

**DEVELOPMENT APPLICATION – DA 25-2020-2021 – CHURCHES OF CHRIST IN QUEENSLAND – LOT 1 CORONATION DRIVE, BLACKALL**

**EXECUTIVE SUMMARY**

The Applicant, Churches of Christ in Queensland, seeks a Development Permit for Material Change of Use for a Residential Care Facility and Retirement Facility over land at Lot 1 Coronation Drive, Blackall, formally described as Lot 1 on SP318666. The subject site is occupied by the Barcoo Living Multi-Purpose Service facility. The Applicant proposes to extend the western part of the facility in order to accommodate 10 additional bedrooms.

Under the *Blackall-Tambo Region Planning Scheme 2020* (the Planning Scheme), the subject site is in the Township Zone (Commercial Precinct). The defined uses that have been applied for, being 'Residential Care Facility' and 'Retirement Facility', are subject to Impact Assessment in the Commercial Precinct. The uses are subject to Impact Assessment because the extension is in the mapped Flood Hazard Area.

There is no conflict between the proposal and the relevant assessment benchmarks. Development conditions are recommended to ensure the development is constructed and operated in accordance with the Planning Scheme. The application is recommended for approval, subject to the conditions stated herein.

**RECOMMENDATION**

THAT Blackall-Tambo Regional Council approves the application for a Development Permit for Material Change of Use for a Residential Care Facility and Retirement Facility over land at Lot 1 Coronation Drive, Blackall, formally described as Lot 1 on SP318666, subject to the following conditions:

**1.0 PARAMETERS OF APPROVAL**

- 1.1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor or invitee of the Developer at all times unless otherwise stated.
- 1.2 Where these conditions refer to "Council" in relation to requiring Council to approve or be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed prior to commencement of the use and to Council's satisfaction, unless otherwise stated in a development condition.
- 1.4 The cost of all works associated with the construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.
- 1.5 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out for the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.
- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

**2.0 APPROVED PLANS AND DOCUMENTS**

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Plan/Document Name	Plan/Document Number	Revision Number	Date
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Existing / Demolition Site Plan	DA101	B	23/6/2021
Proposed Site Plan	DA102	B	23/6/2021
Proposed Overall Floor Plan	DA103	B	23/6/2021
Existing / Demolition Floor Plan	DA201	B	23/6/2021
Proposed Floor Plan	DA202	B	23/6/2021
Roof Plan	DA203	B	23/6/2021
Elevations and Sections	DA501	B	23/6/2021
Perspectives	DA901	B	23/6/2021
Proposed Site Plan – Landscaping as amended by BTRC	DA102	B	23/6/2021 (amended 11/08/2021)

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

### 3.0 ACCESS AND PARKING WORKS

3.1 Provide and maintain a minimum of 24 car parking spaces on-site. All car parking spaces must be clearly identified by either line-marking or signage.

### 4.0 STORMWATER WORKS

4.1 Stormwater from the approved extension must drain to a lawful point of discharge. Stormwater runoff must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.

### 5.0 ENVIRONMENTAL HEALTH

5.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, dust, vibration, odour, fumes, smoke, vapour, steam, soot, wastewater, waste products, oil or otherwise.

5.2 Maintain outdoor lighting to comply with *AS4282 Control of Obstructive Effects of Outdoor Lighting*.

5.3 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

5.4 In accordance with the Environmental Protection (Waste Management) Regulations, all waste storage areas must be kept in a clean, tidy condition, and sufficient waste containers and services are to be provided to cater for the containment and removal of all waste generated on the site. Waste must be removed to a lawful landfill.

### 6.0 SERVICES

6.1 The approved extension must be serviced by the premises' existing connection to Council's reticulated water and sewerage networks.

6.2 Electricity and telecommunication services must be provided to the approved extension in accordance with the standards and requirements of the relevant service provider.

### 7.0 FINISHED FLOOR LEVEL

7.1 The finished floor level of the approved extension must achieve a minimum 300mm freeboard above the defined flood level of 282 metres Australian Height Datum for Blackall.

### 8.0 LANDSCAPING AND FENCING



- 8.1 Establish and maintain landscaping in vacant areas identified on the approved 'Proposed Site Plan – Landscaping as amended by BTRC', except where pathways and outdoor recreation areas may be established. At a minimum, landscaping must be provided by way of turfing vacant areas.
- 8.2 Ensure the landscaped areas are subject to water and maintenance during the establishment phase, and an ongoing maintenance and replanting program as required.
- 8.3 Boundary fencing must be provided along the western boundary shared with Lot 2 on SP309900.

## **9.0 ASSET MANAGEMENT**

- 9.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

## **10.0 CONSTRUCTION ACTIVITIES**

- 10.1 Prior to construction of the vehicle access and water and sewer connections, forms for a Minor Works on Road Application and a Water/Sewer Connection Application must be completed and submitted to Council to notify the details of work being undertaken.
- 10.2 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site, in accordance with the *IECA 2008 Best Practice Erosion and Sediment Control* document (as amended) for the duration of the works, and until such time all exposed soil areas are permanently stabilised. The ESCP must be available on-site for inspection by Council Officers during the works.
- 10.3 The construction of any works must be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the provisions of any relevant standards under the *Blackall-Tambo Region Planning Scheme*.
- 10.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site, unless otherwise approved in writing by Council.
- 10.5 Construction activity and noise must be limited to the hours of 06:30 to 18:30 Monday to Saturday, with no work to occur on Sundays or public holidays.

## **ADVISORY NOTES**

- A. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, and potentially for operational work, as required under relevant legislation for this work.
- B. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.
- C. General environmental duty under the Environmental Protection Act 1994 and subordinate legislation prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.
- D. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").



