

DEVELOPMENT NO.:	21019432
APPLICANT:	Paul Rose Iain McQuin
ADDRESS:	230 BRIGHTON RD SOMERTON PARK SA 5044
NATURE OF DEVELOPMENT:	Change in land use to indoor recreation centre
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 • Future Road Widening • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development
LODGEMENT DATE:	22 Jul 2021
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	01 July 2021 2021.8
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
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DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the change in use from a shop and service industry to an indoor recreation centre, or more specifically, a 'fitness studio'. No external building work is sought, simply internal alterations to the existing building.

SUBJECT LAND & LOCALITY:

Site Description:

The site comprises a pair of rectangular shaped allotments, joined together, and accommodating an L-shaped two storey building with provision for car parking on the north-western corner of the site, adjacent to Brighton Road.



Location reference: 230 BRIGHTON RD SOMERTON PARK SA 5044

Title ref.: CT 5797/587

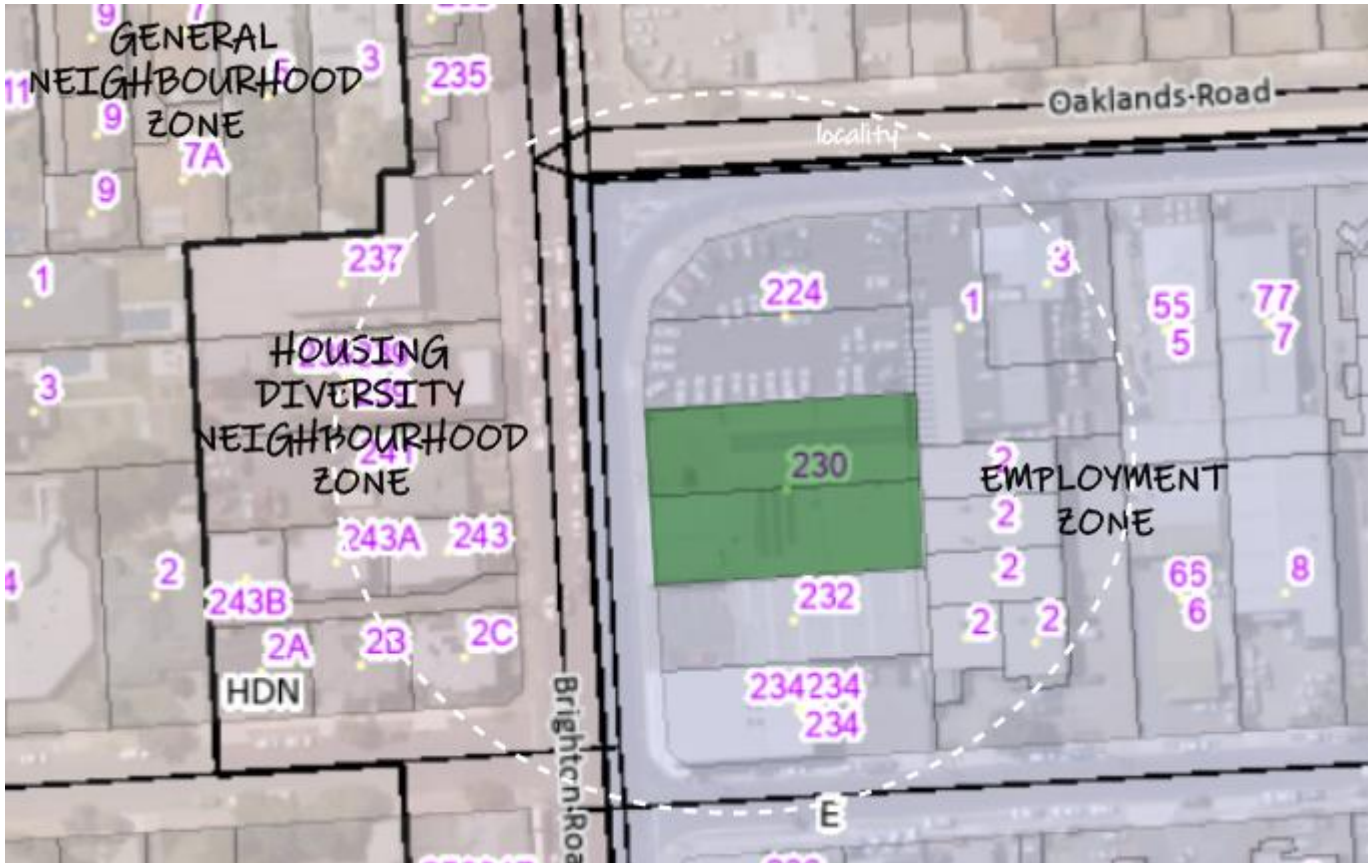
Plan Parcel: F9505 AL503

Council: CITY OF HOLDFAST BAY

Location reference: 230 BRIGHTON RD SOMERTON PARK SA 5044

Locality

The locality, for the purpose of this assessment is defined as within a 60 metre radius of the subject site, which is in-line with the extent of the public notification area. The locality comprises a mix of land uses including service trade premises to the north and south of the site, a shop and consulting room further south, automotive collision repairs and light industry to the east. On the western side of Brighton Road is predominately residential and shops.



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 - Indoor recreation facility: Code Assessed - Performance Assessed
 - Internal building work: Code Assessed - Performance Assessed
 - Internal fitout: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
 - Code Assessed - Performance Assessed
- **REASON**
 - P&D Code

PUBLIC NOTIFICATION

- **REASON**
 - Design Code - adjacent to residential based zone

- **LIST OF REPRESENTATIONS**

No representations received

AGENCY REFERRALS

A referral to the Commissioner of Highways was not required. The nature of the vehicle access is not affected by this development.

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 Desired Outcome references a diverse range of low impact business activities. Indoor recreation centres are specifically listed as the kind of land use envisaged in the Zone.

