

DEVELOPMENT NO.:	23012997
APPLICANT:	Peter Meline
ADDRESS:	91 BRIGHTON RD GLENELG SOUTH SA 5045
NATURE OF DEVELOPMENT:	Change of use from shop to consulting room
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Employment <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Building Near Airfields • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	7 Jun 2023
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	2023.6
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

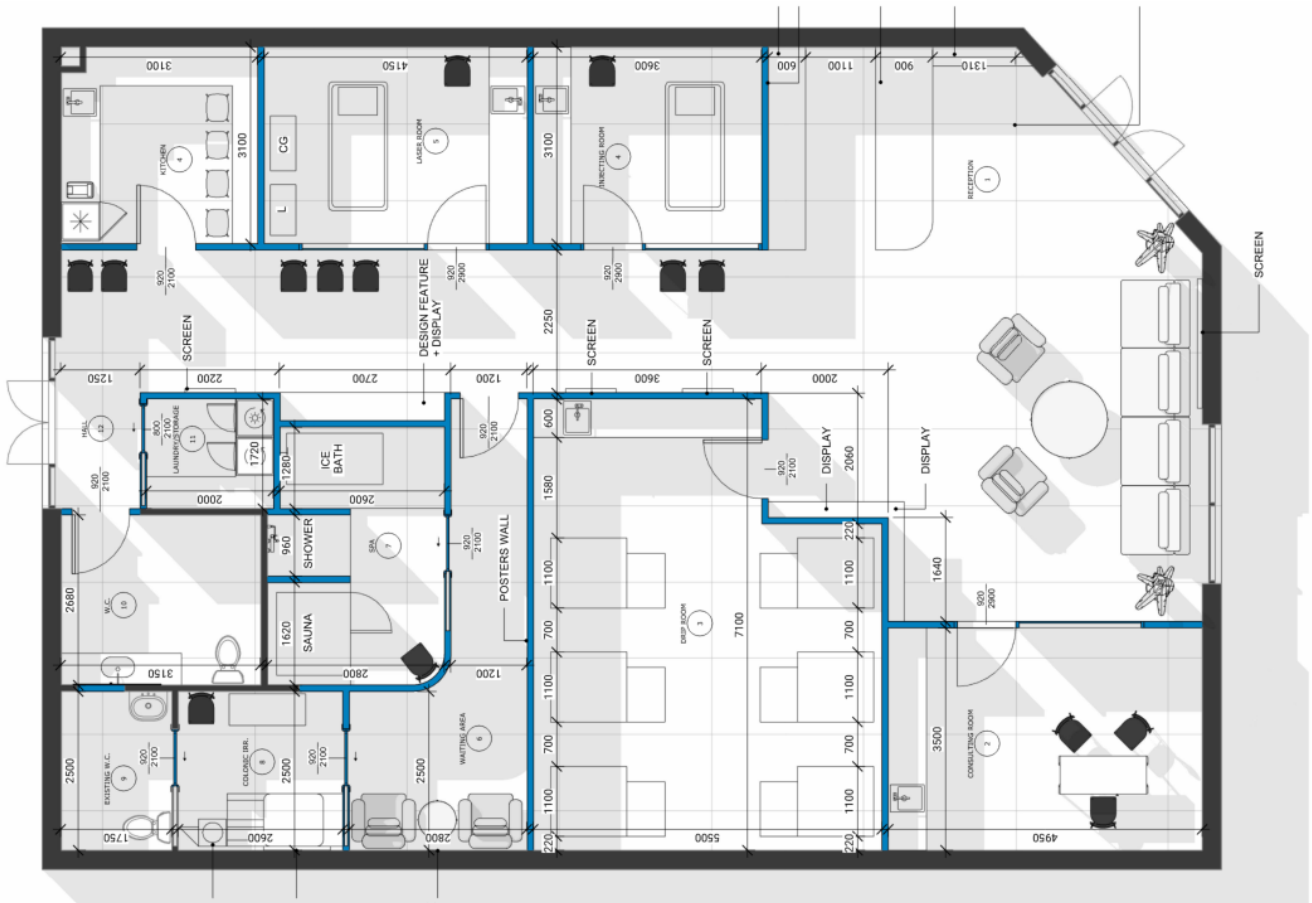
CONTENTS:

APPENDIX 1: Relevant P&D Code Policies

ATTACHMENT 1: Application Documents

DETAILED DESCRIPTION OF PROPOSAL:

The proposal comprises a change in use of land from a shop to a consulting room. The site contains an existing single storey building located on the Brighton Road boundary, with 11 existing on-site car parking spaces at the rear. Visually, the proposal is as per existing, albeit changes to the content of existing advertising displays. The floor plan reflects 4 rooms that would be used to support the land use.