## 1.0 DEVELOPMENT APPLICATION SUMMARY

TABLE 1 – OVERVIEW OF THE DEVELOPMENT APPLICATION

PROPERTY DETAILS		
Site address	Lot 1 Coronation Drive, Blackall QLD 4472	
RPD	Lot 1 on SP318666	
Site Area	6,594m <sup>2</sup>	
Landowner	Churches of Christ in Queensland	
Existing use of land	Barcoo Living Multi-Purpose Service facility	
Existing development approval	<p><u>Planning</u>            IPA 6-2003/2004 - Development Permit for Reconfiguring a Lot            IPA 7-2003/2004 - Development Permit for Material Change of Use            IPA 10-2007/2008 - Development Permit for Material Change of Use for "Residential Activity" – "Accommodation Building" (10 bed extension of aged care facility)            DA-14-2018/2019 - Development Permit for Reconfiguring a Lot (2 into 2 lots)            DA 33-2019-2020 - Development Permit for Reconfiguring a Lot (Boundary Realignment)</p> <p><u>Building</u>            IPA 21-2003/2004 - Development Approval for Multi-Purpose Service Facility            Certificate of Classification for 10 bed extension            DA-08-2017/2018 - Development Approval for a Storage Shed</p>	
APPLICATION DETAILS		
Application No.	25-2020-2021	
Applicant	Churches of Christ in Queensland C/- Saunders Havill Group	
Application description	Development Application for a Development Permit for Material Change of Use for a Residential Care Facility and Retirement Facility (10 bedroom extension)	
Decision due date	6 September 2021	
Main Issues/Resolution	Issue	Resolution
	High accommodation density	The proposed extension is of size and scale in keeping with the existing building and buildings in the immediate locality. No new or increased impacts are envisaged.
	24/7 hours of operation	Due to the nature of the development, the operations are 24/7. Amenity of the surrounding area will not be impacted by way of noise or other emissions due to the passive nature of the facility.
	No additional car parking	A car park survey and analysis has proven that the existing 24 car parking spaces will provide sufficient capacity to accommodate additional staff/visitors associated with the extension.
	New building in a Flood Hazard Area	A Flood Risk Assessment has been prepared detailing the development will not increase flood risks beyond a tolerable level.
STATUTORY DETAILS		
Planning Scheme	Blackall-Tambo Region Planning Scheme 2020	
Overlays	Blackall (and surrounds) Flood Hazard Map Transport Infrastructure – State-controlled Road (SPP Interactive Mapping System)	
Zone	Township Zone (Commercial Precinct)	
Land use definition	Residential Care Facility and Retirement Facility	
Category of Assessment	Impact Assessment	

## 2.0 PROPOSAL BACKGROUND

TABLE 2 – OVERVIEW OF DEVELOPMENT ASSESSMENT PROCESS

Application lodged as a Change Application	22 March 2021
Application re-submitted as a Development Application	21 April 2021
Confirmation Notice and Information Request (IR) issued	27 April 2021
SARA Referral / Confirmation Notice issued	7 May 2021
SARA response (approval) issued	19 May 2021



Applicant submitted response to Council's IR	28 June 2021
Public Notification Period	12 July to 2 August 2021
Decision Due (Decision Stage)	6 September 2021

### 3.0 SITE AND SURROUNDS DESCRIPTION

The subject site is located at Lot 1 on Coronation Drive, Blackall Queensland 4472, formally known as Lot 1 on SP318666. The subject site has an area of 6,594m<sup>2</sup>, and frontage to Coronation Drive to the east and Shamrock Street to the south. The existing multi-purpose facility is a 24-bed resident care service offering personal care, therapies and accommodation. The built form covers approximately 32% of the site. Access is via two vehicle crossovers from Coronation Drive.

Adjoining uses fronting to Shamrock Street include the Blackall Fire Station, the Bushman's Hotel – which is now owned by the Applicant for the display of art created by residents of the facility – and a real estate agency. To the north is the Blackall Ambulance Station, and the Barcoo Retirement Village, which extends to Violet Street. Banks Park is to the west of the subject site.



FIGURE 1 – AERIAL OF SUBJECT SITE (Source: QLD Globe)

### 4.0 DESCRIPTION OF PROPOSAL

Churches of Christ in Queensland Barcoo Living Multi-Purpose Service is a 24-bed facility offering aged care, palliative care, and respite care. The service is a joint Commonwealth and State/Territory initiative for rural and remote communities, which allows the local community and service providers to work together under one management structure to plan and improve health and aged care services.

The existing facility was established and has been improved under a series of planning and building approvals since 2003.

The proposed development involves an extension to the western wing of the facility. The extension will result in 10 additional bedrooms, a new meeting room, laundry, and storeroom, and a sitting area that looks out over Banks Park.

Other minor internal changes to the facility will also be undertaken, involving an expansion to the existing lounge/dining room by enclosing an adjoining verandah, and new cold room/storage room areas

No changes are proposed to the existing access and parking arrangement for the facility. A total of twenty-four (24) car parking spaces will continue to be provided on-site with vehicle access from Coronation Drive.



Attachment A provides a copy of the proposal plans referenced in the recommendation.

