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**From:** "Natalia Kamusinski" <natalia@parmacproperty.com.au>  
**Sent:** Fri, 5 Apr 2024 14:22:37 +1000  
**To:** "Development Assessment" <developmentassessment@townsville.qld.gov.au>  
**Cc:** "Bryan Fitzgerald" <BFitzgerald@parmacproperty.com.au>; "Tom Parker" <tparker@parmacproperty.com.au>  
**Subject:** Development Application - MCU at 100 Mount Low Parkway, Mount Low  
**Attachments:** 2024.04.05 - Town Planning Report - 100 Mount Low Parkway.pdf

**Attention to:**

The Assessment Manager  
Development Services  
Townsville City Council

Dear Assessment Manger

ML Parkway Pty Ltd (as applicant) is seeking a development permit for a material change of use at 100 Mount Low Parkway, Mount Low.

**Attached** to this email is the Town Planning Report which summarises the application. All supporting documents, including DA Form 1 and Owner's Consent can be accessed via this dropbox link: [Appendix 1-10](#) .

Please note, the applicant's email for this application is [mlparkwaytsv@gmail.com](mailto:mlparkwaytsv@gmail.com).

Can you kindly confirm the application fee and provide a method of payment as soon as possible so that payment can be made.

Warm regards

**Natalia Kamusinski**  
**Contracts & Office Administrator**  
**parmac property group**

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# TOWN PLANNING REPORT

## DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE

Townsville City Council | Mount Low

Material Change of Use – Child Care Centre

100 Mount Low Parkway, Mount Low

Lot 5 RP 739317

*April 2024*

## Property Details

<b>Address:</b>	100 Mount Low Parkway, Mount Low
<b>Real Property Description:</b>	Lot 5 on RP 739317
<b>Site Area:</b>	4,000m <sup>2</sup>
<b>Current Use of Site:</b>	Single Residential Dwelling
<b>Zoning / Precinct:</b>	Rural Residential Zone
<b>Local Plan:</b>	Townsville City Plan
<b>Overlays:</b>	<ul style="list-style-type: none"><li>• OM – 01.1 – Operational Airspace</li><li>• OM – 01.2 – Wildlife hazard buffer zones and public safety areas</li><li>• OM – 06.1 to 6.2 – Flood Hazard – Low hazard area</li></ul>
<b>Road Frontage:</b>	Mount Low Parkway & Shoalmarra Drive
<b>Existing Services:</b>	Water, Electricity and Telecommunications
<b>Owner:</b>	Bruce A Somerville & Angela Hamilton

## Application Details

<b>Type of Application:</b>	Development Permit – Material Change of Use – Child Care Centre
<b>Proposal:</b>	Child Care Centre – 128 places
<b>Category of Assessment:</b>	Impact assessment
<b>Building Height:</b>	Less than 8.5m
<b>Site Cover:</b>	Less than 25% (excluding car park)
<b>GFA:</b>	940m <sup>2</sup> (approx.)
<b>Referral Triggers:</b>	N/A
<b>Applicant:</b>	ML Parkway Pty Ltd
<b>Contact Person:</b>	Planning Manager <a href="mailto:mlparkwaytsv@gmail.com">mlparkwaytsv@gmail.com</a>
<b>Our Ref:</b>	2024/100 Mount Low Parkway, Mount Low

## Attachments

<b>Appendix 1</b>	DA Form 1 & Land Owner's Consent
<b>Appendix 2</b>	Proposal Plans by Elia Architects
<b>Appendix 3</b>	Landscape Intent
<b>Appendix 4</b>	Traffic Impact Assessment
<b>Appendix 5</b>	Acoustic Impact Assessment
<b>Appendix 6</b>	Sewer Servicing Option
<b>Appendix 7</b>	Assessment Tables
<b>Appendix 8</b>	Title Search
<b>Appendix 9</b>	NCE Engineering Report
<b>Appendix 10</b>	Economic Needs Assessment

## Contents

1	Introduction.....	4
1.1	Application Overview.....	4
1.2	Background / Site History .....	4
1.3	Assessment of Proposal.....	4
2	Site & Surrounding Development .....	5
2.1	Location and Real Property Description .....	5
2.2	Site Characteristics .....	5
2.3	Servicing & Infrastructure.....	6
2.4	Zoning.....	7
2.5	Surrounding Land Uses.....	7
3	The Proposal.....	8
3.1	Development Proposal .....	8
3.2	Design Objectives .....	8
3.3	Site Suitability.....	9
3.4	Landscaping.....	9
3.5	Access & Carparking .....	9
3.6	Utility Services & Stormwater Management .....	10
4	Legislative Requirements.....	12
4.1	Planning Act 2016.....	12
4.2	Planning Regulation 2017 (Development assessment under Sc 10).....	12
4.3	North Queensland Regional Plan.....	12
4.4	State Planning Instrument Assessment- State Planning Policy .....	12
4.5	Decision making Rules.....	13
5	Townsville City Council Planning Scheme .....	14
5.1	Planning Assessment.....	14
5.2	Strategic Framework.....	14
5.3	Zoning.....	15
5.4	Healthy Waters Code.....	16
5.5	Landscape Code.....	17
5.6	Transport Impact, Access and Parking Code .....	17
5.7	Works Code .....	18
5.8	Flood Hazard Overlay Code .....	19
6	Other Relevant Matters .....	20
7	Public Notification .....	20
8	Conclusions & Recommendations .....	21

# 1 Introduction

## 1.1 Application Overview

The applicant is seeking approval for a development permit for a Material Change of Use for a Child Care Centre at 100 Mount Low Parkway, Mount Low, described as Lot 5 on RP 739317. Specifically, the applicant proposes to re-locate or demolish the existing dwelling from the site and to construct a new stand-alone purpose-built Child Care Centre with associated car park, loading, playscape and landscaping areas.

