



NORTHERN LIMESTONE COAST REGIONAL ASSESSMENT PANEL

NOTICE OF MEETING

Members are advised that a Meeting of the Northern Limestone Coast Regional Assessment Panel will be held on Wednesday 16 December 2020 commencing at 10.00am in the Naracoorte Town Hall.

AGENDA OF BUSINESS FOR DISCUSSION IS ATTACHED.

If you are not able to attend the meeting, please advise Naracoorte Lucindale Council on 8760 1100 or email council@nlc.sa.gov.au

A handwritten signature in black ink, appearing to read "R. Berry", written over a dotted line.

ASSESSMENT MANAGER
10 December 2020

**Northern Limestone Coast
Regional Assessment Panel
AGENDA FOR MEETING BEING HELD ON 16 DECEMBER 2020**

AGENDA

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**Northern Limestone Coast
Regional Assessment Panel
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AGENDA

COMMENCED: Meeting commenced at **pm in

PRESENT:

APOLOGIES:

ON LEAVE:

OFFICERS:

**MEDIA
REPRESENTATIVES:**

1. Member's Declaration of Interest

2. Confirmation of Regional Assessment Panel Minutes

RECOMMENDATION

**MOVED CR
SECONDED CR**

That the Minutes of the Northern Limestone Coast Regional Assessment Panel meeting held on 21 October 2020 are taken as read and confirmed as an accurate record of the proceedings of the meeting.

3. Hearing of representations

4. Conflict of Interest

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5. Reports

5.1. Change of land use to workers' accommodation: 19 Gordon Street, Naracoorte DA 20000507
Stage 1: Change of use from multiple dwelling to workers accommodation – Buildings 4 & 6
Stage 2: Change of use from education to workers accommodation – Building 1
Stage 3: Change of use from office to workers accommodation – Building 2

1.0 DEVELOPMENT DETAILS

Proposed Development: Change of land use to workers' accommodation. Staged consent
Stage 1: Change of use from multiple dwelling to worker accommodation - Buildings 4 and 6
Stage 2: Change of use from education to workers accommodation – Building 1
Stage 3: Change of use from office to workers accommodation - Building 2

Application Number: 20000507

Applicant: Intro Design Pty. Ltd.
P.O Box 207- Rundle Mall,
Adelaide, SA 5000

Owners: JROD Pty Ltd
PO Box 378
Robe SA 5276

Property Details: Lot 100 (19) Gordon Street, Naracoorte SA 5271

Certificate of Title: Volume 6144 Folio 716

Zone: Neighbourhood

Public Notification: Yes (205 submission received)

Lodgement Date: 4th September 2020

2.0 THE SUBJECT LAND AND LOCALITY

The subject land is formally identified as Allotment 100 of Deposited Plan 42141, as contained in Certificate of Title Volume 6144 Folio 716. The land is more commonly known as 19 Gordon Street, Naracoorte and is the site of the former Naracoorte TAFE campus.

It is an irregular shaped land holding with an allotment area of 1.67 hectares. The land has a primary frontage of 140.7 metres to Gordon Street and two secondary frontages, one to Pethick Street of 65.1 metres, the other to Foster Street of 25.1 metres.

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The land has a fall from the north east to the south west corner and has been cut to accommodate the TAFE buildings. The adjoining houses to the east are sited some 1 to 2 metres above the level of the main TAFE development, with batter slopes being planted with a range of native trees.

Portion of the land is subject to a Council easement for stormwater management purposes.

A stormwater ponding basin occupies portion of the easement fronting Gordon Street. The easement is larger than the actual ponding basin and includes the driveway entry from Gordon Street to the car park area of the subject land. The configuration and dimensions of the land and location of the easement (identified as A in Figure 1) are shown below.