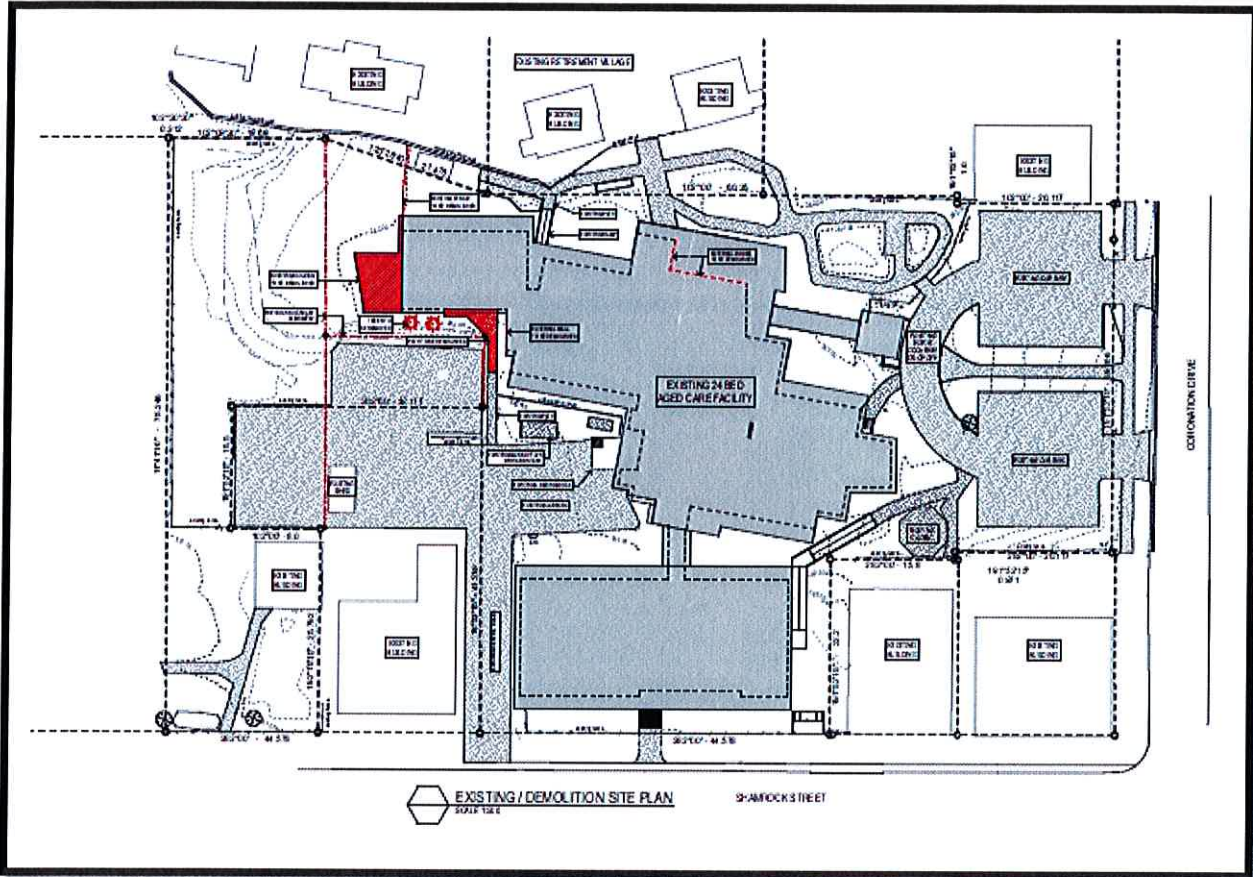


FIGURE 2- EXISTING / DEMOLITION SITE PLAN (Source: Extract from approved plans)

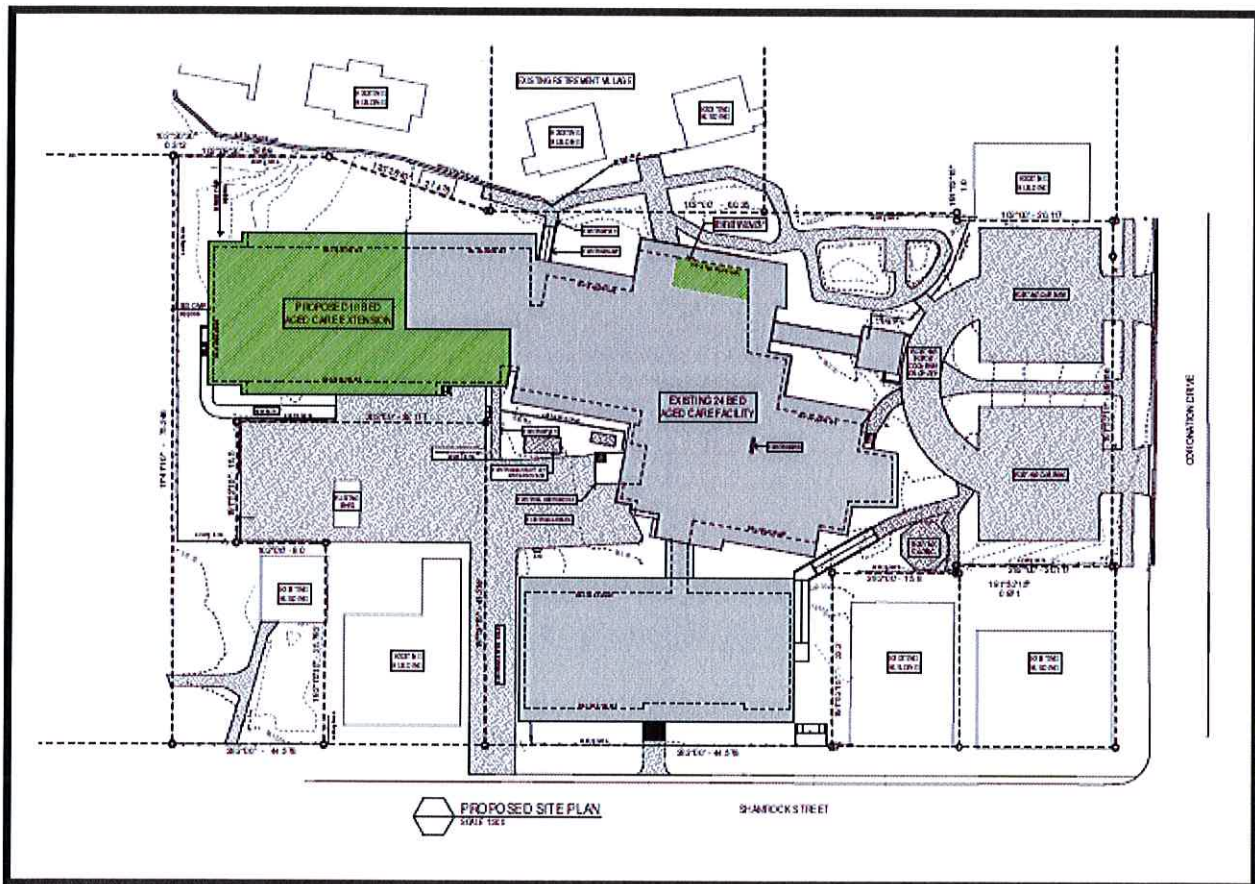


FIGURE 3: PROPOSED SITE PLAN (Source: Extract from approved plans)



## 5.0 PLANNING ASSESSMENT

In accordance with section 45 (5) of the *Planning Act 2016* (the Act), Impact Assessment is an assessment that:

- (a) **must be** carried out—
  - (i) against the assessment benchmarks in a categorising instrument for the development; and
  - (ii) having regard to any matters prescribed by regulation for this subparagraph; and
- (b) **may be** carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

*Examples of another relevant matter— a planning need*

This framework for assessing impact assessable applications is clarified as follows –

The categorising instrument for the development is the *Blackall-Tambo Region Planning Scheme 2020*. The entire planning scheme must be assessed as relevant to the application. In this instance, relevant assessment benchmarks are encompassed by the Strategic Framework, the applicable Zone Code, General Development Code, and corresponding mapping and planning scheme policies. These benchmarks are addressed in section 5.2.

