectives	Principles of Development Control
Animal Keeping	1, 2	1, 8, 9, 10, 11, 12, 13

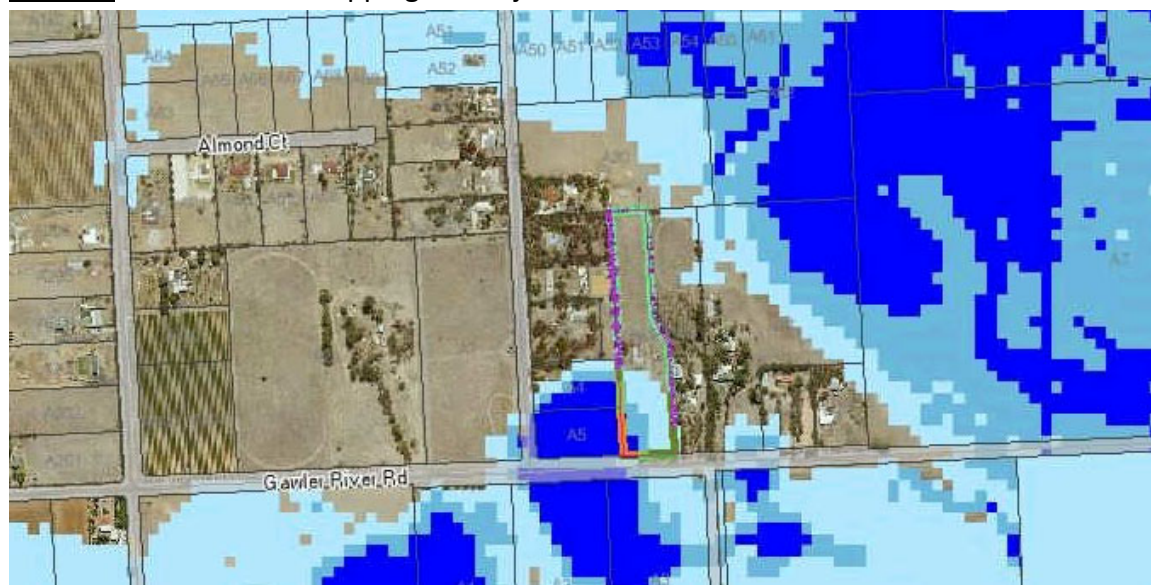
While animal keeping is not the primary element of the proposal it does incorporate the keeping of one horse on the land in association with the facility.

The horse shelter is currently sited greater than 50m from a watercourse and on generally flat land with a slope no greater than 1-in-10. The shelter area for the horse exceeds 14m² and the enclosed day yard also exceeds 50m². There is no indication of kick boards being provided. The horse shelter and yard is located towards the eastern boundary of the allotment, and therefore does not achieve the minimum suggested 30m setback from the allotment boundary. The horse yard area is not located near any existing waste water system or drainage area.

From the information provided it appears there will be persons available on site to care for the horse every day. The activities of the proposed use include feeding and caring for the horse, and in this regard there are no concerns.

General Section	Objectives	Principles of Development Control
Design and Appearance	1	1, 2, 3, 5, 7,
<p>The objectives of the zone seek development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form. Development that achieves suitable setbacks and avoids unreasonably restricting views is envisaged.</p> <p>Whilst not the focus of the proposal, the proposed building works will be of a reasonable design in keeping with the existing dwelling and will be of a scale that will not restrict views in any way. The addition will not require the removal of trees or vegetation and will be setback the same distance as the existing dwelling from the primary road. The extension will however reduce the side setback of the dwelling on the western boundary to 3.5m and this is not in keeping with the relevant desired side setbacks of the zone (5 metres), however this is considered a minor departure from the suggested setback in the context of the site and of the proposal as a whole.</p>		
General Section	Objectives	Principles of Development Control
Community Facilities	1	1, 4
<p>OBJ 1 suggests the location of community facilities including social, health, welfare, education and recreation facilities where they are conveniently accessible to the population they serve. Convenience of location is very subjective and will depend on the users the facility. It is difficult to opine in this instance that the facility is not convenient for the community.</p>		

General Section	Objectives	Principles of Development Control
Hazards	1, 2, 4, 6	4, 5, 6, 7, 8, 9
<p>The Objectives of the zone seek to minimise development which cannot be adequately protected from hazards, primarily in the form of flood and bushfire risk.</p> <p>The proposed extension is largely located within the medium flood hazard area with an indicated flood depth of up to 500mm. PDC 6 suggests the finished floor level of dwellings to be a minimum of 300mm above the height of a 1-in-100 year ARI flood event. The applicant has previously provided a flood report that recommends a finished floor level for the dwelling extension to be a minimum height of 0.6m above the existing building floor level. No significant safety concerns or issues with obstruction of flood waters were raised in the report.</p> <p>Should the Panel be of a mind to grant Development Plan Consent, this increase in finished floor level should be conditioned in line with the hydrological advice provided.</p>		

Figure 4: Flood hazard mapping on subject land

General Section	Objectives	Principles of Development Control
Interface Between Land Uses	1, 2, 3	1, 2, 5, 7
<p>These provisions seek to minimise adverse impacts and conflict between land uses, protect community health and amenity from adverse impacts of development and protect desired land uses from encroachment of incompatible development.</p> <p>Critically, Objective 3 and PDC 2 of this module seeks to protect desired land uses from the encroachment of incompatible development, and PDC 5 seeks to have sensitive land uses that are likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone being designed to minimise negative impacts.</p> <p>As previously detailed, the Desired Character for the Animal Husbandry Zone talks about certain envisaged uses such as horse keeping and dog kennelling being ancillary to a dwelling on the allotment. It goes on to say that horse keeping and dog kenneling will be the predominant activities in the area. By introducing a more sensitive land use in the form of this integrated disability service facility, further envisaged land uses such as animal keeping activities introduced in the locality may result in land use conflicts where anticipated and reasonable impacts such as animal noises and odours may, in fact, impact on this facility and its users. That is to say, if this use were to be approved, it may undermine not only the integrity of the zoning policy but jeopardise future envisaged uses by becoming a sensitive receiver adjacent to less sensitive land uses, which may result in a lessened enjoyment and quality of the facility for the participants. In this regard, Objective 1 and 3 and PDC 2 are not satisfied.</p>		

The applicant's representative has correctly highlighted that "...the Courts have been clear that the actual existence of development as it is proposed may be of some assistance to the Council Assessment Panel in the assessment of the development's merits in that the land use and its impacts don't need to be imagined but rather can be observed." (Sargent v City of Salisbury [2012] SAERDC 41 at [9]; Karytinis v Corp of Town of Walkerville [2009] SAERDC 25 at [28] and Peregrine Corporation Pty Ltd v City of Tea Tree Gully [2009] SAERD 6 at [10])

The applicant's representative has also highlighted in their response to representations that the assertions made by several representors of "screams and noises" being heard from the facility "7 days a week, night and day" are without foundation. Conversely, Council is in receipt of numerous ongoing complaints from nearby residents about such noises since the facility has been operating, and it appears that the current operation of the facility appears to be taking place outside of the days and hours put forward by the applicant.

Whilst the applicant has provided an Acoustic Engineers' report that concludes that the nature of the development is appropriate in the zone and will meet relevant noise standards as referred to in PDC 7, it does not necessarily follow that there are no impacts on amenity, as this is not quantifiable.

The definition of 'amenity' from Part 1 (4) of the Development Act, 1993 reads:

amenity of a locality or building means any quality, condition or factor that makes, or contributes to making, the locality or building harmonious, pleasant or enjoyable

Whilst the noise levels generated from the use may satisfy relevant policies, it is apparent that noise generated by the proposal has been and will continue to be irregular and inconsistent, and be audible at different places and times. In some respects, this unpredictable pattern may exacerbate the impacts and be potentially more disturbing as a consequence. OBJ 2 and PDC 1 are therefore considered to remain outstanding in this regard.

General Section	Objectives	Principles of Development Control
Transportation and Access	2	8, 12, 13, 14, 25, 26, 33, 35, 36, 37, 38, 43

The proposal is considered to have sufficient numbers of car parks and appropriate driveway and manoeuvring areas on site in accordance with relevant Australian Standards.

Issues raised by representors appear to stem from the early hours of vehicle movements arriving to the site rather than the numbers of vehicle movements or the parking areas.

Should the Panel be of a mind to approve the proposal, relevant conditions concerning appropriate surfacing, line marking and wheel stops for the car parking areas are recommended to be considered.

SUMMARY:

The proposal is for the retrospective approval for an integrated disability service facility together with a number of ancillary building works to accommodate the proposal.

While the benefit the facility has provided to participants and general support of such a facility through the majority of representations received is acknowledged and taken into consideration, these considerations do not form a strong base for justification from a planning assessment perspective. While the proposal has been judged to be reasonably consistent with some relevant aspects of Council's Development Plan, it is considered to fail the specific intent of the Animal Husbandry Zone outcomes and fails to demonstrate that the 'pros' of the proposal outweigh the 'cons' – the latter being a use that is not intended for the zone, interface issues through amenity concerns, and that an incompatible development will encroach into desired land uses for the zone.

It is extremely unfortunate that the facility commenced operations without approval, and it is extremely unfortunate that the applicant has chosen to undertake the business on land within the Animal Husbandry Zone that is not openly supportive of such a use as sought by the Desired Character statement for the zone.

Accordingly, on balance, the Administration has concluded the proposal does not have sufficient merit and cannot be justified as representing a satisfactory planning outcome in the context of the subject land and the locality, and is at variance with the desired character of the zone. Refusal to grant Development Plan Consent is therefore recommended.

RECOMMENDATION

1. That the Council Assessment Panel resolves that the proposal (312/47/2021) lodged by Choice N Control Pty Ltd for retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programs and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work, signage and the keeping of one horse at Lot 99, 145 Gawler River Road Lewiston (CT 5198/181) is not seriously at variance with the Mallala Council Development Plan Consolidated 13 December 2018.
2. That the Council Assessment Panel, having considered all aspects of the report and the application to carry out development of land, resolves to **REFUSE** Development Plan Consent for Application 312/47/2021 by Choice N Control Pty Ltd for retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programs and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work, signage and the keeping of one horse at Lot 99, 145 Gawler River Road Lewiston (CT 5198/181) as the proposed development is contrary to the following provisions of the Mallala Council Development Plan Consolidated 13 December 2018:

Animal Husbandry Zone Objective 1

Reason: The development is not for rural living, small-scale farming, horse keeping or dog kenneling.

Animal Husbandry Zone Objective 3

Reason: The development does not contribute to the desired character of the zone.

Animal Husbandry Zone Principle of Development Control 2

Reason: The development is not consistent with the desired character for the policy area.

General Section (Interface Between Land Uses) Objective 1

Reason: The development is not located to minimise conflict between land uses.

General Section (Interface Between Land Uses) Objective 3

Reason: Desired land uses are not protected from the encroachment of incompatible development.

Our ref: ASF/220247

22 January 2021

Mr George Jacks
Planning Officer
Development & Community
Adelaide Plains Council
PO Box 18
MALLALA SA 5502

By email: info@apc.sa.gov.au
gjacks@apc.sa.gov.au

Dear George

**Development application - Choice N Control - Disability service facility - 145
Gawler River Road, Lewiston**

Our firm has been engaged by Choice N Control Pty Ltd (**CNC**) to act for it in relation to a development proposal for land situated at 145 Gawler River Road, Lewiston. To that end, please find **attached**:

1. Development Application (in triplicate);
2. Proposal Plan (in triplicate) titled "Proposed Addition" Revision F prepared by SLP Pty Ltd dated 21 January 2021 (SLP Site Plan);
3. Acoustic Report prepared by Mr Jason Turner of Sonus dated January 2021;
4. Traffic and parking assessment report in the form of a letter to Botten Levinson Lawyers prepared by Ms Melissa Mellen dated 22 January 2021;
5. Flood Management Report prepared by Robert Williams (hydrological consultant) dated 13 January 2020;
6. Extract of Report prepared by Joshua Skinner of URPS in relation to assessment of Hazards (Flooding and Bushfire) and Design and appearance for DA 213/390/2019;
7. Section 86 *Electricity Act 1996* Declaration Form; and
8. Search copy of CT 5198/181.

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5 May 2021

Please advise as to the development application fees payable and our client will arrange for those fees to be paid direct to the Council.

1. Background

As noted above, the site the subject of this development application, is the land situated at 145 Gawler River Road, Lewiston, being the whole of the land comprised in CT 5198/181 (**the land**).

The land is 2.02 hectares in area.

Up until 6 December 2018 the land was owned by Douglas Glamann. Situated on the land at that time was a detached residence, three (3) outbuildings (used variously for storage of tools, equipment and unwanted “junk” and as an outdoor kitchen), a chicken coop, horse stable and a swimming pool.

The land was used by Douglas Glamann and his family (comprising his wife and 2 or 3 adult children) for rural living type purposes, i.e., for residential purposes and small scale animal keeping in the form of chickens and, at some stage, a horse.

On our instructions, Mr Glamann put the land on the market for sale in September 2018.

CNC is a registered disability provider for the purposes of the *National Disability Insurance Scheme Act 2013*. More particularly, CNC is registered in multiple categories of service provision including Social, Community & Recreational Activities, Daily Activities – Independent Living Skills, Transportation, and Supported Independent Living.

In August 2018 CNC was looking to establish a facility for the provision of an independent living skills programme for participants with mild intellectual disabilities, and in pursuit of that plan developed an interest in purchasing the land after being informed about it by an employee of the business who lives in the Lewiston area. To that end, and prior to making an offer to purchase the land, director of CNC, Mr Sanamdeep Singh, had preliminary discussions with certain officers of the Adelaide Plains Council (**the Council**) regarding the potential use of the land as a disability service facility and a residence.

In early November 2018, Sanamdeep Singh and his wife, Navroop Kaur (both of whom are directors of CNC) contracted to purchase the land. On 6 December 2019, they settled on the purchase of the land and became the owners of the land. They remain, today, the owners of the land.

In the belief that development approval for the proposed use of the land as a disability service facility and residence was not required (subject to the need for an approval required to erect a fence around the land), CNC began, on 21 January 2019, using the land for purposes associated with a disability service facility. In broad terms, CNC began using the land for so-called “day programmes” for persons with intellectual disabilities and the occasional supervised “overnight stays” for such persons.

For that purpose, and also in the belief that no development approval was required, CNC undertook work to upgrade and make internal alterations to the largest of the existing outbuildings on the land.

By development application numbered 312/40/2019 (and registered on 14 February 2019) Sanamdeep Singh applied for development approval to erect fencing around the perimeter of the land. The fencing proposed three different types of fence to address the respective Flood Hazard Risk Area requirements applicable to the high, medium and low level risk area at the front, middle and (largest) rear portions of the land respectively. The fencing in the front section is tubular, whilst the remaining fencing is colorbond, with the middle section being raised 300mm above ground level with a mesh to 300mm to allow water to pass through if necessary.

By Decision Notification Form dated 4 March 2012 the Council advised of the grant of development approval for the fencing proposal the subject of DA 312/40/2019 (**the approved fence**).

The approved fence has been erected on the land.

In or about July or August 2019, officers of the Council, following an inspection of the land, advised CNC that the then use of the land amounted to a change in the use of the land and that, accordingly, a development application was required.

In December 2019, Sanamdeep Singh (on behalf of CNC) lodged a development application with the Council concerning the use of the land. That development application was assigned number 312/390/2019 (**DA 312/390/2019**). The description of the development proposal in DA 312/390/2019, as lodged in December 2019 was: *“Approval for home based industry. Approval for advertising sign, building (shed) renovation, cricket net fence and to keep one horse on the property”*.

Subsequently, the Council characterized the nature of the proposal (i.e. the subject of DA 312/390/2019) as:

“Change of use to a Disability Service Facility (Comprising Library and Computer Room, Music and Sensory Room, Art and Craft Room, Living Skills and Cookery Room, Gymnasium, Education and Indoor Games Room, Advertising Sign, Cricket Pitch and the keeping of one horse and shelter) and ancillary dwelling together with respite accommodation”.

In October 2020, CNC sought assistance from our firm in relation to the proposal to change the use of the land for purposes related to a disability service facility. Following discussions with our firm CNC decided to seek development plan consent for a new proposal which:

- unlike the proposal the subject of DA 312/390/2019 does not propose the use of the land as (amongst other things) a dwelling;

but that otherwise

- retains the proposed use of the land as a disability service facility, for persons with intellectual disabilities in the form of, primarily, day programmes and supervised overnight stays for participants of the day programme who wish to do so for specific purposes.

In the circumstances, CNC has withdrawn DA 312/390/2019, and now lodges a fresh development application for the above proposal.

2. The Proposal

Fundamentally, the proposal seeks to change the land use to a disability service facility. More particularly, the proposal is to provide day program services and overnight stay services at the land for persons with intellectual disabilities.

As noted above, CNC is a registered National Disability Insurance Scheme (**NDIS**) Provider. It will, in our view, assist in the assessment of this proposal to understand the way in which the NDIS works.

The National Disability Insurance Scheme (NDIS)

The NDIS provides funding and support to Australians with a range of permanent and significant disabilities across the country. It is administered at the federal level by the National Disability Insurance Scheme Launch Transition Agency (**the NDIA**) under the *National Disability Insurance Scheme Act 2013* (Cth) (**the Act**), and a multitude of Rules made under it.¹ The NDIS is funded by the Commonwealth government and participating states and territories under various bilateral agreements.

Eligible participants in the NDIS must develop a plan which sets goals and identifies the supports required to achieve those goals. Participants' plans may be self-managed, managed by a registered NDIS provider or a plan nominee, or they can be managed by the NDIA. Plans managed by the NDIA mandate that funded support for the participant be provided by registered NDIA providers only.

Funding is then determined broadly based on what is reasonable and necessary for a participant to achieve their goals. Importantly, funding is paid directly to the participant enabling a degree of self-determination in respect of the choice of services and service provider.

There are three types of funding streams (referred to by the NDIS literature as "Budgets") in a participant's NDIS plan. They are:

- Core Support which includes funding for specialized disability accommodation;

¹ S.118 of the Act

- Capacity Building which broadly funds assistance with independent living skills, participation in recreational and social activities, and community engagement;
- Capital Supports which includes things such as assistive technology and home modifications.

Funding assigned to each of the three broad categories must be used only for services within that broad category (ie funding for one category can't be spent on services in another category).

Once a plan is in place, NDIS then assists participants to find a Provider who offers services within the appropriate category and of a kind that can facilitate the participant's goals.

An NDIS registration permits a Provider to offer services with a level of care specified in the Provider's registration. The levels of care range from high dependency care through to low level care. In general terms this corresponds to the extent of severity of disability of persons to whom services are to be provided. Registration may also be restricted to specified kinds of services correlating to one or more of the three specified funding streams.

CNC provides services to participants requiring varying levels of care for intellectual disabilities. CNC is not registered to provide support to persons with physical disabilities, nor is it registered to provide any kinds of Capital Supports.

We are instructed that CNC employs 25 people with 4 volunteers across the total of all of its sites.

One arm of the services operated by CNC is the provision of residential accommodation in properties at Angle Vale (where it has two properties), Salisbury and Salisbury North. Such accommodation provides a place of residence (a home) for NDIS participants enabling a level of independent living and personal choice.

This type of accommodation is to be contrasted with the provision of overnight stay services to facilitate Capacity Building needs and respite for carers which is proposed in this subject development.

The Proposed Disability Services Facility

The proposed development will provide Capacity Building services (ie. Services that are funded from participants' Capacity Building Budgets) which are to be run during day-time hours, and to a lesser extent overnight.

In overview, the proposed development involves a number of related components, namely:

- the provision of day programs for persons with intellectual disabilities;
- the provision of overnight stay services for persons with intellectual disabilities;
- associated building work in the form of an addition to the former dwelling building on the western side as shown on the SLP Site Plan, the partial demolition in the form of the removal of external walls of the largest of the existing outbuildings, the replacement of those external walls, and the installation of internal walls to create 4 new separate rooms within that existing outbuilding .

Participants in the day programs and overnight stay services proposed for the land will generally be 18 – 50 years of age with intellectual disabilities.

The day programs and the overnight stay services are supervised and conducted by appropriately qualified carers engaged by CNC. The role of the carers is to supervise, assist and encourage the participants.

We are instructed that typically there will be 2 to 3 staff on the land at the proposed facility during business hours, comprising administrative staff and/or carers, and on occasions during any given business day 1 – 2 additional administrative staff (including a CNC director) may attend the proposed facility for shorter periods of time of between 1 – 3 hours for a variety of business oversight reasons.

Participants in day programs on the land will vary. At times there will be between 8 - 10 participants on the land, but at other times there will be a lesser number. On other occasions, when there are excursions off site, there will be no participants on the land.

The day programs will be provided Monday to Friday (10:00am to 3:00pm).

Programmes offered on any given day will depend on individual participant's NDIS plans, however, the kinds of services able to be provided include:

1. assistance with domestic independent living skills such as cooking, pet care, computer literacy, and fitness;
2. money management and shopping – participants will be taken on grocery trips, taught how to count money, pay for items and understand living costs;
3. transport and road safety training – understanding and safely using public transport (eg. ticketing and accessing and reading timetables);
4. educations programmes such as visits to museums, art galleries and libraries, sign language lessons, and education in respect of various basic rights that participants have as citizens;

5. community inclusion – participation in community activities such as swimming, bowling, visits to the beach, zoo, parks, markets, cinema, bush walking, horse riding at specialist horse riding centres, picnics and other things;
6. pre-vocational training – this includes targeted IT and computer skills, gardening and mowing;
7. NDIS pre-planning support – CNC is registered to assist participants develop their personal plans which involves developing and setting goals and arranging meetings and services to achieve those goals.

Overnight stays will be offered as required but are likely to operate on average between 4 and 5 nights per week for between 1 – 3 participants per night.

Overnight stays provide respite for parents and/or carers (noting that in most current cases a parent is the primary carer of the participants). In addition, participants in overnight stays may do so for a range of other reasons associated with improving their independent living skills by taking part in activities within an overnight stay environment.

A participant's reason(s) for incorporating an overnight stay service into their NDIS plan will depend on their particular circumstances and goals. There are no specific limits or boundaries in respect of reasons for incorporating overnight stays into the participant's NDIS plan. For example, overnight stays may be sought to enable friends to spend time together as a type of 'sleepover' or 'holiday', or to enable carers to have a "night off" for any number of reasons personal to them, or a combination of these objectives. A participant's individual NDIS plan will determine the basis for use of the overnight stay service.

As noted above, the purposes and associated programmes to be offered in overnight stays will vary depending on the individual's plan, however, some purposes will include:

1. independent living skills within a home style setting such as bed making, basic night time routines such as showering, teeth cleaning and getting dressed and undressed.
2. community inclusion – participation in evening community activities such as dining out, going to the cinema etc.
3. socialising with friends – participants develop friendships with their fellow participants and look for opportunities to spend time together and to participate in organized evening activities together such as going out to dinner or a movie.

The length of the overnight stays option will typically be one to two nights. The overnight stays will mostly occur on weekends and to a lesser extent on Wednesdays through to Fridays. It is anticipated that often there will be only occasional overnight stays on Monday and Tuesday nights.

Participants in the overnight stay component will be persons (who are or have participated in) the day programs being conducted from the land. This means that before offering a participant an overnight stay option CNC has had an opportunity to work with the participants during a daytime setting and gain a good understanding of their needs. Conversely, participants are familiar with staff before staying overnight at the facility.

One CNC carer will reside with, participants overnight. The person will have appropriate qualifications such as a Certificate 3 in Disability, Department of Human Services “appropriate person” Screening, and a current driver’s licence.

Importantly, participants in the overnight stay component of the services on offer from the land will not reside at the land (i.e. The facility is not their residence). They live elsewhere and will return after the overnight stay period to their residence.

Day programme activities will be undertaken variously across all parts of the facility including the main building, the activities outbuilding and using the various outdoor areas such as the horse stable, chicken coop, vegetable garden, other garden areas, and the cricket pitch.

Overnight stay activities will on the whole be confined to the main building (ie. the former dwelling).

No therapeutic, medical nursing or consulting activities are proposed. However, some participants require medication. That medication is brought by the participants to the land in a pre-prepared packaging known as “Webster-Paks”. In other words, medication is not prepared or prescribed by CNC.

Building Additions more specifically

Building additions are proposed to the former dwelling, which will provide space for both the day programme and overnight activities. The building work comprises the following additions extending that building to the west as shown on the **attached** SLP Site Plan:

1. four new rooms designated as 2 bedrooms, a games room, and a reading and resource room;
2. one additional bathroom including WC; and
3. extension to the existing verandah on the northern face of the building.

Partial Demolition & Replacement of Existing Outbuilding

Retrospective approval is sought for the partial demolition (the removal of the external walls) of the largest existing outbuilding on the land, and the replacement of the external walls in the same position together with the addition of a small verandah along the eastern face of the building, and the addition of three internal walls to create four separate activity rooms being Living Skills and Cooking room, Art and Craft room, Music and Sensory room and Library and Computer room.

These works are shown on the SLP Site Plan.

Signage

The proposal includes the erection of a sign identifying the address as “CNC NDIS Registered Provider, 145 Gawler River Road, Lewiston” inside the entrance way to the land. The sign is erected on posts with the 1.2 metre wide signboard placed at a height of 1 metre above ground level rising to a height of 1.9 metres above ground level.

Additionally, there will be small signage (approximately 600mm wide x 50mm high) attached to and above the entrance way to the main building, and above the entrance way to each outbuilding identifying the uses or activities within each building. The purpose of these signs is to assist participants at the facility to find their way to their designated activities.

Cricket Pitch

For the purposes of outdoor activities, a cricket pitch is proposed. The location of the pitch is as identified on the SLP Site Plan which forms part of this application.

Netting around three sides of the cricket pitch to a height of 3 metres will keep balls within the cricket pitch area.

Vehicles/Traffic

CNC will provide 4 vans to transport participants to and from the land for day programs. The vans are typically parked at staff members' homes overnight and outside work hours. Generally speaking, the vans are not parked on the land on weekends or between 3:00pm to 10:00am the next day. CNC estimate that a maximum of 8 vehicles will be parked on the land at any one time, comprising up to 4 vans, 2-3 staff cars and 1-2 visitors' car. The expected duration of stay for visitors to the facility is between 1-3 hours, and additionally, it is expected that on most days the number of vehicles parked on the land will be less than 8.

A total of 8 car parking spaces are provided on the land, comprising 4 covered spaces for the main building for staff and 1 van (including 1 disability access space to comply with the relevant provisions of the Building Code), and 4 additional spaces which can accommodate 3 vans and a visitor space.

Refuse & Wastewater

Refuse generation will be minimal, and will be accommodated by the existing collection service.

In terms of wastewater, the land currently utilises an on-site wastewater disposal system, with alterations to this system proposed as part of the proposed development. An

application has also been made by CNC to the Council for the necessary permit under the *Public Health (Wastewater) Regulations, 2012*.

3. The Nature of the Proposal

As noted above, the proposed development has a number of elements or component parts, comprising a change of use of the land and existing dwelling use to a disability services facility providing daytime (10am – 3pm) and overnight programmes and respite accommodation, the addition of a cricket pitch, and the associated undertaking of building additions, the partial demolition and replacement in identical footprint of an existing outbuilding, internal building alterations to that building, and the keeping of one horse.

A Disability Services Facility is an undefined land use for the purposes of the *Development Act*. Properly understood, the proposal is best characterised as a Disability Services Facility.

It is established law (refer, for example, to the decision of the SA Supreme Court in *Eliza Jane Investments v City of Playford* [2009] SASC 260) for mixed use developments (undefined use for the purposes of the *Development Act*) that there are a number of different scenarios in terms of what might be the particular character of the mixed use development in question.

The first such scenario (or approach) is where the proposal may consist of two independent uses. In that situation, the proposed development will be classified as comprising both of those uses.

The second scenario, or approach, is where one land use is ancillary, or subservient, to the other land use. In such a situation, the subservient, or ancillary use, takes on the character of the dominant use.

The third approach, or scenario, is where the proposed development under consideration constitutes two or more integrated land uses, which are sufficiently bound up, or inextricably linked, so as to be appropriately characterised as a single use (ie. a distinct single use which is undefined for the purposes of the *Development Act*). Whether there is the necessary degree of integration is ultimately a question of fact and degree.² With the third approach, it is not appropriate to attempt to characterise the nature of the proposal by breaking the proposal up into its component parts. This third approach is often described as the “*integrated development principle*”. The integrated development principle, of course, has also been applied by the South Australian Environment Resources and Development Court in a number of cases³.