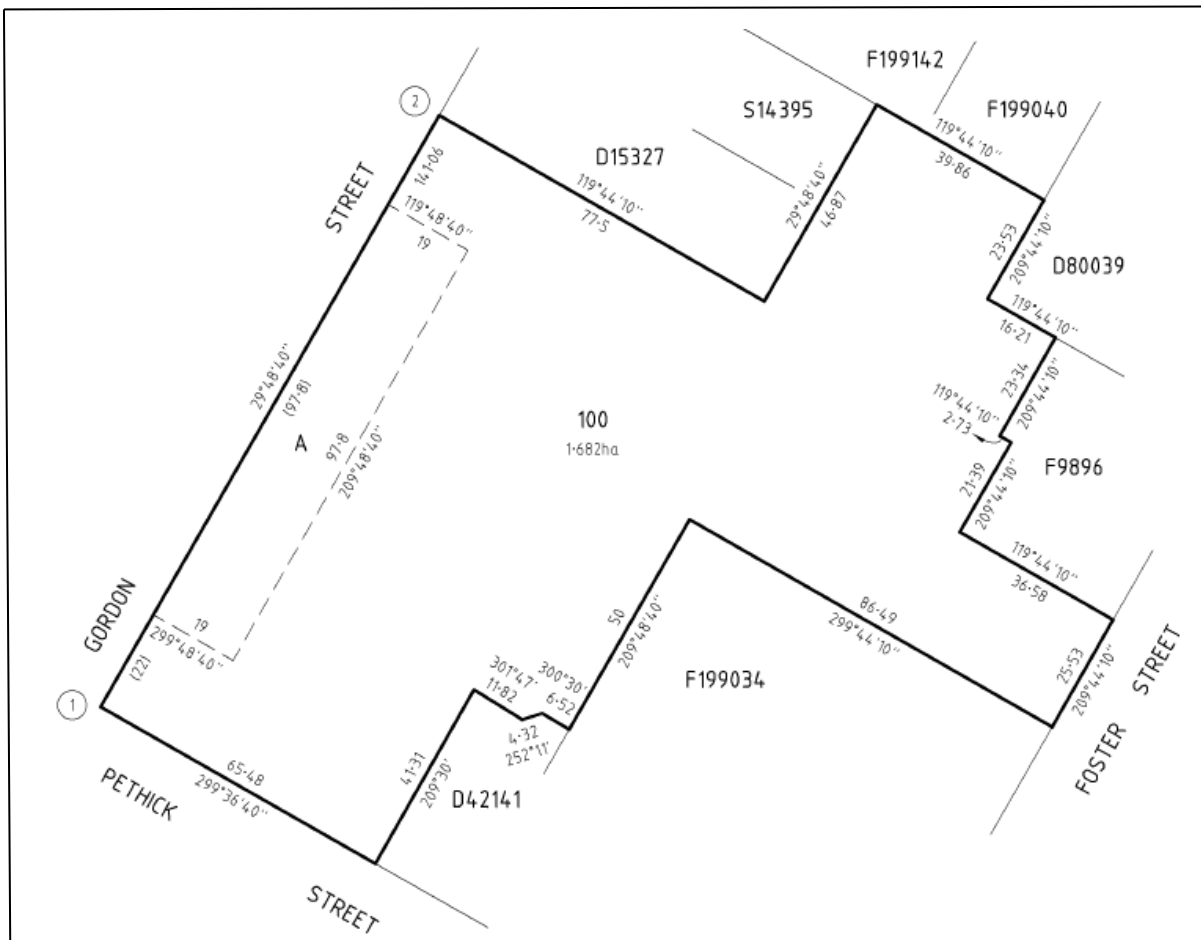


Figure 1: Subject Land

Source: Naracoorte Lucindale Council

The land contains seven (7) buildings; four (4) being older transportable buildings of the type often seen on school sites, one (1) local heritage listed building constructed in 1913 (the former school buildings utilised as administration and lecture rooms by the TAFE) and one (1) large, and recently constructed brick and steel framed building, comprising a large interior open planned training area, classrooms, toilets and a partially enclosed canopy to its rear (south eastern elevation). The remaining building is best described as being akin to a domestic type garage. At the time of my inspection a shade cloth covered wooden shelter with a table and two benches was located between the car park area and former administration building and a chainmesh fence approximately 1 metre in height runs along the Gordon and Pethick Street frontages.

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Local Heritage status applies only to the exterior of the former 1913 school building and excludes later additions. In general, the buildings within the site are, for the most part, well separated from property boundaries with landscaping to the common property boundaries.

A large bitumen sealed car park, comprising approximately ninety (90) faded line-marked spaces for passenger vehicles, is in the south western corner of the site with vehicular access provided via a two-way crossover from Gordon Street, and a narrower single width crossover from Pethick Street. Secondary access is provided by way of a double width driveway and crossover from Foster Street. This provides access to the rear and northern side of the large open plan training building and a transportable classroom building at the north-east area of the site.

In addition to the stormwater easement mentioned earlier, the land is subject to a Land Management Agreement between the landowner and the Minister for Planning. The LMA provides for the provision of affordable housing in the event the land is developed for residential purposes. The LMA contains no restrictions upon the subject land being used as a worker accommodation facility.

Little information on the previous operation of the TAFE site had been provided at the time of this report. Nevertheless, what information had been provided by TAFE staff noted that during the site's final year as a TAFE Campus the facility accommodated 2 permanent staff and approximately 160 students over a 12-month enrolment period. No information has been provided regarding the hours of operation, number of staff, or student enrolment numbers prior to the facility's closure.

The immediately locality, for the most part, comprises detached dwellings on large allotments.

Notwithstanding the TAFE site, the locality has a very strong residential character with generous building setbacks, well developed and maintained gardens and street planting that provides a high level of residential character. The adjoining road network, which comprise Gordon Street (a local collector road) and both Pethick and Foster Streets (local roads) have relatively low levels of traffic.

The site is located approximately 100 metres south of the Naracoorte Town Centre Zone and approximately 150 metres from Kincaig Plaza.

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The subject land and immediate locality is depicted in Figure 2 below.



Figure 2: Subject land and Locality

Source: SA Planning and Property Atlas (Govt. SA)

3.0 BACKGROUND

There are two previous applications over this land, one for conversion of the large commercial structure and adjoining buildings (excluding the heritage listed building) to workers accommodation housing up to 88 residents. (currently under appeal to the ERD Court. The other for the change of use of buildings 4 and 6 to multiple dwellings. (also under appeal to the ERD Court).

4.0 THE PROPOSED DEVELOPMENT

The proposed development involves an application to use existing buildings on the land for workers accommodation.

The development will involve the use of buildings 1, 2, 4 & 6, as identified on the proposal plans, for workers accommodation.

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The development is to be undertaken in 3 stages as nominated below:

Stage 1: Buildings 4 and 6

Stage 2: Building 1

Stage 3: Building 2

The development will utilise existing facilities with building work consisting primarily of internal alterations.

The stages proposed involve:

Stage 1

Building 4:

- Three bedrooms,
- A common seating/recreational/dining area,
- A wet area comprising a shower, toilet and wash basin,
- A kitchen and laundry.

Six occupants proposed.

Building 6:

- Five private rooms,
- A common seating/recreational/dining area,
- Two wet areas each comprising a shower, toilet and wash basin; and
- A kitchen and laundry area,
- Entry foyer.