Where a conflict may be evident between the application and above assessment benchmarks, Council can consider any other relevant matter, such as planning need, to override the conflict and justify the non-compliance. This typically relates to matters that Council deems to be in the public interest, as opposed to personal circumstances.

The *Planning Regulation 2017* (sections 29-31) prescribes additional assessment benchmarks and other general assessment matters, which are addressed as follows:

### The Central West Regional Plan and the State Planning Policy

The Regional Plan and SPP are identified as being appropriately integrated in the Planning Scheme and therefore do not require further assessment. The assessment of the proposal against the Planning Scheme in section 5.2 below also functions as an assessment of these State Planning Instruments.

### The Local Government Infrastructure Plan

By Council resolution, there is no Local Government Infrastructure Plan in place for the Council Area and Council ceases to charge Adopted Infrastructure Charges for any new development. In turn, this assessment benchmark does not apply to the development and an Infrastructure Charges Notice does not form part of this recommendation.

### Schedules 9 and 10 of the Planning Regulation

Schedule 9 relates to building work under the Building Act, which is not relevant to this application for material change of use but may be relevant to a subsequent building work application for the construction of the development.

Under Schedule 10, a referral to the State Assessment and Referral Agency (SARA) was required due to the subject site being within 25m of a State-controlled Road. This is further discussed in section 6.1.

### Approval history / lawful use of the premises and adjoining premises

The Barcoo Living Multi-Purpose Service facility has been developed and improved under a series of development approvals. Prior to lodging the application, the applicant requested a Standard Planning and Development Certificate, which provides - among other things - a copy of all development approvals relating to the site. These approvals are set out in Table 3, noting that Council's records are incomplete for some decision notices listed below.

## TABLE 3 – SITE APPROVAL HISTORY



APPLICATION NUMBER	DEVELOPMENT DESCRIPTION	APPROVED
<b>Planning</b>		
IPA 6-2003/2004	Development Permit for Reconfiguring a Lot	17/07/2003
IPA 7-2003/2004	Development Permit for Material Change of Use	6/08/2003
IPA 10-2007/2008	Development Permit for Material Change of Use for "Residential Activity" – "Accommodation Building" (10 bed extension of aged care facility)	21/02/2008
DA-14-2018/2019	Development Permit for Reconfiguring a Lot (2 into 2 lots)	22/03/2019
DA 33-2019-2020	Development Permit for Reconfiguring a Lot (Boundary Realignment)	20/07/2020
<b>Building</b>		
IPA 21-2003/2004	Development Approval for Multi Purpose Service Facility	26/03/2004
-	Certificate of Classification for 10 bed extension	18/05/2009
DA-08-2017/2018	Development Approval for a Storage Shed	22/03/2018
<b>Plumbing</b>		
-	Council has no record of any development permits for plumbing work.	-

These decision notices have been reviewed to ensure there is no conflict between the recommendation and the approvals already in effect for the development.

While the approval history of adjoining premises has not been investigated in detail, a general understanding of existing surrounding uses has been considered in this planning assessment and has informed the recommendation with a view to ensuring a compatible land use pattern if the development is approved.

#### Common material

The application material and subsequent correspondence with Council officers and the applicant has been considered in the preparation of this recommendation.

Council's Information Request and the applicant's subsequent response is considered in more detail in section 5.1. The outcome of internal and external referrals and public notification is also considered.

The planning assessment of the development considers the above assessment benchmarks and matters to the extent that the assessment benchmark and matter is relevant to the development.

### **5.1 COMMON MATERIAL**

The section details the outcome of the Information Request Stage, Referral Stage and Public Notification Stage. Internal Council officer comments which informed the recommendation are also detailed.

#### **5.1.1 Information Request**

The development application material submitted by the applicant did not sufficiently address certain assessment benchmarks under the Planning Scheme. To demonstrate compliance with these benchmarks, Council issued an Information Request (IR) to which the applicant responded. Council's IR items and the applicant's response are set out in Table 4. The applicant's response was of a high quality and demonstrated a high level of compliance with assessment benchmarks.

**TABLE 4 – INFORMATION REQUEST ITEMS AND APPLICANT RESPONSE**



INFORMATION REQUESTED	APPLICANT RESPONSE
<b>Accommodation Density</b>	
<p>The proposed development will result in an on-site density of one room per 193m<sup>2</sup>. It is noted that this density is alternative to AO6.2 of the Township Zone Code, which prescribes one room per 350m<sup>2</sup> of site area. Insufficient information has been provided to demonstrate that the proposed development achieves compliance with PO6 of the Township Zone Code.</p> <p>The Applicant is requested to provide an assessment of the proposed development against PO6 of the Township Zone Code.</p>	<p>The proposed development is considered to meet the corresponding Performance Outcome based on the following:</p> <ul style="list-style-type: none"> <li>• The proposed extension is of a size and scale in keeping with the existing building onsite and other buildings in the immediate locality</li> <li>• The height is consistent with the existing building</li> <li>• The extension complements the existing character of the area</li> <li>• The proposed development will not bring new or increased impacts to the area</li> </ul>
<b>Car Parking Supply</b>	
<p>The proposed development includes the provision of 10 additional units on the site with no increase to on-site parking. No information has been provided to demonstrate that the existing car parking supply will be sufficient to cater for any increase in demand. The planning scheme, through Table 6.2.2.1, does not provide a specific parking rate for the use and instead the parking supply is to be sufficient to accommodate the amount of vehicle traffic likely to be generated by the particular use.</p> <p>The Applicant is requested to provide further information demonstrating that the existing car parking supply is sufficient to support the demand generated by the proposed development and therefore complies with PO10 of the General Development Code. Information provided may be in the form of occupancy data for the existing car park.</p>	<p>The Applicant undertook a site survey and recorded data from the usage of the carpark for a week. A maximum of 17 car spaces were utilised at any one time. 24 car spaces are currently the approved requirement, allowing a balance of 7 spaces remaining unoccupied. The Applicant also considered the additional staffing required and expected visitor numbers associated with the proposed extension and envisage an additional 2-3 spaces will be necessary, therefore the 24 spaces will provide sufficient capacity to accommodate the ultimate proposed development and intensity of use. Compliance with PO10 can be achieved.</p>
<b>Flooding</b>	
<p>The site is identified by the planning scheme as being subject to flooding. As per Schedule 4 of the planning scheme, the defined flood level for Blackall is 282 metres AHD. Whilst detailed plans have been provided, which show the elevation of the floor level of the new building above ground level, no information has been provided as to site levels or the height (in metres AHD or similar) of the floor. Council is therefore unable to determine whether the proposed development achieves the desired freeboard of 300mm above the defined flood level specified in AO21.2 of the General Development Code. Further information is also required to demonstrate that the expansion of the existing use on the site remains compatible with the nature of flood risk on the site.</p> <p>The Applicant is requested to provide the following information in relation to flooding:</p> <p>(a) Amended proposal plans which allow for the identification of the proposed floor level of all buildings in metres AHD, in order to allow</p>	<p>Hydra Logic prepared a Flood Risk Assessment based upon the existing site layout and proposed extension. The results of the assessment demonstrate the proposed extension does not increase the risks associated with the site's flood characteristics beyond a tolerable level.</p> <ul style="list-style-type: none"> <li>• A response to AO21.1-AO21.3 of the General Development Code for development located in Flood Hazard Areas has been provided;</li> <li>• A Risk Assessment of the site, providing a risk matrix detailing the likelihood of flood events has been completed; and</li> <li>• Detail on an evacuation strategy within the AO21.3 response has been provided.</li> </ul>