² *MacQuarie International Health Clinic v University of Sydney* (1998) 98 LGERA 218.

³ E.g. *Beames v City of Burnside and Anor.* (2010) SAERDC 17; *Taylor v City of Onkaparinga* (2003) SAERDC 76; *Lockleys Holdings v City of Port Adelaide Enfield* (2010) SAERDC 12.

All of the components of the proposed development will be operated under a single management and as one integrated disability service facility. The essential purposes of the proposed facility are to provide services, in a structured way, for persons with intellectual disabilities aimed at developing life skills in a variety of areas such as independent living skills, shopping, money handlings, gym, gardening, horticulture, art and craft, social events, outdoor and indoor games, cooking, laundry skills and general social interaction, and in association with that to provide respite for carers. These essential purposes permeate both the day programmes and the overnight stay programmes. The components of the proposed development are also physically integrated such that staff and participants can move freely within the buildings and on the land during the course of day programmes and overnight stays.

In view of the law on undefined integrated development and bearing in mind the extent to which the individual component parts of the proposed development will be meaningfully integrated with each other in both a physical and operational sense, it would, in our submission, be inappropriate to characterise the proposal in terms of those constituent parts. The components of the proposed development are not independent kinds of development; they are part of an integrated whole.

When considering how to characterise the nature of the proposal in this matter, it is also instructive to have regard to the findings of His Honour Justice DeBelle of the South Australian Supreme Court in the matter of *Adelaide City Mission and Anor v South Australian Planning Commission and Others* (1993) 60 SASR 178 at page 180 when he had occasion to comment on the question of how to go about characterising the nature of a proposed development. On that question, Justice DeBelle said:

*"It might often be a question of fact and degree whether the proposed development in fact constitutes one kind of development as opposed to another: ... as Stephen J observed in Pioneer Concrete (QLD) Pty Ltd v Brisbane City Council (1980) 145 CLR 485 at 507 – 508 – this enquiry should **not** involve a meticulous examination of the details of the likely activities to be conducted on the land or any precise cataloguing of them but, instead, should be an enquiry as to what according to **ordinary terminology** is the appropriate designation of the use to be made of the land or buildings. A useful criterion to apply is that which would apply to the **practical minds** as appropriate in the context of town planning legislation:". (our emphasis)*

In our view, when a practical mind is applied the proposal is best characterised as being for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and overnight/respite stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse.

4. The Development Plan

The relevant Development Plan for the purposes of this development application is the Malalla Council Development Plan (consolidated on 13 December 2018) (**the Development Plan**).

The land is, according to the Development Plan, located in the Animal Husbandry Zone.

To the immediate south of the land, on the other side of Gawler River Road is land located in the Primary Production Zone (and, more particularly, in Precinct 5 Horticulture of Policy Area 3 Horticulture of the Primary Production Zone).

Relevantly, the Development Plan also:

- places portion of the land in a Flood Hazard Risk Area and more specifically as regards that portion (being land located at the southern end of the land) primarily in the low and medium flood risk area, with the balance of that portion in a high flood risk area. The balance of the land, being most of the land, is not within a flood hazard risk area;
- places the land in a General Bushfire Risk area within the Bushfire Protection Area identified on BPA Map Mal/1 Bushfire Risk.

5. Classification and Categorisation

The proposed development is neither *complying* nor *non-complying* within the Zone and accordingly is to be assessed on its *merit*. It is neither category 1 or category 2 development and is therefore to be assessed as a category 3 development.

6. The Planning Merits

Context – approach to assessment

Before turning to assess the planning merits of the proposal it is always helpful to re-visit accepted and well established principles applicable to the interpretation and application of Development Plan provisions. In that regard, principles that are particularly relevant include:

- the Development Plan is to be used as a flexible, **advisory** planning policy document, within which a planning judgment must be made⁴. The Development Plan provisions are couched in the language of “**guidelines**”; they are not mandatory.
- the development legislation is a practical code to be applied in a practical manner⁵.

⁴ *Lakshmanan v City of Norwood, Payneham and St Peters* [2010] SASFC 15.

⁵ *City of Mitcham v Freckmann & Ors* [1999] SASC 235.

- in the case of applications where the proposal is neither a complying or a non-complying development, the task of the planning authority is to weigh “the pros and cons” by reference to the Development Plan, and then make a planning judgment. The following passage from His Honour Justice DeBelle of the SA Supreme Court in the matter of *City of Mitcham v Freckmann* [1999] SASR 235 is very much on point in this matter:

*The Development Act, like its predecessors the Planning & Development Act 1966-1967 and the Planning Act 1982, is a **practical code calling for practical application**. I respectfully adopt the remarks of Jacobs J in **District Council of Munno Para v Remove-All Rubbish Co Pty Ltd** (1985) 41 SASR 188 at 201:*

*“... where the Development Plan neither permits nor prohibits a particular development, the task of the planning authority is to weigh up the “pros” and “cons” with due regard to the guidance afforded by such of the general planning precepts and policies in the Plan as may be relevant. **But to suppose that the “pros” and “cons” are in watertight compartments, or that they do not overlap, is to ignore the complexity of the subject matter and the competing elements which have to be weighed in deciding where the planning balance lies.**”*

*In cases such as this, where the proposed development is neither a complying or non-complying development, that is to say, where the Plan neither permits nor prohibits the proposed development, **the task of the planning authority is to weigh the benefits and detriments, in other words, to weigh “the pros and the cons” of the proposed development by reference to the Plan. Ultimately, the planning authority must make a judgment whether the proposal will be permitted.** If it is to grant the application, it must be satisfied that there are sufficient reasons for that decision, reasons which are based on acceptable principles of planning and the relevant provisions of the Plan. That judgment will have regard to the factors mentioned above. Thus, a proposed development might be approved if it is conducive to the objectives and desired character of the zone in which it is to be sited. **It will be relatively easy in some cases to decide that the proposal is quite compatible with the amenity of the locality. In other cases, that test will be more difficult. It will be a question of fact and degree in every case, after weighing all relevant considerations, whether the proposed development should be approved.*** (our emphasis)

An example of the application of the approach outlined above by the Supreme Court are the decisions of the Environment, Resources and Development Court and the Full Court of the South Australian Supreme Court in *Freckmann v City of Mitcham & Ors* No.2) (1999) SAERDC 88 and *City of Mitcham v Freckmann & Ors* (No.2) (2000) SASR 101 respectively. The facts and findings in those two court decisions are instructive for the purposes of this matter.

The proposed development, the subject of the appeals in *Freckmann's* case involved a proposal to park a large furniture removal truck on his residential property. The truck weighed 4.95 tonnes. More particularly, Mr Freckmann owned a house at 7 Rochester Avenue, Colonel Light Gardens. The land was within the area of the Mitcham Council. It formed part of the Colonel Light Gardens Suburb Zone. Colonel Light Gardens was found to be a suburb which is significant in the history of town planning in the State. It was planned along garden city lines by Charles Reade, South Australia's first Government town planner.

It was also noted that Mr and Mrs Feckmann resided in the house on the land. They conducted a furniture removal business from that house. Mrs Freckmann provided secretarial assistance.

There was a finding by the relevant courts that the truck parking did not represent a use ordinarily regarded as incidental to the residential use of the land. It amounted to a change in the present residential use of the land, and thus development approval was required.

The proposed development had a long history in the courts. Relevantly, in November 1999 the Environment, Resources and Development Court granted provisional development plan consent to the proposal.⁶ The Mitcham Council then lodged an appeal against that decision to the Full Court of the Supreme Court. The Full Court of the Supreme Court, in the abovementioned decision, dismissed the appeal against the judgment of the ERD Court. Thus, the Full Court allowed the decision of the ERD Court to grant provisional development plan consent to the proposal to park the truck to stand.⁷

In dismissing the appeal against the decision of the ERD Court, the Supreme Court noted that the ERD Court had made a planning judgment whether consent should be granted. In making that judgment, the Supreme Court observed that the ERD Court had had regard to the relevant provisions of the Development Plan and to all relevant factors.

Notably, the ERD Court found (in its November 1999 judgment), amongst other things, that while "... *the non-residential development cannot be said to complement the heritage character of the zone, neither is it of such nature that, in the circumstances it will detract from the "garden suburb" character of the zone*". The ERD Court found that the parking of the truck, in the proposed position, and "... *by this, the additional, commercial use of the subject land, will **not** affect materially, the amenity of the locality ...*". (my emphasis)

The Proposed Land Use

In this matter, the proposal is neither a complying or a non-complying development, and although the Development Plan does not speak loudly or clearly for the proposed

⁶ (1999) SAERDC 88.

⁷ (2000) SASC 101.

development, relevantly, the Development Plan does not speak loudly or clearly against the proposed development.

It is a reasonably common occurrence with zone planning policy contained in Development Plans that not all conceivable land uses are expressly contemplated by zone planning policy. In such circumstances, as directed by Justice DeBelle in the *City of Mitcham v Freckmann* case, it is a matter of weighing the pros and cons of the proposal in question and then making a planning judgment.

When making that planning judgment in this matter it must be acknowledged that it cannot be said that the Development Plan makes the proposed development clearly an unsuitable land use.

The Development Plan clearly contemplates (within the Animal Husbandry Zone):

- rural living;
- horsekeeping;
- intensive animal keeping in the form of dog kennelling;
- small scale farming;
- additions to dwelling;
- outbuildings.

The zone provisions also expressly contemplate "... low impact, home-based business activities associated with a dwelling on the land ..."

All of the above kinds of development generate a level of activity and kinds of activity that in a number of respects are not dissimilar to the levels and kinds of activity that will be generated by the proposed development. When assessing the proposed development it is, in our submission, relevant to compare the level of activity and the type of activities associated with envisaged uses with the level of activity and type of activity that will be generated by the proposed development.

Activities associated with the proposed day programs will involve activities that are not dissimilar to the type of activities undertaken, say by a large family on the land, e.g. outdoor games, computer usage, gardening, keeping of horses.

Activities at night with an average family occupying a dwelling typically involves cooking, dining, laundry and sleeping. They, of course, are the very type of activities that will be undertaken with the overnight stay component of the proposed development.

The dropping off and picking up of participants in the day programs will generate a level of vehicular movement but so too would use of the land for rural living purposes by a large family, e.g. vehicle movements associated with a large family; vehicle movements associated with say, customers who are bringing their dogs for kennelling or picking up

their dogs after kennelling; and vehicle usage associated with farming activities and the like.

It is also noteworthy that the Animal Husbandry Zone provisions contemplate home based **business** activities associated with the residential use of land within the zone. The zone provisions seek that such home based business activities should be of a small scale and of a low impact. Such a home based business activity could, for example, be a dog kennelling business. If so, in addition to other “rural living” activities being undertaken on such land, activities could include:

- exercising dogs;
- receiving dogs from their owners; returning dogs to their owners at the end of their stay; and
- visits from vets.

Whilst the proposed development is not a home based business activity associated with a dwelling, it is a small scale, low impact business that has a meaningful degree of association with a building that will operate during daytime hours during the week and from time to time each week, overnight. Furthermore, both the day and overnight programs involve activities for persons with intellectual disabilities which are similar to activities undertaken with a dwelling use of the land.

Potential Impacts

Will the proposed development create any unacceptable amenity impacts by reason of noise or the parking and movement of vehicles associated with the proposal? In our respectful submission the answer to this question is no.

On the matter of impact from noise, it is submitted that the attached report from Mr Jason Turner of Sonus clearly demonstrates that there will be no adverse noise impact from either noise associated with participants in the day programs or overnight stays or noise associated with the use of vehicles. You are referred to the Conclusion outlined in Mr Turner’s report:

“Based on site measurements, observations and the preparation of a three dimensional noise model, the activities achieve the noise criteria at all nearby residences with the incorporation of the above recommended acoustic treatments to the music room. In so doing the proposal has been designed to minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise, thereby achieving the relevant provisions of the Development Plan related to environmental noise.”

On the matter of traffic and parking we refer you to the report of Ms Melissa Mellen which clearly demonstrates that the development is comfortably compliant with applicable Australian Standards for the purposes of access and parking is and that there will be no

adverse traffic impacts. You are referred to the Summary conclusion outlined in Ms Mellen's report in which she concludes as follows:

"The proposal for a disability service facility at the site will provide for safe and convenient access and parking for staff and visitors in accordance with relevant Australian Standards. Minor widening of the two-way section of the driveway within the site will be included to accommodate access.

The proposed parking space provision will sufficiently cater for the forecast daily demand. Infrequent visitor parking demand at the site can readily be accommodated on existing sealed areas. The proposal will generate minimal traffic and there will be no appreciable impact on Gawler River Road.

As it relates to traffic and parking requirements, the proposal will satisfy appropriate design criteria and be consistent with relevant Australian Standards and Guidelines."

In respect of flood risk you are referred to:

1. the Flood Management Report of Hydrological Consultant, Mr Robert Williams, which concludes that the flood risk can be appropriately managed; and
2. the planning report prepared by Joshua Skinner of URPS in relation to DA 312/390/2019. Mr Skinner at pp13 – 15 of his abovementioned report, dealt with the matters of Flooding and Bushfires. For the purposes of assessment of this proposed development we respectfully submit that the considerations are unchanged insofar as flood risk and we adopt, for the purposes of the subject DA, Mr Skinner's comments and conclusions in relation to Flooding and Bushfires concerning DA 312/390/2019. We **attach** the relevant portions of pp 13-15 of that report.

In respect of the design and appearance of the proposed development, we respectfully submit that the considerations are unchanged from the proposal in DA 312/390/2019 and we also adopt, for the purposes of this DA, Mr Skinner's comments and conclusions at page 15 of his report in relation to Design and Appearance.

In short, when the proposed development is considered in its appropriate context it, in our submission, is a relatively low impact, small scale proposal. For example, its hours of operation during the day programmes are limited, the days of operation of the day programmes each week are limited, the days of operation of the overnight stays too each week are limited, as are the number of participants in overnight stays each week.

7. Summary

In cases such as this proposal, what is called for is a weighing of all of the "pros and cons" and the making of a planning judgment. In accordance with the abovementioned comments of Justice Jacobs in the South Australian Supreme court decision in the *District Council of Munno Para v Remove-All Rubbish Co. Pty Ltd*, the assessment must

not be undertaken as if the “pros” and “cons” are in “watertight compartments”. Instead the assessment of the merits of the proposal against the Development plan must recognise “... *the complexity of the subject matter*”. A balanced, non-rigid planning judgment is the proper approach to be adopted. When the assessment of this proposal is approached in such a manner it is submitted that the “pros” appreciably outweigh the cons and that the proposal should be approved, subject to the imposition of appropriate conditions.

We enclose herewith the development application and attachments as described on page 1 of this letter. We would be grateful if you can please contact our client, Mr Sanamdeep Singh on 0433 746 401 to make arrangements for payment of the application fee.

Should you require any further information or wish to discuss this application further, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'Alison Field', with a stylized, flowing script.

Alison Field
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[illegible]



Choice N Control

145 Gawler River Road, Lewiston

Environmental Noise Assessment

25 January 2021

S6649C3

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Document Title : Choice N Control – 145 Gawler River Road, Lewiston
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1 INTRODUCTION

An environmental noise assessment has been made of the Choice N Control facility at 145 Gawler River Road, Lewiston (the facility).

The facility was visited in December 2020 and in broad terms was observed to provide a domestically orientated retreat for disabled people. The participants arrived at the site in vans and engaged in a range of activities, many of which were similar to those which occur at a dwelling including the watering of gardens, the feeding of animals, coffee breaks in a domestic setting and the playing of games. Whilst there were in the order of 12 participants during the visit, the activities were conducted according to personal preference, such that there were smaller groups conducting a range of activities at any one time. The following specific activities were observed:

Outdoor activities:

1. The arrival of people, including disembarking from a minibus or van, introductions and refreshments;
2. Gardening in the vegetable patch;
3. Feeding and interacting with the animals, including chickens and a horse;
4. Playing cricket.

Indoor activities:

5. Activities within the 'Rec Room', including table tennis, billiards and foosball, as well as general discussion and interactions;
6. Activity within the library & computer room;
7. Playing music within the music & sensory awareness room, including drums, piano and acoustic guitar;
8. Activity within the art & craft room;
9. Cooking classes within the cooking & living skills room;
10. Fitness activities within the gym.

Other sources:

11. Noise associated with air-conditioning equipment serving the above rooms and the dwelling, including evaporative coolers on the roof of the Rec Room and the gym, and split system units to the rear of the cooking & living skills, music & sensory awareness, library & computer, and art & craft rooms, as well as the dwelling.

Activities at the site occur during a restricted period between 10am and 3pm Monday to Friday.

The dwelling also provides for sleepovers to assist with community integration. The sleepovers are limited to two to three people during the week and are no different to a domestic use, with people being predominantly inside and immediately in the vicinity of the dwelling on the land.

The nearest noise sensitive location is the neighbouring residence to the east of the site, with other noise sensitive residences located on the neighbouring properties to the west. The location of the nearby residences in relation to the site are shown in Appendix A.

The assessment has been based on:

- Measured levels of the proposed activities, taken on 11 December 2020; and,
- Sonus historical database comprising noise measurement results for comparable activities.

2 DEVELOPMENT PLAN

The subject site and nearby residences are located in an *Animal Husbandry Zone* of the *Mallala Council Development Plan*¹. The following provisions relating to environmental noise in the Development Plan have been considered:

General Section – Interface Between Land Uses

Objectives

1. *Development located and designed to minimise adverse impact and conflict between land uses.*
2. *Protect community health and amenity from adverse impacts of development.*
3. *Protect desired land uses from the encroachment of incompatible development.*

Principles of Development Control

1. *Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:*
....
(b) noise
....
2. *Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.*

Noise Generating Activities

7. *Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant Environment Protection (Noise) Policy criteria when assessed at the nearest existing noise sensitive premises.*
8. *Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.*

¹ Consolidated 13 December 2018

3 ENVIRONMENT PROTECTION (NOISE) POLICY

Interface between Land Uses PDC 7 from the Development Plan references the *Environment Protection (Noise) Policy 2007* (the **Policy**), which provides goal noise levels to be achieved at residences.

The Policy is based on the World Health Organisation Guidelines to prevent annoyance, sleep disturbance and unreasonable interference on the amenity of an area. Therefore, compliance with the Policy is considered to be sufficient to satisfy all provisions of the Development Plan relating to environmental noise.

The Policy provides goal noise levels based on the principally promoted land use of the Development Plan zones in which the noise sources and receivers are located. The Animal Husbandry Zone promotes rural living (detached dwellings on large allotments) including small scale farming and business activities such as those associated with livestock, birds and poultry, horse keeping and intensive animal keeping in the form of dog kennelling.

In the interests of conservatism, the assessment assumes a homogenous rural living zone without any business activity. In this circumstance, the following goal noise levels are provided by the Policy at the nearby residences:

- An average (L_{eq}) noise level of 42 dB(A) during the day (between 7:00am and 10:00pm);
- An average (L_{eq}) noise level of 35 dB(A) during the night (before 7:00am or after 10:00pm).

In the circumstance where the business activities were accounted for, the Policy could assign goal noise levels which are 5 dB(A) higher than those presented above (a 5 dB(A) difference is significant and indicates the conservatism applied in the assessment).

When measuring or predicting noise levels for comparison with the Policy, adjustments may be made to the average goal noise levels for each “annoying” characteristic of tone, impulse, low frequency, and modulation of the noise source. The characteristic must be dominant in the existing acoustic environment and therefore the application of a penalty varies depending on the assessment location, time of day, the noise source being assessed, and the predicted noise level. The application of penalties is discussed further in the Assessment section of this report.

4 ASSESSMENT

Many of the activities which occur at the facility are similar to those which occur at a dwelling. Accordingly, a valid assessment approach would be to objectively consider only activities which are incongruent or more intensive than that associated with a residential or animal husbandry land use. It should be noted that if an objective assessment approach were applied to the sound of children playing in the backyard of a dwelling, the resultant noise levels would not comply with the goal noise levels established by the Policy.

Notwithstanding this, in the interests of conservatism and simplicity, an objective assessment has been made of the observed activities at the facility, regardless of how comparable they are with a residential or animal husbandry land use.

The assessment has been conducted based primarily on noise measurements of activity at the site taken on 11 December 2020 and supplemented by previous noise measurements for activity such as raised voices. The sound power levels used in the assessment are provided in Appendix B.

To assist with predicting the noise level at nearby residences, a 3 dimensional noise model of the proposed development and surrounding area has been established using the SoundPlan noise modelling software. The model considers the sound power level of each source, the distance between noise sources and receivers and shielding provided by structures. In particular, the facility has incorporated solid sheet metal fencing along its boundaries with other dwellings and the positive effect this feature provides is included in the model.

Guest Arrival

The noise associated with the arrival of guests will consist of a minibus or van entering the site from Gawler River Road and driving to the rear of the dwelling. Upon arrival, people disembark from the vehicle, are greeted by staff, and receive refreshments. These activities generally occur over a 30-minute period in the morning. The measurements included all aspects of the arrival including the opening and closing of van doors and greetings.

Cricket

A cricket net has been established and the noise associated with this activity will include general chatter, and the noise associated with bowling and hitting the ball etc. There is also the potential for louder exclamations of excitement from time to time.

Other Outdoor Activities

Other outdoor activities include gardening and feeding the animals, where the noise generated is primarily associated with people talking. Such activities will primarily occur on the eastern side of the site.

Music Room

The loudest instrument that could be played within the music room is the drum set. The set is located within a dedicated music room and is played occasionally. A measurement of continual drumming was conducted as an input to the model.

Mechanical Plant

The mechanical plant consists of five split system units, one for the dwelling and four for the northern building, as well as two evaporative cooling units for the rec room and the gym. The noise from these units has been determined based on measurements taken on site and manufacturer's data.

Raised Voices

There is the potential for raised voices to occur when people are at the facility. This did not occur during the site visit. The effect of a single raised voice occurring at various locations around the site has been predicted, with the highest individual contribution shown in the results section below.

Results

The following noise levels have been predicted at the adjacent residences in accordance with the methodology outlined above. The table below shows the highest predicted level from each activity, as well as any applicable penalties.

Activity	Predicted Level	Penalty	Resultant Level	Criteria
Guest Arrival (3 vans)	32 dB(A)	5 dB(A)	37 dB(A)	42 dB(A)
Cricket	30 dB(A)	8 dB(A)	38 dB(A)	42 dB(A)
Other Outdoor Activities	33 dB(A)	5 dB(A)	38 dB(A)	42 dB(A)
Music Room (doors open)	39 dB(A)	8 dB(A)	47 dB(A)	42 dB(A)
Mechanical Plant	33 dB(A)	NA	33 dB(A)	42 dB(A)
Raised Voice	34 dB(A)	8 dB(A)	42 dB(A)	42 dB(A)

Based on the results shown above, the noise from all activity on the site, with the exception of the Music Room, achieves the Policy at all neighbouring dwellings even when utilising a conservative assessment approach (for the reasons outlined above).

In order to reduce the level of noise produced from the music room, the following treatments are recommended:

- Remove the existing internal lining to the walls and replace them with two layers of 13mm thick fire-rated plasterboard.
- Place insulation within the resultant wall cavity that is a minimum of 50mm thick with a density of at least 32 kg/m³.
- Install two layers of 13mm thick fire-rated plasterboard as a ceiling to the space.
- Place insulation above the ceiling is a minimum of 50mm thick with a density of at least 32 kg/m³.
- Replace the door with a solid core door with a thickness of at least 40mm, installed in a system with acoustic seals such as the Raven “RP8” and “RP10”, to the threshold and door frame, respectively.
- Ensure that the door to the room remains closed when in use.

With the above acoustic treatments incorporated, the level of noise is predicted to achieve the criterion of 42 dB(A) with the application of an 8 dB(A) penalty.

5 CONCLUSION

An environmental noise assessment has been made of the Choice N Control facility at 145 Gawler River Road, Lewiston.

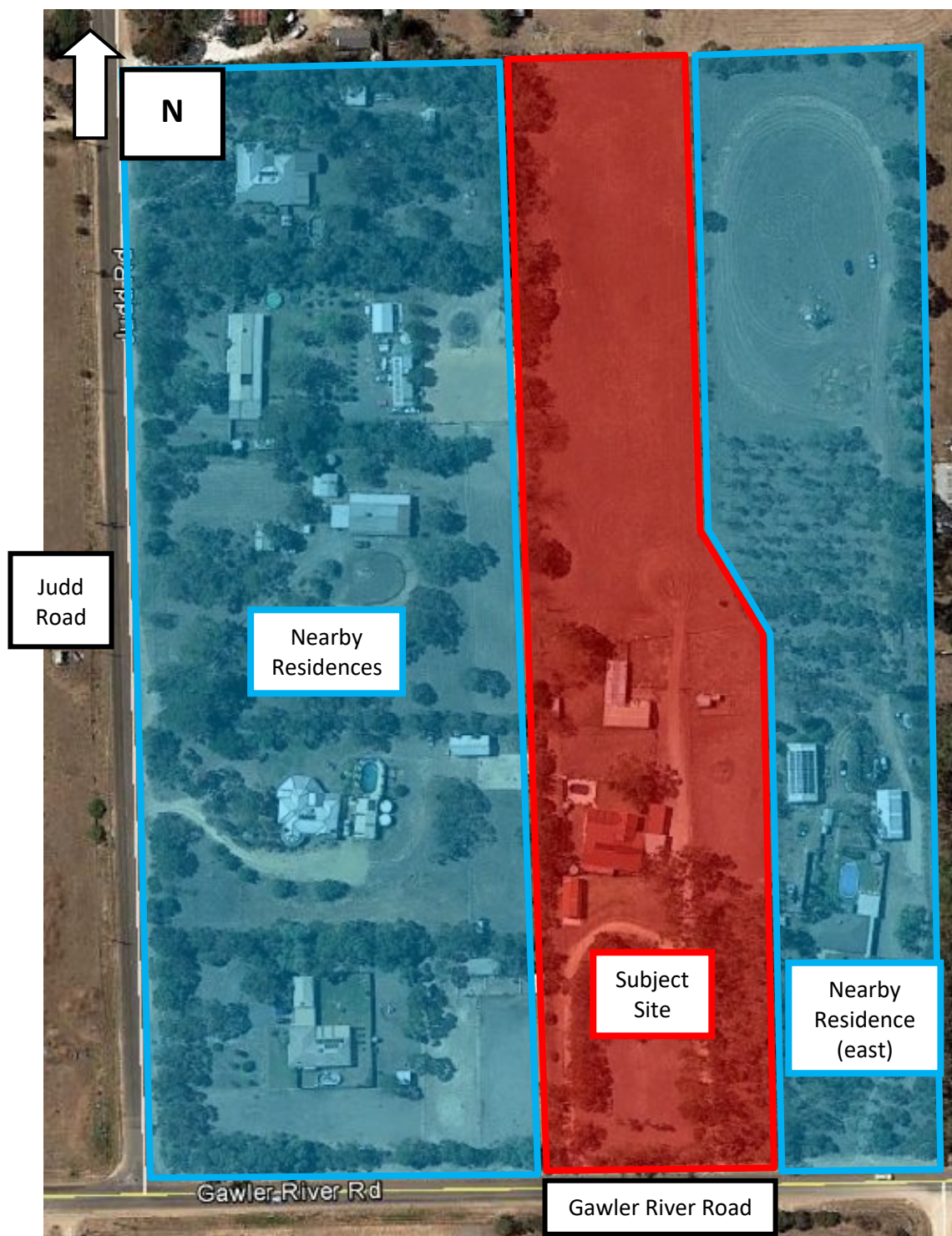
The proposal seeks to accommodate a range of activities including:

- The arrival and departure of guests in a minibus or van;
- Outdoor activities such as cricket, gardening, and feeding animals;
- Indoor activities such as cooking, crafts and music; and,
- Mechanical plant servicing the various buildings.

Conservative noise criteria for the various activities have been determined based on the Development Plan and the *Environment Protection (Noise) Policy 2007*.

Based on site measurements, observations and the preparation of a three dimensional noise model, the activities achieve the noise criteria at all nearby residences with the incorporation of the above recommended acoustic treatments to the music room. In so doing, the proposal has been designed to *minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise*, thereby achieving the relevant provisions of the Development Plan related to environmental noise.