Ten occupants proposed

Stage 2

Building 1 (Local Heritage listed)

- Four bedrooms,
- Self-contained managers residence,
- Two (2) wet areas each comprising a shower, toilet and wash basin (one disabled accessible);
- A kitchen/common area and laundry.

Eight occupants and a manager proposed.

No alterations are proposed to the external fabric of this building.

Stage 3

Building 2

- Four private rooms,
- A common seating/recreational/dining area,
- Two wet areas each comprising a shower, toilet and wash basin; and
- A kitchen and laundry area,

Eight occupants proposed.

Total occupants proposed 33 including the on-site manager.

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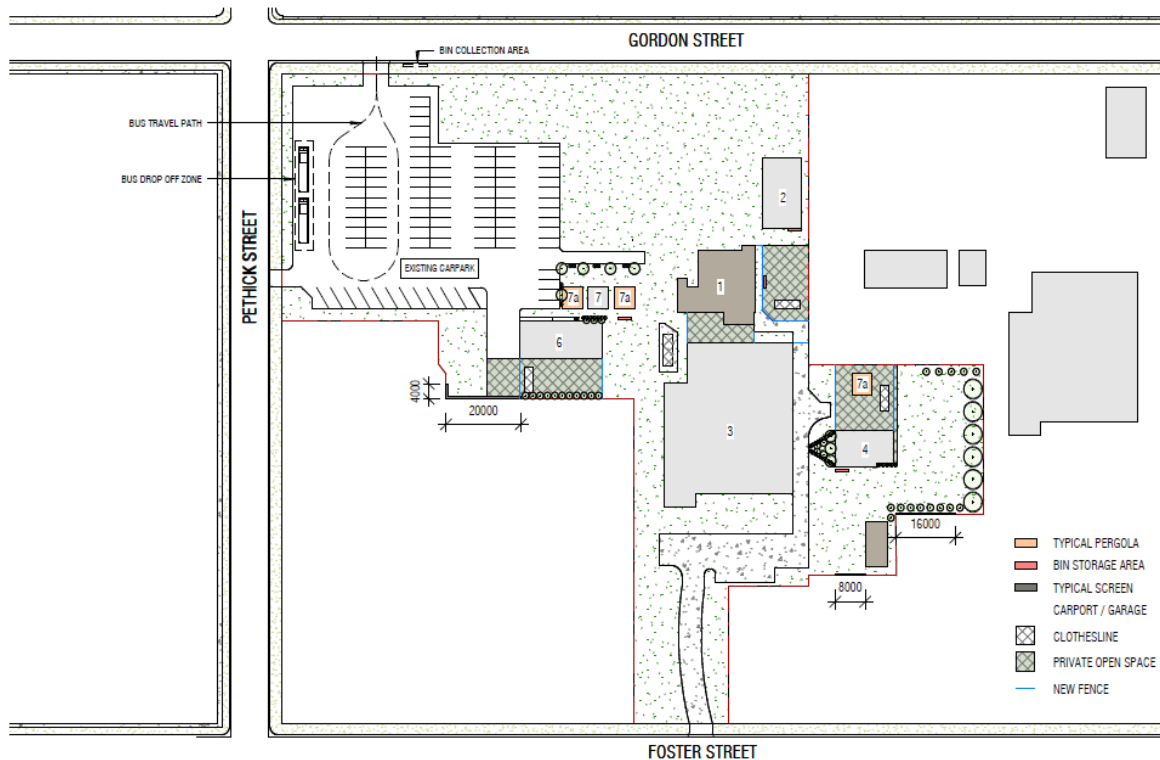


Figure 3: Site Plan

Source: INTRO Design

Any external works undertaken to the buildings will be limited to matters of access to ensure compliance with the Disability Discrimination Act (DDA) and upgrading of the appearance of the buildings.

On the establishment of Stage 2, a live-in supervisor/manager will be employed. The manager will be the point of contact for the community and responsible for the on-going management, maintenance and cleaning of the accommodation facility.

Each occupant will be required to meet certain conditions in order to reside on site and each will need to confirm evidence of being employed, being over 18 years old and 100 points of identification. A "House Rules" document will form an integral part of the management of the premises. The House Rules (in summary) will address matters such as:

- Occupant behaviour (including noise, drug and alcohol consumption, and interaction with other residents);
- Outdoor activities being curtailed at 10pm;
- Smoking restricted to designated smoking area;
- Visitor protocols (visitors limited to between 7am and 10pm);
- Room inspections;
- On-site parking limits and restricted site speed limits of 5kph;
- Prevention of pets being kept on-site;
- Sharing of common facilities; and
- Eviction policies.

A screened rubbish bin area is provided at the rear or side of each building. The site manager will be responsible for bins being put out for collection and returning them to the designated storage areas within the site once emptied. Collection will be conducted by the Council roadside collection service.

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Clothes drying facilities are provided throughout the site.

Additional landscaping will be planted within the site to complement the existing established vegetation. Additional plantings will be undertaken along the property boundaries in concert with additional screen fencing to address privacy issues at critical areas.

Car parking is provided within the existing sealed car park located in the south western corner of the land, so too is a bus pick-up/drop-off area. The applicant has advised the workers residing on site are most likely to travel to work by bus with a service to be negotiated with each employment provider or by the operator of the accommodation facility.

It was originally anticipated that an additional 14 spaces would be provided at the rear of building 3. These have subsequently been deleted and the majority of access will be via the existing driveway from Gordon Street only and parking accommodated in the existing parking area in the south western corner of the site.