The Applicant seeks approval to establish a single-storey building, with a proposed total Gross Floor Area (GFA) of approximately 940m<sup>2</sup> with associated car parking and the requisite playscape area to obtain a service approval for 128 places. Access is to and from Shoalmarra Drive, which is a local government-controlled road.

The subject site is located in the Rural Residential Zone and the proposal triggers Impact Assessable development against the relevant provisions of the Townsville City Plan 2014 (**City Plan**). This report sets out the details of the development scheme and includes consideration of any relevant planning instrument, including NQ Regional Plan, State Planning Policy and City Plan.

Assessment of relevant planning provisions and Scheme benchmarks are identified throughout this application, and the applicant submits that it has provided sufficient evidence to allow the Assessment Manager to approve the application, subject to reasonable and relevant conditions.

## 1.2 Background / Site History

The development history in relation to the subject site is limited to its current use as a residential dwelling. The site enjoys main road frontage to Mount Low Parkway on a prominent corner block at the junction with Shoalmarra Drive. It is highly accessible by vehicular and pedestrians alike. The site can benefit from existing infrastructure and a growing catchment.

## 1.3 Assessment of Proposal

The applicant's assessment of the proposal against the relevant aspects of the Rural Residential Zone Code, Airport Environs Overlay Code and Flood Hazard Overlay Code is attached as **Appendix 7**. Assessment against the Strategic Framework of the City Plan and other relevant Development Codes is provided in Part 6 of this report.

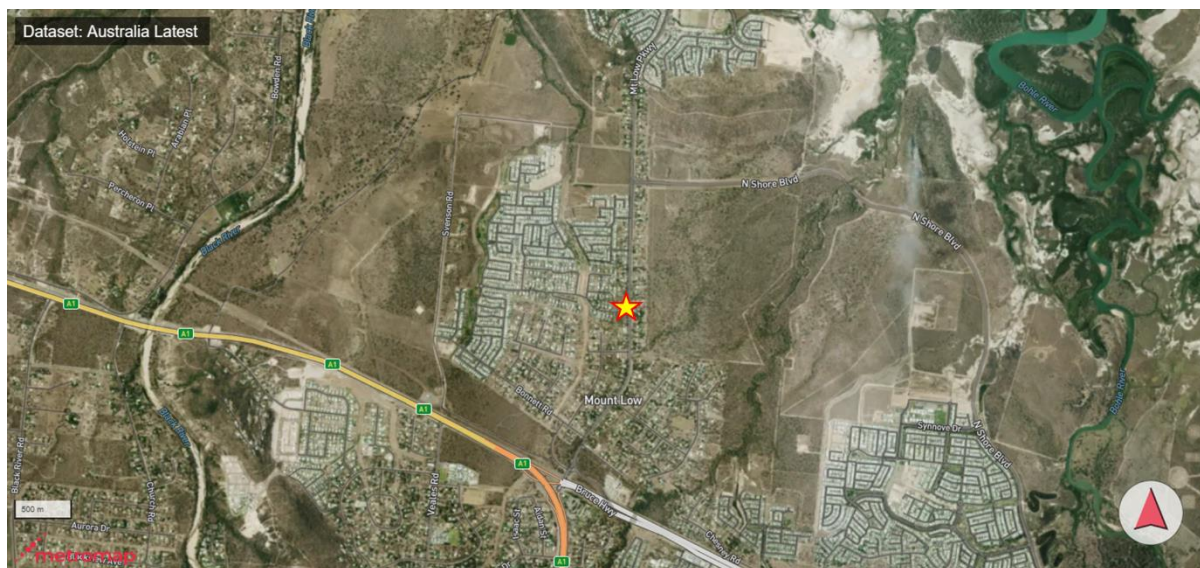
## 2 Site & Surrounding Development

### 2.1 Location and Real Property Description

The subject site consists of a single lot and title which is regular in shape, formally described as Lot 5 on RP 739317, located at 100 Mount Low Parkway, Mount Low. The site is included within the Rural Residential Zone. The Title Search is included in **Appendix 8**.

The current registered landowners of the property according to the current title search are shown in **Appendix 8**. The current landowners have provided signed consent for this development application which is included along with the application forms (refer to **Appendix 1**).

This area is dominated by residential development being carried out in the Sanctum Estate. This development will provide approximately 4,800 residential lots upon completion.



Subject Site (Source – Metromaps, 2023)

### 2.2 Site Characteristics

The subject site is 4,000m<sup>2</sup>, having a natural fall from south to north and is situated on a corner allotment.

There are no easements registered over the site. The site enjoys frontage to Mount Low Parkway and Shoalmarra Drive approximately 40m and 100m respectively.

There are no known cultural or heritage values associated with the site.

Existing vegetation is proposed to be removed. Landscaping will be renewed as part of the proposal and landscape widths are shown on the site plan in **Appendix 2**. Screening vegetation will be used around the northern and western boundary.

The site is situated in the Rural Residential Zone, surrounded by uses as follows:

**To the North:** Residential Allotment

**To the East:** Mount Low Parkway

**To the South:** Shoalmarra Drive

**To the West:** Residential Allotment

Vehicle access to the lot is currently provided via a crossover to and from Mount Low Parkway.

Both road frontages are local government-controlled roads. Given the relatively low site coverage, the use will have negligible impacts on the road network as explained further by the Traffic Impact Assessment in **Appendix 4**.

The site is understood to be flood free but is within the flood overlay – low risk hazard, as is much of the locality due to the relatively flat nature of the area.