APPENDIX A: Site Locality



APPENDIX B: Noise Level Data

The sound power level represents the acoustic energy produced at the source. The noise level experienced at a given remote location is predicted by the noise model. The sound power level is one input to the model (refer Section 4 for more modelling information).

Source	Sound Power Level SWL dB(A)
Condensing Unit (music room etc.)	61
Condensing Unit (dwelling)	77
Evaporative Cooler (Rec Room)	74
Evaporative Cooler (Gym)	77
Guests arriving	76
Greeting upon arrival	76
Van driving on driveway	83
Cricket	81
Drums (Door closed)	95
Drums (Door open)	98
Outdoor Discussion	73
Single Raised Voice	75

MLM/20-0245



22 January 2021

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Dear Alison,

CHOICE N CONTROL, 145 GAWLER RIVER ROAD, LEWISTON

We refer to the proposal for a disability service facility, namely Choice N Control, at 145 Gawler River Road, Lewiston. As requested, we have reviewed the traffic and parking impacts associated with the proposal. The assessment has been based on Superior Land Projects' (SLP) drawing number 82719 Rev F dated 21 January 2021.

1 SUBJECT SITE

The subject site has frontage to Gawler River Road and is currently serviced by two access points.

1.1 ROAD NETWORK

Gawler River Road is within the care and control of the Adelaide Plains Council. The road provides access to rural/rural living properties. It has a single carriageway which caters for two-way traffic. The rural default speed limit of 100 km/h would be applicable to the road.

2 PROPOSAL

The proposal is for the establishment of a disability service facility at the site to care for persons with intellectual disabilities. The facility will provide day programs (Monday to Friday, 10:00 am to 3:00 pm) for up to ten participants and overnight respite care as required. It is anticipated that there will be up to three staff/carers at the site and an additional two administrative staff on occasions.

Three vans will be used to transport participants to/from the facility for the day programs. These vans will be parked at staff residences overnight or outside work hours.

2.1 ACCESS

The proposal seeks to use the existing access points at the site to cater for separate ingress and egress movements. The western crossover will permit entry movements and the eastern crossover will permit exit movements. These crossovers comply with Australian/New Zealand Standard, *Parking Facilities Part 1: Off-street car parking (AS/NZS 2890.1:2004)*.

The existing driveways will be used for one-way movements between the access and the intersection of the driveways. These one-way sections will be largely retained as per existing with minor widening proposed at the northern end of the western driveway and the internal intersection to accommodate the movement of a van.

The driveway section to the north of the internal intersection will be widened to 5.5 m to permit two-way movements. This will satisfy the requirements in *AS/NZS 2890.1:2004*.

Figure 1 identifies that the proposed access arrangements will accommodate the movements of the vans used to transport the clients.

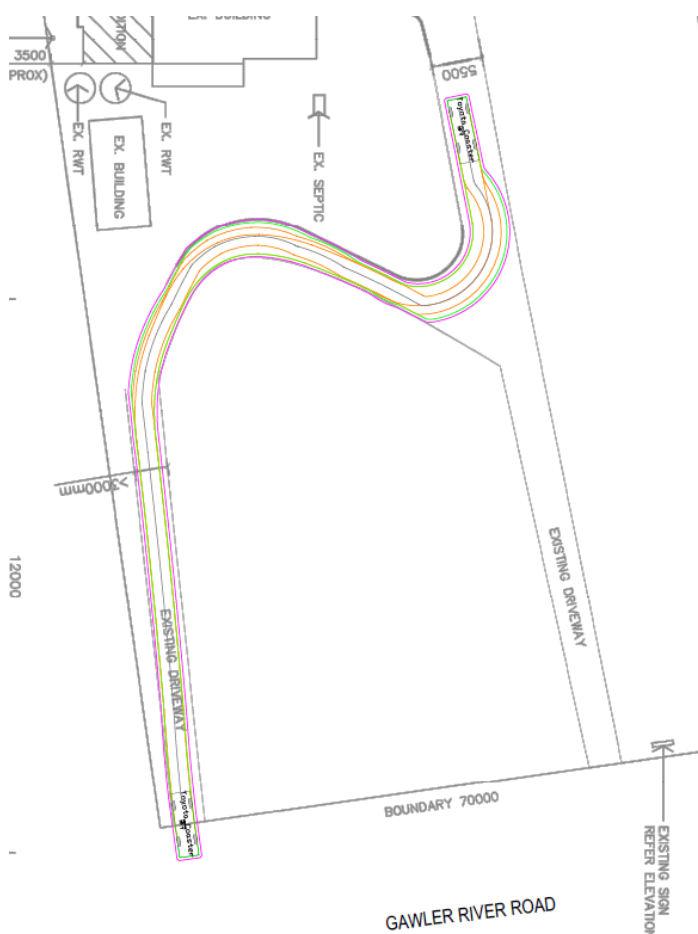


Figure 1: swept path of van accessing the site

2.2 PARKING AREAS

The proposal includes parking spaces in two locations in close proximity to the building.

There will be four spaces within the existing car port structure which have been designed to comply with AS/NZS 2890.1:2004 in that:

- spaces will have a width of at least 2.6 m;
- spaces will have a length of 5.4 m; and
- parking aisle will be in excess of 5.8 m.

There will be one space 2.4 m wide with an adjacent 2.4 m wide shared space in accordance with the requirements of the Australian/New Zealand Standard, *Parking facilities Part 6: Off-street parking for people with disabilities* (AS/NZS 2890.6:2009).

There will be four parking spaces at the rear of the building. Three of these spaces will be larger to accommodate the vans which are used to transport clients to and from the site. These spaces will be 3.0 m wide and 7.0 m long. Figure 2 identifies that the vans will be able to enter and exit these spaces.

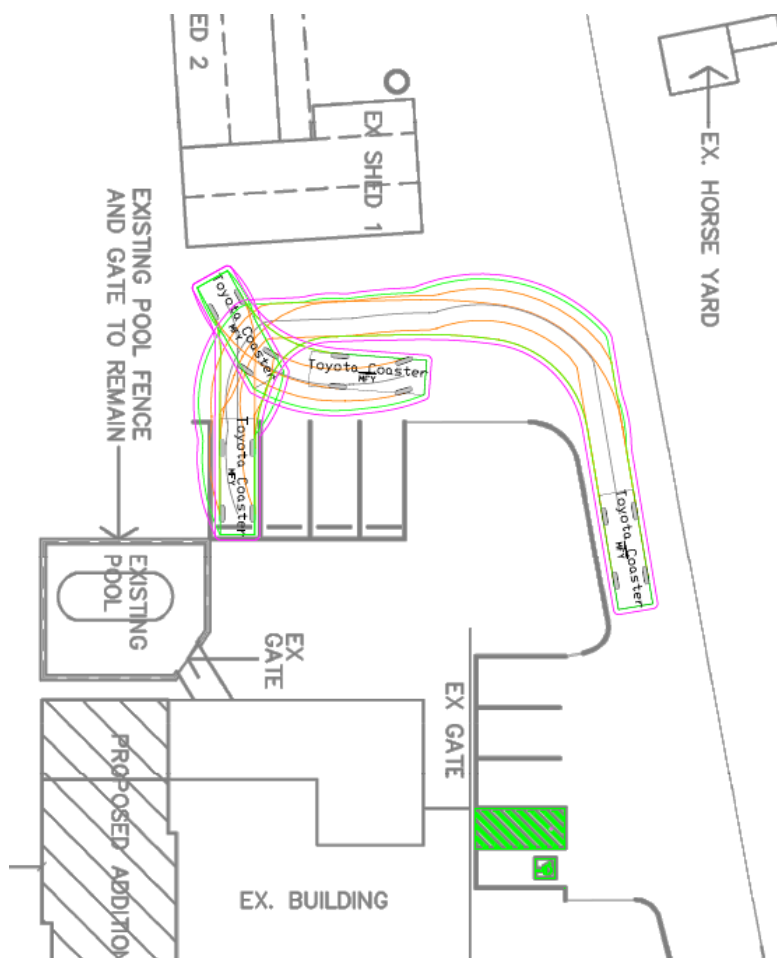


Figure 2: swept path of vans accessing the dedicated parking spaces

3 PARKING ASSESSMENT

Council's Development Plan (Consolidated 13 December 2018) does not identify a parking requirement rate specifically for a disability service facility.

The proposal, for all intents and purpose, will generate daily parking demand akin to a nursing home where the demand is primarily associated with staff (that is clients of the facility can not drive). Council's Development Plan identifies a rate of one per four beds for a nursing home. Such a rate corresponds to that identified in surveys undertaken by MFY at similar facilities and includes staff and visitor demand.

On this basis, if a rate of one space per four participants is adopted, there will be a staff demand for three spaces. The proposal will also cater for parking requirements for the client transport vehicles. Assuming all three vans were to be parked on-site at any one time, there will be a peak daily demand for six spaces. The proposal will provide a total of eight spaces which will accommodate this demand.

Even in the unlikely event that all staff drove and were on-site at the same time, there will be a demand for five staff spaces which would result in a peak demand for eight spaces if all three vans were parked on-site. The proposal would also accommodate this demand.

Further, the above assessment has been undertaken considering that staff will not drive the vans. In reality, we are instructed that staff of the facility will also drive these vans to/from the site. This would result in a reduced parking demand.

Occasionally, there could be an extra demand for visitors (such as when a client has a small birthday celebration for example). Such events would be infrequent and akin to any residential dwelling where a celebration may occur. Even in the unlikely event that each participant had a family member attend the site simultaneously on such an occasion, there would be an extra demand for ten vehicles. Such a demand could readily be accommodated on the site. By way of example, such parking could be readily accommodated on the area adjacent the sheds, as illustrated in Figure 3.

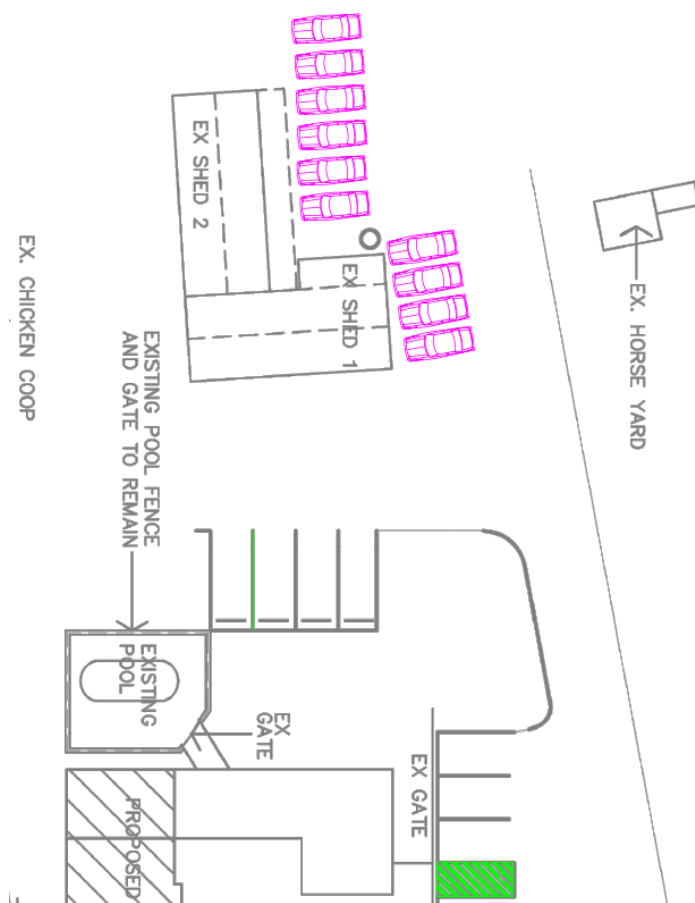


Figure 3: Potential overflow parking area

Accordingly, all parking demand associated with the development will be accommodated on-site, ensuring no impact on Gawler River Road.

4 TRAFFIC ASSESSMENT

There are no documented traffic generation rates based on similar facilities. However, the peak traffic movements for the site will occur in the morning when staff and clients arrive and in the evening when they depart. There may be additional movements generated during the day, such as when additional staff arrive or depart or when visitors attend the site but such movements would be infrequent.

Even if all staff and vans were to arrive or leave in the same hour, the proposal would only generate eight trips per hour. Such a traffic generation is very low and will have no measurable impact on Gawler River Road.

In addition, it is anticipated that there could be up to four additional movements during the day (such as the Director visiting the site for example). This would result in a typical daily traffic generation in the order of 20 trips (ten to and ten from the site). Such a volume is negligible and will have no impact on the capacity of the adjacent road network.



By way of example, other envisaged land uses in the Animal Husbandry Zone include, amongst other things *intensive animal keeping in the form of dog kennels*. Traffic generation associated with dog kennels would relate to the dwelling on the site, staff associated with the kennels and clients associated with the kennels.

The TfNSW Guide to Traffic Generating Developments identifies a recommended daily traffic generation rate of nine trips per dwelling per day, albeit recent DPA assessments completed in relation to land north of Adelaide adopted a rate of eight trips per dwelling per day.

In addition, the kennels would generate traffic associated with staff which is anticipated to be four to six trips (based on two to three additional staff who assist at the kennels but do not reside on-site) plus six to eight additional trips associated with the kennels each day (such as clients delivering or collecting dogs, deliveries, vets attending the site etc.). On this basis, a site with dog kennels would be expected to generate in the order of 20 to 25 trips on a typical day. During peak operating periods (such as in school holidays) when additional pets are accommodated at the dog kennel, there would be an increase in daily traffic volumes.

Accordingly, the forecast daily volume associated with the proposal is akin to other development within the subject zone. Further, the volume is very low, will not change the nature or function of Gawler River Road and will not have a detrimental impact on the amenity of the adjacent land uses.

5 SUMMARY

The proposal for a disability service facility at the site will provide for safe and convenient access and parking for staff and visitors in accordance with relevant Australian Standards. Minor widening of the two-way section of the driveway within the site will be included to accommodate access.

The proposed parking space provision will sufficiently cater for the forecast daily demand. Infrequent visitor parking demand at the site can readily be accommodated on existing formed areas. The proposal will generate minimal traffic and there will be no appreciable impact on Gawler River Road.

As it relates to traffic and parking requirements, the proposal will satisfy appropriate design criteria and be consistent with relevant Australian Standards and Guidelines.

Yours sincerely,
MFY PTY LTD

A handwritten signature in black ink, appearing to read 'Melissa Mellen'.

MELISSA MELLEN
Director

From: Robert Williams <bobwilliams@internode.on.net>
Sent: Monday, 13 January 2020 1:43 PM
To: Info - Choice N Control <info@choicencontrol.com.au>
Cc: Info / APC <info@apc.sa.gov.au>
Subject: 145 Gawler River Rd Lewiston. Proposed Extension. DN 312/227/2019

Robert I Williams
Hydrological Consultant.
ABN 46 289 799 105

Mobile: 0434891755
(home): bobwilliams@internode.on.net
Unit 3, 21 Sauvignon Street Nuriootpa, 5355

FLOOD MANAGEMENT REPORT
145 Gawler River Road Lewiston
Proposed dwelling extension
SLP Pty Ltd
Choice n Control
Adelaide Plains Council
DN 312/227/2019
13/1/2020

Proposal; To construct an extension on the western side and abutting an existing building

DATA:

- Site proposal
- Council's current combined Gawler River / River Light 100 year ARI flood maps
- Site inspection

Issues:

- The extension site is within the flood plain. Council's requirements are:
 - The finished floor level of the extension be a minimum 0.30m freeboard above the 100 year flood level
 - The extension not impact on flood flow paths, flood levels or flood risk to other properties
 - Access is safe

SITE INSPECTION:

- A building exists on the site
- The lot is fairly flat
- The existing building floor level is about 0.1m above ground
- The location of the extension is clear and surrounded by the existing building and solid fences

FLOOD DATA:

- The flood depth at the flat site is interpolated to be about about 0.40m above the ground level at the extension site
- The locality flood data indicates that the proposed flat is not in a primary flood path and considering the existing structures is not likely to have any significant impact on flood levels or flood flow paths.

- The location is near the boundary of the low and medium hazard zones

ANALYSIS:

- Based on the flood data and site inspection, the finished floor level of the extension needs to be a minimum 0.60m above the existing building floor level
- The maximum flood depth for access from the buildings to the road is about 0.25m which is within the safe depth for a conventional vehicle, with care

RECOMMENDATIONS:

- FLOOR LEVEL: The floor level for the proposed extension be a minimum height of 0.6m above the existing building floor level
- OBSTRUCTIONS: The proposed extension be considered to have no significant impact on flood flows or flood levels
- OTHER: No other flood intolerant or flood obstructive structures or filling be permitted without a flood assessment to the approval of Council
- Any filling and footings be designed to protect against occasional inundation as per the Council's Building requirements
- Access from the building for a conventional vehicle, during a 100 year flood, be considered safe at maximum 0.25m
- Access be considered to be not an issue due to the existing site use

NOTE: The flood risk assessment is based on current best practice and data available at this time. However the following comments are important:

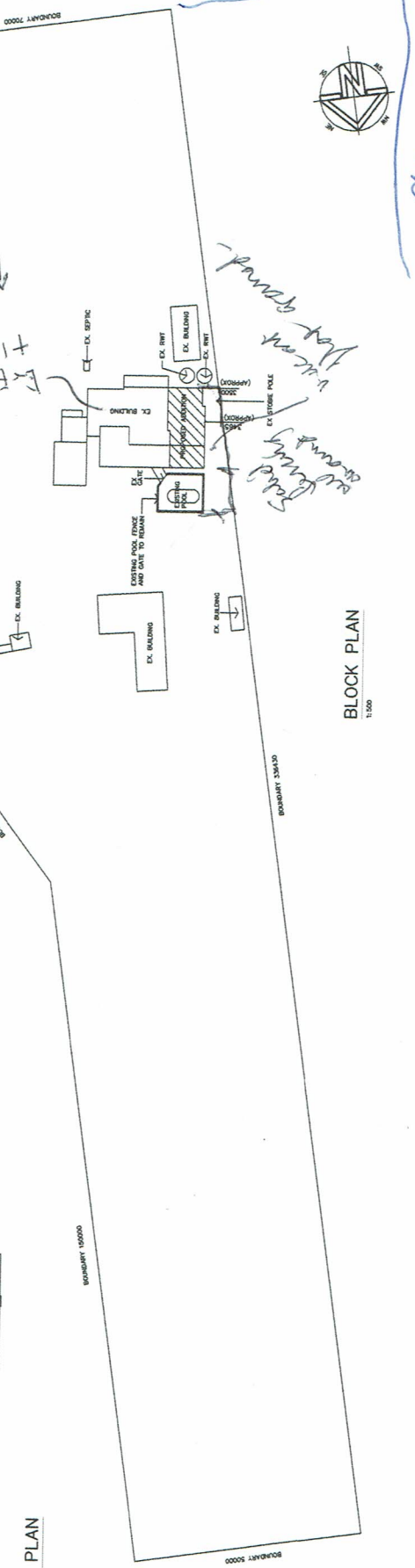
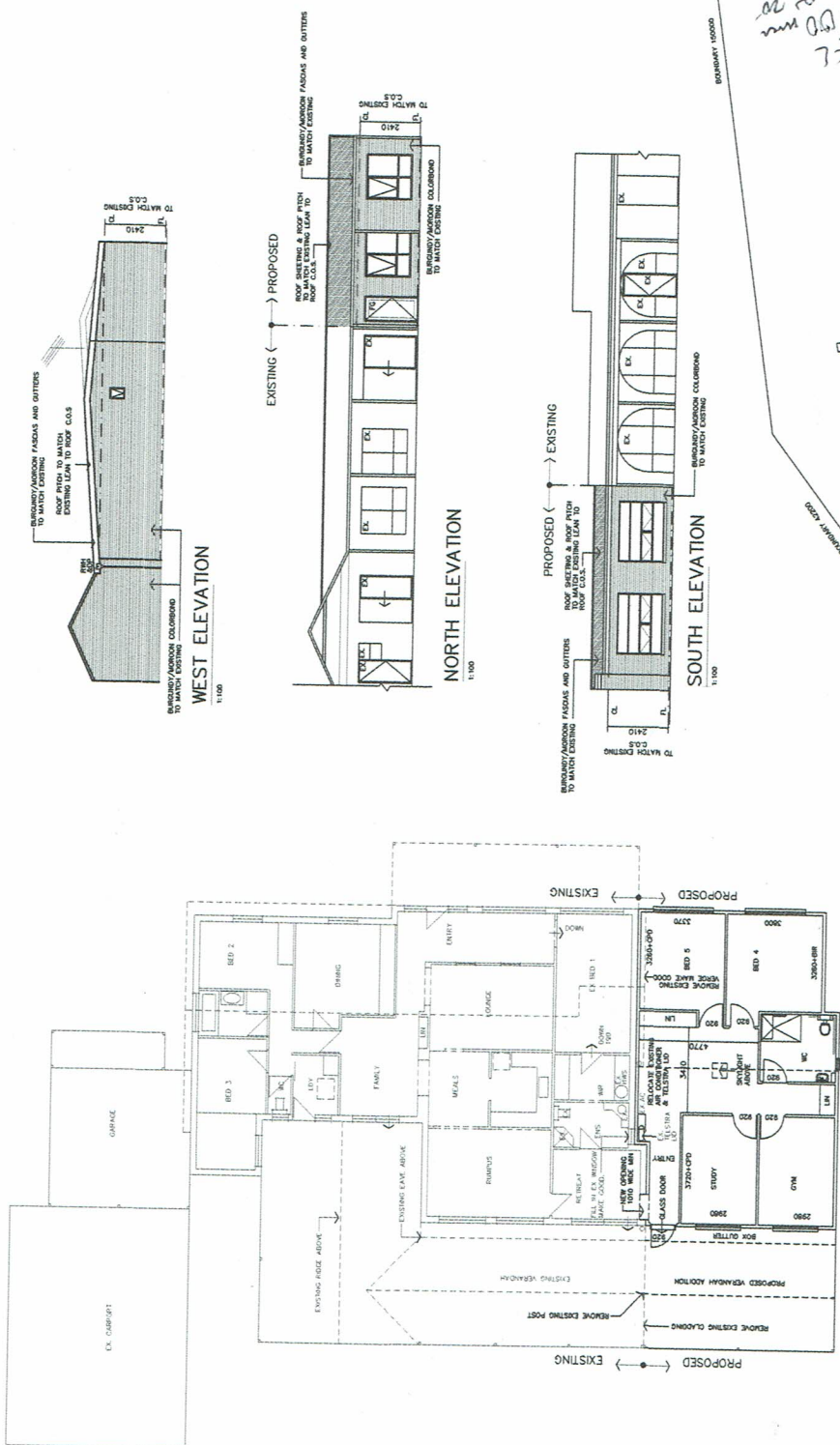
- Larger floods are expected to occur at any-time hence it is not implied that flood risk is completely eliminated.
- A 100 year ARI flood has a 1% chance of being exceeded in any one year and 33% chance of being exceeded in a given 40 year period.
- Changes may occur in the future which may vary the risk.
- Local site drainage and site-works issues may produce a flood risk from a local storm over the site, aside from a water course, creek or river flood

ENCLOSURES:

- proposal with field notes
- Aerial photo
- 100 year flood depth map
- Flood hazard map
- Site photo of the extension site (2 off)

I would be happy to discuss the project in further detail as may be required

Bob Williams



Scaling (500)

6200

2000

Hand-drawn sketch of a road layout. A vertical line represents a road. On the left side, there are two horizontal lines crossing it, labeled "(crossed) 5000" and "(crossed) 5300". To the right of the road, there is a handwritten note "EXT. 500000 INK". Above the road, there is a handwritten note "That stream". To the right of the road, there is a handwritten note "Said family".

ORIENTA

145 GR Rd

Write a description for your map.

Legend

 145 Gawler River Rd

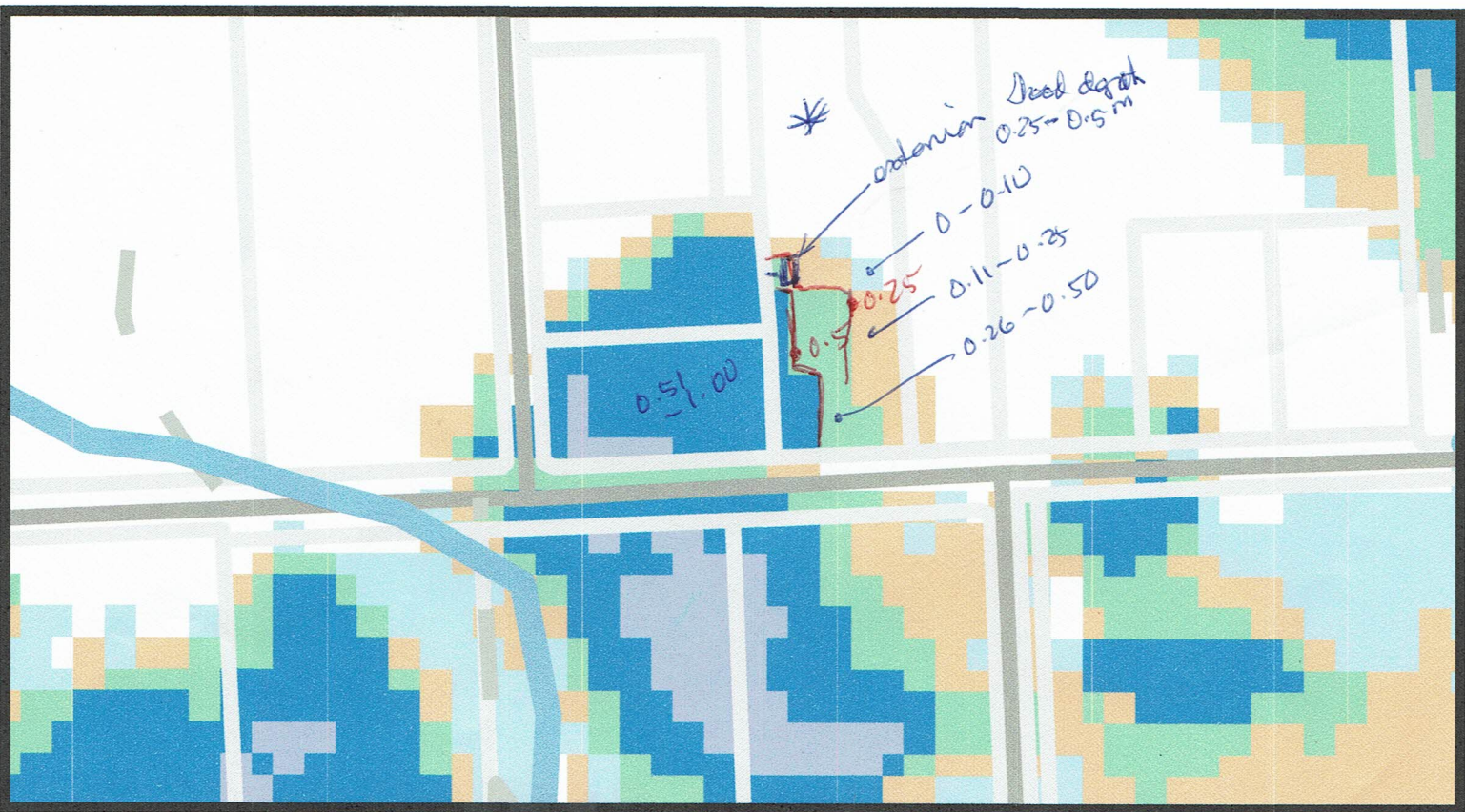
Gawler River Rd

Judd Rd

145 Gawler River Rd

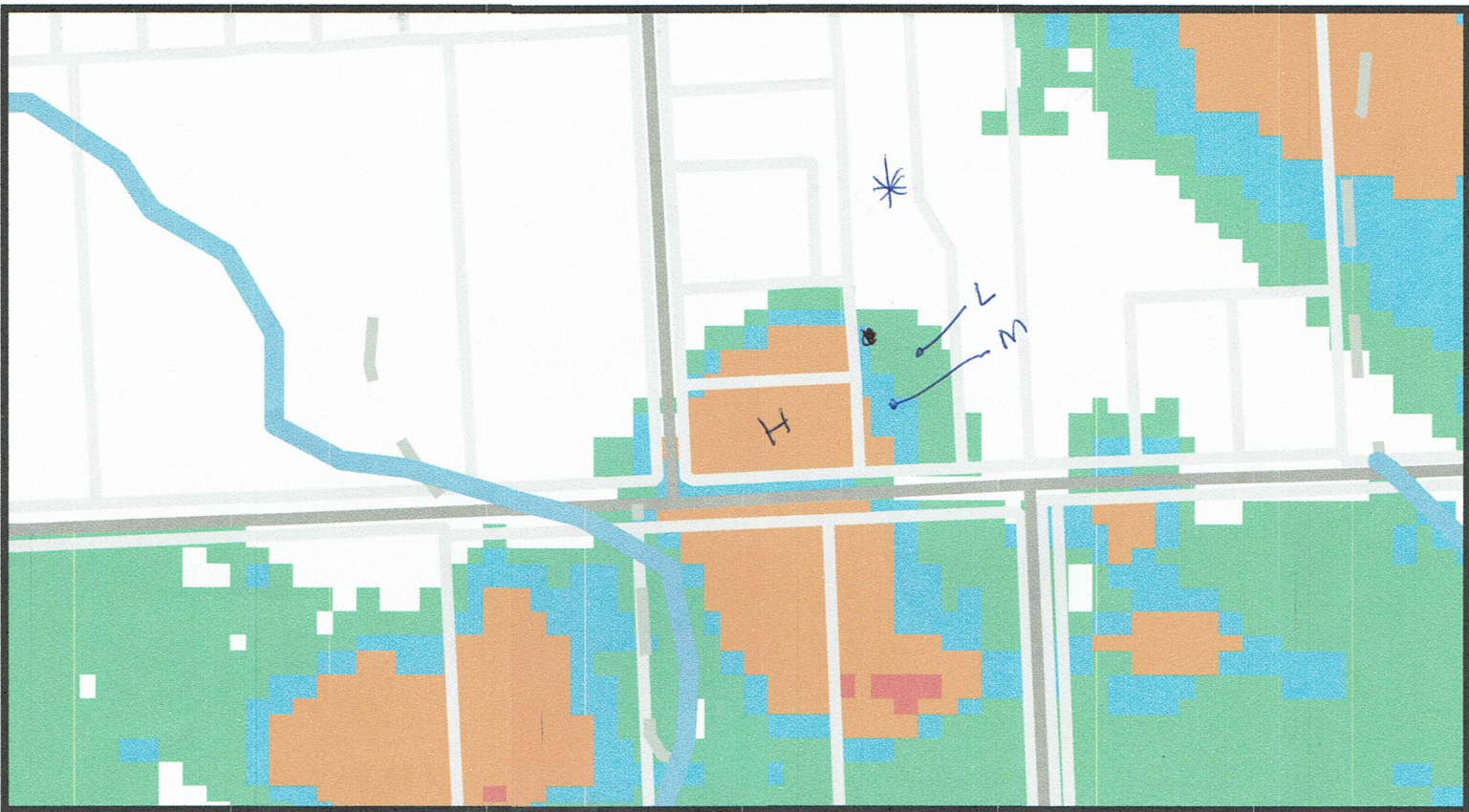


200 m



Ex FL + 0.10^m above ground
 Flood depth may 0.4^m above ground
 (0.25-0.50) on balance
 head 0.3^m freeboard
 i. required 0.7^m above ground
 * i.e. + 0.6^m above existing FL

HAZ







Hazards (Flooding and Bushfire)

The site is partly within the Gawler River Flood Plain per Figure 4 and wholly within the General Bushfire Risk Area.