The traffic and parking assessment provided with the application notes that the development will require 24 car parks to meet the car parking requirements in the Code (16 resident and 8 visitor spaces) and confirms the site provides more than adequate car parking to accommodate the needs of the development. The report notes that traffic generation is likely to be in the order of 13 vehicle trips in the PM peak hour with some 96 trips daily.

In the view of the author of the traffic and parking report, the level of traffic generated is not expected to compromise the safety and free flow of traffic in the locality.

5.0 CHARACTERISATION, PUBLIC NOTIFICATION & REFERRAL

Characterisation

Workers' accommodation is defined in the Code as follows;

Means premises used to accommodate workers on a temporary basis while they carry out employment

- (a) on the same site as the workers accommodation;
- (b) in mining or petroleum extraction.
- (c) in seasonally intensive rural activities such as fruit picking, pruning, animal shearing, meat processing or similar; or
- (d) in transport infrastructure construction.

and includes:

- Mining camp;
- Road workers camp;
- Shearing quarters;
- Railway workers camp

but excludes:

- Tourist accommodation.

Workers accommodation is Performance Assessed in the Neighbourhood zone.

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Public Notification

The development was publicly notified.

During the public notification period the Council received 205 representations.

In summary the main concerns expressed included the following:

- Observation by security cameras.
- Land use is not compatible with the low density use of the surrounding area,
- Impact on residential amenity through impacts arising from;
 - traffic
 - noise
 - privacy
 - anti-social behaviour
 - light overspill
- Not compatible with the Desired Outcome for the Neighbourhood Zone.
- Not compatible with Performance outcomes applicable to workers accommodation.
- Possible impacts arising from Corona Virus.
- Impact on community services.
- Impact of the development on 'scenic routes' and tourist areas.
- Impact on property values.
- Concerns at conditions on site and ability to cope with individual occupants needs/behaviour.

The Applicant responded to the issues raised in the representations, summarised below:

- The proposed development is for a change in the use of the site/buildings only and as such will not have an impact of the character of the area.
- The use is residential in nature and does not provide for an incompatible land use with adjoining residential development.
- Privacy concerns will be addressed by additional screening.
- Noise issues will be dealt with through application and enforcement of the 'house rules'.
- Noise arising from the proposed development will be no different to noise impacts typically emanating from residential development in residential areas.
- Complaints around anti-social behaviour is not a valid planning concern.
- As a vacant site, the land has experienced a degree of vandalism.
- Application of the house rules and employment of a site manager will address issues around anti-social behaviour.
- The proposed workers accommodation addresses the Code policies that seek housing to support and range of needs.
- The facilities provided are of high standard with good access to natural light and ventilation.
- The facility is close to local services.
- The development will not impact on scenic routes, tourist destinations or areas of conservation significance.
- The development involves the adaptive re-use of existing buildings and does not envisage any new buildings on site.
- The site is provided with adequate infrastructure services. Issues with sewer services have been resolved.
- Traffic impacts are not expected to compromise the safety or function of the surrounding road network.
- No changes are proposed to the external appearance of the Local heritage listed building.

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- Current tenants are not subject to the house rules. The current residents are living on site under the premise that they are living in buildings that are approved for use as multiple dwellings. (Note: the application for use of the buildings as multiple dwellings is subject to appeal, as such the consent is not valid until the appeal process is resolved in favour of the applicant).
- Property values are not relevant to the assessment of an application against the Code.

Referrals

The application was not required to be referred to any prescribed bodies.

6.0 ASSESSMENT AGAINST THE CODE

The subject land is located within the Neighbourhood zone as shown in Figure 4 below.

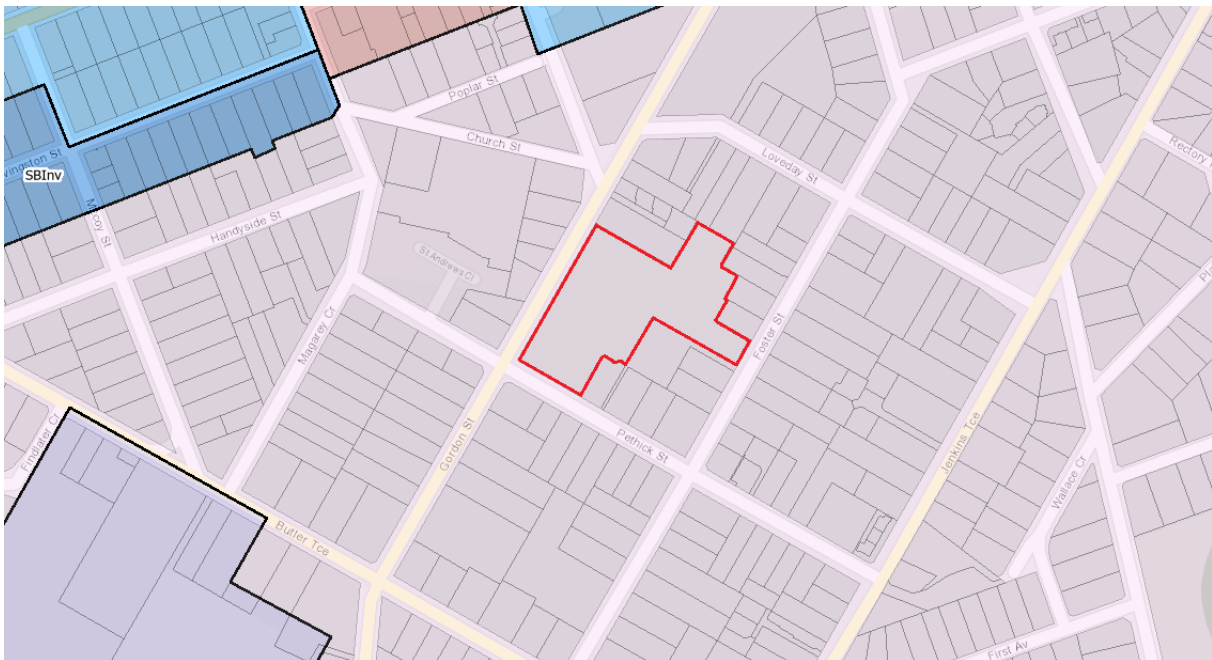


Figure 4: Subject Land Zoning

Source: SA Planning and Property Atlas (Govt. SA)

