

## SUMMARY OF SUBMISSIONS

## PA21/451 - Lot 135, 15 Angus Close, Oakford 15 (L135) 248609 - Retrospective Stables / Horse Riding Arena / Keeping of Horses

Applicant response	Submitter Comments	Officer Comment
<ul style="list-style-type: none"> <li>• We do not run an unauthorised business. The clinician that we host (with no payment or monetary value received) has his own fully insured and registered business.</li> <li>• The arena light angle has been adjusted to decrease any light overflow. They now point directly down to the ground.</li> <li>• We hold the clinics once or twice a year. Usually over 2-3 days from 9am to 4pm with a 1-2hr break in the middle. The PA does not get turned on until 10am and is off by 4pm with a 1-2hr break during the day.</li> </ul> <p>We will turn this down to a lower volume in future. Though do believe we are within the noise guidelines (I can barely hear it from inside my house, it's no louder than a neighbour playing music in their garage).</p> <p>We do not use the PA for the private lessons.</p> <p>*Worth noting-This person is friends with the main complainant and could not possibly be affected by anything we do, they are just backing their friend up.</p>	<p>Attached are copies of previous correspondence with your shire regarding the above proposal.</p> <p>I am sending this to you following the telephone call with Yvonne Fulford today.</p> <p>It was disappointing to receive a copy of the proposal by an unknown, an in an unmarked letter left in our mailbox.</p> <p>It is also disappointing to have to do this again.</p> <p>Please register our concerns again about this proposal.</p> <p><b><u>Concerns</u></b></p> <ul style="list-style-type: none"> <li>• Impacts on neighbouring property</li> <li>• Unauthorised Business</li> <li>• 6m Light Towers</li> <li>• PA System / Noise</li> <li>• Operating Hours</li> <li>• Compliance Requirements / Noise Controls</li> </ul>	<p>The application is considered small in scale and to not pose adverse impacts upon the amenity of the area. Conditions have been recommended to ensure this.</p> <p>Amenity considerations have been detailed within the report.</p>
<p>No response required. This statement seems to be in support of us.</p>	<p>In reply to your letter dated 17th May, please find my reply attached. I am NOT objecting to anything number 15 Angus Close have done on</p>	<p>Noted</p>

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	<p>their property, I find the hard work they have put in is great,</p> <ul style="list-style-type: none"> <li>• Reducing fire fuel (clean up property of excess leaves continuously)</li> <li>• Improvement to structures</li> <li>• Infrastructure on their property is appealing.</li> </ul> <p>I only see they are improving the area and by this improving the cost of housing within our suburb. Unfortunately they appear to be targeted by someone in our suburb, I was asked by number 15 earlier in the month if I had been upset by anything they are doing, our family is NOT upset and find it doesn't affect us in anyway. I wrote a letter to the shire back then, please find this attached. Also, I have been advised by neighbours of a letter which has been anomalously written by someone and being placed in peoples letter box's, asking them to object to number 15's improvements. Very very sad.....</p> <p>I would also like to make it clear, number 15 are not friends of mine, the only interaction we have is a wave every now and then in passing. I find this terrible someone would complain about improvements to a property.</p>	
<ul style="list-style-type: none"> <li>• The property is for private use.</li> <li>• The clinics are a once or twice a year occurrence. We have an average of 4-6 people attend at a time.</li> </ul>	<p>We object to the statement that the property is only for personal use and having horses. When there are lessons and clinics are being run on a regular basis, it is hard to believe that the</p>	<p>The application is considered small in scale and to not pose adverse impacts upon the amenity of</p>

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<p>All of whom are parked on my property.</p> <ul style="list-style-type: none"> <li>The private lessons are 6weekly and are 1 person at a time. As it's usually my friends, they do sometimes hang around for a coffee/catchup so there may be a few of us here (usually 2/3 including myself).</li> </ul> <p>During the lessons and clinics all outside horses are housed in holding yards away from all neighbouring properties and off pastures.</p> <ul style="list-style-type: none"> <li>The arena light angle has been adjusted to decrease any light overflow. They now point directly down to the ground. Though their description is an exaggeration, we have addressed this issue.</li> <li>Re fencing.</li> </ul> <p>Irrelevant to our application but anyway: During our house build, they approached us and mentioned the fence needed replacing but as they were not working at the time, they could not afford to chip in. We asked them to allow us time to move in and get done what we needed to to move in then we could discuss it at a later date. In February 2020 I obtained quotations and sent them a Facebook message summarising the quotes to which I received no reply.</p> <p>Whilst we have gladly replaced other neighbouring fencing at our own cost, we are not willing to pay the entire cost for this particular neighbour as we do not wish to extend such generosity to the people harassing us. Whilst the fence is in poor condition, it adequately contains our animals and should we</p>	<p>personal lessons for multiple horse owners could not be shared around locations.</p> <p>In respects to (What we have already achieved since obtaining the property (3 years)), the comment regarding 75% of external fencing replaced (Excluding common fencing with 1 neighbour, though we have approached neighbours about replacing with no reply/interest. It is not factual. We have spoken with them regarding replacing the fencing about 2 years ago, we did not have the funds at the time however did say to get pricing for the fencing posts and let us know how much, plus we let them know that we have an orger and could do fence holes in wintertime, when the land is not so dry and rock hard. We have not heard any more on this topic. The fence is in fair condition and only a few fence posts need to be replaced.</p> <p>The clinics are hard to define from a regular private lesson day, as each of these occasions there will be lots of cars and floats. This brings people to the area who would _not normally be in area.</p> <p>The claim that the lessons are once every 6 weeks or less is not true as that would mean that between 01/01/2021 and 17/05/2021 when the planning letter was sent to us, there could have only been 3 lesson days and I can remember there have been at least four to five weekends so far this year.</p>	<p>the area. Conditions have been recommended to ensure this.</p> <p>Amenity considerations have been detailed within the report</p>

