



I hereby give notice that a Limestone Coast Southern Regional Assessment Panel will be held on:

Date: Tuesday, 15 August 2023
Time: 5:00 pm
Location: Level 1 Large Meeting Room
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Limestone Coast Southern Regional Assessment Panel 15 August 2023

A handwritten signature in black ink, appearing to read "Tracy Tzioutziouklaris".

**Tracy Tzioutziouklaris
Assessment Manager
10 August 2023**

Order Of Business

1	Acknowledgement of Country	3
2	Apology(ies).....	3
3	Confirmation of Minutes.....	3
4	Questions Without Notice	3
5	Invitees	3
6	Reports.....	4
6.1	Limestone Coast Southern Regional Assessment Panel - Meeting Procedures – Report No. AR23/50420	4
6.2	Delegations - Planning, Development and Infrastructure Act 2016 – Report No. AR23/53485.....	6
6.3	DA:23013003 - 14 Elle Court, Mount Gambier - Change of use to Tourist Accommodation – Report No. AR23/52296.....	9
6.4	DA:23012169 - 11 Wehl Street South, Mount Gambier - Change of use from an office to Short Term Supported Accommodation – Report No. AR23/53235.....	14
7	Urgent Motions without Notice	21
8	Meeting Close	21

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

Limestone Coast Southern Regional Assessment Panel - 18 July 2023

RECOMMENDATION

That the minutes of the Limestone Coast Southern Regional Assessment Panel meeting held on 18 July 2023 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE**5 INVITEES**

- As from 1 October 2017, every Council is required to establish an Assessment Panel under provisions within the Planning, Development and Infrastructure Act 2016 to determine and make decisions on development applications as delegated to the Panel.
- When the Panel is considering an application, it must assess the proposal against the Planning and Design Code.
- The meeting itself is informal, however, all decisions made by the Assessment Panel are formal.
- Representors will be allocated 5 minutes to make their presentation, after which, Panel Members may ask questions to clarify any issues. It is solely a question and answer session. There will be no debate entered into.
- Council Officers will advise you of the decision as soon as practical after the meeting.

Invitees for Item 6.3 - 14 Elle Court, Mount Gambier

The Applicant - Naomi Pearce

Invitees for Item 6.4 - 11 Wehl Street South, Mount Gambier

The Applicant - Adam Williams on behalf of Uniting Communities

6 REPORTS

6.1 LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL - MEETING PROCEDURES – REPORT NO. AR23/50420

Committee:	Limestone Coast Southern Regional Assessment Panel
Meeting Date:	15 August 2023
Report No.:	AR23/50420
CM9 Reference:	AF22/276
Author:	Tracy Tzioutziouklaris, Assessment Manager
Summary:	The meeting procedures guide the conduct of the formal activities of the Limestone Coast Southern Regional Assessment Panel.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel Report No. AR23/50420 titled 'Limestone Coast Southern Regional Assessment Panel - Meeting Procedures' as presented on 15 August 2023 be adopted.
2. That the Limestone Coast Southern Regional Assessment Panel Meeting Procedures as attached to Report No. AR23/50420 be adopted with the following change:
 - Ordinary meetings of the Limestone Coast Regional Assessment Panel (RAP) will be held on the fourth Tuesday of the month, unless there are no items to be considered, in which case no meeting will be held.



BACKGROUND

The Limestone Coast Southern Regional Assessment Panel (the Panel) has been established under the Planning, Development and Infrastructure Act 2016 (the Act) to operate in relation to a defined scope of development assessment matters across four local government areas of the Southern Limestone Coast.

At its meeting held on 10 August, 2022 the Limestone Coast Southern Regional Assessment Panel adopted the 'Meeting Procedures'. Within the meeting procedures it was identified meetings of the Panel would be held on:

- Every third Tuesday of the month commencing at 5:00 pm.

DISCUSSION

Through agreement with the Member Councils of the Panel, it has been agreed the City of Mount Gambier will continue as the host Council of the Panel for the next twelve (12) months.

It is highlighted meetings of the Panel clash with Council meetings of the City of Mount Gambier, which is causing complexities for the Council administration.

The other Council meetings are scheduled as follows:

District Council of Grant The third Monday of the month starting at 5:30 pm.

Wattle Range Council The second Tuesday of the month starting at 5:00 pm.