6.1 RELEVANT CODE PROVISIONS

No Overlays are specifically relevant to an assessment of the proposed development, noting the Local heritage listed building does not involve any work that will impact the external appearance of the development and noting the adaptive re-use of the building as sought in Local Heritage Place Overlay PO 2.2.

I have not reproduced all of the relevant Code provisions noting that there is very high level of repetition in the policies, especially under the heading Design in Urban Areas.

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Neighbourhood Zone

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.

Note: DTS/DPF 1.1 does not include workers accommodation in the list of land uses envisaged for the zone.

PO 1.1

Residential development and supporting uses provide housing, services and facilities that are compatible with the residential character of the neighbourhood.

General Development Policies

Design

DO 1

Development is:

- (a) contextual - by considering, recognising and carefully responding to its natural surroundings and positively contributing to the character of the immediate area
- (b) durable - fit for purpose, adaptable and long lasting
- (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors
- (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

PO 1.5

The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.

PO 2.1

Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.

PO 2.3

Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.

PO 2.5

Common areas and entry points of buildings (such as the foyer areas of residential buildings) and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.

PO 3.1

Soft landscaping and tree planting are incorporated to:

- (a) minimise heat absorption and reflection
- (b) maximise shade and shelter
- (c) maximise stormwater infiltration
- (d) enhance the appearance of land and streetscapes.

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PO 7.6

Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.

PO 9.1

Fences, walls and retaining walls are of sufficient height to maintain privacy and security without unreasonably impacting the visual amenity and adjoining land's access to sunlight or the amenity of public places.

PO 17.1

Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.

PO 19.2

Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.

PO 19.4

Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.

PO 19.5

Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.

PO 20.1

Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.

PO 23.1

Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.

PO 23.3

Communal open space is designed and sited to:

- (a) be conveniently accessed by the dwellings which it services
- (b) have regard to acoustic, safety, security and wind effects.

PO 23.4

Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.

PO 30.3

Provision is made for suitable external clothes drying facilities.

PO 6.2

Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.

PO 6.5

Vehicle parking areas that are likely to be used during non-daylight hours are provided with floodlit entry and exit points to ensure clear visibility to users.

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PO 6.7

On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.

PO 8.1

Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight.

PO 9.1

Buildings positively contribute to the character of the local area by responding to local context.

PO 9.5

External materials and finishes are durable and age well to minimise ongoing maintenance requirements.

PO 12.2

Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.

PO 15.1

Living rooms have an external outlook to provide a high standard of amenity for occupants.

PO 21.2

Tree planting is provided to:

- (a) contribute shade and shelter
- (b) improve the outlook for occupants of buildings
- (c) reduce the visual mass of buildings
- (d) contribute to biodiversity
- (e) mitigate urban heat
- (f) improve the amenity and character of streetscapes and contribute to attractive vistas.

PO 32.1

Communal open space is provided where private open space provision is inadequate to meet the needs of occupants or where the nature of the development is such that private open space is not ordinarily provided.

Interface between Land Uses

DO 1

Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

PO 1.2

Development adjacent to a site containing a sensitive receiver or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

PO 6.1

External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers.

Transport, Access and Parking

PO 1.1

Development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.

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PO 1.4

Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.

PO 3.1

Safe and convenient access minimises impact or interruption on the operation of public roads.

PO 3.3

Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.

PO 3.8

Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.

PO 4.1

Development is sited and designed to provide safe, dignified and convenient access for people with a disability.

PO 5.1

Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use

Required parking: Table 1 - General Off-Street Car Parking Requirements

Workers' accommodation: 0.5 spaces per bed plus 0.25 spaces per bed for visitor parking.

Workers' accommodation and Settlements

PO 1.1

Workers' accommodation and settlements sited and designed to minimise impacts on views from scenic routes, tourist destinations and areas of conservation significance.

PO 1.2

Workers' accommodation and settlements are sited and designed to minimise nuisance impacts on the amenity of adjacent users of land.

PO 1.4

Workers' accommodation and settlements are supplied with service infrastructure such as power, water and effluent disposal sufficient to satisfy the living requirements of workers.

6.2 ASSESSMENT

I have assessed the application under the four general headings below.

Suitability of the land use

Infrastructure provision

Impacts on character and amenity

Traffic and parking

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6.2.1 Suitability of the land use

Workers accommodation falls within the general ambit of residential development. It matters not that it is short-term. In fact, each of the individual buildings falls within the definition of a dwelling as defined in Part 7 of the Code as follows:

Whilst Workers Accommodation as a defined development is not listed as an envisaged land use in DTS/DPF 1.1 for the Neighbourhood zone, nor a number of other developments that might otherwise be regarded as being residential in nature, such as a boarding house or student accommodation. The fact that workers accommodation is not specifically listed does not mean it is excluded from a location in the Neighbourhood zone, it simply points the fact that list of land uses in DTS/DPF 1.1 is not definitive.