## 2.3 Servicing & Infrastructure

### Sewer

There is no sewer infrastructure currently connected to the site. The applicant proposes to connect to the sewer infrastructure (at the applicant's cost) at the rear of the neighbouring property at 102 Mount Low Parkway, Mount Low to the North. The neighbouring owner's consent has been sought and obtained and is contained in **Appendix 6**.

Please refer to **Appendix 6** for details about the proposed options.

### Water

There are two existing water reticulation mains within both Mount Low Parkway and Shoalmarra Drive. It is likely the existing water connections will be made redundant and new, larger connections will be provided to the site. Review of nearby water services have confirmed that the new network will have capacity for the proposal.

### Electricity

Electrical infrastructure is located on the western side of Mount Low Parkway and northern side of Shoalmarra Drive. It is expected this infrastructure will be sufficient to service the proposal.

### Communications

Telecommunications infrastructure is located within the western side of Mount Low Parkway and currently services the site. This infrastructure will be extended to service the proposal.

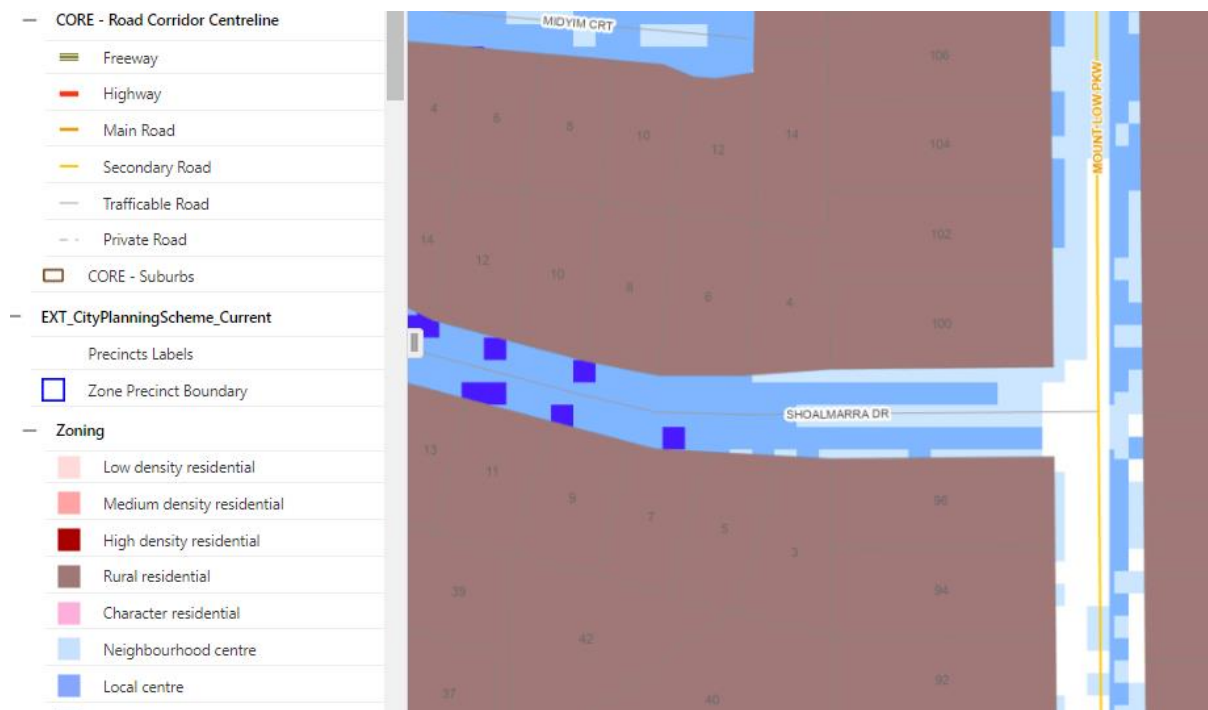
## 2.4 Zoning

The subject site is located within the Rural Residential Zone (see zone plan extract below), and otherwise immediately surrounded by some rural residential allotments until extending to newer development of regular residential amongst the Sanctum Estate.

The proposal for a childcare centre is a impact assessable development within Rural Residential Zoned land.

## 2.5 Surrounding Land Uses

The subject site is surrounded by similarly rural residential zoned properties to the north and west. Residential density increases along Shoalmarra Drive to the west of the subject site.