District Council of Robe The second Wednesday of the month starting at 6:30 pm.

It is necessary for the Panel to adopt a meeting procedures policy to guide the conduct of its formal activities. The Local Government Association (LGA) of SA has provided template meeting procedures prepared by Norman Waterhouse Lawyers to assist in this decision. The proposed Limestone Coast Southern Regional Assessment Panel (LCSRAP) meeting procedures have been developed in line with the template and are attached to this report for Member's perusal and information.

CONCLUSION

It is recommended that the ordinary meetings of the Panel be rescheduled to the fourth Tuesday of the month to avoid any clashes with Council meetings and the Meeting Procedures be adopted to reflect this change.

ATTACHMENTS

1. Limestone Coast Southern Regional Assessment Panel (LCSRAP) - Meeting Procedures - Adopted 10/08/2022



6.2 DELEGATIONS - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 – REPORT NO. AR23/53485

Meeting:	Limestone Coast Southern Regional Assessment Panel
Meeting Date:	15 August 2023
Report No:	AR23/53485
CM9 Reference:	AF22/276
Author:	Tracy Tzioutziouklaris, Assessment Manager
Summary:	This report presents the instrument of delegation under the Planning, Development and Infrastructure Act 2016 as they apply to the Regional Assessment Panel as a relevant authority.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel Report No. AR23/53485 titled 'Delegations - Planning, Development and Infrastructure Act 2016' as presented on 15 August 2023 be noted.
2. Pursuant to Section 100 of the Planning, Development and Infrastructure Act 2016, the Limestone Coast Southern Regional Assessment Panel (RAP) delegates each function or power of the Regional Assessment Panel as identified in Attachment 1 Regional Assessment Panel Report No. AR23/53485 (marked as Instrument C) to the Chief Executive Officer of the District Council of Grant, the District Council of Robe, Wattle Range Council, the City of Mount Gambier and Assessment Manager subject to the following conditions and limitations:
 - a) The delegations may be sub delegated by the Chief Executive Officer or Assessment Manager;
 - b) Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument;
 - c) If two or more (sub)delegates are nominated in respect of a power or function, then each nominated person is granted a (sub)delegation and may exercise the power or function independently of any other (sub)delegate;
 - d) Delegates must exercise a delegate or power in accordance with applicable legislative and legal requirements; and due regard to relevant policies and guidelines adopted by the Council;
 - e) If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and remaining delegation will continue to operate according to their terms;
 - f) These delegations will come into operation on Wednesday 16 August, 2023 and remain in force until varied or revoked by the stone Coast Southern Regional Assessment Panel.



- g) Previous delegations granted by the Limestone Coast Southern Regional Assessment Panel are varied as identified within this report with effect from Wednesday 16 August, 2023.



BACKGROUND

The Limestone Coast Southern Regional Assessment Panel (RAP) last considered its delegations pursuant to the Planning, Development and Infrastructure Act, 2016 following legislative changes at its meeting held on Tuesday 15 November 2022.

DISCUSSION

There have been minor amendments to the Instrument of Delegation for the RAP which includes the following new provisions as highlighted in red in the attached 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:

- Variation of Authorisation
- Planning and Design Code - Administrative Terms and Definitions
- Planning and Design Code - Procedural Matter - notification
- Planning and Design Code - Procedural Referral - materially affects the context within which a State Heritage Place is situation
- Planning and Design Code - Procedural Referral - minor variation

CONCLUSION

This report includes recommendations for granting of delegations of powers and functions of the Limestone Coast Southern Regional Assessment Panel as provided for in Instrument C - Instrument of Delegations under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel, as varied.