There is nothing in the definition of workers accommodation or otherwise in the Code that seeks to exclude workers accommodation from occurring in a built-up residential area, and it stands to reason that unless there is a compelling reason to house workers on the site, or close thereto of their employment, the best location is in a built-up area where services are available to the occupants and infrastructure is already provided to the site.

The subject land is well placed to accommodate the proposed development. It does not seek to occupy existing dwellings which might otherwise be available to the general community, it is located on a substantial site of some 1.68 hectares and which has a long history of use as an educational establishment, it repurposes existing buildings on the land and is provided with all the required infrastructure needed to accommodate the use. The location of buildings away from the boundaries of the land and the ample open space provide opportunities for passive and active recreation for occupants.

The relative impacts of the development are also mitigated to some degree by the buildings on the subject land being lower than the adjoining house sites generally to the east, and the provision of internal and outdoor common and recreational areas, which again are relatively well separated from neighbouring properties.

More generally the land is well placed in relation to a range of services and shops in the nearby Township Activity Centre zone which are within walking distance of the development.

The development does not involve any substantive changes to the appearance of the existing buildings on site and as such its impact on the character of the area will be minimal, if not improved by upgrades to the buildings, additional site landscaping and site maintenance; the latter an aspect of the site that has been lacking in recent years.

The development does not alter the setting or value of the Local Heritage item on the land.

6.2.2 Infrastructure provision

There is nothing to suggest the land lacks the required infrastructure necessary to accommodate the land use. Previous use of the land as an educational facility would have imposed greater strain on the available infrastructure than the proposed development, and in any event any need to upgrade infrastructure to accommodate the land use is at the applicants and not the communities' expense.

Concerns about sewer infrastructure have been responded to by the applicant and it noted that problems previously experienced have been fixed.

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6.2.3 Impacts on character and amenity

The main issue arising from the development is the potential impact on the amenity of adjoining residents.

In this regard concerns have been raised on a wide range of issues, many of which are not strictly relevant to an assessment of the development against the relevant provisions of the development Plan.

Relevant issues include:

- potential for anti-social behaviour,
- noise,
- loss of privacy,
- lack of amenities;
- light spill;
- impact on property values;
- impact on local infrastructure and social services
- Covid19

In respect to the matters referred to above I comment as follows.

Potential for anti-social behaviour

There is always potential for anti-social behaviour where a large number of people congregate together.

It is expected that this aspect of the development will be managed in the first instance by a review process prior to a resident becoming an occupant of the site in much the same way as tenants are vetted in any lease arrangement.

It will be reinforced by the relevant house rules and the reporting procedures that will allow adjoining residents to report incidents in real time to the off-site or (later) on-site manager on a 24/7 basis.

The use of surveillance cameras in common areas will also be a significant deterrent to anti-social behaviour.

I consider also that it is very much in the best interest of the developer to ensure that any incidents associated with occupants of the development are addressed in a timely manner and the house rules are strictly applied.

I cannot speak specifically for workers accommodation but am familiar with student accommodation development involving a mix of overseas students housed in similar circumstances and can confirm that incidents of anti-social behaviour are very low to non-existent. I refer specifically to the Alexandra Lodge development at Rose Park as one example where up to 90 overseas students from a very wide range of backgrounds are housed in a 9-storey building in a locality comprising heritage housing at very low densities.

The only complaint from adjoining residents has been occasional noise, when even then was not worse than the kind that might arise from a family function in a dwelling.

The development provides ample communal recreational spaces with substantial open spaces around the building to provide for a range of recreational pursuits allowing residents to 'get away from each other' if the need arises.

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In reference to anti-social behaviour in a planning assessment, a full bench of the ERD Court in the matter of Reichelt & Ors V City of Charles Sturt & Anor [2016] SAERDC 38 (17 November 2016) said the following:

“The occurrence of anti-social, even criminal, behaviour is an unfortunate fact of life to be encountered at a broad range of shopping, commercial and entertainment facilities. If development approvals for such facilities were refused in order to ensure that detrimental impacts on the amenity of nearby residents were avoided altogether and in every case, there would be very few such facilities ever approved.

There is no evidence that the operations of this type of facility or of this particular operator have resulted in any unusual level of anti-social behaviour. The nature of the proposal in terms of its layout, lighting and opportunities for surveillance suggest to us that instances of anti-social behaviour are perhaps less likely to occur (in the event that approval is given) at this site than at many others. We do not regard the possibility of anti-social behaviour occurring as in any way justifying a refusal of the proposal.”

Although the above comments relate to a commercial undertaking, they are equally relevant to the subject application.

It is unfortunate that the applicants have moved occupants on the land without appropriate management practices in place. I am sure that with proper oversight any incidents of anti-social behaviour can be managed.

I have endeavoured to get in touch with the local police to determine whether the site has been of any concern to them but have unfortunately not been able to do so.

Noise

Noise impacts fall a little in the matters already addressed above.

Noise can come from a range of sources including recreational pursuits, amplified music, on site infrastructure (such as air-conditioners) and traffic.

Noise emissions are often managed under the Environment Protection (Noise) Policy 2007. In residential areas noise levels under the EPP should not exceed 47dB(A) between 7am and 10pm and 40dB(A) between 10pm and 7am. The operator of the proposed facility will be obligated to ensure noise levels do not exceed the requirements of the above noise policy.

In an environment where there are a large group of people, noise issues will be largely self-regulated. Where this does not occur, it will be an issue that will be managed by a combination of the application of the house rules and the regulation of behaviour by the site manager. In events where law enforcement assistance is required then calls will be made but this is once again no different to any other situation when a domestic dispute occurs at a residential property or public gatherings.