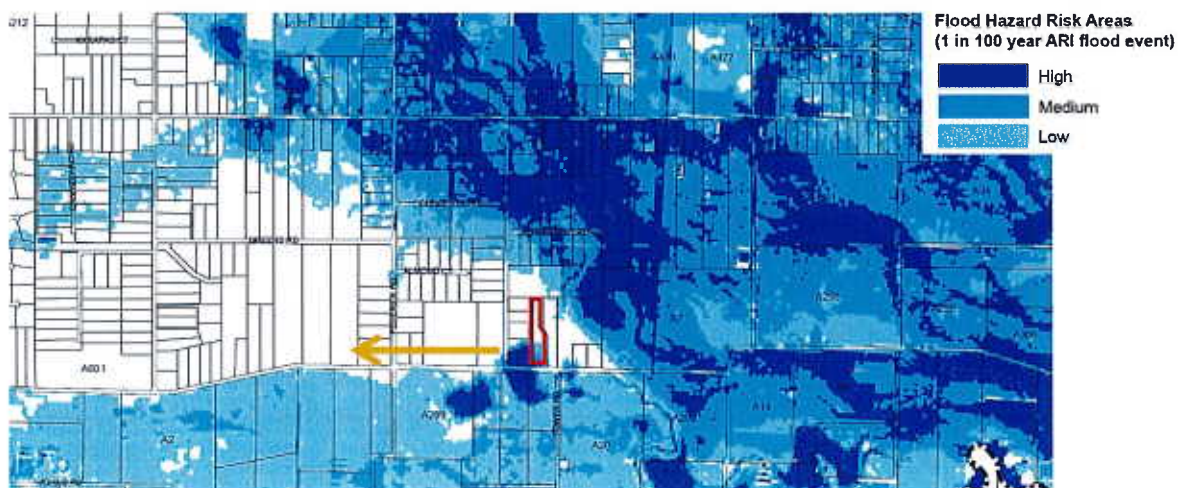
The Development Plan contains a suite of provisions which seek to *minimise* flooding and bushfire risks to people and property (see Hazards module). When all the provisions are read together, there is clearly an expectation that some development will occur within the bushfire risk areas and the Gawler River Flood Plain, subject to appropriate design and siting to minimise the associated risks.

Less than half the site is shown to be within the Flood Plain, while the flood mapping applied to the site is generally low and medium risk. There is small pocket of High Risk Flood Area indicated in the front corner of the site. Importantly:

- The rear half of the allotment is shown to be outside the Flood Plain.
- The building addition is outside the High Risk Flood Area. While the addition falls within Low and Medium Risk Flood Areas, Hazards PDC 6 and 17 allows dwellings in the Flood Plain provided suitable floor levels are provided. In this case, the addition is proposed to match the floor level of the existing dwelling, therefore it is at no greater risk than the existing dwelling. The proposal maintains building setbacks from all boundaries so floodwaters may flow past the buildings.
- In our experience involving other buildings in the Gawler River Flood Plain, a minor building addition would have negligible effect on the overall height and extent of the flood waters (because the flood plain is very wide). We anticipate the proposal will cause no impact on downstream properties.
- In the event of a flood, the site can be accessed or exited by travelling west along Gawler River Road, which is a sealed all-weather road. This path avoids the High Flood Risk Area and in fact most of the road is outside the Flood Plain altogether, per Figure 4. According to PDC 14, evacuation is possible through the Low and Medium Risk Flood Area via wading, small vehicle (Low Flood Risk Area or early evacuation in Medium Risk Flood Area), and 4WD.
- We consider the proposed land use to be appropriate with respect to flood considerations. The residential component of the use is pre-existing. In our view, the proposed disability facility will have a similarly low risk profile as the dwelling. It serves people with intellectual disabilities rather than physical disabilities. This is not a large facility, or a facility that serves people which require a high level of care - The participants are small in number, physically mobile and capable of safely evacuating with staff in the event of an emergency.
- Further to the above, Hazards Objective 3 seeks "Critical community facilities such as hospitals, emergency control centres, major service infrastructure facilities, and emergency service facilities located where they are not exposed to natural hazard risks". This proposal is not a critical community facility as listed, and therefore Objective 3 is not offended.

Accordingly, we consider the proposal to pose low and manageable flood risks to people and property. The proposal generally complies with the pertinent 'flooding' provisions of the Development Plan in our view.

Figure 4: 1 in 100 year ARI flood map. Ingress & egress mostly avoids the High Risk Flood Area (dark blue)



In respect to bushfire considerations:

- The proposal avoid steep slopes, rugged terrain and the main building is setback at least 20m from what we consider "hazardous vegetation". The addition is sited on relatively flat ground, addition

immediately adjacent 2 existing rainwater tanks and a swimming pool which provide a supply of water in the event of a bushfire. The proposal satisfies Hazards PDC 23 and 24 in our view.

- The internal driveways are wide, relatively flat, covered in gravel, can accommodate two-way vehicle movements, and the movements of fire fighting vehicles in accordance with Hazards PDC 29.
- The building addition utilises a simple design that reduces the potential of trapping burning debris against the building or underneath the floor, satisfying Hazards PDC 26.
- The building addition is located in an existing cleared space adjacent the dwelling, and does not require the further clearance of vegetation from the subject land (except one small tree).
- The site has direct access to an all-weather road network. As discussed above, evacuation of staff and participants is considered safe and reasonable.

Design and appearance

The Design and Appearance provisions of the Development Plan seek development of a high architectural standard; development that responds to the local environment; suitable setbacks; and that avoids unreasonably affecting the visual outlook of adjacent land and public spaces.

At Zone level, the provisions seek a lowkey rural character, clustered buildings, wide open spaces, landscape screening, unobtrusive single storey buildings and built site coverage of under 25%.

In respect to the provisions summarised above:

- Per the case law, the visual amenity assessment is essentially limited to the built form proposed. Clearly, the addition is a relatively minor in the scheme of the site. It follows that the proposal has very little impact on the visual amenity and appearance of the site and locality.
- The addition is attached to and clustered with existing buildings on the land, while the balance of the site preserves it open, rural and vegetated character.
- The addition does not require the removal of any vegetation except for one small tree.
- The addition is well setback from the road, the side boundary and the nearest adjacent dwellings. The proposal has negligible impact on the visual outlook of adjacent land or public spaces.
- The design of the addition is compatible with the existing dwelling and the style is characteristic of a low-profile rural dwelling. Site coverage is in the order of 5%, well below the 25% threshold.
- The application does not propose any new fences or walls.

Yours sincerely



Joshua Skinner RPIA
Associate

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5198 Folio 181

Parent Title(s)	CT 4357/889			
Creating Dealing(s)	CONVERTED TITLE			
Title Issued	01/07/1994	Edition	6	Edition Issued 12/12/2018

Estate Type

FEE SIMPLE

Registered Proprietor

SANAMDEEP SINGH
NAVROOP KAUR
OF 21 TARPEENA AVENUE WINDSOR GARDENS SA 5087
AS JOINT TENANTS

Description of Land

ALLOTMENT 99 DEPOSITED PLAN 27907
IN THE AREA NAMED LEWISTON
HUNDRED OF PORT GAWLER

Easements

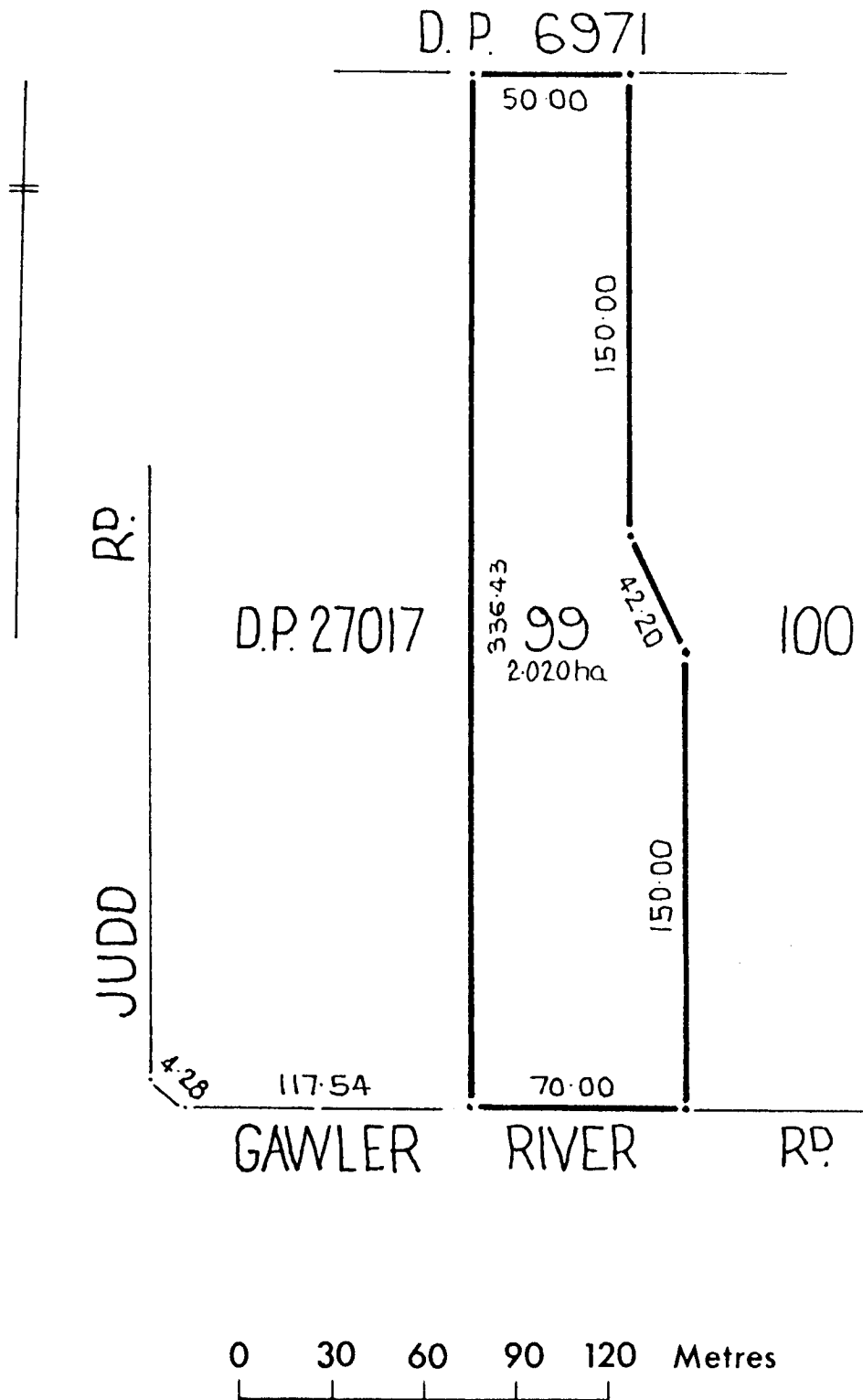
NIL

Schedule of Dealings

Dealing Number	Description
13033025	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Certificate of Title

Title Reference: CT 5198/181

Status: CURRENT

Parent Title(s): CT 4357/889

Dealing(s) Creating Title: CONVERTED TITLE

Title Issued: 01/07/1994

Edition: 6

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
06/12/2018	12/12/2018	13033025	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)
06/12/2018	12/12/2018	13033024	TRANSFER	REGISTERED	SANAMDEEP SINGH, NAVROOP KAUR
06/12/2018	12/12/2018	13033023	DISCHARGE OF MORTGAGE	REGISTERED	12293240
13/03/2015	27/03/2015	12293240	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION
05/09/2014	24/09/2014	12193688	DISCHARGE OF MORTGAGE	REGISTERED	8887243
02/10/2013	22/10/2013	12017179	VESTING (GLOBAL UPDATE)	REGISTERED	WESTPAC BANKING CORPORATION 8887243
11/05/2000	29/05/2000	8887243	MORTGAGE	REGISTERED	ST.GEORGE BANK LTD. (ACN: 055 513 070)
11/05/2000	29/05/2000	8887242	TRANSFER	REGISTERED	DOUGLAS ERIC GLAMANN
11/05/2000	29/05/2000	8887241	DISCHARGE OF MORTGAGE	REGISTERED	7721889
23/05/1994	06/07/1994	7721889	MORTGAGE	REGISTERED	STATE BANK OF SOUTH AUSTRALIA
23/05/1994	06/07/1994	7721888	TRANSFER	REGISTERED	DOUGLAS ERIC GLAMANN, MICHELE DENISE GLAMANN



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel - 08 8527 0200
Fax - 08 8527 2242
info@apc.sa.gov.au
apc.sa.gov.au

Adelaide Plains Council

RECEIVED

- 1 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: DANA VAN PELT

Contact No: 0429 366643

Email: dana-vanpelt@yahoo.com.au

My postal address: PO 2, VIRGINIA

Postcode 5120

Details of the application are as follows:-

DEVELOPMENT NO. 312/47/2021

APPLICANT'S NAME CHOICE N CONTROL

NATURE OF THE DEVELOPMENT Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse

SUBJECT LAND LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198

ZONE Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

145 GAWLER RIVER ROAD

Postcode 5501

The specific aspects of the application to which I make comment on are:

Choice n Control is a fantastic provider for people with disabilities. I have a family member who attends here and he loves the care, support and (please attach additional information if required)

I, DANA VAN PELT

wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: TONY VIDORIN
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 26-2-2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

wide range of activities that they provide.
He feels very happy and safe at his day
program at Lewiston.

I really hope that Choice N control is
able to continue the wonderful services
that they provide to so many individuals.



2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel - 08 8527 0200
Fax - 08 8527 2242
info@apc.sa.gov.au
apc.sa.gov.au

Adelaide Plains Council
RECEIVED
03 MAR 2021

DEVELOPMENT ACT 1993
Representation on Application

My Name: Lakota Venditto
Contact No: 0479 018 511 Email: lakota.venditto@gmail.com
My postal address: 65 Avonmore Ave Payneham South Postcode 5070

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are:
I support the service as they are providing access
to ~~the~~ day programmes for individuals
with ID (please attach additional information if required)

I, Lakota Venditto wish to be heard in support of my submission by
☒ appearing personally
☐ being represented by the following person: _____
☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 2/3/2021

Signed: Lakota Venditto

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel – 08 8527 0200
Fax – 08 8527 2242

info@apc.sa.gov.au
Adelaide Plains Council
RECEIVED

**DEVELOPMENT ACT 1993
Representation on Application**

- 1 MAR 2021

My Name: SUZANNE WILSON
Contact No: 0421 059 489 Email: SuzanneWilson57@gmail.com
My postal address: PO Box 152 KAPUNDA SA Postcode 5373

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☒ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is

145 GAWLER RIVER RD LEWISTON SA Postcode 5198

The specific aspects of the application to which I make comment on are: ITS A WELL MANAGED FACILITY FOR DAY OPTIONS, RESPIRE & OVERNIGHT STAYS GROUPS ARE USUALLY 1:4. PROGRAMS ARE APPROPRIATELY PLANNED TO ACCOMMODATE A RANGE OF DISABILITIES (please attach additional information if required) PTO

I, SUZANNE WILSON wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person: SUNNY & RAJ
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation **will** be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date:

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

THE MAIN FACILITIES ARE LOCATED ON THE WESTERN SIDE OF THE AREA.
A HORSE STABLE & ENCLOSURE & VEGE GARDEN ARE ON THE EASTERN
SIDE. A SELECT NUMBER OF CLIENTS WORK IN THE VEGE GARDEN.
THE SPACIOUSNESS OF THE AREA ENABLES PEACEFUL
CLIENTS & A MANAGEABLE PROGRAM ON THIS SACKO PROPERTY.

ALSO:

STAFF ARE TRAINED & SEEK TO MOTIVATE & EMPOWER
CLIENTS TO REACH THEIR GOALS & INDEPENDENCE.
CLIENTS ARE NON-VIOLENT.

MY 2 CLIENTS ATTEND CHOICE & CONTROL. THEY LOVE
THE SOCIAL ASPECT AND THE ACTIVITIES (AND THE STAFF)
THEY HAVE TRIED 5 DIFFERENT DAY OPTIONS AND
CHOICE & CONTROL IS THE BEST BY FAR.

THE MANAGEMENT ARE FULLY COMMITTED TO THE
WELFARE & PROGRAM & COMMUNITY INVOLVEMENT
THEY PROVIDE TO THE CLIENTS.

THEY ALSO COMMUNICATE WELL TO CARERS WHICH
ENABLES ACHIEVABLE GOAL SETTING & TRANSPARENCY.
WE TRAVEL FROM KAPUNDA TO ACCESS THIS SERVICE
AND I SUGGEST TO ANYONE WHO MAY HAVE
LITTLE UNDERSTANDING OF THE BENEFITS OF THIS
FACILITY & PROGRAM, THAT THEY SHOULD SPEND
SOME TIME THERE TO SEE THE BENEFITS &
HOW IT WORKS.

WITH KINDEST REGARDS

A Wilson

RE Development Application 312/47/2021.

Annex 1 – Representation from Joanne Vidorin.

My name is Joanne Vidorin and I'm the Mother of Christopher Vidorin who attends Choice N Control (or The Farm, as my son calls it).

For many years, prior to NDIS, Day Options and Respite were very limited especially with Respite, we had up to a 6 – 9 week wait or more. As a result of NDIS in SA there has been a vast increase in providers allowing us and our son far more choices.

Chris is now 27 years old and as past experience has shown us most providers have difficulty keeping him busy throughout the day due to the lack of outside space/activities, (ie, SCOSA Elizabeth). Unfortunately, if he becomes bored there is a tendency for him to have behavioural problems, but with CnC this is no longer an issue as the "Farm" with it's unique location and facilities provides him more than enough physical and mental stimulus that boredom is no longer an issue.

Respite (overnight/weekend stays) has always been a major issue for us in that it has been very difficult to secure anything more than one weekend every 2 to 3 months. Now, with CnC Chris is able to access Respite once a month or more if he needs it. This allows myself and my husband to give quality time to our youngest daughter, something that has always been lacking in the past as caring for Chris is full time for both of us.

Prior to attending CnC Chris was attending Windemere Farm at Buckland Park, it was there that we first met Sunny and Raji (Day Options managers/facilitators) and it was a vast improvement on the services he was receiving at SCOSA.

There were limitations on what was available at Windemere, and as we had heard hearsay that Sunny had aspirations to start his own program in Lewiston we immediately decided that anything he would set up would be the best it could be! This is evidenced by NDIA stating that CnC is unique and ground-breaking in it's operations, facilities and audit compliance.

Having known Sunny and Raji for over 5 years I can only say that I am truly blessed to know two people that do not see their roles as a "job" but as a lifestyle that they live by, an example of this commitment is whilst I was undergoing 12 weeks of Chemo, surgery and 6 weeks of Radiotherapy they were ALWAYS there for me. There were times when we were running late returning from the RAH and CnC offered to keep Chris at the Farm until we were able to pick him up, sometimes up to 5pm. This sense of "Family", not just a business is truly appreciated and goes far beyond anything we have had in the past. Another example of their commitment and professionalism to disability services is the fact that the majority of staff members from Windemere resigned and followed Sunny to the new venture.

I urge the Council planning officers to look at this application as "a feather in their cap" to be hosting such a leader in disability support in the APC area and not "an issue for the neighbours"

DEVELOPMENT ACT 1993
REPRESENTATION ON APPLICATION – CATEGORY 2/3 DEVELOPMENT

My Name: Jon Gee MP

Organisation:
(if applicable)

Postal Address: PO Box 144, Smithfield SA 5114

Contact Number: 0882541023

Email Address: taylor@parliament.sa.gov.au

My representation is in relation to the application described below:

DEVELOPMENT APPLICATION NUMBER:

312 / 47 / 2021

My representation:
(please tick which applies)

- ☒ supports the proposed development
☐ opposes the proposed development

My interests are:
(please tick which applies)

- ☐ owner of local property
☐ occupier of local property
☒ a representative of a company/other organisation affected by the proposal
☐ a private citizen

The address of the property affected is:

The specific aspects of the application to which I make comment on are:

as attached letter

(You may attach additional pages and/or other documents such as photographs if necessary)

My objections (if any) could be overcome by:

I: ☐ DO wish to be heard in support of my representation
☒ DO NOT wish to be heard in support of my representation
(please tick which applies)

By: ☐ appearing personally
☐ being represented by the following person:
(please tick which applies)

I acknowledge that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on Council's website.

Signature:

Date:

1 / 3 / 21

Representations will not be considered if submitted after the closing date as stated on the Notice.

RETURN ADDRESS: Adelaide Plains Council, PO Box 18, Mallala SA 5502



Adelaide Plains Council - Council Assessment Panel Members
C/- Manager – Development Assessment
PO Box 18
MALLALA SA 5502

Dear Panel,

I have recently been contacted by a number of families who reside within the Adelaide Plains Council and surrounding areas regarding the Development Application lodged by Choice N Control (CNC) for a disability service facility at 145 Gawler River Road, Lewiston.

Planning Grounds

When looking at the proposal solely on planning grounds, I would argue it is not at great variance to that of the development zone features of Animal Husbandry land use. The activities that occur at the site during the day are split between a mix of recreation, cooking and life skills, gym, music, art and computer skills and reading all of which occur indoors and so would have limited impact over and above the noise generated by a normal residence. The second set of activities are gardening and animal keeping which would both be normal within the zone and occasionally cricketing performed only within a cricket net well away from the adjoining residences and has no impact.

At night there could occasionally be a small number of clients with carers onsite which is similar to a large family living in the home or having friends or relatives stay over. The proposal should not be considered in a different light due to the fact that the clients have intellectual disabilities. There are no restrictions on who can live at any other residential property across the area and CNC have appropriate processes in place to assist the clients if they are distressed.

I note that all of the above is supported by the results of the Environmental Noise Assessment by Sonus in December 2020 which found with minor changes to the music room all areas of the site would "minimise adverse noise impacts, avoid unreasonable interference on amenity and will not detrimentally affect the location by way of noise". Therefore, one of the major concerns from opponents has been found not to be valid. I must note that when I visited the site recently, I listened to small engines from both a motorcycle and a chainsaw and a significant amount of dust for the entire visit from the adjoining neighbour.

Our voice for the North

8254 1023 | taylor@parliament.sa.gov.au
Shop 86b, 600 Main North Road, Smithfield SA 5114
PO Box 144, Smithfield SA 5114



I also note from the traffic and parking assessment conducted in January 2021 that there is appropriate parking onsite to meet the requirements under the Australian Standards and further that the traffic movements in and out of the site are estimated to be less than other properties within the Animal Husbandry zone particularly dog kenneling. My understanding from the Flood report is that although some changes to floor levels may be required, they are no different from any other building on a similar site within the zone.

History

I have been advised that the organisation discussed with council on numerous occasions prior to purchasing the property the benefits of providing an inclusive service for participants who are supported under the National Disability Insurance Scheme (NDIS).

I am aware that a previous Development Application (DA) was submitted by CNC at the request of Adelaide Plains Council as they indicated that because the facility was growing, a formal land use change was required from a Home Base Industry to a Disability Service Facility. The opposition to the proposal appeared to focus on noise as well as the owner not living at the property. I appreciate that noise of all kinds whether deliberate or not can be frustrating but also that a variety of noises would occur in an Animal Husbandry Zone.

There was a specific complaint about a particular client making more unsettling noises. This client has received further therapy and the issue has been resolved. The concerns being raised about the owners not residing at the property every night are irrelevant as there is no general requirement for any residents in the state to reside at their property every night.

Positive Impact of CNC operating at the current site

I believe there are many positive opportunities for the community if CNC remain at their current site. I envisage that the program will continue to build on its reputation for excellence in delivering services. This should make the residents of APC very proud to have it as part of their local area. I also believe that the Council will be seen as a progressive and inclusive representative body for its residents and the community.

Should CNC have to leave APC area, the unique experience provided by CNC will be lost, not just for the staff and participants but also for the APC and its community as well. It is clear that the majority of representations to council are supportive of CNC and that the programs being delivered have made a positive difference to the lives of the participant families who are part of the APC community.

Personal Observations

When I visited the site, I observed the normal operations of the site for around an hour, spoke with clients and their carers as they participated in their daily activities and spoke with parents and the owners. I observed very little noise being generated by the activities of the clients, or the animals or vehicles.

It was disappointing that clients had to finish their cricket game and the animals had to be comforted when first chainsaw noise and then loud motorcycle noise emanated from an adjoining property along with a significant amount of dust.

Recommendation

I urge the Panel to assess the recommendation to approve the change of land use. It has proven to be a successful existing land use and provides significant benefit to the clients and the community.

I fully support the application by Choice and Control and believe that based on the acoustic, traffic, parking and flood assessments plus the support for the facility that development should be approved.

I can be contacted for further information via my office on (08) 8254 1023.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jon Gee', with a stylized flourish at the end.