ATTACHMENTS

1. Instrument C - Limestone Coast Southern Regional Assessment Panel (LCSRAP) - Powers of an Assessment Panel



6.3	DA:23013003 - 14 ELLE COURT, MOUNT GAMBIER - CHANGE OF USE TO TOURIST ACCOMMODATION – REPORT NO. AR23/52296
------------	--

Development No:	DA:2301300
Applicant:	Mrs Naomi Pearce
Property Address:	14 Elle Court, Mount Gambier
Property Owner:	Mrs Naomi Pearce
Report No:	AR23/52296
CM9 Reference:	AF22/276
Author:	Roslyn Snaauw, Senior Planner
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Nature of Development:	Change of use to Tourist Accommodation
Description:	Change of use to Tourist Accommodation
Zoning:	Suburban Neighbourhood Zone
Policy Area:	N/A
Heritage:	N/A

REPORT RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel Report No. AR23/52296 titled 'DA:23013003 - 14 Elle Court, Mount Gambier - Change of use to Tourist Accommodation as presented on 15 August 2023 be noted.
2. Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having regard to the provisions of the Planning and Design Code, the Applicant, the representation received and all supporting documentation, it is considered that the application is not at variance with the provisions of the Planning and Design Code and consent is recommended subject to the following conditions:
 1. The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
 2. At all times whomsoever may be occupying the property, shall take all measures to ensure that the residential amenity of the immediate area is not affected by nuisance or disturbance associated with the operation of the *Tourist Accommodation*.
 3. The building and land shall be maintained in a state of good repair and tidy condition at all times.

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.



- 3) This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 5) A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).



BACKGROUND

The subject land is developed with a single storey residential dwelling.

This Application went before the Regional Assessment Panel on 18 July 2023 who requested further information be provided to them.

PROPOSED DEVELOPMENT

This application is proposing to use the existing dwelling for the proposed use for 'tourist accommodation'.

DEVELOPMENT PLAN PROVISIONS

As per the Planning and Design Code extracts.

PLANNING ASSESSMENT

This application is for the use of an existing dwelling for the purpose of 'tourist accommodation'

The subject land is located within the

Zones:

- Suburban Neighbourhood

Overlays:

- Affordable Housing
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

The proposed change of use to 'tourist accommodation' has no assessment pathway identified within the Planning and Design Code (Code) for this proposed use and as such will be 'performance assessed' on its merits against the Code.

The dwelling is existing and located within a residential area and will be used for residential purposes, in this instance, 'tourist accommodation'. Pursuant to Table 5 of the Code, the use of the site for the purpose of 'tourist accommodation' is not identified and as such is not exempt from notification.

The application was placed on public notice pursuant to the zone, in which one (1) representation was received and can be summarised as follows:

Representation

- safety and security
- potential noise issues
- car parking congestion
- safety of neighbourhood children

Applicant response

- House is setup for families with children
- Off street parking being provided for on site with three (3) car spaces provided
- Believe street could be less congested with a B&B as opposed to a rental property
- Cameras are being installed for personal security to self and neighbours

Council response



The proposed use of the site will remain for residential purposes.

Concerns raised by the Representation received are concerns that can be generic with normal residential habitation and is not confined to tourist accommodation.

Regional Assessment Panel (RAP) request for further information 18 July 2023

Following the RAP meeting on 18 July 2023, the Applicant was requested to provide additional information as follows:

- a) The maximum number of occupants at any one time
- b) The maximum term of stay
- c) The proposed management rules or regulations that pertain to the site for the short term tourist accommodation

Response to Regional Assessment Panel's request for further information

On the 1 August 2023, the Applicant responded to the RAP's request for further information as follows:

- a) The maximum number of occupants at any one time

Response:

The maximum number of occupants per stay is 6 with a queen bed in one room and 2 bunk beds in the other.....set this up for families to come and stay.

- b) The maximum term of stay

Response:

The amount of days to stay is 90 as this aligns with the suggested maximum amount of days through booking.com and air bnb.

- c) The proposed management rules or regulations that pertain to the site for the short term tourist accommodation

Response:

We abide with the rules that have been set up by booking.com and air bnb etc. These rules and regulations have been designed by these organisations with the purpose to protect those staying at the accommodation, us as landlords and the community surrounding this property. This is also what I would expect of all landlords in Mount Gambier and surrounding areas that have used their property for short term accommodation.

CONCLUSION

The proposed use of the existing dwelling for the purpose of 'tourist accommodation' is considered an appropriate residential use and is supported.