Traffic noise will generally involve cars starting and leaving the site. Occasional traffic noise is not unusual in a residential area, even during the night-time. The occasional revving of engines and squealing of tyres is not limited to residents of workers accommodation developments but if it does become an issue, it can be reported to the relevant authorities.

Surveillance cameras in and around the site will assist greatly in managing this kind of behaviour, in conjunction with a complaint register.

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Bus pick up and drop off services are expected to occur during mostly daytime periods and noise from their movements will be compatible with other service vehicles which use the local road network. The need for the facility to respect the acoustic amenity for surrounding residential properties will extend to the bus services.

I expect that private car ownership would be low, and due to the transient nature of the occupants, many residents will travel to work in common vehicles or buses. As a consequence, the likelihood of anti-social noise from vehicles will be low.

Loss of Privacy

The land adjoins some 9 houses. For the most part these adjoining houses are on elevated sites above the level of the buildings on the subject land and as such, with a combination of boundary fencings and site landscaping privacy of the yard spaces, most of the adjoining dwellings will not be affected.

Properties at 5 Pethick Street and 22 Foster Street are most likely to be impacted by overlooking from the proposed development.

The property at Foster Street is a hammerhead shaped allotment and shares two common boundaries with the subject land. It is fenced along its western boundary with a low chainmesh fence. Boundary fencing is provided to the common boundary with the property at 5 Pethick Street, but some views are available across the fencing to the adjoining private open space and rear elevation of the adjoining dwelling at 7 Pethick Street as shown in the following photograph.



Figure 4: looking across the subject land to 5 and 7 Pethick Street and 22 Foster Street

I do not consider the overlooking from the subject land to be unreasonable. Firstly, the section of the subject land immediately adjoining the yards of the neighbouring houses is not expected to be used to any significant degree, secondly, the subject land has previously been used for activities that would have given rise to very much the same degree of overlooking, and, thirdly if privacy is an issue for the property at 22 Foster Street then appropriate fencing would largely resolve the issue. I note that the applicant has made provision for additional privacy screens at sensitive points, and landscaping, when established will assist in maintaining privacy between the proposed development and neighbours.

Further, the onus or maintaining privacy rests equally on adjoining neighbours to take steps to minimise overlooking from adjoining development.

Overall, I do not consider that the privacy of the adjoining houses has or will be unreasonably impacted by the proposed development and additional privacy measures can be established in consultation between landowners.

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Light spill

There is already some security lighting on site. Any additional lighting or existing lighting that is giving rise to light spill issues can be managed by proper alignment of the lights or shielding as may be required. Management of light spill has been included as a condition of consent.

Examples of light spill provided by representors are simply photos of lights from the windows in the adjoining buildings rather than specific examples of overt light spill. Light from windows is obviously a common feature of residential development, albeit more often than not moderated by the use of window furnishings.

Lack of amenities

The proposed development makes ample provision for passive recreational activities on the land with some 4000 square metres of gassed and vegetated open space being provided across the site. The open spaces will enable a variety of active activities if needs be to complement the internal common areas and much of the spaces which could be used for active activities are well separated from surrounding dwellings.

The land is close to the facilities in the Town Centre and sporting facilities are equally available to residents on the subject land as they are to any other resident in the Town.

Clearly, residents will use the land as best suits their needs and if they seek to pray in a particular location (as evidenced in photos provided by a representor) then that is their prerogative, as long as the activity occurs on the subject land and is not disruptive.

Impact on local infrastructure and social services

There is no evidence to suggest the social or emergency services infrastructure in Naracoorte will be overloaded by the proposed development. As advised the population density of the development will not be significantly different for the density achieved by normal residential development of the land.

Moreover, the population of the Town is subject to normal fluctuations arising from such things as holidays and special events that bring additional persons into the town, sometimes for extended periods. In any event, the increase in local population, including transient workers, will help justify the provision for more social services, as reflected in some of the letters in support of the proposed development.

Impact on property values

Real estate or property values are not a relevant planning issue for consideration by Council in an assessment of the proposed development.

Property values can be affected by a wide range of factors which may or may not be directly related to local conditions.

Planning policies in the Code do not refer to land values except and certainly not in direct reference to specific forms of development.

The proposal must therefore be assessed against the relevant provisions of the Code and not speculation as to impacts on property values.

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Covid 19

Seasonal workers are listed as essential travellers which allow entry into the State.

All seasonal worker visa holders must follow all COVID-19 health measures, including social distancing and self-isolation.

State and Territory governments are responsible for quarantine and self-isolation requirements for temporary visa holders working in agriculture to manage the spread of COVID-19.

The Department of Home Affairs accepts referrals from State and Territory governments so that visa holders who do not follow public health and quarantine laws can be considered for visa cancellation where they pose an unacceptable health risk.

It is clearly in the employers interest to ensure workers they employ have been tested and obey any instructions re Covid 19 and there is no suggestion that seasonal workers per say are a higher risk of spreading Covid 19 than any other member of the community.

6.2.4 Traffic impacts

The subject land has an existing on-site parking area which has capacity for over 90 on-site parking spaces and a layout which is consistent with the Australian Standards.

Under the Code the development requires 24 car parking spaces. This is well exceeded.

The car parks originally proposed at the rear of building 3 have been deleted and will be accommodated in the existing parking area in the south west corner of the land.

The traffic and parking report accompanying the application confirms that parking exceeds demand, that traffic generation will be low and that the established layout of the parking area and access points can accommodate the turning movements of buses and other service vehicles likely to require access to the land. I have no reason to question the conclusions of the traffic and parking report.