<p>Council to ascertain the compliance (or otherwise) of the proposed development with AO21.2 of the General Development Code.</p> <p>(b) A risk assessment that demonstrates that the expansion of the use does not increase risks associated with flooding beyond a tolerable level, in compliance with AO21.1 of the General Development Code.</p> <p>(c) Detail in relation to evacuation of the site in the event of a flood event in accordance with AO21.3 of the General Development Code.</p> <p>(d) A detailed assessment of the proposed development against PO21 and/or all relevant corresponding Acceptable Outcomes of the General Development Code.</p>	
<p><b>Standby Generator</b></p>	
<p>The proposal plans submitted show that the proposed development will involve the provision of a new generator near the existing car parks fronting Coronation Drive. No detail has been provided as to the appearance or scale of the generator. Further detail is required in order to allow Council to assess this aspect of the proposed development.</p> <p>The Applicant is requested to provide further detail on the general size and appearance of the generator and, where appropriate, details of screening to be provided to ensure that the provision of the generator is not unsightly.</p>	<p>Amended Proposal Plans (DA102 Rev B) show the generator is no longer required and has been removed.</p>

In addition to the above material, a Minor Change to the proposal was also sought by the Applicant which involved the removal of three water tanks in the north-west corner that were proposed as part of the initial proposal plans. The tanks are no longer required. This change is independent of the other changes resulting in the response to the information request and is minor in nature. It therefore does not affect the development assessment process.

### 5.1.2 SARA Referral

In accordance with Schedule 10 of the Planning Regulation, the Applicant was required to externally refer the application to the State Assessment and Referral Agency (SARA). SARA is an agency within the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP).

SARA, as a Concurrence Agency, was responsible for assessing the proposal against the relevant assessment benchmarks in the State Development Assessment Provisions relating to State transport infrastructure, due to the subject site's adjacency to a State-controlled Road, being Shamrock Street. No information request was issued, and the response provides an approval with no requirements/conditions imposed.

The SARA response is provided in Attachment B.

### 5.1.3 Public Notification

The development application required Impact Assessment, which means public notification of the application was required. Public notification was undertaken by Council on behalf of the Applicant for a fee. No submissions were received during the notification period.



#### 5.1.4 Internal Officer Comments

The proposal plans and recommendation, once drafted, was internally circulated to Council's Director of Works (DWS) and Environmental Health Officer. No changes to the recommendation were requested to be made by the officers, however the DWS noted his prior consultation with the Applicant's architect in locating the new building and ensuring the stilts of the building did not impact Council's sewer main, which will run under the building.

## 5.2 BLACKALL-TAMBO REGION PLANNING SCHEME 2020

Under the Planning Scheme the development constitutes a Material Change of Use, which is defined in the Planning Act as:

- a) *the start of a new use of the premises;*
- b) *the re-establishment on the premises of a use that has been abandoned;*
- c) ***a material increase in the intensity or scale of the use of the premises.***

The 10 bedroom extension will result in a material increase in the intensity and scale of the use of the premises. Under the Planning Scheme, the defined uses relevant to the activities to be undertaken in the extended part of the facility are *Retirement facility* and *Residential care facility*:

***“Retirement facility*** means a residential use of premises for—

- (a) accommodation for older members of the community, or retired persons, in independent living units or services units; or*
- (b) amenity and community facilities, a manager's residence, health care and support services, preparing food and drink or staff accommodation, if the use is ancillary to the use in paragraph (a).”*

***“Residential care facility*** means the use of premises for supervised accommodation, and medication and other support services, for persons who— (a) can not live independently; and (b) require regular nursing or personal care.”

In accordance with Table 4.4.1 of the Planning Scheme, these uses in the Township Zone are subject to Impact Assessment. The Category of Assessment is elevated from Code Assessment due to the proposed extension being located in a Flood Hazard Area. The assessment benchmarks of the entire scheme as relevant to the proposal are addressed in the sections below.

### 5.2.1 Assessment of Strategic Framework

The Strategic Framework sets the policy direction for the Planning Scheme. As per the Strategic Framework Map in Figure 5, the subject site is designated as 'Urban Land', being within the township area (coloured pink) of Blackall.