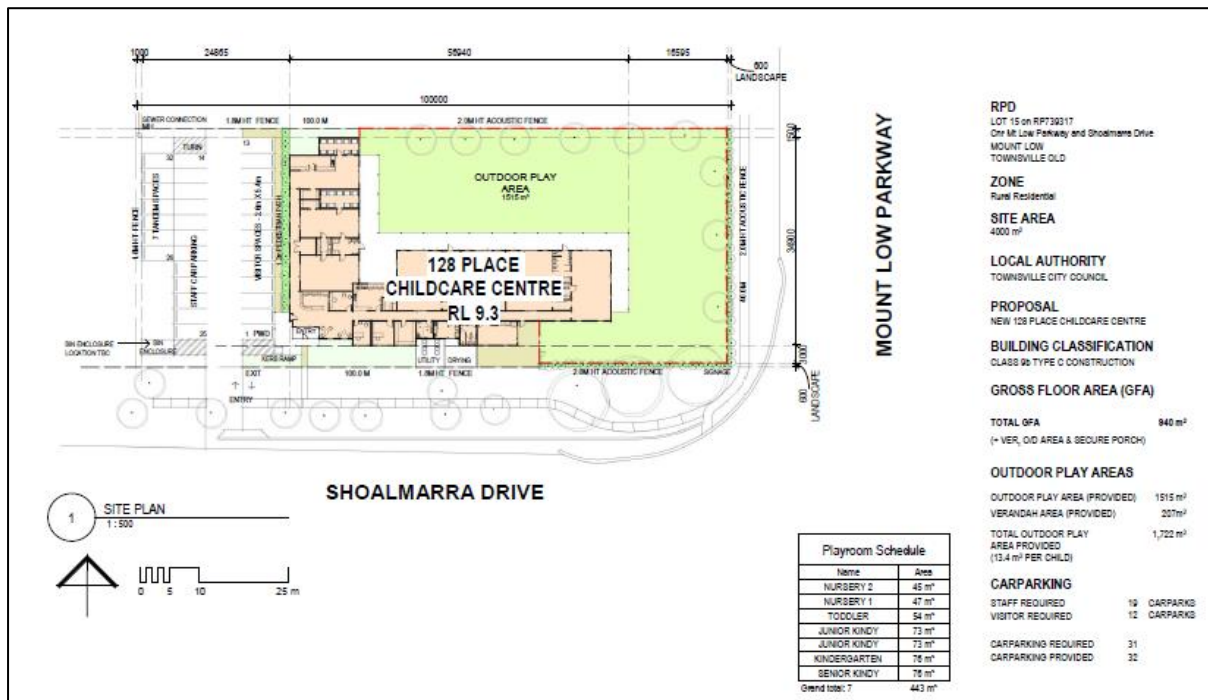
## 3 The Proposal

### 3.1 Development Proposal

The subject site is currently improved by a single residential dwelling that is to be relocated or demolished.

**Appendix 2** identifies the proposal plans. For convenience the proposed site plan is illustrated below. The development contemplates:

- Single story construction of modest height
- GFA of approximately 940m<sup>2</sup>
- Accommodating 128 childcare places and
- Site cover of approximately 23.5% (excluding the car park)
- Site frontage unaltered at 40m approximately to Mount Low Parkway
- Site frontage unaltered at 100m approximately to Shoalmarra Drive
- Site access to and from Shoalmarra Drive
- Site services, whilst all but sewer are existing, a sewage solution is proposed and site services will be upgraded as required to satisfy Australian Standards, utility provider requirements, and Council standards



### 3.2 Design Objectives

The key design objectives of the proposal were as follows:

- To provide a high-quality environment that integrates with the surrounding uses;
- Create a sense of place and become an essential service care centre within the Mount Low community;

- Deliver the built form in a domestic style, rather than commercial style to blend with a rural residential appearance;
- To respond to the growing need for local childcare services in the Mount Low catchment specifically;
- To maintain the existing character of Mount Low Parkway through setting the building well back from the street frontage and side boundaries, maximising landscaping and deep planting along the site's frontage and responding to the topography of the site;
- To use variations in materials to create significant visual interest;
- Promote visual permeability, passive surveillance, and access to natural light throughout the centre;
- The safety and security of children, staff and visitors is a priority with all entry and exits controlled by secure doors and gates; and
- To ensure that the establishment of the Child Care Centre will not adversely impact upon the existing rural and visual privacy and amenity enjoyed by adjoining residential dwellings to the west and north.

### 3.3 Site Suitability

The site has been specifically selected for non-residential development due to its position and high level of accessibility, corner prominence, proximity to existing and planned residential development. From a land use planning perspective, the site is well located to provide a non-residential service that is now regarded as “an essential of life”.

The proposal offers a highly accessible site that will satisfy an unmet demand now and in the future. It will also result in a good long term planning outcome, as a support service for the community. The accessibility of the site does not affect the local road network and indeed is well located to offer a high level of pedestrian accessibility to the Sanctum Estate, thereby subsequently encouraging active, healthy lifestyles and walkable neighbourhoods.

The proposal will not conflict with existing well-established or planned higher order centres within Townsville City, or particularly the local area. The proposal is intended to contribute to the City Plan's requirement to provide a wide range of services and facilities for residents.

### 3.4 Landscaping

A Landscape Concept Plan will be provided at the operational works application stage and will seek to renew landscaping to the proposal to provides a positive outcome. It will complement the existing values of the site and surrounding land uses, while integrating with architectural form and functional space. In the meantime, the landscape intent is further described in **Appendix 3**.

### 3.5 Access & Carparking

The site currently comprises frontage and access to Mount Low Parkway and Shoalmarra Drive as demonstrated by the architectural site plan (showing the 'existing site'). As discussed within the Traffic Impact Assessment (**Appendix 4**), the proposed access and egress to the site will be to and from Shoalmarra Drive. This location is adequately separated from intersections, achieves appropriate sight distances and is not expected to cause any significant safety or operational impacts on Shoalmarra Drive, Mount Low Parkway or the surrounding road network. The assessment also concludes the driveway configuration complies with the Townsville City Council's SAP code and sight distances for each access point comply with AS2890.1.

The proposal requires thirty-one (31) on-site car parking spaces, comprising nineteen (19) staff car parks and twelve (12) drop off spaces for parents (including 1 PWD space). A total of thirty-two (32) spaces (19 staff spaces and 12 drop-off spaces, including 1 PWD space) are provided for the Child Care Centre. Design of the parking area complied with AS2890.

As noted, the Traffic Impact Assessment at **Appendix 4** confirms that the proposed access and parking arrangements are suitable. In addition, the traffic modelling has determined there is no adverse implications for the road network.

Please refer to the Traffic Impact Assessment for further details in relation to access, car parking and transport assessment.

Further, **Appendix 4** identifies proposed servicing / refuse collection arrangements which are considered appropriate given the nature and scale of the development. However, refuse collection will be detailed further at the operational works stage and when the tenant's refuse requirements are better known. Any specific requirements in relation to refuse collection can be conditioned.