INVITES

Applicant – Mrs Naomi Pearce

ATTACHMENTS

1. Application Snapshot
2. Floor Plan
3. Application document
4. Aerial map of subject site
5. Representation
6. Representation map
7. Applicant response to Representation
8. RAP response to RAP request



9. RFI response to RAP request
10. Relevant P&D Code Policies
11. Zoning map



6.4 DA:23012169 - 11 WEHL STREET SOUTH, MOUNT GAMBIER - CHANGE OF USE FROM AN OFFICE TO SHORT TERM SUPPORTED ACCOMMODATION – REPORT NO. AR23/53235

Development No:	DA: 23012169
Applicant:	Ms Lisa Trigg as Agent for Uniting Communities
Property Address:	11 Wehl Street South, Mount Gambier
Property Owner:	Mr Kevin Stafford
Report No:	AR23/53235
CM9 Reference:	AF22/276
Author:	Roslyn Snaauw, Senior Planner
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Nature of Development:	Change of use from an office to Short Term Supported Accommodation
Description:	Change of use from an office to Short Term Supported Accommodation
Zoning:	Business Neighbourhood Zone
Policy Area:	N/A
Heritage:	Historia Area Overlay Heritage Adjacency Overlay

REPORT RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel Report No. AR23/53235 titled 'DA:23012169 - 11 Wehl Street South, Mount Gambier - Change of use from an office to Short Term Supported Accommodation' as presented on 15 August 2023 be noted.
2. Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having regard to the provisions of the Planning and Design Code, the Applicant, the representation received and all supporting documentation, it is considered that the application is not at variance with the provisions of the Planning and Design Code and consent is recommended subject to the following conditions:
 1. The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
 2. The subject land and all improvements thereon shall be maintained in a state of good, tidy and attractive repair and condition at all times.
 3. The building and land shall not be used for purposes other than that approved by Council.
 4. All vehicle car parks, driveways, vehicle entry and manoeuvring areas must be designed, constructed and maintained in accordance with Australian Standards (AS/NZ 2890.1:2004 and AS/NZS 2890.6:2009).
 5. Provisions shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.



6. The hours of operation of the ‘Short Term Supported Accommodation’ shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
7. No signs are to be erected or displayed on the land or on any building, structure, gate or fence. Further permission is required from Council for the erection or display of any sign.
8. A northern boundary divisional fence shall be constructed to a height of not less than 2.0 metres of colour coated metal or similar material.
9. At all times whomsoever may be occupying the property, shall take all measures to ensure that the residential amenity of the immediate area is not affected by nuisance or disturbance associated with the operation of the short term supported accommodation.
10. All waste materials and refuse accumulated on the property shall be removed on a regular basis to ensure that the property is maintained in a clean and sanitary condition.

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 5) A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).



BACKGROUND

The subject site is located within the Business Neighbourhood Zone with a Suburban Neighbourhood Zone located to the west.

The site contains an existing building that has been used as a 'Community Centre' which ran multiple community serve programs in one on one and group sessions with clients during standard business hours.

The building currently contains a number of offices including a reception, storage room, kitchen, toilet and bathroom amenities and a workspace internally along with a conference room internally. Entry was through a double door to the west with additional entry off a verandah at the rear of the site along the southern elevation.

Car parking is provided to the front and rear of the building with vehicle access off Wehl Street.

This Application was presented to the Limestone Coast Regional Assessment Panel on the 18 July 2023 who requested further information be provided to them.

PROPOSED DEVELOPMENT

This application is for a change of use of the site from an office to short term supported accommodation.

The location of entries into the building will remain unchanged. The internal areas proposed include an entry area, admin area, conference room, office, counselling room, activity room, kitchen, store, bathroom x2, all accessible amenities, lounge room and seven (7) bedrooms.

DEVELOPMENT PLAN PROVISIONS

As per the Planning and Design Code extracts.

PLANNING ASSESSMENT

The subject land is located within the following zone and overlays pursuant to the Planning and Design Code (Code) and the defined use was required to be 'performance assessed' on its merits against the Code.

Zone:

- Business Neighbourhood (BN)

Overlays:

- Historic Area
- Heritage Adjacency
- Hazards (Flooding – Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

The subject land is located within the Business Neighbourhood Zone and approval is required for the change of use from an office to short term supported accommodation.

Majority of the work will be internal which does not require planning consent pursuant to Schedule 4 of the *Planning, Development and Infrastructure (General) Regulations 2017* (Regulations) and the Planning and Design Code (Code). Planning consent is required for the proposed change of use.