Jon Gee MP
Member for Taylor

1 / 3 / 2021



DEVELOPMENT ACT 1993
Representation on Application

My Name: Mr G Zotti
Contact No: 04 50 441 311 Email: _____
My postal address: 13 Gawler River Road Postcode 5501
Two Wells S.A
Lewiston

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

N/A (address/property not affected) Postcode N/A

The specific aspects of the application to which I make comment on are:

I support this development in my local Council Area. Fantastic facility, and great opportunity for disabled people to connect, learn and enjoy all aspects of country life
(please attach additional information if required)

I, Mr G Zotti wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person:~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 3 March 2021

Signature: Griselle Zotti

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18
Mallala SA 5502



**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Mr L Panella
Contact No: 0428 847 508 Email: panella5501@gmail.com
My postal address: PO Box 546, two wells SA Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

N/A Postcode N/A

The specific aspects of the application to which I make comment on are: I support this Development application. Great facility, Good people, clean, tidy, no dust and noise free. Great opportunity for people with disabilities to interact and learn valuable life skills. we need this service in our community. (please attach additional information if required)

I, Mr L Panella wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person:~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 3 March 2021

Signature:

Leonolo Panella

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18
Mallala SA 5502

DEVELOPMENT ACT 1993
REPRESENTATION ON APPLICATION – CATEGORY 2/3 DEVELOPMENT

My Name:	Organisation: (if applicable)
Postal Address:	
Contact Number:	Email Address:

My representation is in relation to the application described below:

DEVELOPMENT APPLICATION NUMBER: 312 / ____ / ____

- My representation:
(please tick which applies)
- My interests are:
(please tick which applies)
- ☐ supports the proposed development
 - ☐ opposes the proposed development
 - ☐ owner of local property
 - ☐ occupier of local property
 - ☐ a representative of a company/other organisation affected by the proposal
 - ☐ a private citizen

The address of the property affected is:

The specific aspects of the application to which I make comment on are:

(You may attach additional pages and/or other documents such as photographs if necessary)

My objections (if any) could be overcome by:

- I: ☐ DO wish to be heard in support of my representation
☐ DO NOT wish to be heard in support of my representation
(please tick which applies)

- By: ☐ appearing personally
☐ being represented by the following person: _____
(please tick which applies)

I acknowledge that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on Council's website.

Signature: _____ Date: _____

Representations will not be considered if submitted after the closing date as stated on the Notice.

RETURN ADDRESS: Adelaide Plains Council, PO Box 18, Mallala SA 5502

ALL REPRESENTORS PLEASE NOTE:

To submit your representation you may:

- post it to PO Box 18, Mallala SA 5502
- email it to info@apc.sa.gov.au
- submit it in person at Two Wells Service Centre, 69 Old Port Wakefield Road Two Wells or Principal Office, 2A Wasleys Road Mallala (opening hours: 9:00am – 5:00pm).

To be effective it is encouraged that your submission:

- address only relevant planning issues as expressed in policies contained in the Development Plan (access to Council's Development Plan is available via Council's website – www.apc.sa.gov.au)
- be objective, succinct, and to the point.
- offer solutions on how concerns may be overcome.
- be submitted on or before the due date.

Please also note the following:

- if you have no interest in the proposal, you are not required to respond.
- a copy of each representation received will be forwarded to the applicant for their consideration in providing a written response. Further a copy of your representation (including your name and address) will become public and can be viewed on Council's website.
- should the application require assessment by Council's Assessment Panel, you will be given an opportunity to address the Panel in respect of your representation **if you lodge your representation before the closing date.**
- Council Assessment Panel members are bound by a Code of Conduct which prevents them from discussing a proposed development with either the applicant or affected neighbours outside of a Panel meeting.

DEVELOPMENT ACT 1993
REPRESENTATION ON APPLICATION – CATEGORY 2/3 DEVELOPMENT

My Name:	Organisation: (if applicable)
Postal Address:	
Contact Number:	Email Address:

My representation is in relation to the application described below:

DEVELOPMENT APPLICATION NUMBER: 312 / ____ / ____

- My representation:
(please tick which applies)
- My interests are:
(please tick which applies)
- ☐ supports the proposed development
 - ☐ opposes the proposed development
 - ☐ owner of local property
 - ☐ occupier of local property
 - ☐ a representative of a company/other organisation affected by the proposal
 - ☐ a private citizen

The address of the property affected is:

The specific aspects of the application to which I make comment on are:

(You may attach additional pages and/or other documents such as photographs if necessary)

My objections (if any) could be overcome by:

- I: ☐ DO wish to be heard in support of my representation
☐ DO NOT wish to be heard in support of my representation
(please tick which applies)

- By: ☐ appearing personally
☐ being represented by the following person: _____
(please tick which applies)

I acknowledge that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on Council's website.

Signature: _____ Date: _____

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DEVELOPMENT ACT 1993
REPRESENTATION ON APPLICATION – CATEGORY 2/3 DEVELOPMENT

My Name:	Organisation: (if applicable)
Postal Address:	
Contact Number:	Email Address:

My representation is in relation to the application described below:

DEVELOPMENT APPLICATION NUMBER: 312 / _____ / _____

- My representation:
(please tick which applies)
- My interests are:
(please tick which applies)
- ☐ supports the proposed development
 - ☐ opposes the proposed development
 - ☐ owner of local property
 - ☐ occupier of local property
 - ☐ a representative of a company/other organisation affected by the proposal
 - ☐ a private citizen

The address of the property affected is:

The specific aspects of the application to which I make comment on are:

(You may attach additional pages and/or other documents such as photographs if necessary)

My objections (if any) could be overcome by:

- I: ☐ DO wish to be heard in support of my representation
☐ DO NOT wish to be heard in support of my representation
(please tick which applies)

- By: ☐ appearing personally
☐ being represented by the following person: _____
(please tick which applies)

I acknowledge that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on Council's website.

Signature: _____ Date: _____

Representations will not be considered if submitted after the closing date as stated on the Notice.

RETURN ADDRESS: Adelaide Plains Council, PO Box 18, Mallala SA 5502

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- should the application require assessment by Council's Assessment Panel, you will be given an opportunity to address the Panel in respect of your representation **if you lodge your representation before the closing date.**
- Council Assessment Panel members are bound by a Code of Conduct which prevents them from discussing a proposed development with either the applicant or affected neighbours outside of a Panel meeting.



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Adelaide Plains Council
RECEIVED
Tel - 08 8527 0200
03 MAR 2021
08 8527 2242
info@apc.sa.gov.au
apc.sa.gov.au

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Emma Angle Vale Car Service Centre
Contact No: 0417 848 073 Email: info@anglevalecarservice.com.au
My postal address: 121 Angle Vale rd Angle Vale Postcode 5117

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Rd. Lewiston Postcode

The specific aspects of the application to which I make comment on are:
I support disability services in my area

.....(please attach additional information if required)
 I, Emma Krause wish to be heard in support of my submission by
☒ appearing personally
☐ being represented by the following person:
☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: <u>3/3/2021</u>	Return Address: <u>Manager Development Assessment, Adelaide Plains Council RA Box 18</u>
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**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel – 08 8527 0200
Fax – 08 8527 2242

info@apc.sa.gov.au

Adelaide Plains Council
RECEIVED

**DEVELOPMENT ACT 1993
Representation on Application**

25 FEB 2021

My Name: Helen Ortenstein
Contact No: 0407212174 Email: mo978942optusnet.com.au
My postal address: 6 Uthwatt Court ST AGNES Postcode 5097

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
☒ occupier of local property
☒ a representative of a company (other organisation affected by the proposal)
☒ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Rd Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are:
My son attends respite & day options at CNC he has been involved with the staff for the last 14 years and they are his 2nd family and a huge support to our family. (please attach additional information if required)
Helen Ortenstein wish to be heard in support of my submission by **P10**

- appearing personally
- being represented by the following person: _____
- ~~do not wish to be heard in support of my submission (Cross out whichever does not apply)~~

PRIVACY PLEASE NOTE:

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Date: 23/2/21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

He has achieved many goals set by behaviour therapist and OT's since attending CMC.

His social skills have improved immensely since he has attended as they provide a safe and secure day option that allows him to participate in a variety of activities both social & life skill development.

We struggled for many years with his ~~disability~~ ^{disability} and as a family to help him fit in, but for the past 14 years we have achieved a balance of family life ~~and~~ with our other children by using the respite. The peace of mind that he is safe and in a purpose built environment that serves all his needs no matter what he is doing or weather (the different activities provided are amazing.).

We love that the property is fully fenced as he is non verbal. It allows him to have some space whilst being safe.

If CNC were to shut down it would have a devastating effect on not only my son who attends but the whole family. He has spent the last 14 years with the same familiar faces and we have taken many months to get him ready for respite which he now loves and looks forward to.

We as a family strongly support the development application for this amazing and unique property.

 Helen Ortenstein



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502

PO Box 18
Mallala SA 5502

Adelaide Plains Council
Tel: 08 8527 0200
Fax: 08 8527 2242
info@apc.sa.gov.au
apc.sa.gov.au
02 MAR 2021
RECEIVED

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Sebastien Hughes
Contact No: 0401550223 Email: Hughesy52@Hotmail.com
My postal address: 121 Pt parham rd orblin sa Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
 a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Rd Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: It helps enhance their capabilities and supports them in everyday life

.....(please attach additional information if required)

I, Sebastien Hughes wish to be heard in support of my submission by

- appearing personally
- ~~being represented by the following person:~~
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 1/3/21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Adelaide Plains Council
RECEIVED
76 FEB 2021
info@apc.sa.gov.au
apc.sa.gov.au

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: ANDREW Scully
Contact No: 0403013013 Email: Scullyfamily6@bigpond.com
My postal address: 46 Gawler River Rd Lewiston Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property ✓
occupier of local property ✓
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
46 Gawler River Road LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: WE HAVE NO ISSUES IN REGARDS TO NOISE OR TRAFFIC COMING FROM SAID PROPERTY AND SEE A BENEFIT TO THE COMMUNITY WITH SUCH A FACILITY IN OUR AREA
(please attach additional information if required)

I, Andrew Scully wish to be heard in support of my submission by

- appearing personally ✓
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: <u>19/02/21</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>Scully</u>	



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502

PO Box 18
Mallala SA 5502

Adelaide Plains Council
Tel - 08 8527 0200
Fax - 08 8527 2242
info@apc.sa.gov.au
02 MAR 2021
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Jasper Hughes
Contact No: 0402550225 Email: Hughesjy52@hotmail.com
My postal address: PO Box 133 Dublin Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: The people at CNC learn life skills with great support from careers

.....(please attach additional information if required)

I, Jasper Hughes wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- ~~do not wish to be heard in support of my submission (Cross out whichever does not apply)~~

PRIVACY PLEASE NOTE:

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Date: 1/3/2021

Council Assessment Panel

Return Address:

Manager Development Assessment,
Adelaide Plains Council
PO Box 18

Page 152 of 267

5 May 2021



**Adelaide
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**DEVELOPMENT ACT 1993
Representation on Application**

- 2 MAR 2021

My Name: Kellie Hughes
Contact No: 0412 239502 Email: ee10ss23@gmail.com
My postal address: 6 Dammerling Ave, Salisbury East Postcode 5109

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road, Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are:

A Great facility that the clients love and a much needed facility for the area.

.....(please attach additional information if required)

I, Kellie Hughes wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 25/2/21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



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**DEVELOPMENT ACT 1993
Representation on Application**

- 1 MAR 2021

My Name: NINA VAN PELT
Contact No: 0439 814474 Email: vanpelt@adam.com.au
My postal address: 14 LORINYA ROAD, SALISBURY PARK SA Postcode 5109

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD, LEWISTON SA Postcode 5198

The specific aspects of the application to which I make comment on are: CHOICE N CONTROL is a brilliant disability facility and much needed in the area.

I know personally clients that attend are so happy there. (Please attach additional information if required)

- wish to be heard in support of my submission by
- appearing personally thereby
 - being represented by the following person: Nina Van Pelt
 - do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 25/2/21

Return Address: Manager Development Assessment,
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Adelaide Plains Council
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DEVELOPMENT ACT 1993
Representation on Application

25 FEB 2021

My Name: PETER FLOWERS
Contact No: 0409 286 826 Email: petecrows@gmail.com
My postal address: PO Box 182 FREELING SA Postcode 5372

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
a representative of a company/other organisation affected by the proposal
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER RD LEWISTON SA Postcode 5198

The specific aspects of the application to which I make comment on are: A FAMILY MEMBER ATTENDS THE PROPERTY TO PARTAKE IN THE VARIOUS PROGRAMS OFFERED AND THOROUGHLY ENJOYS THE VARIOUS OPPORTUNITIES FOUND THERE.

.....(please attach additional information if required)

I, PETER FLOWERS wish to be heard in support of my submission by

- ~~appearing personally~~
- being represented by the following person: TONY VIDORIN
- ~~do not wish to be heard in support of my submission (Cross out whichever does not apply)~~

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Date: 24/02/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



**Adelaide
Plains
Council**

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Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel: 08 8527 0200
Fax: 08 8527 0242
info@apc.sa.gov.au
apc.sa.gov.au
02 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Sharon Hughes
Contact No: 0401 550 223 Email: hughesy52@hotmail.com
My postal address: PO Box 133 Dublin S.A. Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Road Lewiston S.A. Postcode 5198

The specific aspects of the application to which I make comment on are: I believe chnc is an excellent day option offering high quality support both to participants and their family and carers.
(please attach additional information if required)

I, Sharon Hughes wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: _____
- ~~do not wish to be heard in support of my submission (Cross out whichever does not apply)~~

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Date: 1/3/2021

Return Address: Manager Development Assessment,
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PO Box 18



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Mallala SA 5502
PO Box 18
Mallala SA 5502

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Adelaide Plains Council

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DEVELOPMENT ACT 1993
Representation on Application

25 FEB 2021

My Name: Sunder Singh

Contact No: Email:

My postal address: 6/311 Young Street, Wayville SA Postcode 5034

Details of the application are as follows:-

DEVELOPMENT NO. 312/47/2021

APPLICANT'S NAME CHOICE N CONTROL

NATURE OF THE DEVELOPMENT Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse

SUBJECT LAND LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198

ZONE Animal Husbandry Zone

My interests are: owner of local property
occupier of local property *Participant*
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Road, Lewiston SA Postcode 5501

The specific aspects of the application to which I make comment on are: I have been struggling to find such an amazing place. Choice N Control has supported me achieving my goals. I would like to continue attending Lewiston services. (please attach additional information if required)

I, [Signature] wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: Tony Vidarin
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 19/02/2021

Return Address: Manager Development Assessment,
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02 MAR 2021
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DEVELOPMENT ACT 1993 Representation on Application

My Name: Adawynn Hughes
Contact No: 0401 550 813 Email: Hughesy52@hotmail.com
My postal address: Pobox 133 Dublin Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River road Lewiston SA 5198 Postcode 5198

The specific aspects of the application to which I make comment on are: I know people who go to CNC and they learn everyday skills like cooking, Gardening looking after animals. And they have a great music room, Arts/crafts room, a gym and great staff. They should stay open. (please attach additional information if required)
I, Adawynn Hughes wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- ~~do not wish to be heard in support of my submission (Cross out whichever does not apply)~~

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Date: 1/3/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



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2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

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**DEVELOPMENT ACT 1993
Representation on Application**

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25 FEB 2021

My Name: Sean Margison
Contact No: Email:
My postal address: 35 Vickers Viny Parade, Northgate Postcode 5085

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

145 Gawler River Road, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: I am attending

Choice N Control 3 days a week in the day program
I love attending and am learning lots of different skills. P.T.O.
Without Choice N Control. (please attach additional information if required)

Sean Margison wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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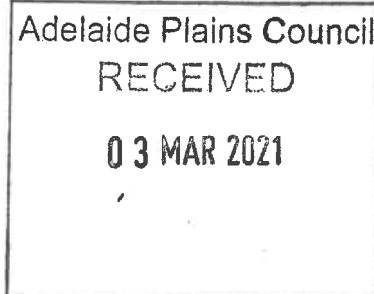
Date: 24 12 / 21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

I'm not sure what I would do.

It took me many years to find a place
in which I really enjoy and feel comfortable
at.

Mark St John Starks
PO Box 1211
TWO WELLS
0402 093 362



Wednesday, March 3, 2021

Manager, Development Assessment
PO Box 18
MALLALA

RE: Development no: 312/47/2021

My family wholeheartedly support this application as we did application 312/390/2019.

Disability services of this nature are necessary and important for the personal development and inclusion of intellectually and/or physically challenged individuals to society.

I have seen, first hand, the limitations of similar facilities in suburban environments (limited or non-existent outside activity areas, limited internal floor space, lack of privacy from neighbouring properties etc.). I believe the size of the property in question, its location (in respect to direct neighbours), and its proximity to the city/northern suburbs (easy and convenient commuting) give this facility significant advantages in terms of service quality/variety and convenience for clients and their families.

Furthermore, the high standard of presentation of this property (weed control, quality fencing, excellent building maintenance, lack of externally stored rubbish/surplus materials) should be the envy of local property owners, and be taken as a standard to which we all should aspire.

Since the current owners took possession of this property, we have experienced no issues with noise or disturbance of any nature from the owners or any of their clients or visitors.

In conclusion, my family sees no reason to block the approval of the change of use to a disability service facility, rather we believe this change of use be supported, if not encouraged.

I am willing to appear in person to echo the above viewpoint, however will require a minimum of 14 day's notice to allow for my availability.

Kind regards

A handwritten signature in blue ink, appearing to be "MSJS", written over a light blue horizontal line.

Mark St John Starks



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2a Wasleys Road
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**DEVELOPMENT ACT 1993
Representation on Application**

25 FEB 2021

My Name: Kerry King (Shane Wood)
Contact No: 0400417033 Email: brasshead@bigpond.com
My postal address: 234 Dawkins Road, LEWISTON Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198 <u>5501</u>
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Rd,
Choice N Control - In support of. Postcode 5501

The specific aspects of the application to which I make comment on are: my son attends this facility and has settled in well, any changes to his placement will affect his health, welfare and behaviour.
I am in full support of CNC. (please attach additional information if required)

I, Kerry King wish to be heard in support of my submission by
 • appearing personally
 • being represented by the following person:
 • do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 19.2.2021.

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

For Your Information.

Ms Kerry King

234 Dawkins Road

Lewiston SA 5501

Dear Council Members, members of Parliament and Local Media,

I am a long term resident of the Adelaide Plains Council Area.

Currently receiving treatment for breast cancer, I am a carer and mother of my 35 year old disabled son, whom lives at home with our family in Lewiston.

After being in unsatisfactory day options for disabilities in the northern area for some 20 years, we were absolutely delighted when we learnt of a new facility being implemented in our area at Lewiston, Choice and Control. We couldn't wait to enroll our son as soon as they were open for business, some 2 years ago now.

Choice N Control have been amazing, not only is it a ten minute bus drive, but my sons moods have improved immensely, he is happier and he enjoys going every day. He enjoys the daytime activities and community outings.

He no longer comes home crying and soiled in wet pants from being on the bus for two hours a day. If you have any idea what it is like to care for people with disabilities you will understand that when they are in a safe and happy environment they are happy at home which makes it less stressful for them and the family.

I was deeply saddened and outraged to hear that a town planner at Adelaide Plains Council has submitted to close Choice N Control down on the grounds of noise, and of being in an animal husbandry zoned area. Excuse my ignorance, but how can a small group of disabled people be noisier than numerous dogs. A breeder myself of over 30 years, I am very aware of how noisy they can be in these areas. I believe Adelaide Plains Council is currently in the process of approving a submission to have 300 dogs on a property in the area, but want to close down a small property with approximately 15 disabled clients at any one day, sometimes less.

The argument might be by council that it is not zoned for disabilities, but you tell me where in this council or any other council where there is a zone for disabled people. Where is the equal opportunity? As a mother I am deeply concerned that my son and others are not getting treated fairly, ill treatment and abuse of their rights is something that you watch on the news, not in a million years did I think I would be witnessing it here in my council area affecting my son and my family and many others.

I ask Adelaide Plains Council, before making this decision to close down Choice N Control and allowing them to operate for two years successfully, where they were nominated for Best NDIS provider in that time, did you once consider what this would do to the staff and clients of Choice N Control? Disabled people DONOT cope with change, and their options for a place like this is limited.

As a resident of Adelaide Plains I hope you rethink your actions and think of what a great initiative it will be for this area, the disabled people and the council. Please don't take the word of a disgruntled neighbor whom obviously has no empathy for people like my son.

Sincerely, Kerry King

11/11/2020

K. King 19.2.21.



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2a Wasleys Road
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PO Box 18
Mallala SA 5502

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03 MAR 2021
Fax - 08 8527 2242
info@apc.sa.gov.au
apc.sa.gov.au

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Angle Vale Family Practice
Contact No: 82848388 Email: anglevalefp@gmail.com
My postal address: PO Box 143 Postcode 5117

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

Postcode

The specific aspects of the application to which I make comment on are: support disability services in the community

(please attach additional information if required)

I, Natasha Childs, wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 3.3.2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



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2a Wasleys Road
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**DEVELOPMENT ACT 1993
Representation on Application**

25 FEB 2021

My Name: Janie Farrugia
Contact No: 0419314803 Email: _____
My postal address: Lot 57 Williams Rd Postcode 5501
TWO - WELLS

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
~~a representative of a company/other organisation affected by the proposal~~ Parents
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Rd Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: see attached letter Pt8

(please attach additional information if required)

I, Janie Farrugia wish to be heard in support of my submission by

- appearing personally
- ~~being represented by the following person:~~
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

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Date: 23-2-21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

To,

Adelaide Plains Council

Letter of Support for Development no 312/47/2021

We are writing to inform you that we strongly support the application for development at 145 Gawler river road, Lewiston. Our son has been attending this program for the last 2 years and we have seen massive progress in his life. He has an intellectual disability and we have been struggling for years to find the right provider for him. We are so glad and relief now that we are receiving such a high quality of services by Choice N Control in our local area. My son also attends two-nights respite stay per month and he loves his time there. He has been learning to be more independent in his life. His favourite activities at CNC are cricket, feed Larry(horse), art and craft, educational games, computer/library and others. We are in great favour of this development which provides such a valuable service to our local community. **Being a parent of a disabled son, we are so concerned that if this place is not around, it will create such a negative impact on all our life and our son won't be able to find or attend similar program for rest of his life. In our view, Adelaide Plains Council and their residents should be so proud of this type of facility in our area as there are no services for people with disability in this area.**

If you have any questions, please feel free to contact us.

Regards,

Janie and Michael Farrugia

Lot 57 Williams road,

Two Wells, 5501

0419314803



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel – 08 8527 0200
Fax – 08 8527 2242
info@apc.sa.gov.au

Adelaide Plains Council

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**DEVELOPMENT ACT 1993
Representation on Application**

25 FEB 2021

My Name: MR + MRS. Clifford and Josephine Biggs
Contact No: 82805643 Email: _____
My postal address: 31 Mender Street Paralowie Postcode 5018

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler river rd, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: Day Options
and respite care. Needed services

.....(please attach additional information if required)
I, Clifford + Josephine wish to be heard in support of my submission by
• appearing personally
• being represented by the following person: TONY VIPORIN
• do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 25/2/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel – 08 8527 0200
Fax – 08 8527 2242
info@apc.sa.gov.au

Adelaide Plains Council
RECEIVED

**DEVELOPMENT ACT 1993
Representation on Application**

25 FEB 2021

My Name: FRANCES DEMARIA
Contact No: 0432459721 Email: _____
My postal address: 4 LONGO STREET, BLAKEVIEW Postcode 5114

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER RD, LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: _____
REFER TO THE ATTACHMENT

Frances Demaria (please attach additional information if required)
I, Frances Demaria wish to be heard in support of my submission by

- appearing personally
- ~~being represented by the following person:~~ _____
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 24/02/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

Adelaide Plains Council

Development No 312/47/2021

I want to support the application for development at 145 Gawler river road, Lewiston. I have a disabled son who attends day activities and occasionally overnight stays at Choice N Control.

I have seen a lot of positive changes in my son's life since he started attending CNC.

My son loves to participate in the gardening, animal care, he also enjoys his 1-hour cooking class in the outdoor kitchen every Thursday, which enable him to prepare his own meals at home.

CNC offers a very unique environment and rural setting, which benefits my son. I am a single mother with no informal support and Choice N Control has been an enormous support in our life. Me and my son strongly support this development and we wish there are many places like CNC which can make a lot of difference in the lives of people with disability.

It is quite sad to hear that this zoning is not for disability but where is the zoning for disabled people? They should be allowed to be a part of the community and must have equal rights as others. I would like to request Adelaide Plains Council to look into this matter deeply and grant an approval for such a great facility. There are rare providers like CNC and their team/staff goes beyond their roles to help participants and their families. **If this place is not around, my son will never be able to find such a loving and caring environment. It will impact our mental health and we won't be able to cope with this change.**

Should you have any question, please do not hesitate to contact me.

Kind Regards,
Frances Demaria
Mob: 0432459721



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Adelaide Plains Council
Tel - 08 8527 0200
Fax - 08 8527 2242
info@apc.sa.gov.au
03/03/2021
apc.sa.gov.au

DEVELOPMENT ACT 1993 Representation on Application

My Name: Kimberley Alley
Contact No: 0413 249 192 Email: Kimberleyalley@gmail.com
My postal address: 9/393 Anzac Highway, Camden Park Postcode 5038

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are:

Ensuring that people continue to have this service available to them as it is an
integral part of the community and provides supports to vulnerable people who need them...

.....(please attach additional information if required)

I, wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 02/03/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502

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Adelaide Plains Council
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**DEVELOPMENT ACT 1993
Representation on Application**

23 FEB 2021

My Name: DIANNE EMSLEY
Contact No: 0438817261 Email: _____
My postal address: 2 JUDD ROAD LEWISTON Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is

2 JUDD ROAD LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: WE ARE NOT
IN AGREEMENT TO THE APPROVAL FOR THE INTEGRATED
DISABILITY SERVICE FACILITY AT 145 GAWLER
RIVER ROAD (please attach additional information if required)

I, _____ wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: _____
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: <u>18/2/21</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>D Emsley</u>	



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502

PO Box 18
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Adelaide Plains Council
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**DEVELOPMENT ACT 1993
Representation on Application**

03 MAR 2021

My Name: Pauline Catell
Contact No: 085243097 Email: _____
My postal address: 149 GAWLER River Road Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
149 GAWLER RIVER ROAD, LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: See attached sheet.

.....(please attach additional information if required)

I,.....wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation **will** be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: <u>25.2.2021</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>P Catell</u>	

I have been putting up with the noises from this business for over 2 years now and am totally fed up with it. Why is it still here? Doesn't the council have any control over what is happening here?

All the screams and noises from this business have affected me to the point where I have moved out of the main bedroom and sleep in another part of the house that is less noisy. The screams and various other noises are happening day and night 7 days a week.

This area is supposed to be for animal husbandry and rural living. This business clearly breaches this zoning criteria and spoils the area.

I am an older person and am not coping so well, especially since the recent loss of my husband. He would never have tolerated the affect this business is having on me.

I've also noticed the extra traffic going past my property with the vans and cars going in and out of this business, and when I drive past there is often a lot of cars parked in there and sometimes large groups of people outside.

The size of this business and the noises I hear are very disturbing and it's causing a great deal of stress to me. I should be able to live here in peace and comfort in my own house.

Pauline Cattell.

25.2.2021

P. Cattell



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502

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apc.sa.gov.au

Adelaide Plains Council
RECEIVED

**DEVELOPMENT ACT 1993
Representation on Application**

03 MAR 2021

My Name: ROGER NICKS
Contact No: 0408 821 411 Email: _____
My postal address: 147 Gawler River Road, Lewiston Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
147 Gawler River Road, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: _____
please see attached pages,

_____(please attach additional information if required)

I, ROGER RAYMOND NICKS wish to be heard in support of my submission by

- ☒ appearing personally
- ☐ being represented by the following person: _____
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: <u>3/3/2021</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>[Signature]</u>	

Response to Representation on Application 312///47/2021

1. This business is a category 3 Development and is in no way congruent with the zoning of the area. Animal Husbandry/Rural Living.
2. The applicant doesn't live at the premises. This does not fit with the spirit/ambience and zoning of the area.
3. The size of this business, ie the number of staff, vehicles and clients is not in line with Development control.
4. This is a full-on NDIS approved facility and is a "strictly business" premises, not a small home based business.
5. The loud noises emitting from some of the clients 7 days a week, night and day, are disconcerting and affecting our quality of life and causing a great deal of stress. ie the amenity of the neighbours is affected. This breaches the development control standard and is not fitting in with the spirit of the area.
6. Over the last two years the unsettling sounds have included, amongst others, very loud screaming, yelping, screeching, grunting and droning by more than one client. As a number of the clients can't speak they vocalise.
7. The noises generated by clients in the facility may be heard in our house at most anytime of the day and night, including before 6am and well after midnight. They can also be heard at the back fence of my property which is a couple of hundred metres from the source. I spend a lot of time outside working on my property therefore I'm exposed to all of it.
8. The included application for a building extension to the house shows certain business growth, which will undoubtedly increase the impact on nearby residences.
9. There is increased traffic from 4 minibuses transporting clients to and from the premises, staff and volunteer cars, people dropping off clients and service vehicles including septic pump out every few weeks. Much more movement than a large family.
10. When the time comes to sell our property any potential purchasers will surely walk away when they see the size of the business and hear the clients noisy behaviour.
11. As important as this industry is to the people that use it, it is inappropriate in this area especially amongst several private dwellings. It has been run for over 2 years as an unapproved, therefore according to council, "illegal business". It is supported by unaware users who pay "Choice N Control" with NDIS taxpayer funded dollars.
12. If this business is allowed to continue it will set an undesirable precedence, i.e. you can come out here, run a business, construct buildings/facilities and if you get caught out you can then apply for council approval and if necessary use lawyers to bully them into submission. We will no longer need councils for zoning and development control! It'll be a free for all!