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<p>wish to put up better fencing we will do an internal fence until they are ready/can afford to go halves/until the fence rots completely and they are required to go halves to replace. I have attached a copy of my message below your reference to which I received no reply.</p> <p style="text-align: center;"><small>01/02/2020, 16:33</small></p> <div style="background-color: #e67e22; padding: 10px; border-radius: 10px; color: white;"> <p>Hi Raelene,                      Ur hubby mentioned quite a while ago about the back fencing needing to be replaced. We were thinking if it suits you perhaps we could look at doing that sometime this year and splitting the cost?</p> <p>We estimate the cost to be around \$700 for the materials (permapoles &amp; horse mesh) so \$350 each.                      To hire a post hole machine is about \$250 per day.                      So total of \$475 each.                      Would be each of our own responsibility to install electric wire as required.</p> <p>We can do the labour so long as ur happy for us to do so.</p> <p>If you want to discuss or look into alternative materials let us know. Otherwise let us know if/when suits u 😊</p> </div> <ul style="list-style-type: none"> <li>• <b>Re: Neighbour’s liability?</b>                      Irrelevant to our application but anyway:                      In regards to the neighbour riding motorbikes on their property, we have never had any issues with this nor have we ever expressed concern to our neighbour about this. We are happy for them to ride their motorbikes on their property whilst we are riding on ours. Which they do anyway. This has never caused an issue for us or our horses.                      Of course, common courtesy should prevail, if a rider is clearly in distress/danger, as a human being I would hope the neighbour wouldn’t escalate the situation intentionally. But as</li> </ul>	<p>Therefore, we feel that the lessons and clinics are run more to a commercial basis than private use claim.</p> <p>Referring to the instructor advertising the clinics. There is nothing on local community pages to make locals aware, and how would anyone know how to find out about lessons/clinics unless the know instructor’s name. The face book page where clinics are advertised is a closed group, so you must be a member to find out any details, again how would anyone know where to look.</p> <p>The PA system can be heard inside my house with windows and doors closed. Most riding instructors I have heard about all use a personal intercom system rider to instructor, this allows the rider to hear the same volume of speech no matter where they may be on the arena.</p> <p>Who will be liable if I or my children are doing recreational activities using (eg: motorbikes) on our property and one of the horses participating in the clinics /lessons gets spooked and the horse, rider or other gets injured?</p> <p>Regarding the arena lights the positioning is not neighbour friendly as we can be blinded by the light walking in our outdoor patio area.</p> <p>Referring to previous conversations in the past conversation with owners of Lot 135, 15 Angus Close, Oakford, they informed us that they were planning to use the property as a business with horse clinics and short stay accommodation in the duplex part of their house. More recently last</p>	

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<p>mentioned, no concern has ever been expressed by us.</p> <ul style="list-style-type: none"> <li>No conversation re running a business from my property has ever occurred between the neighbour and I.</li> </ul> <p>We do not run short term accommodation from our property for the clinics. This is irrelevant to our application and completely irrelevant to the clinics.</p> <p>We have received nothing but support by everyone in our area regarding this issue. In fact, we have had numerous people from the area (who we don't even know) come to us in support after receiving a letter regarding the matter.</p> <p>I am not sure what exactly this person is complaining about, but I think I have addressed all that I can, given what was provided.</p>	<p>year in the height of COVID restrictions and lockdown, owner was unable to run clinics. I unfortunately have no physical evidence of these conversations this can be taken as hearsay.</p> <p>Sunday is known as the day of rest and as we live in a rural residential area this will affect the local home owners surrounding the property.</p>	