### 3.6 Utility Services & Stormwater Management

Northern Consulting Engineers (NCE) have prepared a civil services report and Stormwater Management Report in support of this application. It is contained in **Appendix 9**.

#### Trading Hours

The proposed minimum trading hours of operation for the centre are Monday – Sunday, 6am – 7pm. It is proposed play areas are not used before 7am. It is likely for the foreseeable future the centre will open only Monday – Friday, but a 7-day approval will ensure flexibility into the future.

#### Built Form

The new building is designed to be single storey with a maximum height of less than 8.5m and is proposed to utilise a variety of colours and rooflines and building articulations consistent with a large residential appearance, to present as a high-quality development.



The building has a site cover of less than 25% and is setback well exceeding minimum requirements from all property boundaries.

### Acoustic

Acoustic fencing (1.8-2.0m high) is proposed around the northern perimeter of the car park areas and playscape, extending around the eastern frontage to Mount Low Parkway.

A further (non-acoustic) fence will be erected around the western boundary. Please refer to **Appendix 5** for details.

### Landscaping

Landscaping is proposed to the frontage and within the proposed car parking area to ensure the frontage is softened to the car park and building. It should be noted however the proposed use is typically an exposed use and such exposure, apart from being required for sightlines and visibility, is also a community expectation with establishment of such a use. As also expected by the community, the landscape will be maintained to a high standard.

### Pedestrian Movement

Pedestrian movement from the street and through the car park is marked to the building entrance with signed structures proposed to define the pedestrian areas through and around the carparking area. These structures will be integrated with the landscaping/fencing design. Focus is on vehicle movements in and out of the site, given the drive-through aspect of the site operations. The Traffic Impact Assessment at **Appendix 4** indicates compliance with matters as to parking and access.

The existing footpath along Mount Low Parkway will be extended into Shoalmarra Drive to an extent that is practical and aligns with pedestrian access to the centre.

### Stormwater Management/Flooding

Please refer to the Engineering Report prepared by NCE which demonstrates lawful point of discharge, conveyance of water through the site and eventually connection to the stormwater system which exists adjacent to the Shoalmarra Drive boundary. The report provides recommendations which may be endorsed by TCC to be Development Approval Conditions. The report generally shows that services, water and wastewater matters can be designed with ease and meet acceptable standards.

## 4 Legislative Requirements

### 4.1 Planning Act 2016

The *Planning Act 2016* (**the Act**) identifies that approval is necessary for assessable development that is declared as such under the 'local categorising instrument' (the Local Authority's Planning Scheme (under Part 1 of Chapter 3)).

The proposed development, being a Material Change of Use involving a 'Childcare' use in the Rural Residential Zone, triggers Assessable Development – Impact Assessment against the *Townsville City Plan 2014* (**City Plan**), with the Townsville City Council (**TCC**) being the assessment manager for the application. The application must be assessed in accordance with the impact assessment provisions of the *Planning Act 2016*.

The applicant's assessment against the City Plan and relevant codes is presented at **Appendix 7** to assist the planning officer's assessment of this application. Assessment against the Strategic Framework of the City Plan is contained within this report in Part 5.

### 4.2 Planning Regulation 2017 (Development assessment under Sc 10)

The referral triggers under the *Planning Regulation 2017* were reviewed and it was determined the application does not require referral to any Concurrence or Advice agencies.

### 4.3 North Queensland Regional Plan

The North Queensland Regional Plan (**NQRP**) was implemented in March 2020, with the intent of capitalising on the growth, prosperity and diversity of the region by supporting a vibrant economy, generating jobs, improving business investment, protecting our natural environment, and encouraging tourism and lifestyle opportunities over the next 25 years. The vision of the Regional Plan will be realised through a series of goals and the proposed development is considered to align with the four regional goals.

The proposed development is consistent with the regional goals, outcomes and policies of the NQRP. On this basis, no detailed assessment has been undertaken against the North Queensland Regional Plan in this development application.

The subject land is not located within a Priority Agriculture Area.

### 4.4 State Planning Instrument Assessment- State Planning Policy

Since July 2017, the current version of the State Planning Policy (SPP) has been in effect. There are 17 State interests arranged under five broad themes. Five of the State Interests include assessment benchmarks applicable to the assessment of development applications. These state interests are relevant to development assessment where they have not already been incorporated into planning schemes.

The State Interest Assessment Benchmarks are addressed below:

State Interest Including Assessment Benchmarks	Assessment Against Benchmarks
Liveable communities	<i>Not applicable</i> The proposal does not involve an MCU involving premises that is, or will be, accessed by common private title.
Mining and extractive resources	<i>Not applicable</i> The proposed development application does not involve a use within a key resource area (KRA) or separation area of a KRA or KRA transport route.
Water quality	This has been addressed as part of the NCE Engineering report.
Natural hazards, risk and resilience: <ul style="list-style-type: none"> <li>• Bushfire prone areas</li> <li>• Flood hazard areas</li> <li>• Landslide hazard areas</li> <li>• Storm tide inundation areas</li> </ul> Erosion prone areas	<i>Not Applicable</i> The site is not prone to natural risks, yet a response to the flood overlay has been provided.
Strategic airports and aviation facilities	<i>Not applicable</i> The subject site is not affected by the aviation infrastructure mapping.

The proposal complies with the relevant parts of the SPP and a search of the SPP online mapping reveals there are no triggers for referral of the application.