ROGER RYNICKS

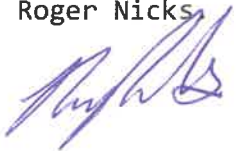
13. Had this facility have been set up in a suitable area, over 2 years of stress and the many hours wasted responding to the first the second and now the third 3 application would have been avoided and my families quality of life would not have been dragged down.

14. We do have considerable empathy for the clients and their families. My wife has even worked with special needs people. At the end of the day Mr. Singhs family don't live there. They have their peaceful residence in Windsor Gardens that he can go home to after spending some time at this facility, but we the neighbours are stuck with it 24/7.

15. My wife and son both suffer diagnosed conditions and the added stress from this facility exacerbates their health. My wife is in such a state that all of this makes her feel sick and she just wants to move away to escape this situation we have been stuck with for over 2 years. We go outside for a cup of coffee- we have screaming. We get into the pool with a glass of wine for a relaxing soak on a hot summers evening- we have screaming. Sitting inside- we have screaming. Laying in bed we have screaming. Working outside during the day- we have screaming. Seven days a week. Anytime day or night.

16. Where's our respite?

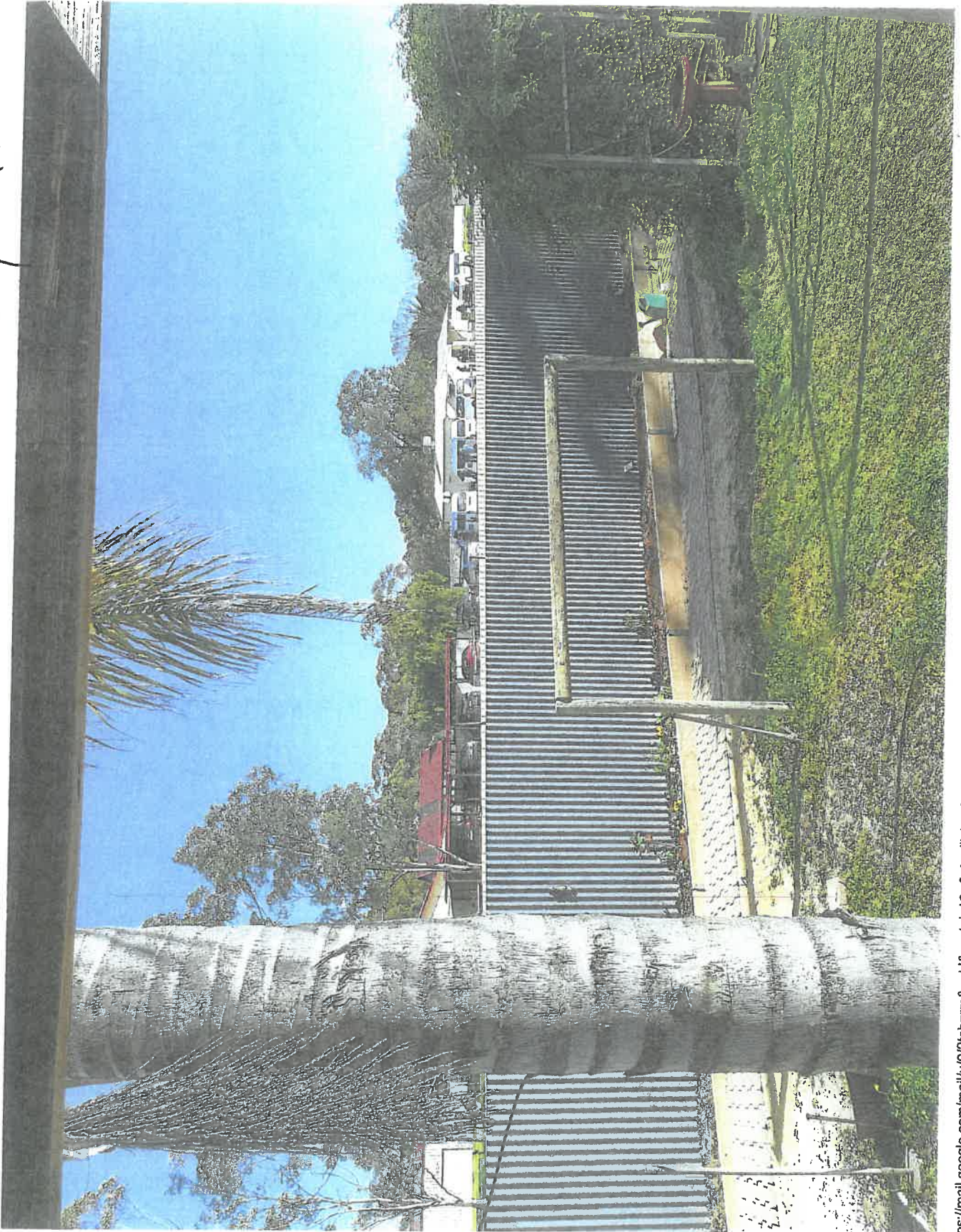
Regards,
Roger Nicks

 3/3/2021

20200724_101043.jpg
Fri 24th July 10:10

①

3 vans
7 cars



Tues. 28th July 11:29

20200728_112946.jpg

2

3 vans
7 cars



9/15/2020

<https://mail.google.com/mail/u/0/?tab=rm&ogbl&zx=toly16wfhdzq#inbox/FFNDWMkpMbjJlJCHmLGvJmXWHLtDlPlX?projector=1&messagePartId=0.1>

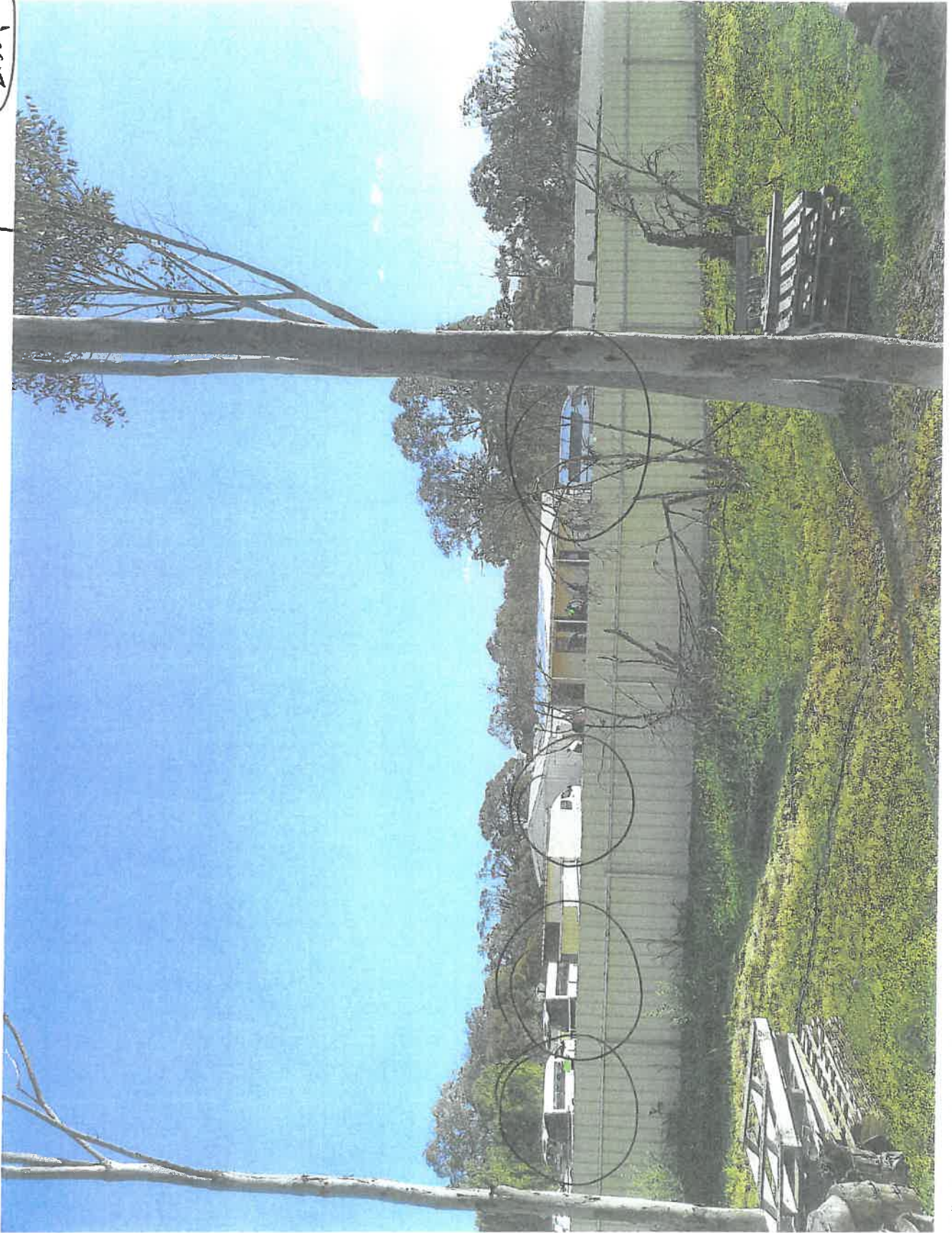
9/15/2020

20200730_145256.jpg

Thurs. 30th July 14:52

2:52pm

4 Vans



(4)

Mon 3rd Aug 11:04
20200803_110454.jpg

3 vans
6 cars



9/15/2020

<https://mail.google.com/mail/u/0/?tab=rm&ogbl&zx=toiy16wfhdzq#inbox/KtbxLthdmwqsgPgrHKgwRqTospkGBhgog?projector=1&messagePartId=0.1>

Thurs. 6th Aug 10:12
20200806_101245.jpg

5

4 Vans
6 Cars



<https://mail.google.com/mail/u/0/?tab=rm&ogbl&zx=toty16wfhdzq#inbox?projector=1>

9/15/2020

20200807_102252.jpg

Fri 7th Aug 10:22

6

3 vans
6 cars



<https://mail.google.com/mail/u/0/?tab=rm&ogbl&zx=toiy16wfhdzq#inbox?projector=1>

9/15/2020

Tues 25th Aug 13:31
20200825_133129.jpg

1:31pm

7

4 vans
8 cars.



<https://mail.google.com/mail/u/0/?tab=rm&ogbl&zx=toiy16wfhdzq#inbox/Qgrc.HsNkdbnBmdChWZxvSmJkKMRJQwJKJg?projector=1&messagePartId=0.1>

Tues. 8th Sep 14:20

20200908_142036.jpg

2:20pm

4 Vans
6 Cars



20200911_102546.jpg
Fri. 11th Sep 10:25

9/15/2020

9

3 vans
6 cars.



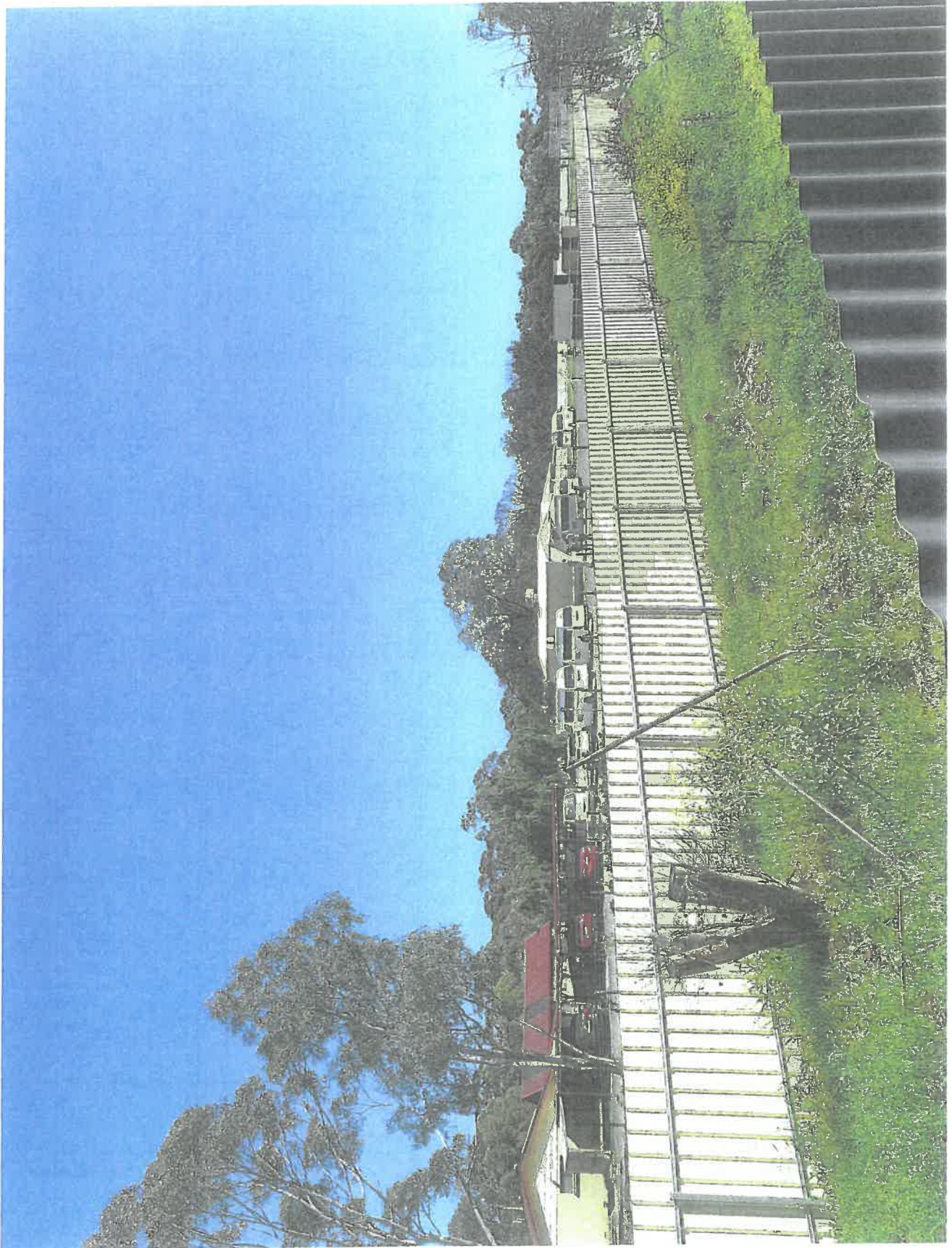
<https://mail.google.com/mail/u/0/?tab=rm&ogbl&zx=toiy16wfrndzq#inbox/QgrcJHshbMDtDgcMgvXNpHCTMznwVTHbgV?projector=1&messagePartid=0.1>

Tues. 15th Sep 10:22
20200915_102259.jpg

9/15/2020

10

4 Vans
5 Cars



<https://mail.google.com/mail/u/0/?tab=rm&ogbl&zx=toiy16wfhndzq#inbox?projector=1>



**Adelaide
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2a Wasleys Road
Mallala SA 5502

PO Box 18
Mallala SA 5502

Tel – 08 8527 0200
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Adelaide Plains Council
RECEIVED

**DEVELOPMENT ACT 1993
Representation on Application**

03 MAR 2021

My Name: Annette Kay Scott
Contact No: 0419818842 Email: annettejacks196@hotmail.com
My postal address: 12 Judd Road Lewiston SA Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

12 Judd Road Lewiston SA Postcode 5501

The specific aspects of the application to which I make comment on are:

See attached for information document

.....(please attach additional information if required)

I, Annette Kay Scott wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- ☒ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: <u>1-3-2021</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>Annette Kay Scott</u>	

Re Development Application No 312/47/2021

I Annette Scott of 12 Judd Road Lewiston am against this Integrated disability Service Facility operating at 145 Gawler River Road Lewiston SA. Upon receiving this 3rd Adelaide Plains Council application for this retrospective approval I have become quite distressed with having to deal with the above situation, which has been operating illegally for 2 years. The recent passing of my husband has now made this issue more, ~~and~~ stressful and difficult to deal with.

Whilst I empathise with the clients and the families that use this facility I believe this Disability Service Facility should not have been set up in an Animal Husbandry Zoned Area where I have been living for over 40 yrs without any adverse impact on my quality of life until now.

The above business is totally incompatible with the ambience of this area, negatively impacting the adjoining neighbours with respect to distressing noises from clients at this facility.

Even my dogs react adversely by barking in response to the clients outbursts of loud vocalising when they venture down to my boundary fence.

I am also concerned that this Integrated Disability Service Facility will deter potential buyers of my recently subdivided property which is zoned as Animal Husbandry - Rural Living. If this category 3 development is allowed to continue operating, it will set an incompatible precedence for the area.

Also if the expansion of the house as per the development plan is allowed, the negative impact to the adjoining neighbours will become more intolerable and stressful.

Regards

Annette Scott
12 Judd Road Lewiston SA

Dated 2-3-2021



**Adelaide
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Council**

2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Tel – 08 8527 0200
Fax – 08 8527 2242

Adelaide Plains Council
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**DEVELOPMENT ACT 1993
Representation on Application**

03 MAR 2021

My Name: DAVID WREN
Contact No: 0418497789 Email: davidm.wren@hotmail.com
My postal address: 153 GAWLER RIVER ROAD LEWISTON Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is 153 GAWLER RIVER ROAD LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: IN RELATION TO THE ABOVE MENTIONED FACILITY'S NEGATIVE IMPACT ON THE QUALITY OF LIFE IN THIS AREA. OUR PURPOSE FOR SETTLING IN THIS AREA WAS TO ENJOY RURAL LIVING, SOMETHING THAT THIS "FACILITY" ... PD. (please attach additional information if required)

I, DAVID WREN wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person: [REDACTED]
- ☒ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: <u>20 FEB 21</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>[Signature]</u>	

CONT'D OVERLEAF:

DOES NOT SUIT. THIS "FACILITY" PURPORTS TO HOUSE A SPECIFIC NUMBER OF CLIENTS OF VARYING DEGREES OF CARE LEVEL. THIS AREA WILL NOT SUIT THE REHABILITATION OR RESPIRE DUE TO THE NATURE OF THE ZONE: E.G. ANIMAL HUSBANDRY.

ADDITIONALLY THE IMPACT OF HIGHER TRAFFIC INTO AND OUT FROM THIS "FACILITY", AS WELL AS THE OUTBURSTS OF THE CLIENTS HAS BEEN NOTED AND MISINTERPRETED AS DOMESTIC DISTURBANCE WHICH HAS NEGATIVELY AFFECTED NOT ONLY OUR OWN ANIMALS, BUT ALSO OUR NEIGHBOURS AS WELL.

David M. H. 20 FEB 21



**Adelaide
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**DEVELOPMENT ACT 1993
Representation on Application**

03 MAR 2021

My Name: Angela Fulco
Contact No: 0401 658 774 Email: angela.fulco@gmail.com
My postal address: 8 Katherine St, Hectorville Postcode 5073

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road, Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: Environmental
Noise Assessment - Please see attached

.....(please attach additional information if required)

I, Angela Fulco wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

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Date: <u>01/03/2021</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 5502
Signature: <u>[Signature]</u>	

Greetings, I am the sister of somebody who attends Choice N Control – 145 Gawler River Road, Lewiston.

To repeat what Alison Field said in regards to noise assessment

"Potential Impacts

Will the proposed development create any unacceptable amenity impacts by reason of noise or the parking and movement of vehicles associated with the proposal? In our respectful submission the answer to this question is no.

On the matter of impact from noise, it is submitted that the attached report from Mr Jason Turner of Sonus clearly demonstrates that there will be no adverse noise impact from either noise associated with participants in the day programs or overnight stays or noise associated with the use of vehicles. You are referred to the Conclusion outlined in Mr Turner's report:

"Based on site measurements, observations and the preparation of a three dimensional noise model, the activities achieve the noise criteria at all nearby residences with the incorporation of the above recommended acoustic treatments to the music room. In so doing the proposal has been designed to minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise, thereby achieving the relevant provisions of the Development Plan related to environmental noise."

I'd like to add that I think the recommendations for the music room could potentially be beneficial, not just for people in neighbouring properties but for the other people that will be in the building.

Here's a quote from the sonus Environmental Noise Assessment

"Interface between Land Uses PDC 7 from the Development Plan references the Environment Protection (Noise) Policy 2007 (the Policy), which provides goal noise levels to be achieved at residences.

The Policy is based on the World Health Organisation Guidelines to prevent annoyance, sleep disturbance and unreasonable interference on the amenity of an area. Therefore, compliance with the Policy is considered to be sufficient to satisfy all provisions of the Development Plan relating to environmental noise."

Considering this assessment was done for day-to-day ~~today~~ activities that are conducted at this facility leads me to question if there was a noise assessment done on the day-to-day activities that happened in the neighbouring property?

Because the policy is based on guidelines by the World Health Organisation it would only be sensible to have everyone in the community held to the same standards.

I could also argue that because the facility in which my brother attends is for people with disabilities like autism. With autistic people being particularly sensitive and could experience sensory overload. I believe that an environmental noise assessment should be conducted on the neighbouring properties.

Sincerely,
Angela Fulco



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DEVELOPMENT ACT 1993
Representation on Application

25 FEB 2021

My Name: AANCHAL GARG
Contact No: 0450516643 Email: Aanchalgarg0043@gmail.com
My postal address: 1 HAMISH GROVE, ROSEVIEW Postcode:

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD, LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: This place is unique in providing better opportunities for disability people as they are providing types of activities to make their future better. (please attach additional information if required)

I, Aanchal Garg wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- ☒ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 23/02/2021

Return Address: Manager Development Assessment,
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03 MAR 2021
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Konan Aziziazar
Contact No: 0468462682 Email: K1azizi1981@gmail.com
My postal address: 17 G Barndoo street Hallett cove Postcode 5158

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are: I want to support this kind of services that helps individual's with disability. As an occupational therapy student, I know how these kind of services help them to engage in activities that they enjoy. I believe we should (please attach additional information if required)
support them

- wish to be heard in support of my submission by
- ☒ appearing personally
 - ☐ being represented by the following person: _____
 - ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 9.3.2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
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25 FEB 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Carlin Hill
Contact No: 0404324068 Email: _____
My postal address: 14 Lois drive Angle Vale Postcode 5117

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
~~a representative of a company/other organisation affected by the proposal~~ ^{participant}
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: I like coming here because it's fun and it's a good place to hang out, I like the idea of the animals because it's good for people that need animal therapy
(please attach additional information if required)

I, Carlin Hill wish to be heard in support of my submission by

- ~~appearing personally~~
- being represented by the following person: Tony Vidarin
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

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Date: 25/02/21

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03 MAR 2021
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: ANTONIO CAMMARERE
Contact No: 0412 988 350 Email: tcammarere@gmail.com
My postal address: 34 WHISTLER DRIVE OAKDEN SA Postcode 5086

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is 145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are: CHOICE N CONTROL AT THIS SITE PROVIDES EXCELLENT SERVICES WHICH ARE NOT HARMFUL TO THE COMMUNITY. THESE SERVICES NEED TO CONTINUE TO CARE FOR DISABLED PEOPLE.
(please attach additional information if required)

I, ANTONIO CAMMARERE wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person:~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date:

2/3/21

Return Address:

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- 1 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Andrew Cummings

Contact No: Email:

My postal address: 12 Davey Street Northfield Postcode 5025

Details of the application are as follows:-

DEVELOPMENT NO. 312/47/2021

APPLICANT'S NAME CHOICE N CONTROL

NATURE OF THE DEVELOPMENT Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse

SUBJECT LAND LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198

ZONE Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are:

I got a choice n control 5 days
a week I really enjoy gardening
looking after the animals (please attach additional information if required)

swimmings / Acummings wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person: Tony Vidrin
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 25/2/21

Return Address: Manager Development Assessment,
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Council Assessment Panel
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: SHARON DEVERSON
Contact No: 0401463627 Email: two.wells.fodder@gmail.com
My postal address: 98 OLD PT WAKEFIELD RD Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER RD, LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are:
WE SUPPORT DISABILITY SUPPORT IN LEWISTON

.....(please attach additional information if required)

I, TWO WELLS FODDER wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: SHARON DEVERSON
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 2/3/21

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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: JAG DHALIWAL
Contact No: 0433278687 Email: _____
My postal address: 13A, HAMBLETON ROAD, CAMPBELLTOWN Postcode 5074

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145, Gawler river road, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: My relative attends the wonderful facility and developed br of skills throughout the years. He participates in various activities offered by Choice N Control. The service provider has been amazing for my family member. I wish CNC my best wishes. (please attach additional information if required)

I, JAG DHALIWAL wish to be heard in support of my submission by

- ☐ appearing personally
- ☐ being represented by the following person: Tony vidron
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date:

Return Address: Manager Development Assessment,
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Kearney Duerant
Contact No: 0405459663 Email: keadur@1@yahoo.com.au
My postal address: 38 INA CLOSE, CRAIGMORE Postcode 5114

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
 occupier of local property
 a representative of a company/other organisation affected by the proposal
 a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Rd, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: See Attachment

.....(please attach additional information if required)

I, Kearney Duerant wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 3/3/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
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What ChoiceNControl means to so many people in the community can be summed up on the faces of those that enjoy the freedom that they cannot achieve anywhere else in **their** world.

One participant who comes to Mind is a gentleman with dementia, his world is made up of 4 walls with little to do, but pace around.

But when he goes to the Day Option Program at Lewiston, he has the opportunity to interreact with others like him, who also need a place to be themselves, a place that is safe to roam as far as they like in a safe environment without people pointing a finger of disapproval.

He has the opportunity to feel safe and be supported in his community enjoying new opportunity's fresh air spending time in the garden planting vegies. Mowing the lawn, feeding the chickens, rather than spending his remaining time in a residential facility with all the old people that are just waiting to die.

After all he's still a young man who has been dealt a harsh sentence in a cruel world, even his Dr has said how much he has come alive, since being supported by Choice N control and participating in activities that give him a sense of self-worth, to hear him having a kind word to say in his soft voice thanking you for your help.

The fresh air and the opportunity's that he now has, have made a new man of him. He has formed friendships with other participants which have most definitely made an impact on others around him something that would not have happened if it were not for the wonderful facilities, he has had the privilege to attend since July.

I had the chance to work with the participant prior to his coming to CNC.

He now has a wonderful quality of life here, before he just existed, now he is part of something special and is included in the unlimited possibility s of achieving a new freedom.

Please help us to continue to support people in our community to be able to attend the facilities at **ChoiceNControl Lewiston** they deserve a good life with great outcomes, thank you on behalf of our wonderful participants.