The subject site is considered to be a sufficient distance from adjacent residential land uses so as to ensure there are no adverse impacts such as noise or parking. The activities undertaken are not considered to generate any appreciable noise that would be audible from outside the building.

Traffic Impact, Access and Parking

The subject site contains 11 existing on-site car parking spaces.

A Fitness Centre generates 6.5 spaces per 100 square metres of total floor area, according to the Design Code. The total floor area is 895 square metres would create a demand for 58 on-site car parking spaces.

This equates to an increase in demand by 29 spaces in comparison to the existing land uses.

The shortfall in car parking spaces against the Design Code requirement was investigated by Consultant Traffic Engineer, Phil Weaver, who determined the shortfall is reasonable in the context of the proposed development for the following reasons:

- The proposal seeks to limit the capacity to 30 persons, which would be the equivalent to the previous car parking requirement;
- Previous analysis for other fitness centres reveal that at least 20 percent of members would either travel together by car, or use alternative modes of transport (public, walking, cycling);
- Peak car parking demands are calculated to be no more than 24 spaces, thus notably less than the 59 spaces required by the Design Code.

CONCLUSION

The proposed land use is considered to be suitable for the Zone and will provide a conveniently located fitness facility for nearby residences, who may walk or cycle given its close proximity.

The Consultant Traffic Engineer has provided a sound justification to the car parking shortfall, based on observations and considerations by a suitably qualified person, therefore the shortfall, although numerically is large, is considered reasonable in the context of the development site and findings of Phil Weaver.

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 21019432, by Paul Rose and Iain McQuin is granted Planning Consent subject to the following conditions

CONDITIONS

Planning Consent

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 5am to 10pm on weekdays and 7am to 11pm on weekends unless written approval to vary the times is given by council.

ADVISORY NOTES

General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

OFFICER MAKING RECOMMENDATION

Name: Dean Spasic

Title: Development Officer - Planning,

Date: 08/10/2021