

## Aged care facility development gets go ahead in Red Hill after four-year fight

The Canberra Times 9 January 2017 Alexandra Back

Baptist Care Australia has got the green-light to redevelop its aged care facility in Red Hill, ending a four-year battle with neighbours.

The original application was lodged with ACT planning in 2010, and was twice rejected before [Baptist Care took it to the ACT tribunal](#).

The case travelled to the ACT Supreme Court, before ending back at the tribunal, which said last month the plans could go ahead - albeit with some changes made in the intervening period.

The 22,600 square metre block is on Hicks Street, and shares a border with St Bede's Primary School. It was developed in the 1960s as Morling Lodge, an aged care site with 18 independent living units and a nursing home for 105 residents.

Baptist Care has since built a nursing home in nearby Griffith. It had planned to turn the Hicks Street site into an aged care village with 114 independent living units, and has moved out all the occupants.

But the residents who opposed the plans, a group of five neighbours surrounding the block, had complaints about the scale and density of the development, as well as impact on parking and traffic.

"It was almost like they were creating a mini-village in the middle of a suburb," Red Hill Residents Group chairwoman Melissa Bennett said of the original plans lodged in 2010. "They were talking about making it so you didn't have to go anywhere out of this village."

Ms Bennett has indicated an end to the protracted legal battle with the latest decision, but said the residents were counting some wins.

"You also need to take what you can get. We need to acknowledge that there have been reductions and there have been considerable conditions placed on it as well," Ms Bennett said.

The redevelopment has shrunk to 100 independent living units - a number still higher than the 70 units the neighbours were arguing for.

A planned, third-floor attic living area will no longer be built on the units, the fences will be built higher than currently planned, and safety around the driveway has been improved.

Of concern, said Ms Bennett, was the lack of community consultation leading up to the development. She said consultation was poor, and the religious group did not approach the adjoining school.

She also expressed concern around the process of challenging the development. While the group gratefully accepted help both from a pro-bono lawyer and the tribunal itself, she said the tribunal hearings, a place where the community expected to express its concerns in the absence of consultation, became bogged down in complex legal arguments around the territory plan.

"[People] need to be able to voice their opinions without coming up with 17 dot points, as to how the complexity of the territory plan is miffed by this development," she said.

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Alan Nelson, from Nelson & Co, the solicitor for Baptist Care, said it was a pity the plans had been delayed for so long by a "NIMBY" approach to the development. He also acknowledged a shortage of this kind of accommodation in the community.

"It's abandoned, it's vacant, it's just a skeleton, there's nobody living in it, it's a waste of space, basically has been for the last 12 months.

"What's going to be built is a high-class development, and it should fit in very well with the rest of Red Hill," Mr Nelson said, adding that the facility would be landscaped with basement car parking.

He said the decision this month was likely the end of the matter.

"The resident neighbours can appeal ... but I think the ACT tribunal has wrapped it up pretty tightly in [its 82-page decision](#)."