Kerry Durrant



**Adelaide
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apc.sa.gov.au
03 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: GRAEME EAST
Contact No: 0428502124 Email: _____
My postal address: PO Box 59 TWO WELLS SA Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is _____

Postcode _____

The specific aspects of the application to which I make comment on are: IN AN AREA OF ANIMAL HUSBANDRY AND MARKET GARDENING WHICH WILL CREATE NOISE I DON'T SEE ANY REASON WHY THIS PROPOSAL SHOULD BE AN ISSUE
(please attach additional information if required)

I, _____ wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: _____
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 3/3/21
 Council Assessment Panel

Return Address:

Manager Development Assessment,
Adelaide Plains Council
PO Box 18
5 May 2021



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03 MAR 2021

DEVELOPMENT ACT 1993

Representation on Application

My Name: GIUSEPPE MARCHESAN
Contact No: 0412 842748 Email: _____
My postal address: 15 RAMSAY AVE. HILLCREST Postcode 5086

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: THIS PLACE IS IDEAL FOR THIS PEOPLE - FOR THEM IS A LITTLE HAVEN - WE DO NEED MORE OF THESE PLACES PLEASE LET THEM BE IN HAVEN. THEY ARE HAPPY THERE
(please attach additional information if required)

I, GIUSEPPE MARCHESAN wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person: _____~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 2.3.21

Return Address: Manager Development Assessment,
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2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

Adelaide Plains Council
Tel - 08 8527 0200
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03 MAR 2021
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Gary Sandercock
Contact No: 0418 824595 Email: gary@propakindustries.com.au
My postal address: _____ Postcode _____

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Road, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: This is a wonderful facility supporting people with disabilities and is highly sought after by families requesting support in this area.
(please attach additional information if required)

I, Gary Sandercock wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person: _____
- ☒ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 20/2/21

Return Address: Manager Development Assessment,
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DEVELOPMENT ACT 1993
Representation on Application

My Name: Greg Hughes
Contact No: 0401 550 223 Email: hughesg@scbmail.on
My postal address: 133 Dublin, SA Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is
C.A.C. 145 Gawler River Road, Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: CNC is a great place for people with intellectual disabilities, or who don't fit into the "norm" of society to feel valued and cared for in a rural setting, outside of the confines of the city. P.T.O.
(please attach additional information if required)

I, Greg Hughes wish to be heard in support of my submission by

- ☒ appearing personally
- ☐ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 01/03/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
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I enjoy helping out at CNC, and have volunteered my time to assist with making "Larry" the horses stable ~~for~~ more safe for Larry, I have built a large "Connect 4" game for the participants, which they painted the circles by their selves, and I have helped out and donated rural fencing for Larry.

Whilst repairing fencing, the CNC participants were very interested in what I was doing, and helping out where they could, and I couldn't believe how happy not only the participants, but also the carers were - I have never heard so much laughter or merriment around a work place before, which made me realise that CNC is not just another business looking to make money, but rather an environment of happiness and safety for those that are most vulnerable in our community.

Great work CNC, I hope I can volunteer my time more in the future to assist such an awesome place, and awesome people



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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Hannah Griffin
Contact No: 0435728188 Email: hannah.griffin@gmail.com
My postal address: 32 Sycamore Crescent Postcode 5051

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road, Lewiston SA Postcode 5501

The specific aspects of the application to which I make comment on are:

This property provides services for people living with disabilities and I would like to show my support for this service in the argument around property zoned for animal husbandry
 (please attach additional information if required)

I,, wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person:~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 2/3/21

Return Address: Manager Development Assessment,
Adelaide Plains Council
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**DEVELOPMENT ACT 1993
Representation on Application**

- 1 MAR 2021

My Name: Courtney Hassett

Contact No: Email:

My postal address: 14 Luis Drive Anglevale. Postcode

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are:
I am attending here and I am doing Computering and
listening to music, drumming and cooking.

.....(please attach additional information if required)

I, Courtney Hassett wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person: Tony Vidarim (Representative)
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 24 / 2 / 2021

Return Address: Manager Development Assessment,
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PO Box 18

I really enjoy participating in these activities.
I hope that Choice and ~~the~~ Control is around for a very long time.



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DEVELOPMENT ACT 1993
Representation on Application

My Name: ROONEY HUNT
Contact No: 0412131425 Email:
My postal address: PO Box 915 TWO WELLS Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is
.....Postcode

The specific aspects of the application to which I make comment on are:

I SUPPORT THE DISABILITY SERVICES IN THE COMMUNITY

.....(please attach additional information if required)

I,wish to be heard in support of my submission by

- ☐ appearing personally
- ☐ being represented by the following person: RTJ RURAL SUPPLIES
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 2321

Return Address: Manager Development Assessment,
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PO Box 18
Mallala SA 5502



DEVELOPMENT ACT 1993 Representation on Application

My Name: Isaac Johnson
Contact No: 0402499270 Email: Isaacjohnson.mail@gmail.com
My postal address: 45 Barham St Allenby Gardens Postcode 5009

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are:

This service is integral in enhancing people with disabilities' quality of life and safeguards their
rights to a supportive environment which treats them with respect and dignity whilst fulfilling their needs.

.....(please attach additional information if required)

Isaac Johnson

I,wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 2/2/2021

Johnson

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**DEVELOPMENT ACT 1993
Representation on Application**

- 1 MAR 2021

My Name: Mrs SURANNE KAY

Contact No: 0419038560

Email: jinsue21@bigpond.com

My postal address: 26, SCENIC WAY RIDGEHAVEN SA Postcode 5097

Details of the application are as follows:-

DEVELOPMENT NO. 312/47/2021

APPLICANT'S NAME CHOICE N CONTROL

NATURE OF THE DEVELOPMENT Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse

SUBJECT LAND LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198

ZONE Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is

LOT 99 5198/181145 GAWLER RIVER ROAD LEWISTON Postcode SA 5198

The specific aspects of the application to which I make comment on are:

THIS PROPERTY IS A WONDERFUL FACILITY FOR ALL PEOPLE WITH SPECIAL NEEDS TO BE ABLE TO ENJOY NATURE IN A BEAUTIFUL COUNTRY ENVIRONMENT WHICH ENABLES THEM TO BE FREE TO ENJOY LIFE FOR (please attach additional information if required)
A FEW HOURS ADELAIDE PLAINS COUNCIL SHOULD BE PROUD TO BE AFORE RUNNER IN AIDING C.N.C TO BE EXCLUSIVE FOR ALL wish to be heard in support of my submission by

- ☐ appearing personally
- ☒ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date:

May 21-2-21

Return Address:

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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Sergei Konivets
Contact No: 0427570966 Email: _____
My postal address: 44 Lachlan Street, Ferryden Park Postcode 5010

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145 GAWLER River Road, Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: Dear son Maxim attends Choice N Control & loves attending this programme. He enjoys the outdoors environment, exceptional & he knows most of the staff
 (please attach additional information if required)
Sergei Konivets wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person: Tony Vidorian
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 01/03/2020

Return Address: Manager Development Assessment,
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DEVELOPMENT ACT 1993
Representation on Application

My Name: Sandeep Kumar
Contact No: 0435424666 Email: S.Kumalacheer@yahoo.com.au
My postal address: 35 Knight Street West-Richmond Postcode 5083

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
☒ a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

145 Gawler River Rd Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: Choice of Control is best place to work for the staff and for the Residents as well. Because they have good environment here. They look after their Residents very well. (please attach additional information if required)

I, Sandeep Kumar, wish to be heard in support of my submission by

- ☐ appearing personally
- ☐ being represented by the following person: ...
- ☒ do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 3/3/2021

Return Address: Manager Development Assessment,
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Blue Lange
Contact No: 0407 021 470 Email: langeauto4@bigpond.com
My postal address: PO Box 593 Two Wells Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Rd Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: I support the work & services that this facility provides

.....(please attach additional information if required)

I,, wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: Shuan Long . 3/3/21

Return Address: Manager Development Assessment,
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03 MAR 2021

DEVELOPMENT ACT 1993

Representation on Application

My Name: Rosa Leitch

Contact No: 0423157555 Email: rosamarino12@gmail.com

My postal address: Unit 3/118 Seaview Road Henley Beach Sh Postcode 5022

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Road Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: my son Daniel attends both Day Options and Respite, it plays an immense part of his life. He is happy and safe there and it would be detrimental to the well being of my son if we were not able to have this in his life. - It gives him purpose and acceptance
 (please attach additional information if required)
 I wish to be heard in support of my submission by and acceptance

- ☒ appearing personally
- ☐ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 1/3/2021

Return Address: Manager Development Assessment,
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Kayla Liu
Contact No: 04 9992 0194 Email: kayla.liu2@gmail.com
My postal address: Unit 101/46 MAB Circuit, Tonsley, SA Postcode 5042

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are:
Having this service in Lewiston provides access to a safe
environment and helps to meet the support needs of
individuals with ID in Lewiston and neighbouring areas.
.....(please attach additional information if required)

I, Kayla Liu wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: March 2nd, 2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



**Adelaide
Plains
Council**

2a Wasleys Road
Mallala SA 5502
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Mallala SA 5502

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Adelaide Plains Council
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**DEVELOPMENT ACT 1993
Representation on Application**

25 FEB 2021

My Name: Luke Washer
Contact No: 0411006373 Email: _____
My postal address: 17 Janet Avenue, Lyndee Postcode 5070

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

145 Gawler River Road, Lewiston SA Postcode 5501

The specific aspects of the application to which I make comment on are: _____

The organisation provides important services to assist people with a disability with their daily lives and maintaining their independence.
(please attach additional information if required)

I, _____ wish to be heard in support of my submission by

- ~~appearing personally~~
- being represented by the following person: TONY VIDORIN
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 24/3/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



**Adelaide
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Council**

2a Wasleys Road
Mallala SA 5502

PO Box 18
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Adelaide Plains Council

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info@apc.sa.gov.au

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021/10874

DEVELOPMENT ACT 1993
Representation on Application

My Name: Casey Reisley Mangerson

Contact No: Email:

My postal address: 14 hindmarsh Court Postcode 5108

Details of the application are as follows:-

DEVELOPMENT NO. 312/47/2021

APPLICANT'S NAME CHOICE N CONTROL

NATURE OF THE DEVELOPMENT Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse

SUBJECT LAND LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198

ZONE Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are:

I enjoy choice and control because
of the amazing stuff and cooking, and
community access. (please attach additional information if required)

I, Casey wish to be heard in support of my submission by

- ~~appearing personally~~
- being represented by the following person: TONY VIDORIN
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 3/3/2021

Return Address: Manager Development Assessment,
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PHO

and I want choice and control
to stay so I can still attend such
a great provider.



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info@apc.sa.gov.au
03 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Raji Mann
Contact No: 04 70 445 279 Email: sweetrajwinder@gmail.com
My postal address: 49 Kirkby Cct, Greenacres SA Postcode 5086

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☐ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is

145 Gawler River Road, Lewiston SA Postcode 5501

The specific aspects of the application to which I make comment on are: fully complied with the NDIS guidelines, Choice N control is delivering excellent care to people with disability. I am glad to come across such a resourceful facility. (please attach additional information if required)

I, Raji Mann wish to be heard in support of my submission by

- ☐ appearing personally
- ☒ being represented by the following person: Tony Vidorin
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 01/03/2021

Return Address: Manager Development Assessment,
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: BETTY MARCHESAN
Contact No: 0488 677 033 Email: /
My postal address: 15 RAMSAY AVENUE HILLCREST SA Postcode 5086

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are: INFORMATION ATTACHED

.....(please attach additional information if required)
I, BETTY MARCHESAN wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person:~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation **will** be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: 26/02/21

Council Assessment Panel

B Marchesan

Return Address: Manager Development Assessment,
Adelaide Plains Council

Page 223 of 267

PO Box 18

5 May 2021

Adelaide Plains Council

Development Application: No 312/47/2021

I have worked in the disability sector for 32 years. Now, I am working as a volunteer at Choice N Control one day per week to do art therapy with the participants.

I am so very impressed with the person-centred approach and quality of services Choice N Control provides to their participants.

I lived in Adelaide Plains Council for 22 years and there has been huge need of disability services in this area. Adelaide Plains Council should be so proud to have such a great service for their local community.

I know number of local families who have been struggling to find services for their sons/daughters and now they are so happy to engage with Choice N Control. I am confident that Council would like to support people with disability and never want this amazing service to be closed.

I strongly support the application for development at 145 Gawler river road, Lewiston.

If you have any queries, please do not hesitate to contact me.

Kind Regards,
Betty Marchesan
Mob: 0488677033



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Mallala SA 5502

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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Riley Mitchell
Contact No: 0438158822 Email: _____
My postal address: 26 Jardene Crescent Postcode: 5051

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are:
Supporting the opportunity for individuals with disability the location provides

.....(please attach additional information if required)

I, [Signature] wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person:~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 2/3/21

Return Address: Manager Development Assessment,
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Mallala SA 5502

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03 MAR 2021
apc.sa.gov.au

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Kat Morey - Everclear Pool Solutions
Contact No: 8284 8677 Email: kate@everclearpools.com.au
My postal address: 121 ANGLE VALE RD, ANGLE VALE Postcode 5117

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
a representative of a company/other organisation affected by the proposal
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River RD, LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: Disability Support Services are an Important Role in our Community. we are in support of this local business & the opportunities that this company is able to provide.
(please attach additional information if required)
Kat Morey - Everclear Pool Solutions wish to be heard in support of my submission by

- ~~• appearing personally~~
- being represented by the following person:
- ~~• do not wish to be heard in support of my submission (Cross out whichever does not apply)~~

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Date: 3/3/21

Return Address: Manager Development Assessment,
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Sharone Mutch.
Contact No: 0414609726 Email: Sharonescakes@gmail.com
My postal address: box 776 Two Wells Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is 145 Gawler River Rd. Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are:
I do support having a disability service in our community.

.....(please attach additional information if required)

Sharones cakes & things wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: <u>2/3/21</u> 	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: NAOIA CAMMARERE
Contact No: 0412 671 304 Email: nadia.cammarere@gmail.com
My postal address: 31 WHISTLER DRIVE OAKDEN SA Postcode 5086

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are: INFORMATION ATTACHED

.....(please attach additional information if required)

I, NAOIA CAMMARERE wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 2/3/21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

Development Number: 312/47/2021

The fact that an application of this nature is being raised, is ludicrous!

The services provided by Choice N Control, are essential and should not be questioned.

The clients of Choice N Control seek refuge in an environment of support, care, self-worth and respect. Having a facility for intellectually challenged people provides a safe place for these citizens of the community, to feel equal and of no difference to any other citizen of the community. The rarity of such services are in demand and the Government are doing everything in its capacity to assist with this extremely vital problem, hence NDIS providing better services and options for those in need.

The legitimate and worthy services that are carried out at Choice N Control located at 145 Gawler River Road, Lewiston SA 5501 are not to be dismissed but rather supported and commended. Providing a service that protects, houses, develops, nurtures, encourages, educates and supports persons suffering from intellectual disability, should be applauded and I strongly support the application for development for the above mentioned development number and encourage more services of good nature like Choice N Control are initiated.

Stop and think for a moment, what it would be like to be in the shoes of a person with intellectual disability, would you feel alone and scared in the greater community, perhaps not so fortunate and have to live on the streets. Where would you go, how would you feel? We need more services like Choice N Control and everyone deserves to be treated equally and with respect. Providing smiles and every ray of support, is not wrong doing.



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03 MAR 2021
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Adam Orsini
Contact No: 0423061405 Email: adam.orsini@hotmail.com
My postal address: 7/286 Findon Rd Findon Postcode 5023

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Rd, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are:
Greatest working atmosphere, I enjoy assisting and encouraging those in need. Working with an amazing team
(please attach additional information if required)

Adam Orsini wish to be heard in support of my submission by

- ☒ appearing personally
- ☐ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 3/03/21

Return Address: Manager Development Assessment,
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P.70.

If Choice N Control were to close it would effect most of residents with disabilities in the area, who see this as a great facility that people feel comfortable being at,



PO Box 18
Mallala SA 5502

Tel – 08 8527 0200
Fax – 08 8527 2242
info@apc.sa.gov.au
apc.sa.gov.au

My Name: Rhuah Pietersen

Contact No: 0487 309 495 Email: rhuah@playfordplumbingandgas.com.au

My postal address: PO Box 5, 12/297 Peachey Road Munno Para Postcode 5115

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is

145 Galwer River Road Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: Choice and control provide an invaluable service for people...

living with a disability in and around the Lewiston area. There are currently no other service providing this level of care and support in or around the Adelaide Plains area.

Discontinuation of this service would see many people living with a disability displaced from care in our community. We support the continuation of this disability service being available

to support those members in and around our community who require a service such as this one.(please attach additional information if required)

I,.....wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person~~
- do not wish to be heard in support of my submission (*Cross out whichever does not apply*)

PRIVACY PLEASE NOTE:

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Date: 03/03/2021

Return Address: *Manager Development Assessment,
Adelaide Plains Council
PO Box 18*

Council Assessment Panel



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Fax - 08 8527 2242
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apc.sa.gov.au
03 MAR 2021

DEVELOPMENT ACT 1993
Representation on Application

My Name: VERICA PLESA
Contact No: 0473184424 Email: plesaverica@gmail.com
My postal address: 9 ALEXANDER AVE CAMPBELLTON Postcode 5073

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ☒ owner of local property
☐ occupier of local property
☐ a representative of a company/other organisation affected by the proposal
☐ a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Rd LEWISTON Postcode 5198

The specific aspects of the application to which I make comment on are:

.....(please attach additional information if required)

I,.....wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 1.3.21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

Representation on application

Choice n control has been a fundamental part of my son Tom's life for the past 3 years. It is not only essential for him on providing him opportunities and new life skills, but also gives me time to do shopping and other vital activities required his health wellbeing.

It gives him a routine, he also goes to respite which gives him a second home where he is cared for amazingly. I have a dream for my son to ride their horse Larry so we can go for ride together one day.

People with disabilities need a place to go to a place where they are cared for and learn to do new tasks.

I have heath issues so when Tom is at Choice N Control, I don't need to work as hard which gives me time to rest and recover.

I don't know what I would do if they were not available.

Basically what the place is about is they are trying to teach the occupants how to live independently possibly one day.

Where is the compassion of mankind. These people have done nothing to anyone and yet they are being picked on so they can't go there.

Verica Plesa



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Tel: 08 8527 0200
Fax: 08 8527 2242
info@apc.sa.gov.au
08 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Tony RADICE
Contact No: 0411740416 Email: ECIDARYHOT@GMAIL.COM
My postal address: 21A TARPEENA AVE WINDSOR GARDEN Postcode 5087

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER RD LEWISTON SA Postcode 5198

The specific aspects of the application to which I make comment on are: I HAVE BEEN DOING MAINTENANCE WORK FOR THIS CENTRE FOR OVER YEAR AND CAN HONESTLY SAY THAT IT'S A GREAT ORGANISATION. IT IS REWARDING SEEING THE DIFFERENCE THIS CENTRE MAKE

.....(please attach additional information if required)

I, TONY RADICE wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- ☒ do not wish to be heard in support of my submission (Cross out whichever does not apply)

P.T.O

PRIVACY PLEASE NOTE:

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Date: 2/3/21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

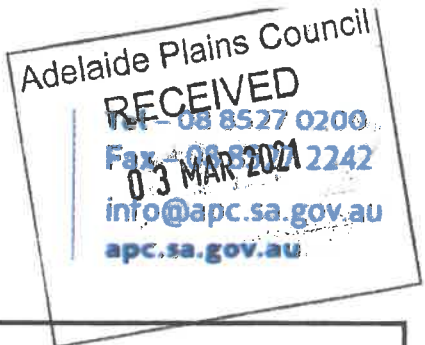
I HAVE BEEN DOING MAINTENANCE WORK FOR THIS CENTRE FOR OVER A YEAR AND I CAN HONESTLY SAY THAT IT IS A GREAT ORGANISATION. IT IS REWARDING SEEING THE DIFFERENCE THIS CENTRE MAKES IN SOMEONE'S LIFE. IT IS A PLACE THAT PROMOTES, PROTECTS AND ENSURES EQUAL OPPORTUNITIES AND ENJOYMENT OF EVERYDAY LIFE OF PEOPLE WITH INTELLECTUAL DISABILITIES AND SPECIAL NEED. I BELIEVE WE NEED MORE CENTRE SUCH AS THESE TO CONTINUE DEVELOPEMENT AND LEARNING FOR PEOPLE WITH DISABILITIES AND ALSO CREATES JOBS IN THE COMMUNITY.

Tony Radice



**Adelaide
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2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502



**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Ben Rutgers
 Contact No: 0400725780 Email: _____
 My postal address: 89 Heyman Road Tweedvale Postcode 5501

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
 occupier of local property
 a representative of a company/other organisation affected by the proposal
 a private citizen
 (Cross out whichever does not apply)

The address of the property affected is

Postcode

The specific aspects of the application to which I make comment on are: I Support Disability Services in my Area

.....(please attach additional information if required)

I,.....wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: Two weeks before
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date:	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18
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DEVELOPMENT ACT 1993
Representation on Application

My Name: Sonia Sandercock
Contact No: 0402 305512 Email: Sonia@propakindustries.com.au
My postal address: 217 King William Rd, Hyde Park Postcode 5061

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

145 Gawler River Road, Lewiston SA Postcode 5501

The specific aspects of the application to which I make comment on are: Considering that the

zone is approved for animal husbandry, I would assume that an
application for day/night respite for intellectually disabled people
would be favorable and questionable (please attach additional information if required)
is not approved.

I, Sonia Sandercock wish to be heard in support of my submission by

- ~~appearing personally~~
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 01/3/21

Return Address: Manager Development Assessment,
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Hannah Sandercock
Contact No: 0425921313 Email: hsandercock@outlook.com
My postal address: 217 King William Rd Postcode 5061

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is 145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are:

This service provides a safe environment for vulnerable people in the community. This service supports.....

The needs of individuals with disability to lead meaningful lives and thus should remain.....

.....(please attach additional information if required)

Hannah Sandercock
I, wish to be heard in support of my submission by

- ~~appearing personally~~
- ~~being represented by the following person:~~
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 2/2/2021

HS

Return Address: **Manager Development Assessment,
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DEVELOPMENT ACT 1993
Representation on Application

My Name: Manpreet Sandhu
Contact No: 0452617993 Email: sandhuorx@yahoo.com
My postal address: 36 woodley ave newton SA Postcode 5074

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is 115 Gawler river road LEWISTON Postcode 5501

The specific aspects of the application to which I make comment on are: the quality of services provided to the clients with intellectual disability, the environment they stay in during day program is very safe/spacious with multiple recreation/fitness activities available (please attach additional information if required)

I, MANPREET SANDHU wish to be heard in support of my submission by

- ☒ appearing personally
- ☒ being represented by the following person:
- ☐ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date:

Return Address: Manager Development Assessment,
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03 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Krishna Devi Sharma
Contact No: Email: computer.care381@gmail.com
My postal address: 5, Jolly Avenue, Northfield Postcode 5085

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is 5198/181 145 Gawler River Road, Lewiston SA Postcode 5198 5501

The specific aspects of the application to which I make comment on are: Choice N control
Provide opportunity to clients have supported and safe
environment to empower them and spend time in the community.
They opportunity to gain their freedom. (please attach additional information if required)

I, Krishna Devi Sharma wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 03/02/2021

Return Address: Manager Development Assessment,
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PO Box 18



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**DEVELOPMENT ACT 1993
Representation on Application**

25 FEB 2021

My Name: Shonea Deeks

Contact No: Email:

My postal address: 7a gooranga ave Salisbury North Postcode 5108

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company~~ / other organisation affected by the proposal
~~a private citizen~~
 (Cross out whichever does not apply)

The address of the property affected is

145 gawler road Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: I attend Lewiston program 5 days a week 10 to 3pm. i love to spend time with Larry the horse /cuddling Bunnies and doing gardening (please attach additional information if required)

Shonea Deeks wish to be heard in support of my submission by

- ~~appearing personally~~
- being represented by the following person: Tony Vidarin
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

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Date: 23/2/21

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

past few weeks im feeling so anxious
and struggling to sleep knowing
that Lewiston program may need to
close down.
i have discussed this with my doctor
and taking extra medication now
to help me to not think too much
about this.
CNC is the best program! to
suit my needs. i have learnt a lot
from this program and ~~became~~
becoming more independent
in my life. im so sad to hear that
some people saying that this
zoning is animal husbandry and
not suitable for people with
disability and doesn't need this
aboard to be a part of community
I want to request adelaide
plains council to grant a
approval so that we can attend
this ~~very~~ unique and best place
with full of loving and caring
people.



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Mallala SA 5502

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Fax: 08 8527 0242
inf@apc.sa.gov.au
apc.sa.gov.au
03 MAR 2021

DEVELOPMENT ACT 1993
Representation on Application

My Name: Amanpreet Singh
Contact No: 0435547160 Email: lorett.hakky88@yahoo.com
My postal address: 26 Winton Ave Paradise Postcode 5675

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property ☒
occupier of local property ☐
a representative of a company/other organisation affected by the proposal ☐
a private citizen ☒
(Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Rd Lewiston Postcode 5198

The specific aspects of the application to which I make comment on are: that this facility provides all the services & support to bring a positive change towards the lives of people with disability & special needs.
(please attach additional information if required)

I, Amanpreet wish to be heard in support of my submission by
☒ appearing personally
☒ being represented by the following person:
☒ do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 03/03/21

Return Address: Manager Development Assessment,
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03 MAR 2021
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**DEVELOPMENT ACT 1993
Representation on Application**

My Name: Kate Smedley
Contact No: 0404643821 Email: ksmeds_94@hotmail.com
My postal address: 8 Camille Street Hallett Cove SA Postcode 5158

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is
145 GAWLER RIVER ROAD LEWISTON SA Postcode 5501

The specific aspects of the application to which I make comment on are: this excellent service provides access to a day programme and accommodation for individuals with a disability. This is a safe environment for people with a disability. I do not agree with the replacement of animal husbandry.

.....(please attach additional information if required)
I, Kate Smedley wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

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Date: 2/03/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council



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2a Wasleys Road
Mallala SA 5502
PO Box 18
Mallala SA 5502

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25 FEB 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: STEPHEN JOHN
Contact No: 0421300619 Email: _____
My postal address: 14/13 Urlwin Road, Salisbury Postcode: 5108

Details of the application are as follows:-

DEVELOPMENT NO.	312/47/2021
APPLICANT'S NAME	CHOICE N CONTROL
NATURE OF THE DEVELOPMENT	Retrospective approval for an integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse
SUBJECT LAND	LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198
ZONE	Animal Husbandry Zone

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
 (Cross out whichever does not apply)

The address of the property affected is
145 Gawler River Road, Lewiston Postcode 5501

The specific aspects of the application to which I make comment on are: _____

I strongly support this application - It benefits people living with disability. This is the only service in this area for disability
 _____ (please attach additional information if required)

I, STEPHEN JOHN wish to be heard in support of my submission by

- ~~appearing personally~~
- being represented by the following person: TONY VIDORIN
- ~~do not wish to be heard in support of my submission~~ (Cross out whichever does not apply)

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Date: 25/2/2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18



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- 1 MAR 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: CHRISTINE STREETER

Contact No: 0430286146

Email: chrisstreete27@gmail.com

My postal address: 22 MARQUISITE DRIVE SALISBURY EAST Postcode 5109

Details of the application are as follows:-

DEVELOPMENT NO. 312/47/2021

APPLICANT'S NAME CHOICE N CONTROL

NATURE OF THE DEVELOPMENT Retrospective approval for an Integrated disability service facility (comprising the use of the land and the main building and outbuildings for day programmes and supervised overnight stays for persons with intellectual disabilities) together with certain associated building work and the keeping of one horse

SUBJECT LAND LOT: 99 ALT: A HD: 3 PL: D027907 CT: 5198/181 145 Gawler River Road, Lewiston SA 5198

ZONE Animal Husbandry Zone

My interests are: ~~owner of local property~~
~~occupier of local property~~
~~a representative of a company~~ / other organisation affected by the proposal
a private citizen
(Cross out whichever does not apply)

The address of the property affected is

145 GAWLER RIVER ROAD LEWISTON SA Postcode 5198

The specific aspects of the application to which I make comment on are:

(SEE ATTACH PAPER)

.....(please attach additional information if required)

I, CHRISTINE STREETER wish to be heard in support of my submission by

- appearing personally
- being represented by the following person:
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

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Date: 24. 2. 2021

Return Address: Manager Development Assessment,
Adelaide Plains Council
PO Box 18

I am very concerned, regarding the recent development recommendations made by Adelaide Plain Council regarding Choice N Control's future. It is causing much stress to me personally and to the rest of my family. I would like my son to continue to attend these services which benefit him and so many other people in the area as well as surrounding areas.

My son is highly autistic and has been attending Choice N Control for two years now. He loves attending, developing his life skills and participating in a wide variety of activities and community access opportunities.

My son does not cope well with changes in his life and routines and it takes him a great deal of time to adjust and settle into new places and environments. It impacts on myself as his sole parent and immediate family as he can become very stressed and erratic in his behaviour.

When I heard about Choice N Control I was very happy for my son to attend the services there. I know many of the staff and was confident and assured to send him there knowing the quality of care they would provide him.

He is extremely happy when he attends Choice N Control and I feel as a parent very secure and safe sending him to his day program. If Choice N Control was not around anymore, I'm not sure what would happen to my son and where he would go.