The Code defines 'Supported Accommodation' as meaning *premises in which residential accommodation is provided to persons requiring/together with regular medical and/or personal car assistance.*



The proposed short term supported accommodation will provide for the facilitation by United Communities to run a 'New Roads' program on the subject land. This program will provide supported assistance for people who are actively making changes in relation to substance use.

The program will have a rigorous schedule that will involve group therapy, counselling, recreation (on and off site), education, household or site maintenance and car and supported community engagement with the hours of operation to be 24 hours a day, 7 days a week with a maximum of six (6) participants in the program at any one time.

The facility will be staffed at all times with 4-5 members accessing the site and program at anyone time with two (2) staff across the evening and at least one (1) staff member undertaking a passive shift from 11.00pm until other staff come on board between 6.00 am to 7.00am.

The Code requires that the use of the site for 'supported accommodation' requires the provision of 0.3 car spaces per bed (7 beds proposed) which equates to the provision of two (2) car spaces to be provided.

The subject land currently provides for approximately five (5) car spaces with two (2) at the front of the site and three (3) to the rear. The proposed use of the site will require one (1) car space for the van the remaining will be utilised by staff vehicles.

The Applicant has stated that participants in the 'New Roads' program will not have access to vehicles on or around the site, for any reason, with any transportation to be undertaken with the company/program vehicle (this will likely be an 8 seater van) and staff will utilised the other four (4) spaces with no provisions for visitors being provided.

There participants in the program will not be able to come and go as they please and will have to apply for any planned leave to ensure appropriate use and security of the site.

The application was required to be notified pursuant to Table 5 - Procedural Matter – Notification of the Code – 'supported accommodation' is identified as a class of performance assessed development that is not excluded from notification.

The application received a total of thirty-seven (37) representations who have objected to the proposed with a summary of concerns raised below:

Impacts on the operation of the Childcare Centre to the north	Negative effect of the proposed use of the site on children, parents and workers of the Childcare centre
Childcare centre staff, parents and children will be at risk from program participants	Jeopardising the safety of children within the area including the Childcare, Primary Schools and Kindergarten from the participants of the proposed use.
Community safety concerns with regards to participants of the proposed use.	Aging community vulnerable from the proposed use of the site and may live in fear.
Negative impact on residential living	Negative impact of proposed use on bike path and families using Wulunda
Negative impact on Heritage values of the area	Concerns regarding any visitor 'hanging out' in front of the subject site.
To close to businesses and the centre of town	Personal safety
Carparking on the street	Increased criminal behaviour which may require additional security measures by residents
Property values will decline	Past mistake of building a prison & primary school next to each other



Description not descriptive of proposed use	Anyone close to the building is in danger
---	---

Applicant response summarised

This therapeutic service will focus on those recovering from alcohol and other drug dependency.

It is a drug-free, voluntary program to help promote behaviour change

It is a highly structured program

It is not a dry-out centre or boarding house

There is no medical detoxing

Participants are pre-screened before joining the program.

Uniting Communities believe that the service will add no additional risk for neighbours or community with the facility being staffed 24 hours a day

Strict no visitor policy

Previous use of site was deemed higher risk due to people access the site who were still actively using for services such as clean needle exchange with no incident or impact to the local community.

Uniting Communities are registered under the National Principles for Child Safe Organisations and are required to adhere to and provide rigorous auditing and internal policies and procedures to ensure the organisation is compliant with this including the training of staff in Child Safe Environments

All participants in the program will sign a residential agreement

Council Response

The Code describes that the Business Neighbourhood Zone has a desired outcome of a variety of housing and accommodation types and compatible employment-generating land uses in an environment characterised by primarily low-rise building with buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.

The structure is existing and it is proposed to undertake internal works to accommodate for the proposed change of use of the site.

The Code encourages changes in the use of land between similar businesses which encourages the efficient reuse of commercial premises and supports continued local access to a range of services compatible to the locality. As noted above, the site will be a drug-free facility with no visitors allowed and highly structured.

This program will provide supported assistance for people who are actively making changes in relation to substance use.

The program will have a rigorous schedule that will involve group therapy, counselling, recreation (on and off site), education, household or site maintenance and car and supported community engagement with the hours of operation to be 24 hours a day, 7 days a week with a maximum of six (6) participants in the program at any one time.

The facility will be staffed at all times with participants not having access to vehicles, not allowed visitors and having to schedule any leave from the site.