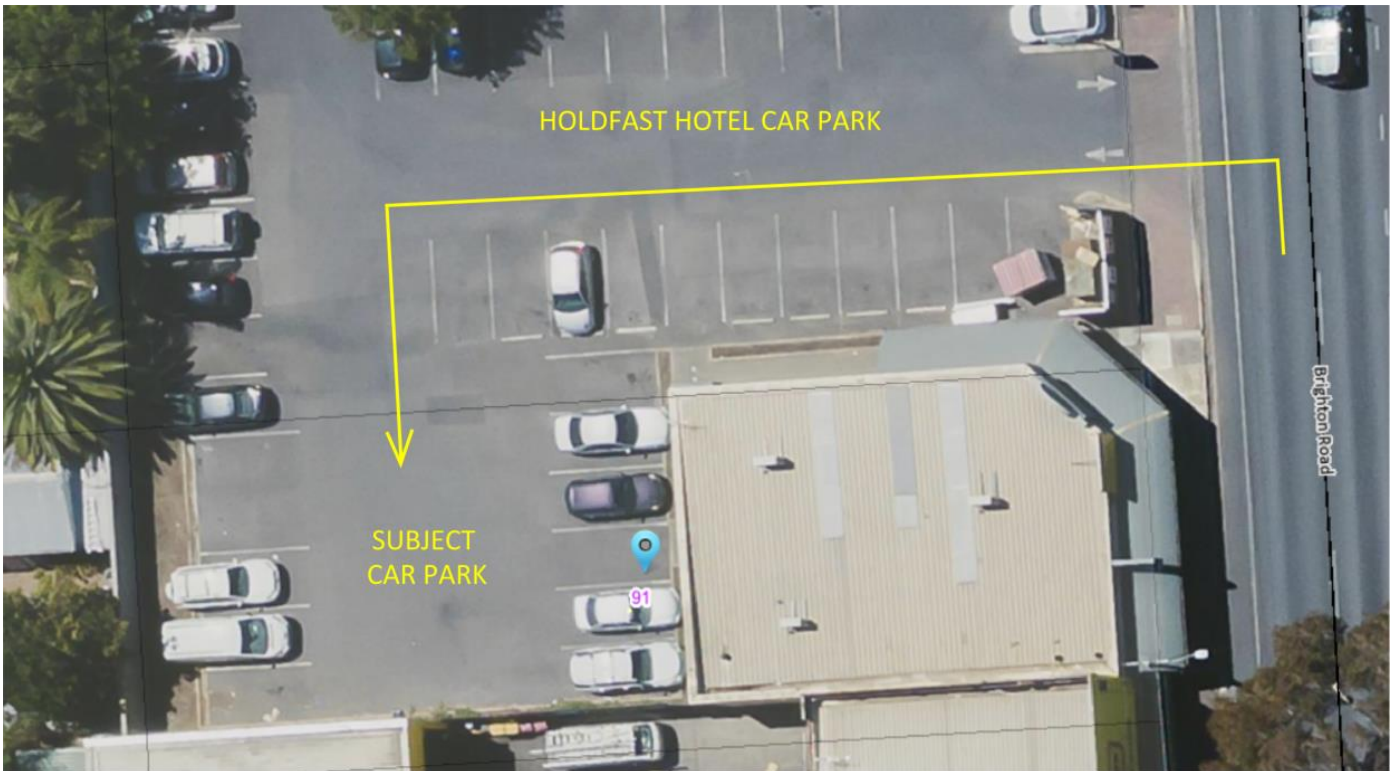
SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 91 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 6134/392 **Plan Parcel:** F15385 AL129 **Council:** CITY OF HOLDFAST BAY

The subject site is located on the western side of Brighton Road, has a frontage of 15 metres and a length of 44 metres and contains a building at the front and car parking at the rear. The site is flat and has vehicle access to Brighton Road via the car park of the northern adjacent pub (Holdfast Hotel) via a longstanding right of way.



The existing building is single storey, has a parapet roof containing signs, a bullnose verandah over the footpath and concrete walls.



Locality

The locality is defined as an interface between residential to the west and commercial along Brighton Road Employment Zone). The residential to the west comprises the Established Neighbourhood Zone, New Glenelg Historic Area. There are various types of land uses within the immediate vicinity, including a pub, petrol station, auto mechanic, car yard, offices, consulting rooms, shops and a primary school.



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Change of use: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

REASON

change in use to consulting room where the site is adjacent to a site used for residential purposes in a neighbourhood type zone

LIST OF REPRESENTATIONS

NIL

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Land Use

The Employment Zone anticipates a diverse range of low-impact industrial uses, commercial and business activities that complement the role of other Zones accommodating more significant operations (Zone, Desired Outcome 1).

The Zone, Performance Outcome 1.1 envisages a range of employment generating business that services the local community that does not produce emissions which would detrimentally impact the local amenity.