I ask Adelaide Plains Council to rethink the decision regarding Choice N Control. Please consider the individuals and families that will be directly affected by this decision.

yours Sincerely

Christine Streeton

CHRISTINE STREETON

MLM/20-0245



23 March 2021

Ms Alison Field
Botten Levinson
GPO Box 1042
Adelaide SA 5001

Traffic • Parking • Transport

Unit 6, 224 Glen Osmond Road
FULLARTON SA 5063

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E: mfy@mfy.com.au

W: mfy.com.au

MFY Pty Ltd

ABN 79 102 630 759

Dear Alison,

DA312/47/2021 - CHOICE N CONTROL, 145 GAWLER RIVER ROAD, LEWISTON

I am in receipt of representations that relate to the above application. You have requested that I provide a response to the traffic matters raised by the representors which, specifically, relate to the increase in traffic associated with the operation of the site for the proposal.

You have also sought clarification as to whether the use of four vans to transport clients would change my view in respect to the potential traffic impact associated with the development, given that our previous report had considered that three vans would be used.

Gawler River Road is a two-way sealed road which extends between Old Port Wakefield Road and Heaslip Road. An unsealed section of the road extends to Two Wells Road to the east while a continuation via Port Gawler Road extends to Port Wakefield Road (Princes Highway).

Gawler River Road is a collector road which provides access to rural/rural living properties. Typically a collector road would be expected to experience a daily traffic volume of at least 3000 vehicles per day (vpd).

An enquiry was made to Council in relation to traffic volume data on the road but such data could not be obtained. Accordingly, I have completed an assessment of anticipated existing volumes on the road based on the existing dwellings/businesses in the adjacent area and likely traffic routes. In undertaking this assessment, I have considered the following:

- that there will be an approximately even distribution between Dawkins Road and Gawler River Road,
- that a typical dwelling will generate eight trips per day
- that additional volumes will be generated by businesses in the precinct;

- that the greater volume will access the road via Old Port Wakefield Road or Port Wakefield Road.

Given the above, I forecast that the existing volume on Gawler River Road would be in the order of 1500 vpd. Such a volume is lower than typically experienced on a collector road and is more akin to a residential street.

Notwithstanding the above, future development on adjacent land will result in an increase in volumes on Gawler River Road, potentially resulting in the volume on Gawler River Road being consistent with the volume anticipated on a road of that order.

I have previously identified that the subject site is expected to generate in the order of 20 trips per day. Should the site be serviced by four vans it is anticipated that the daily traffic volume generated could generate an additional two trips per day, resulting in a forecast of 22 vpd associated with the site.

Recent traffic studies accepted by the Department of Infrastructure and Transport and Council for development in Two Wells identified that a dwelling would generate approximately eight trips per day. The subject development, therefore, would potentially generate 14 additional trips per day when compared with a single dwelling.

When compared with the forecast daily traffic volume, the additional traffic would equate to less than one percent of the daily volume. Traffic volumes fluctuate on any road by +/- 5% on any given day. Accordingly, the variation in traffic volumes associated with the development will not have any measurable impact on the operation or amenity levels on Gawler River Road. Further, they will not change the nature or function of the road.

The above assessment is reinforced by recommendations in Austroads Guide to Traffic Engineering Management which identifies that a development would not typically require a traffic assessment when the forecast traffic volumes are less than 5% of those on the adjacent road network. This reinforces that where the traffic generated by a development is within the daily fluctuation, the associated traffic impact is minimal.

In regard to traffic accessing the driveway, the proposal will generate higher volumes than expected at a typical single dwelling (noting that eight trips per day is the average generation rate for a dwelling and there will be residences which generate higher and lower traffic volumes). These volumes, however, will not be higher than would be generated by other land uses which are contemplated within the zone (including dog kennels) and hence, are consistent with the anticipated volumes which would be expected to access any given site.

Further, if considering the specific development, the proposal could generate approximately 22 trips. Assuming the site is operational for ten hours of any given day, this would equate to (on average) between two and three trips per hour or one trip every 27 minutes. Such volumes are very low and would not result in a significant impact.



In summary, while the proposal will generate volumes higher than a single dwelling, they will be consistent with other land uses within the zone. Importantly, the volumes generated by the proposal will be very low and will be within the daily fluctuation experienced on Gawler River Road. Further, they will not change the nature or function of this collector road which, in any event, has not yet reached the daily volume which would be expected upon completion of adjacent development.

In regard to the number of vans servicing the facility, the use of four vans (in lieu of three vans as previously identified in my earlier report) does not alter my view in respect to the traffic functionality or impact associated with the proposal.

Yours sincerely,
MFY PTY LTD

A handwritten signature in dark ink, appearing to read 'Melissa Mellen', with a long horizontal flourish extending to the right.

MELISSA MELLEN
Director

Our ref: ASF/220247

23 March 2021

Mr Josh Banks
Adelaide Plains Council
2A Wasleys Road
MALLALA SA 5502

By email: jbanks@apc.sa.gov.au

Dear Mr Banks

Response to representations - Choice N Control - DA 312/390/2019
Property address: 145 Gawler River Road, Lewiston

This firm acts for Choice N Control and this response to the representations is made on our client's behalf.

A total of eighty (80) representations were received by the Council, the overwhelming majority of which are supportive of the proposal. Five (5) representations opposing the proposed development were received.

Representations in support

I do not propose to address the representations in support in any detail, but it is worth noting that the large number of submissions received (75 supportive representations) indicates there is strong community support for the proposed development from a diverse range of interested parties ranging from parents of participants who will use the facility and participants themselves, through to interested members of the public including the local MP, Mr John Gee.

Issues raised by the representations

One of the five representations opposing the proposed development raises no specific issues. The remaining four representations opposing the proposed development raise the following issues which I have addressed below.

Retrospective Application

A concern is raised that the approval of this development will set a precedent for others to develop first and seek approval later. With respect, this concern is misplaced.

Level 1 Darling Building
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e. info@bllawyers.com.au
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5 May 2021

It is well established in law that a development may be granted an approval notwithstanding that it has already been completed and is operating.¹ Obviously, this is not encouraged, however, the reality is that from time to time activities commence without clarity as to the legal requirements for them to do so. It is fair to say that the proposed development falls into this category.

In cases where an approval is sought for an existing unauthorised development, the Supreme Court has been clear that any development decision is to be made on the planning considerations expressed in the development legislation, irrespective of the past or continuing conduct of the applicant. The Council Assessment Panel's task is simply to "*assess the application on its planning merits, ignoring any arguments based directly or indirectly upon unlawful use*".²

In making its assessment, however, the Courts have been clear that the actual existence of development as it is proposed may be of some assistance to the Council Assessment Panel in the assessment of the development's merits in that the land use and its impacts don't need to be imagined but rather can be observed.³ It is therefore permissible for the Council Assessment Panel to have regard to the existing development for the purpose of comprehending the proposed use and how it may fit into the locality.

Nature of the activities on the land – Compatibility with land uses in Animal Husbandry Zone

Several representations assert that the proposed development is incompatible with, and will interfere with the amenity of, the locality. The nature of the proposed use and in particular the activities to be conducted on the land are discussed extensively in our letter in support of the development application.

Without wishing to repeat at any length what was said in that letter, it is worth highlighting again that the kinds of activities to be undertaken (and currently being undertaken there) are similar in many respects to the levels and kinds of activities undertaken in land uses that are expressly contemplated in the Animal Husbandry Zone. In particular, although no one person will be residing permanently in the former dwelling on the land, the kinds of activities undertaken within that building, and more generally on the land by participants and staff of the facility are similar in many respects to those ordinarily undertaken in a residential dwelling. Indeed, the land was chosen specifically for its rural living character.

In terms of the number of staff and people who will be present on the land, we contend that the intensity of the land use will be no greater than what might be expected of a large family, or of any number of home-based businesses such as dog kennels, a home-based car mechanics business, a dog grooming business, a speciality food production business or other such small businesses as can be found within the Zone.

In other words, whilst it is accepted that the proposed development does not incorporate a dwelling or residential use, and therefore, nor can it be described as a home-based business, it is so closely aligned in terms of the activities to be undertaken on the land, to those uses as to be considered to have similar planning requirements and to create similar impacts to that use. In our respectful submission, it would be

¹ See *Kouflides v City of Salisbury* (1982) 29 SASR 321

² *Kouflides* per King CJ at page 324

³ *Sargent v City of Salisbury* [2012] SAERDC 41 at [9]; *Karytinis v Corp of Town of Walkerville* [2009] SAERDC 25 at [28] and *Peregrine Corporation Pty Ltd v City of Tea Tree Gully* [2009] SAERD 6 at [10]

plainly wrong to describe the proposal as being totally at odds with, or inconsistent with, the envisaged land uses for the Animal Husbandry Zone.

Noise

A number of strong assertions are made by several of the representors that “screams and noises” are heard from the facility “7 days a week, night and day”.

With respect, these concerns are without foundation. The noise levels associated with the facility are no different to the levels generally associated with uses that exist on the surrounding land (ie. they are no different to the normal noises associated with exclusive residential and rural living land use).

Any residential or rural living use emits noises from time to time. Those noises may be associated with voices, children playing, adults socialising, television/radio, music, pets, keeping chickens and roosters, keeping/agisting horses, dog boarding kennels, machinery and vehicles to name a few of the more common noise sources. Indeed, the applicant and others have noted such noises coming from the surrounding land uses from time to time (for example those noted in the representation lodged by the Honourable John Gee MP).

Further, residential premises may be home to small families and large, and to other groups of people who are not in fact related at all but who choose to co-habit. There is an almost infinite range of activities that may be undertaken in such premises by all age ranges. Residents may be highly social holding regular gatherings with visitors, they may have pets and other animals, they may enjoy outdoor leisure activities or hobbies involving cars, motorbikes and other machinery, they may have many children who spend many hours playing at home. All these activities are acceptable within a residential rural living setting, subject to acceptable threshold levels of noise (which are broadly speaking set by the *Environment Protection (Noise) Policy* 2007).

The activities and the numbers of people undertaking those activities at the proposed development will be within this acceptable range. In saying this it is important to keep in mind that the applicant is registered to provide care and support services for persons with a **mild intellectual disability only**. It is not permitted by the terms of its NDIS registration to provide care to other categories of disability, and there is no intention for it to do so in the future at this facility.

Participants at the facility do not have physical disabilities and the overwhelming number have ordinary speech and engage in ordinary human interactions. Many are at the highest functioning end of the disability spectrum as is evidenced by a number of very articulate representations prepared and submitted in support of the proposed development by a number of existing participants.

A very small number of participants are “non-verbal” (between 5-10%) and have other communication devices (known as Alternative Communication Devices) with which to communicate with those around them. Universally, participants are **not** aggressive or agitated and there is no “screaming” in the sense that appears to be described in a few of the representations.

Overwhelmingly, participants are happy to be present at the facility as is evidenced by the many representations made in support of the facility by participants themselves, and by parents of participants.

That there may be at times some audible noise associated with the activities that are to occur at the proposed facility is in our respectful submission no different to the noise that can be expected of an ordinary rural residential use. Furthermore, we would

suggest that those noises will generally be of a kind associated with contentment and happiness rather than anger, unhappiness or dissatisfaction.

A detailed consideration of these acoustic issues has been undertaken by the expert and highly regarded acoustic engineering consultancy, Sonus Acoustic Engineers (**Sonus**). Relevantly, Sonus attended on site at the facility during a normal day of operation to take noise measurements and to observe the activities on site and identify potential noise sources. The number of persons present and the activities on the land on that day are representative of what is proposed in this development application.

In their report Sonus concludes that:

- the nature of the activities at the facility are similar to the kinds of activities that can be expected to occur at a dwelling (ie. in a normal residential setting).
- Notwithstanding the similarity with residential uses, if a more conservative approach than would be applied to measurement of noise in a normal residential setting is taken, the facility at full operation is **well within** the objective noise goals applicable to a rural living use or any other use expressly envisaged within an animal husbandry zone.

In addition to the report submitted with the development application, Sonus has prepared a further short letter providing comments and confirming their conclusions having had regard to the contentions made by the representors in relation to noise associated with the facility. I refer you to the enclosed letter dated 22 March 2021.

In particular, Sonus clarifies that:

- some level of noise will always be expected with a rural living land use of the kind expressly envisaged with the Zone (eg. a dwelling) as it will with the proposed development;
- that the *Environment Protection (Noise) Policy* generally does not require those kinds of noises to be included in any noise measurement (provided they are within an accepted level of ambient noise);
- notwithstanding that those kinds of “domestic” noises are generally not included in any noise assessment, Sonus did measure them in relation to the proposed facility and found that the facility with this noise will be complying with the noise goals for a rural living land use.

In my respectful submission it is clear from the Sonus report that there are no noise impacts associated with the proposed development over and above those expected and considered acceptable from uses expressly envisaged within the Zone.

Traffic and vehicle parking

Concern has been raised by three of the representors about an increase in traffic to and from the proposed development along Gawler River Road.

The traffic coming to and from the site will be as described in the letter accompanying the development application.

It is to be noted specifically in response to a concern raised about the frequent presence of a septic truck that the proposed development has received approval for the installation of an upgraded wastewater treatment system which, once installed, will require pumping out far less frequently than the current system (which requires pumping out every 2-3 weeks). It is expected that a septic truck will need to attend the land to pump out the system only once approximately every 6 months.

The impact of traffic and parking has been considered in detail in a Traffic Impact Assessment undertaken by Ms Melissa Mellen of MFY traffic consultants. Ms Mellen is, like Sonus, a highly respected expert in her field. In her report Ms Mellen assesses the proposed development as generating approximately 20 trips (10 to and 10 from the site) per day.

Ms Mellen concludes that the levels of traffic generated by the proposed development are commensurate with, or even less than, the levels of traffic associated with a dog boarding kennel by way of a comparison to other kinds of development that are expressly envisaged within the Animal Husbandry Zone.

In terms of the impact of traffic from the proposed development on the Gawler River Road and the capacity of the adjacent road network, Ms Mellen says emphatically that it is so negligible as to **“have no measurable impact on Gawler River Road”** (our emphasis). In addition to the report submitted with the development application, Ms Mellen has prepared a further short letter specifically addressing in more detail the impact of the proposed development on the Gawler River Road in order to address the contentions of increased traffic made by some representors. I refer you to the *enclosed* letter from Ms Mellen dated 23 March 2021.

In her report Ms Mellen is also clear that traffic associated with the proposed development is well within what is contemplated within the Zone and will have a negligible impact.

In terms of the vehicle parking for the proposed development, Ms Mellen has expressed the view that there is sufficient parking spaces to accommodate the forecast daily demand.

The applicant has redesigned its car parking plan in order to address concerns previously raised by neighbours relating to vehicles parked on the land, by locating four larger vehicle parks (which can accommodate the vans or cars) at the rear of the main building where there is minimal visibility from the road and from surrounding land. It is worth noting that the photographs attached to the representation of Mr Roger Nicks pre-date the car park design proposed in this application and do not represent the proposed parking arrangements for the land, in that the vans will be parked at the rear of the dwelling building largely out of sight from the vantage point of these photographs.

Further and finally, Ms Mellen advises that there is space on existing formed areas for additional car parking with ease should there be occasions when there is a need to do so. There is no risk that the proposed development will create any need for roadside parking.

Expansion of the facility

Some concern is expressed in the opposing representations that the proposed extension to the existing “dwelling” building suggests there will be increased impacts over and above the impacts of the currently operating facility.

Firstly, in response to this it should be noted that the proposed development is as described and set out in the documentation lodged with the development application. The application includes a modest extension to the existing “dwelling” building and clearly sets out the number of persons who will attend the facility during both daytime hours and overnight for respite care. The application seeks approval to operate in accordance with its application.

Whilst there is no plan to expand the facility further, such a consideration is in any event, totally irrelevant to the assessment of this application.

Secondly, for the purposes of assessing the impacts of the proposal, it is as discussed above, permissible to make observations about the existing operation of the facility notwithstanding the fact that it not approved. Relevantly for this purpose, it is important to note that the proposed daytime operations will not operate at levels any greater than the existing operations. The noise and traffic impacts of daytime operations have been the subject of detailed assessment by appropriate experts whose conclusions have already been discussed in earlier sections of this response.

The proposed extension to the existing “dwelling” building will facilitate an increase in the number of participants who can stay overnight from two to three. The effect of NDIS funding regulations is such that the applicant is required to have a minimum ratio of carers to participants. The effect of these regulations will be to permit a possible maximum of up to three participants and two carers staying overnight in the extended building, although the facility will not necessarily operate at its maximum capacity on every night of overnight operation.

As discussed above, the proposed use of the “dwelling” building (with extension) is not dissimilar to a residential use. Sonus has expressed the view that the noise impacts associated with the proposed development overnight will be no different to those associated with typical rural living type use.

It is worth noting that the neighbour whose boundary lies closest to the site of the main “dwelling” building on the land (4 Judd Street) has not registered any objection to this application.

Impact on property values irrelevant

It is well established that potential impacts to property value is an irrelevant consideration. Notwithstanding this, we would submit that the proposed development will have no adverse effect on property values within the locality.

Conclusion

The proposed development is deserving of approval. It will deliver a proposal that is an acceptable land use within the Zone, and furthermore, one that demonstrably will not adversely impact the amenity of the locality.

Our client requests an opportunity to appear at the CAP meeting when this application is considered to answer any questions from the members and respond the representations. Please advise of the date and time of the relevant meeting.

Please contact me if you have any questions about this matter.

Yours faithfully



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Choice N Control

145 Gawler River Road, Lewiston

Environmental Noise Assessment

Response to Representations

22 March 2021

S6649C4

sonus.

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Document Title : Choice N Control – 145 Gawler River Road, Lewiston
Environmental Noise Assessment
Response to Representations

Document Reference : S6649C4

Date : 22 March 2021

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An environmental noise assessment has been made of the Choice N Control facility at 145 Gawler River Road, Lewiston (the facility) and summarised in Sonus report S6694C3 dated 25 January 2021 (the assessment).

Representations have been received which contend that audible screams and noises emanate from the facility.

The assessment was based on a site visit which identified that in broad terms, the facility provided a domestically orientated retreat for disabled people. The participants arrived at the site in vans and engaged in a range of activities, many of which were similar to those which occur at a dwelling including the watering of gardens, the feeding of animals, coffee breaks in a domestic setting and the playing of games. Whilst there were in the order of 12 participants during the visit, the activities were conducted according to personal preference, such that there were smaller groups conducting a range of activities at any one time.

Activities at the site occur during a restricted period between 10am and 3pm Monday to Friday. The dwelling also provides for sleepovers to assist with community integration. The sleepovers are limited to two to three people during the week and are no different to a domestic use, with people being predominantly inside and immediately in the vicinity of the dwelling on the land.

Many of the activities which occur at the facility are similar to those which can occur at a dwelling. Accordingly, a valid assessment approach would have been to objectively consider only activities which are incongruent or more intensive than that associated with a rural living land use.

Indeed, the *Environment Protection (Noise) Policy 2007* (the **Policy**), referenced as an objective measure by the Development Plan, excludes certain sounds normally found in domestic premises (such as voices and vehicles) on the basis that these noises when measured in such a setting could otherwise breach objective standards.

Notwithstanding this, in the interests of conservatism and simplicity, an objective assessment has been made of these domestic noises observed at the facility, regardless of how comparable they are with a residential or rural living land use. As noted above, the assessment utilises the Policy (referenced by the *Interface between Land Uses PDC 7* from the Development Plan).

The Policy is based on the World Health Organisation Guidelines to prevent annoyance, sleep disturbance and unreasonable interference on the amenity of an area. Therefore, compliance with the Policy is considered to be sufficient to satisfy all provisions of the Development Plan relating to environmental noise.


A noise model was established to objectively consider each source, the distance to neighbours and shielding provided by structures (noting that the facility has incorporated solid sheet metal fencing along its boundaries with other dwellings and the positive effect this feature provides is included in the model).

The assessment considers noise associated with:

- the arrival and disembarking of guests;
- the movement of a minibus or van;
- the playing of outdoor games like cricket and associated chatter, bowling and hitting the ball with louder exclamations of excitement from time to time;
- gardening and feeding the animals on the eastern side of the site;
- playing a drum set within the dedicated music room;
- operation of mechanical air conditioning plant;
- A single raised voice.

The activities have been predicted to achieve the noise criteria at all nearby residences with the incorporation of recommended acoustic treatments to the music room. In so doing, the assessment concluded the facility was designed to *minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise*, thereby achieving the relevant provisions of the Development Plan related to environmental noise.

It is noted that when considering the representations, achieving the Policy does not result in noise from the facility being inaudible. Indeed, there will be times when individual activities will be heard including voices and the movement of vehicles; however, this does not mean that the facility is not compliant with the Policy, particularly when noting that the activities which can be audible from time to time are similar to those which can occur in a domestic setting during both the day and night. In other words, the facility will incorporate similar noise sources to those in a typical rural living use during both the day and night.

 Adelaide Plains Council	5.1	Planning and Design Code Update May 2021
	Department: Report Author:	Development and Community General Manager – Development and Community
Date: 5 May 2021	Document Ref:	D21/18422

EXECUTIVE SUMMARY

- The Planning, Development and Infrastructure (PDI) Act 2016 is progressively replacing the Development Act 1993. Providing a new framework for the creation of planning policy, assessment of development applications (planning and building) and monitoring of development compliance.
- Phase 3 of the Planning and Design Code (the Code) for use in planning assessment in the metropolitan area of Adelaide was introduced on 19 March 2021.

RECOMMENDATION 1

“that the Panel, having considered Item 5.1 – Planning and Design Code Update, dated 05 May 2021 receives and notes the report.”

Attachments

1. Adelaide Plains Planning and Design Code Zones

DETAILED REPORT

Purpose

The purpose of this report is to briefly outline for Panel members the structure and content of the Planning and Design Code applicable within Adelaide Plains Council.

Discussion

A key element of the Planning, Development and Infrastructure (PDI) Act 2016 is the establishment of a Planning and Design Code. The Phase 3 Planning and Design Code replaced the Mallala Development Plan on the 19 March 2021. The Code will be used by Council Development Assessment Planners, the Panel (CAP) and Private Planning Certifiers to assess development applications. As part of the introduction of the Code, new categories of development will be introduced with a focus on more straight forward development obtaining fast approvals and an increased role for private planning certifiers in the assessment process.

Planning & Design Code 19 March 2021

Code Structure

The proposed Code contains a number of components including the 'Rules of Interpretation', Zones, Sub-Zones, Overlays, General Development Policies, Land Use Definitions & Administrative Definitions.

Zones are the primary organising layer, with all land throughout the state being located within a zone (much in the same way as what occurs now through Development Plans). Zones will set out policies and rules primarily relating to the land use, land use intensity and built form characteristics (such as building setbacks and height) that are anticipated for an area – in effect outlining 'what' can happen in an area. This is consistent with the structure of the current Development Plan. Zones also set out the level of assessment for various types of development. The assessment levels will be;

- accepted development - no planning consent is required. For example, a small shed will require no planning or building consent and a shop fit out would require building consent only.
- code assessed development – development that is either:
 - 'deemed-to-satisfy'
 - 'performance assessed'Developments such as a detached house in a residential zone will likely be deemed-to-satisfy development applications.
- impact assessed development – development that is:
 - restricted development
 - impact assessed development
 - declared by the Minister as being impact assessed development.

Subzones can be created for areas where there is a unique difference from the zone to warrant the need for additional policy.

Zones & Sub-Zones

Zones are set out within the Planning and Design Code and the South Australian Property and Planning Atlas (SAPPA) displays current zoning across South Australia.

Attachment 1 outlines the zones applicable to APC. Noting the scale of the plan a link to the Plan SA website where zoning maps for each Council can be found is also provided:

https://plan.sa.gov.au/development_applications/before_you_lodge/zoning_for_a_property

Within APC the following zones and sub-zones, along with the desired outcome for each zone, apply:

Employment

DO 1 A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities.

DO 2 Distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.

Employment (Bulk Handling)

DO 1 Agricultural and other commodities are received, stored and dispatched in bulk to generate wealth and employment for the state.

DO 2 A pleasant visual amenity when viewed from adjacent arterial roads, adjoining zones, and entrance ways to towns, settlements and cities.

Strategic Employment

DO 1 A range of industrial, logistical, warehousing, storage, research and training land uses together with compatible business activities generating wealth and employment for the state.

DO 2 Employment-generating uses are arranged to:

- a) support the efficient movement of goods and materials on land in the vicinity of major transport infrastructure such as ports and intermodal freight facilities*
- b) maintain access to waterfront areas for uses that benefit from direct water access including harbour facilities, port related industry and warehousing, ship building*
- c) and related support industries*
- d) create new and enhance existing business clusters*
- e) support opportunities for the convenient co-location of rural related industries and allied businesses that may detract from scenic rural landscapes*
- f) be compatible with its location and setting to manage adverse impacts on the amenity of land in adjacent zones*

DO 3 A pleasant visual amenity from adjacent arterial roads, adjoining zones and entrance ways to cities, towns and settlements.

Coastal Waters & Offshore Islands

DO 1 Protection and enhancement of the natural marine and coastal environment and recognition of it as an important ecological, commercial, tourism and recreational resource and passage for safe watercraft navigation.

DO 2 A limited number of small-scale, low-impact developments supporting conservation, navigation, science, recreation, tourism, aquaculture or carbon storage

Conservation

DO 1 The conservation and enhancement of the natural environment and natural ecological processes for their ability to reduce the effects of climate change, for their historic, scientific, landscape, habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development.

Recreation

DO 1 Provision of a range of accessible recreational facilities.

Neighbourhood

DO 1 Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood

Master Planned Township

DO1 Expansion of an existing township with a range of housing that caters to prevailing and emerging housing needs and lifestyles within easy reach of services, facilities and open space.

DO2 Development complementary to existing township settlement patterns, adjacent rural landscapes and natural features.

Residential Park

DO 1 Affordable living, short term accommodation and associated small-scale services and facilities are provided in an open landscaped setting.

Rural Horticulture

DO 1 Intensive agriculture in the form of horticulture and associated value-adding enterprises and activities.

DO 2 The establishment of appropriately scaled industries for washing, processing, bottling and packaging primary produce and servicing and supporting horticulture.

DO 3 Manage interface conflict between horticulture and other land uses.

Rural

DO 1 A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.

DO 2 A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation

Rural Living

DO 1 A spacious and secluded residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low-intensity rural activities and home based business activities that complement that lifestyle choice.

Deferred Urban

DO 1 To safeguard land for future urban growth

Rural Settlement

DO 1 A small mixed-use settlement supporting a limited range of residential development, tourist, recreation and community facilities grouped together to serve the local community and visitors.

DO 2 Development contributes to and enhances the local context and development pattern comprising the settlement.

Township Main Street

DO 1 A cohesive, active, accessible and welcoming main street environment for residents and visitors to shop, work, meet, entertain and relax.

DO 2 Development contributes to the vibrancy and activity of public spaces and reinforces the traditional main street character

Township Activity Centre

DO 1 A cohesive, active, accessible and welcoming centre for local residents and visitors to shop, work, meet, entertain and relax in an attractive and safe environment.

DO 2 The range of land uses that occur in the centre provide important services to town residents, rural hinterland and the broader region.

Township

DO 1 A township supporting a range of residential, community, retail, business, commercial and light industry uses and facilities.

DO 2 Development contributes to and enhances streetscapes and the settlement patterns comprising the township.

Sub-Zones

Animal Husbandry

DO 1 Large-scale horse keeping and dog kennelling in association with detached dwellings on large allotments.

Emerging Township Activity Centre

DO1 Activity centres, employment, and community services make neighbourhoods a healthy and convenient place to live.

Overlays

Overlays within the Code address defined issues applying to any zone or subzone, identifying areas where there is a particular sensitivity to development (e.g. a heritage place), a constraint on land or development outcomes (e.g. flood prone areas), or where a particular opportunity or outcome for development is sought.

Key overlays that apply with APC include Affordable Housing, Bushfire Risk, Environment & Food Production, Flooding, Noise & Air Emissions and Infrastructure.

General Development Policies

General Development Policies relate to 'how' a development should occur across multiple zones. The Code also contains land use definitions, covers referrals to relevant agencies and sets out how the Code should be interpreted and used for assessment.

Conclusion

As development applications within Adelaide Plains Council continue to be lodged and assessed against the provisions of the Planning and Design Code (post 19 March 2021), the Panel will begin to be presented with reports from Council staff that use the new zoning and planning policy provisions within the Code.