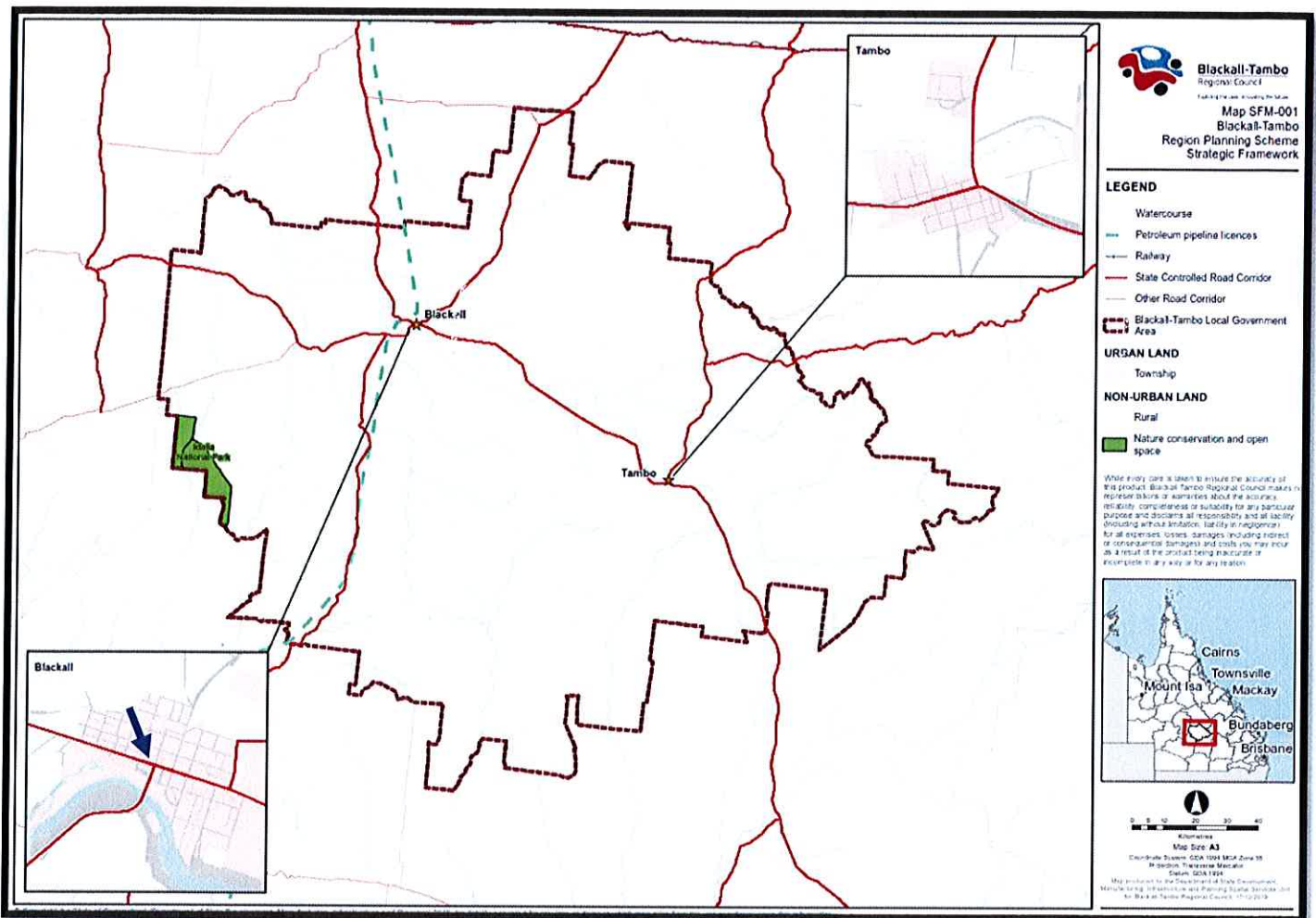


FIGURE 4: STRATEGIC FRAMEWORK MAPPING (Source: BTRC Planning Scheme 2020) (site identified by arrow)

The proposal is consistent with Strategic Intent statements relating to infill development in the township areas that result in high quality and inclusive living environments that meet a broad range of community needs and occur in serviceable locations. The region's aging population is identified as an important consideration in providing suitable and flexible housing options. Relevant extracts from the Planning Scheme are as follows -

*'The planning scheme seeks to provide for development which meets and is relevant to community needs...*

*...facilitating responsible, well-designed and viably scaled new residential, commercial and light industrial development in appropriate serviceable locations.*

*Infill and renewal development within the established towns of Blackall and Tambo is encouraged, as is diversification of housing stock and flexibility in housing options to suit changing community needs, especially an aging and active population.'*

The town centre location of the subject site, with access to all reticulated networks, means the development can be designed to maximise the efficient use of existing services. The purpose of the extension in improving the capacity for aged care and accommodation, aligns with the Strategic Framework intent.

The proposal is also able to meet the Strategic Framework intent relating to avoiding and mitigating the risk of flood hazard impacts. The proposed development is mapped being located within the flood hazard overlay. Through the application material, the proposal has been demonstrated to not expose people or property to unacceptable risks associated with flooding. The development has been located, sited and designed to tolerate and not worsen the flood risks.



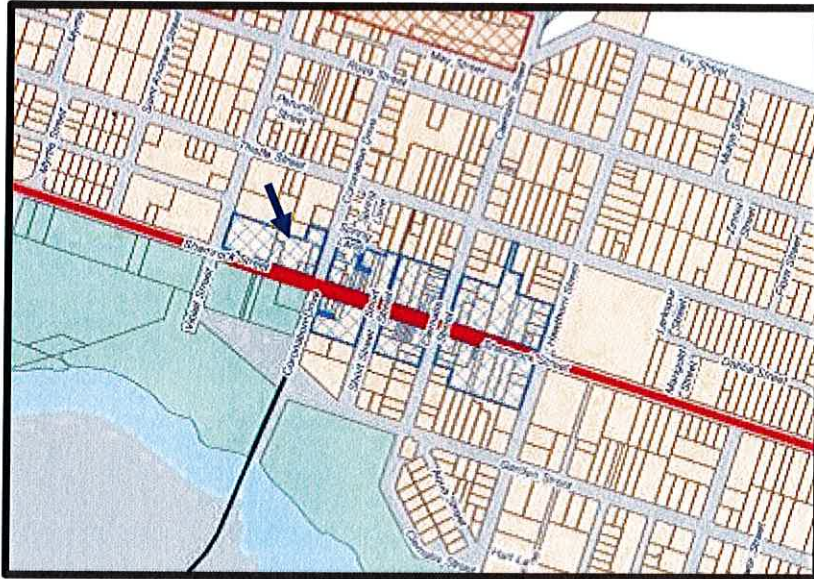
On this basis, there is no conflict between the development and the Strategic Framework as it relates to the site and the proposal development.

### 5.2.2 Assessment of Codes

The following codes are relevant to the proposed development.

#### **Township Zone Code**

The site is in the Commercial Precinct of the Township Zone, as shown on the Zone Map for Blackall in Figure 5.