#### 4.5 Decision making Rules

Section 60 of the Act is relevant to the assessment of the proposal and states the following:

*“(3) To the extent the application involves development that requires impact assessment, and subject to section 62, the assessment manager, after carrying out the assessment, must decide —*

- (a) to approve all or part of the application; and*
- (b) to approve all or part of the application, but impose development conditions; and*
- (c) to refuse the application.”*

## 5 Townsville City Council Planning Scheme

### 5.1 Planning Assessment

This section of the report provides an assessment of the proposed development against the City Plan. A further detailed assessment is provided at **Appendix 7**.

It is noted that the site is affected by certain overlays- primarily low flood risk, and airport closeness. Assessment against those overlay codes is provided in **Appendix 7**.

Given the impact assessable nature of the use, the following City Plan section/ codes are considered relevant to the assessment of this proposal:

1. Strategic Framework
2. Rural Residential Zone Code
3. Healthy Waters Code.
4. Landscape Code.
5. Traffic Impact, Parking and Access Code.
6. Works Code;
7. Airport Environs Overlay Code; and
8. Flood Hazard Overlay Code.

### 5.2 Strategic Framework

The City Plan incorporates a strategic framework, which sets the policy direction and basis for ensuring appropriate development occurs within the planning scheme area.

The strategic framework is represented by the following four themes:

1. *Shaping Townsville;*
2. *Strong and connected community;*
3. *Environmentally sustainable future; and*
4. *Sustaining growth.*

The strategic framework provides for each of the above four themes. Given the proposed development is impact assessable, it is nominated for assessment against the Strategic Framework.

#### Response

##### 1. *Shaping Townsville*

The proposed development is consistent with the strategic outcomes for Shaping Townsville by:

- contributing an essential service for the local community that blends with the surrounding urban form and will assist in providing for great lifestyles; and
- integrating with the character of the local area by providing a built form that complements the locality (particularly through landscaping).

##### 2. *Strong and Connected Community*

The proposed development is consistent with the strategic outcomes for Strong and Connected Community by:

- providing a development that is well designed, consistent with the surrounding natural landscaping and contributes to a feeling of safety; and
- not adversely impacting on the amenity or the intended built form of the surrounding area.

### 3. *Environmentally Sustainable Future*

The proposed development is consistent with the strategic outcomes for Environmentally Sustainable Future by:

- ensuring the preservation of Townsville's important environmental and natural assets. No natural assets will be compromised. It is not foreseen that the development will negatively impact the environment;
- providing a development that has minimal impact on the natural environment; and
- providing a development that has minimal risk to people, life or property as a result of natural hazards.

### 4. *Sustainable Economic Growth*

The proposed development is consistent with the strategic outcomes for Sustainable Economic Growth by:

- providing a development that will make a positive contribution to the local community by providing an essential service; and
- establishing a development that maintains and enhances Townsville's image.

## 5.3 Zoning

### Rural Residential Zone

The site is located within the Rural Residential Zone. The purpose of this zone code is stated in Part 6.2.4 of the code:

#### 6.2.4.2. *Purpose:*

- 1) *The purpose of the Rural residential zone code is to provide for residential development on large lots where the intensity of residential development is dispersed.*
- 2) *The particular purpose of the code is to:*
  - a) *provide for semi-rural lifestyles in which the primary use is dwelling houses on large lots which may have limited access to infrastructure and services;*
  - b) *provide for some subordinate, and generally domestic scale, rural activities and home based business to occur;*
  - c) *ensure development maintains the character and amenity of the rural residential locality; and*
  - d) *ensure any intensification of impacts on nearby ecological values or natural resources is avoided.*
- 3) *The purpose of the zone will be achieved through the following overall outcomes:*
  - a) *residential development occurs in the form of dwelling houses, to the general exclusion of other more intensive residential uses;*
  - b) *reconfiguration creates large lots which support a semi-rural lifestyle and avoid intensification of impacts on on-site and on nearby ecological values, natural resources or rural activities;*
  - c) *lot sizes are sufficient to ensure the protection of environmental values and water quality objectives;*



- d) *further expansion of existing rural residential areas does not occur beyond those areas zoned for this purpose;*
- e) *home businesses occur to an extent that does not unduly diminish the semi-rural residential amenity, having regard to noise, odour, dust, traffic and other impacts;*
- f) *roadside stalls and other sales of produce produced on the site are of a limited scale that is consistent with the semi-rural lifestyle;*
- g) *non-residential uses occur within the zone where they primarily support the day-to-day needs of the immediate residential community and do not unreasonably detract from the residential amenity of the area;*
- h) *development is buffered from nearby rural land such that the productive use of the rural land is not constrained;*
- i) *residential development is protected from the impacts of nearby industrial activities, transport corridors and infrastructure installations and major facilities such as Department of Defence landholdings;*
- j) *the natural bushland setting and village character of Balgal Beach and the Magnetic Island townships are maintained. Tourism accommodation in these communities is of a house compatible scale; and*
- k) *development does not diminish water quality and does not intensify impacts on other environmental values including remaining areas of ecological significance within the zone.*

### **Response**

The applicant has provided a full assessment against the benchmarks in **Appendix 7** where it is evidenced that the proposal complies with each relevant benchmark. In particular the proposal is consistent with the purpose of the Rural Residential Zone in that:

- the proposed development will provide an essential service to the community, increasing access to childcare and local job creation; and
- the proposed development will be of a high standard built form with sufficient landscaping to ensure surrounding residential amenity is maintained.

### **5.4 Healthy Waters Code**

The proposed development is nominated for assessment against the Healthy Waters Code.