A northern boundary fence with a height of 2.0 metres will be required to be constructed to maintain privacy and security.

No referral was required to the Minister for the administration of the *Heritage Places Act* nor Council's Heritage Advisor for the proposed change of use, as the proposed use is not a class of development that requires this referral pursuant to the Code or the Regulations.



Limestone Coast Regional Assessment Panel (RAP) request for further information 18 July 2023

Following the RAP meeting on 18 July 2023, the Applicant was requested to provide additional information as follows:

- a) Details of the security of the subject land including lighting, fencing, security cameras and the like.
- b) A landscaping and carparking plan showing areas for outdoor open space for the clients of the proposed development.
- c) Details of the proposed method of waste management of the site.
- d) Additional information regarding the management of clients and activities to minimise any potential impacts to the local community.

Response to the Limestone Coast Regional Assessment Panel's request for further information

A response has been provided by MasterPlan (SA) Pty Ltd on behalf of United Communities to the RAP's request for further information it further attached to this Report and is summarised below:

- a) Details of the security of the subject land including lighting, fencing, security cameras and the like.

Response:

The response from Masterplan on behalf of United Communities, details that the site is relatively secure with walls constructed on boundaries.

- Existing boundary fencing will be increased to a height of 2.0 metres with the open space area for participants now to be enclosed with a new 1.8 metre high Colorbond fence with a double gate (detailed in amended Site Plan).
 - The front door is unlocked by a security keypad with the rear door to the outdoor open space locked by internal snib and door bolts (access codes and keys will be provided to staff only).
 - Installation of an intercom at the front door, monitored security and the fitting of a duress alarm can also be incorporated into the facility.
 - Close circuit television (CCTV) will be installed for the facility and monitored by staff.
 - Windows will be lockable
 - The external sensor light attached to the rear verandah will be retained with additional sensor lighting beneath the front canopy and side car park area able to be installed.
 - The only form of identification of the facility will be the street number with all signs removed.
 - Participants are not locked in the facility but volunteer to partake in the program observing the Residential Agreement for the duration of their stay.
 - Screening of participants to program to ensure suitability to the program occurs six (6) weeks (on average) prior to participants being deemed suitable for the program.
 - Trained staff will be on-site at all times which also improves security.
 - Participants will be transported to and from the facility by staff and are not permitted access to their vehicles during their stay.
 - Unauthorised visitors will be turned away from the facility
- b) A landscaping and carparking plan showing areas for outdoor open space for the clients of the proposed development.



Response:

The response from Masterplan on behalf of United Communities provides an amended site plan that depicts the provision of an outdoor amenity area for participants which includes planter boxes, clothes line, revised on-site car park arrangement and fencing.

- c) Details of the proposed method of waste management of the site.

Response:

The response provided from Masterplan on behalf of United Communities, provides that Council's kerbside "3-bin" collection will be utilised along with an additional 240 litre general waste bin and additional recycling bin if required. All bins will not be visible to the public.

- d) Additional information regarding the management of clients and activities to minimise any potential impacts to the local community.

Response:

The response from Masterplan on behalf of United Communities, details what the purpose of the New ROADS program is providing and what it will do. It details how each participant must agree to prioritising their recovery including safe behaviour, consequences of any lapses and substance use, house cleanliness along with an example of a timetable of how participants will be managed during their stay including the types of activities provided by staff for participants.

- e) A Site plan for the New ROADS facility prepared by MasterPlan for Uniting Communities has been provided.

Response:

The response from Masterplan on behalf of United Communities, has provided an example of a Residential/Neighbourhood Agreement that participants must complete prior to commencing residence at the proposed facility.

CONCLUSION

The proposed use of the existing building for the purpose of short term supported accommodation is considered an appropriate use in this instance on the subject land and is recommended for support.

INVITES

The Representor - Nick Wilson

ATTACHMENTS

1. Submission Snapshot
2. Plans provided with application
3. Aerial map of subject site
4. Aerial map of Representations
5. Representations
6. Late Representations x2
7. Applicant response to Representations
8. Applicant response to RAP request
9. Site Plan in response to RAP request
10. Relevant P&D Code Policies
11. Zoning map



7 URGENT MOTIONS WITHOUT NOTICE

8 MEETING CLOSE