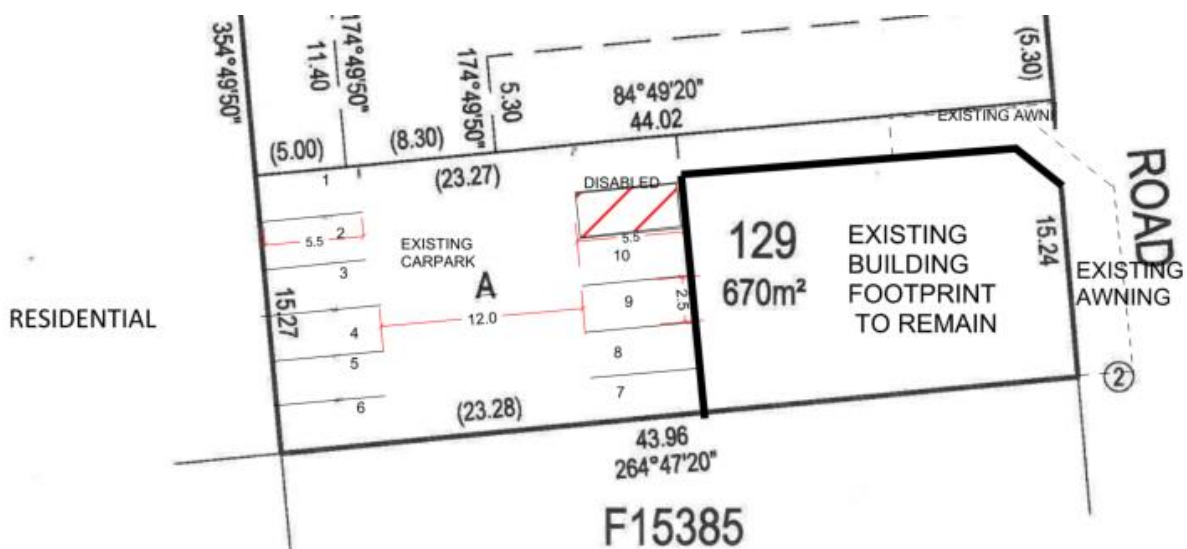
A consulting room is a kind of land use that is suitable for this site and locality given its direct frontage to Brighton Road, existing car parking and proximity to nearby residential which may include some of the future clientele.

Interface with Residential

Where a non-residential development is located adjacent to residential, Desired Outcome 1 seeks to ensure that the proposed use does not adversely impact the amenity of neighbouring residences. A consulting room is commonly referred to as a *soft* land use in that it is like residential in terms of the level of neighbourhood amenity. A consulting room does not generate any noise, site activities or traffic movement that would be inconsistent with that found in residential settings.

Performance Outcome 2.1 states that the hours of operation should be such that mitigates off-site impacts, is reflective of what is reasonable in the context of the setting and consistent with the reasonable use of the land. The applicant has proposed operating hours of 9am to 5pm Monday to Saturdays and 9am to 9pm on Thursdays, which is within the hours referenced in the Designated Performance Feature 2.1, comprising hours in the range of 7am to 9pm Monday to Fridays and 8am to 5pm Saturdays.

Site plan referencing location of site relative to residential to the immediate west



Car parking space adjacent to residential to the west of the site



Transport, Access and Parking

The proposal makes use of an existing building, vehicle access and car parking, therefore the current arrangement with respect to vehicle access and manoeuvring is unchanged and considered satisfactory.

Performance Outcome 5.1 states that vehicle parking rates should be achieved via sufficient on-site vehicle parking designed to meet the needs of the land use, having regard to factors that may support reduced on-site parking such as the availability of street parking and shared use with other parking areas.

Table 1 - General Off-Street Car Parking Requirements requires a minimum of 4 spaces per consulting room, excluding any ancillary facilities.

The proposed land use contains 4 consulting rooms, therefore it is anticipated that a minimum of 16 car parking spaces are provided. The existing car parking located at the rear of the site contains 11 on-site spaces, which reflects a shortfall of 5 spaces.

The applicant has referenced that there will be not more than 3 staff on-site at any one time. Based on the assumption that each client at any one time would arrive in a vehicle, and as there are 4 consulting rooms, there would typically be at least 7 people on site at any given time using the rooms. Taking into consideration appointment schedules, and the likelihood of client arrivals overlapping via waiting for appointments, it could be assumed that at least 4 additional persons would be present at any given time.

A total of 11 persons would typically be on site at any given time, which is consistent with the 11 on-site car parking spaces provided. It is considered that the amount of spaces provided as part of this proposal is reasonable for the intended land use.

Car parking at rear of site



CONCLUSION

The subject site has a long-standing history of non-residential land use, as anticipated by its setting in a zone that accommodates commercial uses. The proposed land use is similar to the previous uses found on the site (which were in the form of shops of varying kinds), in that the non-residential uses were at the lower scale in terms of impact to the amenity of adjacent residential.

The proposed land use is specifically anticipated by the Zone and considered to reflect a low impact development that will not adversely impact on the subject site or adjacent properties, highlighted by the fact that the proposal was subject to public notification however did not receive any representations.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23012997, by Peter Meline is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. That the development herein approved shall operate between the hours of 9am to 5pm Monday to Saturday and 9am to 9pm Thursdays inclusive unless written approval to vary the times is given by council.

OFFICER MAKING RECOMMENDATION

Name: Dean Spasic

Title: Development Officer - Planning,

Date: 28/08/2023