As noted in the traffic and parking report, traffic generation levels are likely to be lower than predicted. In my opinion, it is unlikely all workers residing at the facility will have their own vehicles, occupants will travel together, and the applicant has proposed a bus service to ferry workers to their place of work.

To provide a comparison, residential development of the land at between 25 and 33 dwellings would generate 9 daily traffic movements per dwelling for a detached dwelling and 4 to 5 trips per dwelling for higher density housing forms (RTA NSW Guide to Traffic Generating Developments). This would equate to traffic volumes of between 225 vehicle movements for 25 detached dwellings or 165 movements for 33 higher density dwellings.

Peak hour trips for residential development would be in the order of 0.85 per dwelling for a detached dwelling and 0.5-0.65 per dwelling for higher density development or something in the order of 21 vehicle movement for each type of residential development.

The proposed development is expected to generate 13 trips in the PM peak hour and 96 trips daily.

I do not consider the traffic impacts from the development to exceed those of what might be ordinarily expected if the land were developed for normal residential use.

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I note that access driveways are already provided to the land and that road widths in the locality are relatively generous with low levels of traffic movement. Good sightlines exist between the subject land and the adjacent road network to enable safe access and egress to/from the subject land.

All vehicles, including buses are able to enter and exit the land in a forward direction.

Noise associated with vehicles and possible light spill from vehicle lights at night time impacting on adjoining properties are all impacts that might arise from any form of residential development that might occur on the subject land, noting also the extent to which street lights in the locality will provide existing ambient background lighting to the roads and property frontages at night time.

7.0 CONCLUSION

Having regard to the above assessment, I consider the proposal to be an appropriate form of development with respect to the relevant provisions of the Code as:

- The proposed use is suitable land use in the Neighbourhood zone.
- The proposed development will re-activate an abandoned education establishment by re-purposing the facility to an envisaged form of residential development.
- The location of the subject land is suitably located to provide accessible links to the neighbouring Town Centre and the associated services and facilities within the commercial heart of Naracoorte.
- The scale of the proposed development and the siting of the existing buildings should ensure the amenity of existing residential properties is not unreasonably diminished.
- The scale of the existing buildings and facilities on the subject land can support the proposed development at its proposed capacity.
- The existing facilities on the subject land can be utilised to provide a reasonable level of amenity for the occupants expected to reside on the subject land.
- The proposed movement of vehicles to and from the subject land are not excessive by residential standards and can be accommodated by the local road network.
- The proposed development will have no notable visual impact on either the built form character of the locality, the heritage values of existing heritage places or the low-density residential nature of the surrounding residential areas.

8.0 RECOMMENDATION

That Development Application 20000507, seeking a change of land use to workers accommodation at 19 Gordon Street, Naracoorte SA (as contained in Certificate of Title Volume 6144 Folio 716) is **not** seriously at variance with the Planning and Design Code.

That consent to Development Application 20000507, seeking a change of land use workers accommodation at 19 Gordon Street, Naracoorte SA (as contained in Certificate of Title Volume 6144 Folio 716) be **granted** consent, subject to the following conditions:

1. That except where minor amendments may be required by other relevant Acts, or by the conditions imposed on this consent, the development shall be established in strict accordance with the approved plans, prepared by Intro Design Pty Ltd and accompanying Traffic and Parking Report prepared by GTA Consultants.
2. Site works shall be carried out to the satisfaction of Council at all times during the construction process.

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3. The car park area shall be line marked to create parking spaces which satisfy Australian Standard AS 2890.1:2004 *Parking Facilities – Part 1: Off-street parking*. Line marking is to be maintained so it is always visible to car park users
4. The car park area shall provide spaces to satisfy *Australian Standard AS/NZS 2890.6:2009 Parking Facilities – Part 6: Off-street parking for people with disabilities*. Line marking is to be maintained so it is always visible to car park users.
5. A detailed landscaping plan shall be prepared by a qualified landscape architect (or similar) and provided to Council's Planning and Compliance staff for endorsement prior to full development approval being granted.
6. All landscaping is to be established within 12 months of the accommodation approved herein becoming operational. Landscaping shall be maintained in good condition at all times with diseased or dead plantings being replaced immediately with new plantings upon their removal.
7. All site, facility and perimeter lighting shall be located and screened to directed light away from the boundaries of adjoining residential properties.
8. The electronic security system (i.e. cameras) operated and recorded at all times to provide overlooking of common areas and the car park area of the development approved herein.
9. The loading and unloading of workers to/from buses shall occur on the subject land only. Buses are not to park within Gordon, Foster or Pethick Streets for the collection or drop-off of workers.
10. The access point to Foster Street shall be used by staff, tenants and service vehicles only (i.e. delivery, landscaping and equipment maintenance contractors). No vehicular access will be taken from the Pethick Street driveway.
11. Between the hours of 10.00 PM and 6.00 AM buses required to ferry workers to and from their place of employment shall not leave engines to idle while parked in the car park area
12. A complaints register shall be established allowing communication between the site manager and the local community to be recorded at all times. A copy of the register shall be provided to Council every three (3) months for a period of two years from when occupation of each completed stage of the development commences.
13. The 'House Rules' agreement shall apply at all times to occupants residing on the subject land. Changes to the 'House Rules' which are provided as a supporting document to the development approved herein, shall be the subject of an assessment by Council's Planning and Compliance staff prior to the changes being formalised. The changes are to be processed as a 'variation to the approved development'.
14. All bins presented on a public street verge for waste collection purposes shall be returned to the on-site storage areas within 24 hours of being emptied.

6. Other Business

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7. Meeting closed

Meeting closed at pm.