- 1) *The purpose of this code is to ensure development manages stormwater and wastewater as part of the integrated total water cycle and in ways that help protect the environmental values specified in the Environmental Protection (Water) Policy 2009.*
- 2) *The purpose of the code will be achieved through the following overall outcomes:*
  - a) *environmental values of receiving water are protected from adverse development impacts arising from altered stormwater quality and altered stormwater flow;*
  - b) *environmental values of receiving water are protected from waste water impacts;*
  - c) *environmental values of receiving water are protected from development impacts arising from the creation or expansion of non-tidal artificial waterways such as urban lakes;*
  - d) *potential adverse impacts on the natural and built environment, including infrastructure and human health as a result of acid sulphate soils are avoided;*
  - e) *public health and safety are protected and damage or nuisance caused by stormwater is avoided;*
  - f) *stormwater is designed to maintain or recreate natural hydrological processes and minimise run-off;*
  - g) *whole of lifecycle costs of infrastructure are minimised; and*
  - h) *well-designed developments are responsive to receiving water quality.*

### **Response**

The proposal is considered consistent with the purpose and overall outcomes of the Healthy Waters Code, given the development's design will incorporate an appropriate stormwater and wastewater system, which will be detailed at the operational works stage in consultation with Council.

### **5.5 Landscape Code**

The proposed development is nominated for assessment against the provisions of the Landscape Code.

- 1) *The purpose of the Landscape Code is to ensure landscaping in both the private and public domains is designed and constructed to a high standard, provides a strong contribution to the city image, is responsive to the local character, site and climatic conditions and remains fit for purpose over the long-term.*
  
- 2) *The purpose of the code will be achieved by the following overall outcomes:*
  - a) *a high-quality streetscape and on-site landscape enhances the character of the city;*
  - b) *landscape design is used to integrate the natural and built form elements of the site and the locality;*
  - c) *landscape elements create a legible and attractive street frontage, and enhance the continuity of the streetscape;*
  - d) *significant on-site vegetation is retained, protected and integrated into the site design wherever practicable.*

### **Response**

The proposal is considered consistent with the purpose and overall outcomes of the Landscape Code, particularly noting that:

- the proposed development includes landscape treatments which contribute to the amenity of the surrounding area and integrates with the street frontages; and
- the development can be conditioned to provide extensive and visually screening landscaping. This can be detailed at the operational works stage.

### **5.6 Transport Impact, Access and Parking Code**

The proposed development is nominated for assessment against the provisions of the Transport Impact, Access and Parking Code.

- 1) *The purpose of this code is to ensure appropriate provision for transport and end of trip facilities, and to facilitate, as far as practicable, an environmentally sustainable transport network.*
  - a) *The purpose of the code will be achieved through the following overall outcomes:*
  - b) *the function, safety and efficiency of the transport network are optimised;*
  - c) *pedestrians (including people with a disability) and cyclists are provided with a high level of accessibility, safety, amenity and convenience within a development site and on-site facilities are integrated with external walking and cyclist networks and public transport nodes;*
  - d) *the use of public transport is facilitated wherever appropriate;*
  - e) *access, parking, servicing and associated manoeuvring areas are designed to be safe, functional and meet the reasonable demands generated by the development;*
  - f) *access, parking, servicing and associated manoeuvring areas do not detract from streetscape character, and are designed to discourage crime and antisocial behaviour; and*
  - g) *adverse impacts on the environment and the amenity of the locality are avoided.*

### **Response**

The proposal is considered consistent with the purpose and overall outcomes of the Transport Impact, Access and Parking Code, particularly noting that:

- the development application is supported by a Traffic Impact Assessment (refer to **Appendix 4**) that demonstrates the proposal is functional, safe and efficient with respect to the local transport network;
- the proposed development provides car parking that meets the minimum requirements prescribed by the City Plan and the expected traffic generated by the proposed development;
- the proposed car parking arrangements can be coordinated in a manner that ensures clients and staff can efficiently manoeuvre to, from and within the subject site; and
- the proposed development integrates with the public transport network.

Given the above, no detailed assessment has been provided against the Transport Impact, Access and Parking Code. The design is appropriate for the intended use.

### **5.7 Works Code**

The proposed development is nominated for assessment against the Works Code.

- 1) *The purpose of this code is to ensure development is provided with a level of infrastructure which maintains or enhances community health, safety and amenity and which avoids or minimises impacts on the natural environment.*
- 2) *The purpose of the code will be achieved through the following overall outcomes:*
  - a) *premises are provided with a level of service which is appropriate to the intended character and function of the zone;*
  - b) *risk to life and property is avoided;*
  - c) *development does not detract from environmental values, including the quality of receiving waters;*
  - d) *development does not detract from the desired character and amenity of the locality;*
  - e) *the integrity and quality of existing infrastructure is maintained;*
  - f) *access, parking, streets and pedestrian and cycle paths are provided to standards that ensure safe, convenient and efficient operation of movement networks;*
  - g) *development facilitates an efficient provision of infrastructure and use of resources; and*
  - h) *whole of life cycle costs for infrastructure are minimised.*

### **Response**

The proposed development is considered consistent with the purpose and overall outcomes of the Works Code, noting that:

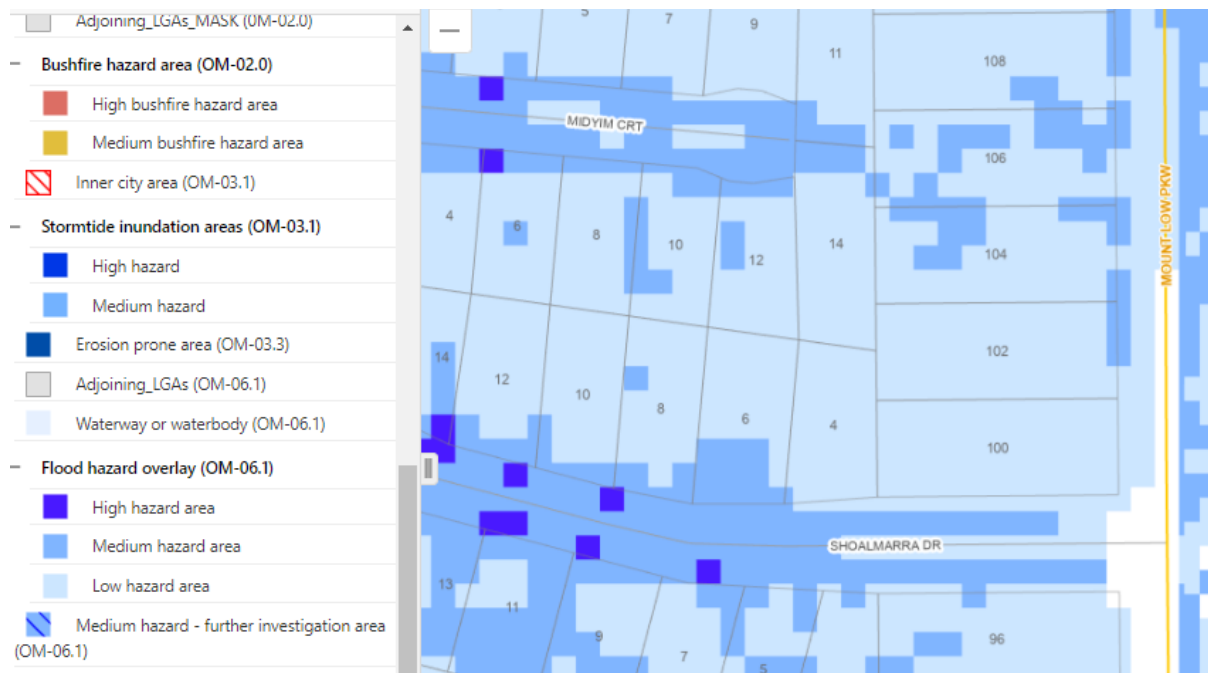
- the Lot can be effectively and efficiently connected to essential infrastructure services. A plan for sewer connection to the adjacent property (approved by the neighbouring owner) can be finalised with Council input at the Operational Works application stage; and
- the use is not demanding in terms of consumption of utility services. The development does not impact on surrounding environmental values which can be maintained.

Given the above, no detailed assessment has been provided against the Works Code.

### 5.8 Flood Hazard Overlay Code

Areas of the subject land are impacted by low and medium hazard mapping (see below extract from TownsvilleMAPS mapping service).

The applicant is advised that the development is unlikely to create significant impact on the existing network or flood conditions, and apart from a sufficient stormwater system, no further mitigation measures are necessary.



On this basis, it is not considered that the proposed development will result in an increased risk to people or property from flood hazard. A brief assessment against the Flood Hazard Overlay Code is provided in **Appendix 7**.

## 6 Other Relevant Matters

Other relevant matters to support the approval of the development application, include (but not limited to) the following:

- The proposed development will meet existing unmet demand for child care.
- The proposal is an appropriate use of the land.
- There are no other suitably zoned sites in the vicinity of the site for the intended use.
- The development is highly visible and accessible and well positioned on established vehicle routes.
- The proposed development will ensure the efficient use of land and infrastructure.
- Appropriate use of a 'gateway site' to a residential area.

Mount Low is a growing northern suburb of Townsville which is appealing to a younger demographic. Significantly the socio-economic and socio-demographic profile of the locality indicates a significantly higher proportion of children aged 0-4 years. Given the land supply availability in this sector of Townsville, this trend is expected to continue.

This will be the second childcare centre servicing the catchment and it is expected the population growth may attract further centres in the future.

## 7 Public Notification

This development application requires public notification which will be conducted following the information request phase of assessment and in accordance with all requirements of the *Development Assessment Rules*.

It should be noted that the applicant has already consulted the neighbouring owner at 102 Mount Low Parkway, who does not object to the development.

## 8 Conclusions & Recommendations

The applicant is seeking approval for Material Change of Use – Development Permit for Childcare Centre at 100 Mount Low Parkway, Mount Low.

The proposed use, given that it is needed and will provide an essential service to the local community, can be considered not inconsistent with the Strategic Framework and relevant zoning of the City Plan.

The supporting documents which are annexed to this report are requested to be endorsed by TCC and referenced in a Development Permit, thereby endorsing the recommendations in those reports to ensure compliance.

It has been demonstrated that the proposal can comply (or be conditioned to comply) with the relevant assessment benchmarks and the intent of the City Plan. The proposal is also consistent with the relevant State planning instruments.

Based on the merits of this application and supporting material, it is requested that the application be approved, subject to reasonable and relevant conditions.

As an Assessment Manager under the *Planning Act*, TCC is responsible to advance the purpose of the *Planning Act* and this is best done by facilitating approval of compliant applications in the fastest possible timeframes.

Should you wish to discuss any of the issues raised in this application, please do not hesitate to contact our office on 3254 2200.

### ***Planning Manager***

**ML Parkway Pty Ltd**

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### ***Attachments:***

- 1) Appendix 1- DA Form 1 & Land Owner's Consent
- 2) Appendix 2- Proposal Plans by Elia Architects
- 3) Appendix 3- Landscape Intent statement
- 4) Appendix 4- Traffic Impact Assessment
- 5) Appendix 5- Acoustic Impact Assessment
- 6) Appendix 6- Sewer servicing option and neighbour consent
- 7) Appendix 7- Code assessment tables
- 8) Appendix 8- Title Search and Plan
- 9) Appendix 9 – NCE Civil Engineering report
- 10) Appendix 10 – Economic Needs Assessment