**FIGURE 5: COMMERCIAL PRECINCT OF THE TOWNSHIP ZONE** (Source: BTRC Planning Scheme 2020) (Arrow indicates site location)

The development, as an extension to the Barcoo Living Multi-Purpose Service facility, complies or can be conditioned to comply with the purpose, performance criteria and acceptable solutions (PC / AS) of the Township Zone Code.

The purpose of the Code is encompassed by a set of overall outcomes prescribed under section 5.2.1.2 of the Planning Scheme. Importantly, the development achieves the outcomes' intent to provide a range of residential dwelling types and densities that reflect local housing needs and promote safe, convenient and attractive living environments for residents. The extension to the Retirement Facility /Residential Care Facility is necessary to service the town and its surrounding rural area. In this sense, and regarding other relevant outcomes, the development does not conflict with the Code's purpose.

The more detailed provisions of the code (PC / AS) are considered as follows:

#### **Accommodation density**

AO6.2 of the code provides a dwelling to site area ratio for the proposed uses, requiring one bedroom unit per 350sqm of site area. The proposed development will result in an on-site density of one bedroom unit per 193m<sup>2</sup>.

Despite this non-compliance, compliance can still be achieved with the corresponding PO6, which requires that such facilities are of a scale, density and character that are complementary and compatible with the surrounding area. Compliance is demonstrated as follows:

- The height of the proposed extension is consistent with the existing building;
- The extension will not detract from the existing character of the area but will rather complement it; and
- Considering the surrounding mix of commercial, community and residential uses located in the immediate vicinity, the proposed developed will not bring new or increased impacts to the area.

#### **Hours of operation / amenity impacts**

AO8 of the code limits operating hours from 6am to 10pm. The overarching PO8 seeks to avoid adverse amenity impacts.



Operating hours for the business, being generally 24/7, are deemed an acceptable outcome for the facility in the Township Zone given it is a facility for supervised accommodation, and medication and other support services, for persons who cannot live independently and require regular nursing or personal care. Such activities require a round-the-clock working environment, as in the case of the residential care facility. The proposed use is an extension to an existing use and not a new use where there could be higher risk of impacts to residences in the surrounding Township Zone.

The residential care facility is a long-established use and its ongoing use and improvement would be within the reasonable expectations of the community. It is also within reasonable community expectations that the level of amenity (mostly in terms of insignificant noise resulting in shift changes and patient care) will be minimal.

The proposed addition of the 10-bed extension to the facility will not adversely affect amenity in relation to noise. On this basis, hours of operation have not been conditioned or restricted as amenity impacts of noise will be minimal, if any.

A standard condition that deals with additional possible impacts from outdoor lighting within the development will ensure that there is no environmental nuisance or detrimental effects resulting from the recommendation.

A non-standard condition has been imposed requiring landscaping of the outdoor area surrounding the western wing of the building where the extension will occur. The proposed site plan has been amended as part of the recommendation to show the extent of landscaping expected, by way of turf or other plantings. This will ensure the amenity of the outdoor area is pleasing for occupants of the extension and will complement Banks Park to the west. It will also ensure a pleasing outlook from the retirement village to the north. AO11.2 requires a 1.8m high solid fence provided along boundaries shared with a residential use, however due to the integrated nature of the facility with the northern retirement village, landscaping is instead considered sufficient to achieve positive amenity outcomes as per PO11.

### **General Development Code**

The development complies, or can be conditioned to comply, with the purpose, performance outcomes (PO) and acceptable outcomes (AO) of the General Development Code, as follows:

#### **Site layout and Built Form**

Refer to Attachment A for a copy of the Proposal Plans. At approximately 6,602m<sup>2</sup> site area, the additional extension will result in a total site cover for the facility of 40.6%, which is suitable for the site and locality. AO1 allows for 90% site coverage in the Commercial Precinct. Building setbacks will be consistent with the Building Code of Australia and will be further assessed at the building application stage.

Building heights and floor levels are consistent with the existing built form and do not exceed the 8.5m height limit for the zone. The overall building design and finishes include Colourbond cladding, balustrade and windows, which blends with the existing building and is not at odds with building design in the local area. The extension is to the western rear portion of the building and will not result in any changes to the site frontage.

#### **Access and Parking**

Vehicle access and movement currently does not create problems for the external road network and provides safe pedestrian access. It is understood that the additional 10 bed extension will not result in significant additional parking requirements or manoeuvring issues. Access to the development will remain unchanged and it is proposed that the existing 24 parking spaces will be sufficient for staffing and visitor requirements for the facility, as evidenced by the Applicant's parking survey and analysis. This achieves code outcomes relating to traffic, access, manoeuvring and parking.

#### **Infrastructure and Services**

In accordance with the infrastructure provisions of the code, conditions of approval require the connection of the development to Council's reticulated water and sewerage networks, and appropriate stormwater and waste management. The extension will be serviced by the site's existing connections to water, sewerage, power and telecommunication infrastructure. These connections will remain



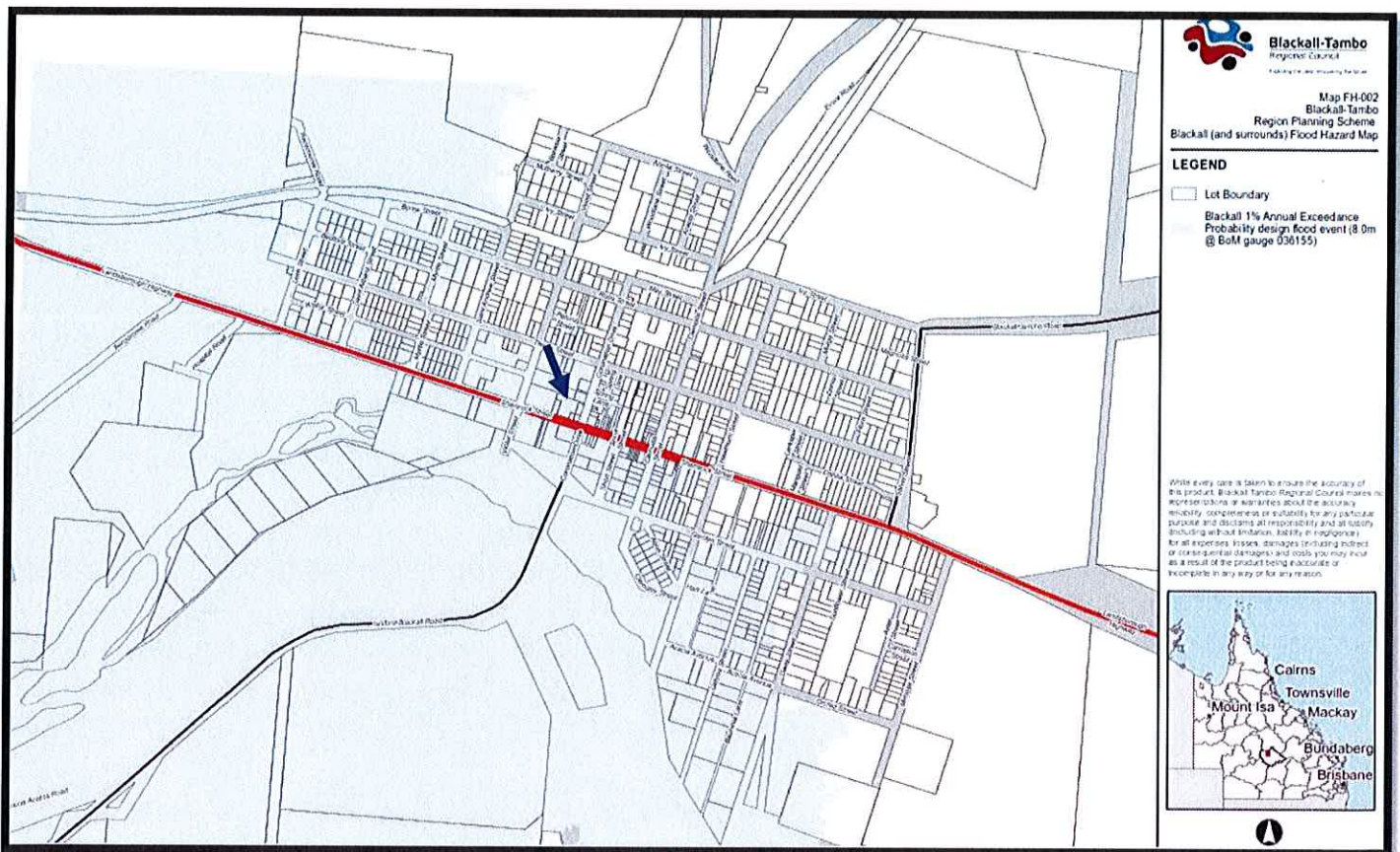
unchanged. Standard conditions in the recommendation require a lawful point of discharge for stormwater run-off and the continuation of appropriate waste management practices on-site.

Existing underground services are located within the proposed location of the extension. The Applicant's architect made contact with Council during the design process as the new structure will be over an existing sewer main. While this is not ideal, Council's Director of Works is satisfied that Council's infrastructure will not be impacted as the proposed structure is of a demountable construction on stilts instead of a raft slab.

Conditions ensure that all costs associated with the development, including connection/provision of services, are borne by the applicant.

### Development in a Flood Hazard Area

The site is mapped as being subject to flooding within the Flood Hazard Overlay, as shown on the Zone Map for Blackall in Figure 6.



**FIGURE 6: BLACKALL (AND SURROUNDS) FLOOD HAZARD MAP** (Source: BTRC Planning Scheme 2020) (Arrow indicates site location)

A fit-for-purpose risk assessment by Hydra Logic was provided by the Applicant, which demonstrates that the development does not increase flood risk beyond a tolerable level, in compliance with AO21.1. The assessment demonstrates that the new building can achieve the 300mm freeboard above the defined flood level for Blackall, as required by AO21.2.

The below addresses AO21.3 as it relates to the evacuation route for the site -

*The existing entry and exit driveway for the facility connects to Coronation Drive. Based upon available LiDAR data the ground surface levels at both the entry and exit points are below the defined flood level for Blackall. The proposed extension does not modify the entry or exit conditions for the site. The FFLs throughout the facility remain approximately 1.0 m higher than minimum requirements for the defined flood event, hence it is unlikely for the evacuation of residents to be a preferred emergency response during a flood event. The potential flood frequency of a flood event which exceeds the FFLs of the existing facility has not been determined or recorded in this location. Beyond the driveway connection to Coronation Drive*



*the entrance to the facility is flood-free for the defined flood level. This flood risk assessment has determined the risk at the driveway entrance and exit of the facility to be "Broadly Acceptable". The proposed extension does not alter the assessment of the risk at the driveway entrance and exit of the site.*

It is noted that the facility directly adjoins the Blackall Fire Station and Ambulance Service. Emergency access would be possible in a flood event if necessary.

In summary, this planning assessment demonstrates that the development is consistent with the relevant assessment benchmarks of the Planning Scheme. Conditions of approval reflect the elements of the assessment benchmarks to ensure on-going compliance in terms of land use, amenity and servicing.

## 6.0 CONCLUSION

This Impact assessable Development Application for a Development Permit for Material Change of Use for Residential Care Facility and Retirement Facility (10 bedroom extension) over land at lot 1 Coronation Drive, Blackall, formally described as Lot 1 on SP318666, is recommended for approval, subject to the conditions outlined in this report.

This recommendation is based on an assessment of the proposal in accordance with the Planning Act for applications requiring Impact assessment, which demonstrates the proposal's consistency with the Planning Scheme and other relevant assessment matters.

In accordance with the requirements for a decision notice under section 63 the Act, the notice must state the reasons for the decision. For this development, the statement of reasons, being the grounds for approval, will feature on the decision notice as follows:

- a) A Residential Care Facility and Retirement Facility are consistent uses in the Commercial Precinct of the Township Zone;
- b) The scale and character of the proposed built form is compatible with existing building design on the site and in surrounding area;
- c) Development will be operated in a manner that is compatible with the amenity of the locality;
- d) Development will be adequately serviced by sealed vehicle accesses, on-site parking and reticulated infrastructure connections;
- e) The development outcome is consistent with the Strategic Intent of the Planning Scheme with regards to meeting the community needs of an aging population through suitable and well-designed accommodation and care.
- f) Development does not conflict with the State Planning Policy 2017 and Central West Regional Plan 2009.

<p>Assessment Officer (Author):</p> <p>Rachel Ovenden <b>Senior Town Planner (Reel Planning)</b> Rebecca Harney <b>Town Planner (Reel Planning)</b> 11 August 2021</p>	
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