

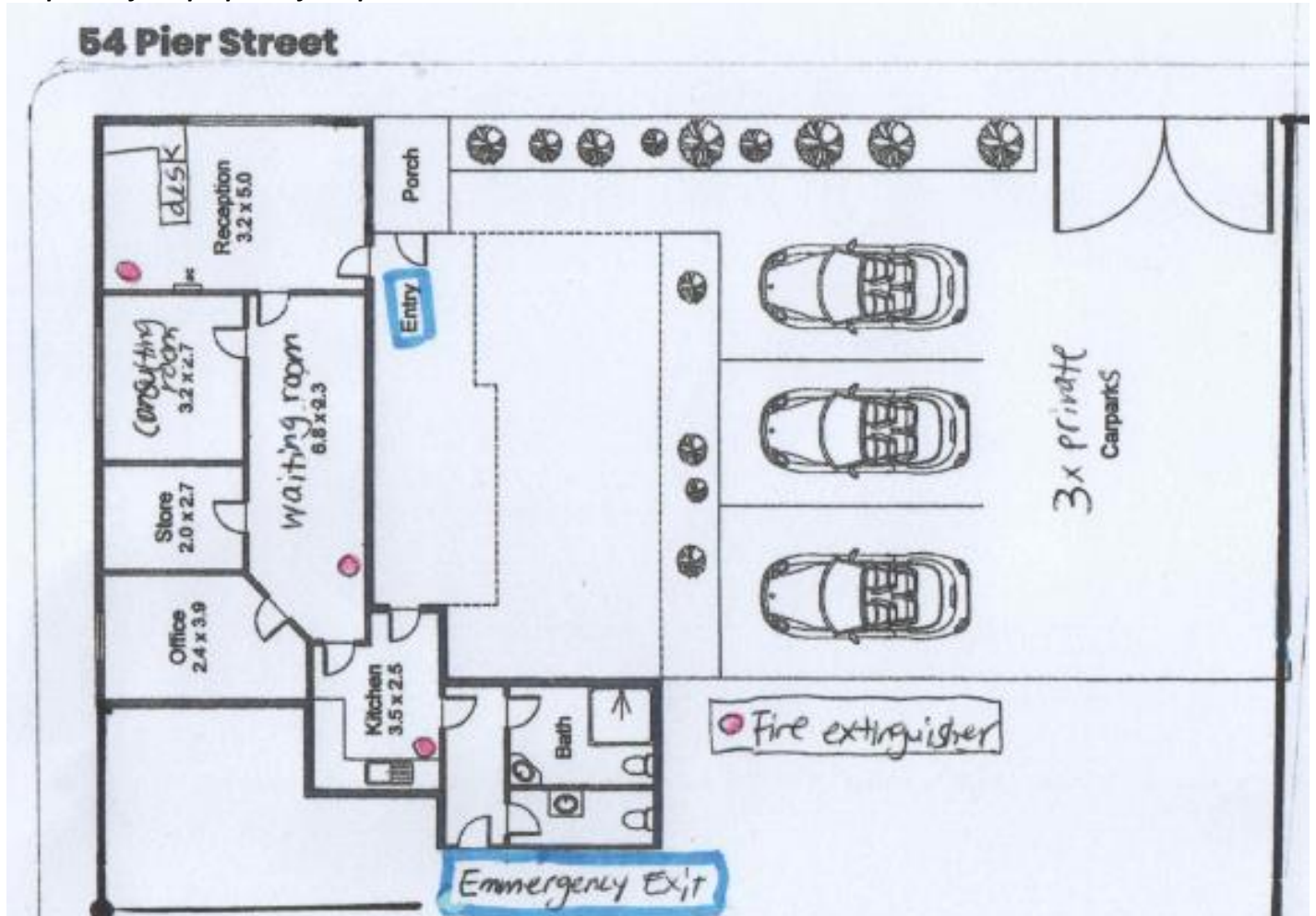
DEVELOPMENT NO.:	21017514
APPLICANT:	Ayumi Sato
ADDRESS:	54 PIER ST GLENELG SOUTH SA 5045
NATURE OF DEVELOPMENT:	Change in use of land from office to consulting room
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Employment <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Building Near Airfields • Hazards (Flooding - General) • 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)
LODGEMENT DATE:	7 Jul 2021
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	29 July 2021 2021.10
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer – Planning
REFERRALS STATUTORY:	No
REFERRALS NON-STATUTORY:	No

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies
ATTACHMENT 1:	Application Documents
ATTACHMENT 2:	Representations
ATTACHMENT 3:	Applicant's reply to representations

DETAILED DESCRIPTION OF PROPOSAL:

The proposed development seeks to change the use of land from an office to a consulting room. The floor plan details a single consulting room with ancillary reception, waiting, storage, office and amenities.

Snapshot of the proposed floor plan**SUBJECT LAND & LOCALITY:****Site Description:**

Location reference: 54 PIER ST GLENELG SOUTH SA 5045

Title ref.: CT 5874/33 **Plan Parcel:** C21157 FL1 **Council:** CITY OF HOLDFAST BAY

The subject land is on the south-eastern corner of Pier and Penzance streets. It is an 'L' shaped allotment with the existing building on the western part of the site and car parking area on the eastern side of the site (both facing Pier Street).

The immediate surrounding locality (ie. within a radius of 60 metres) comprises predominately residential land use, however there is also the Holdfast Hotel and a shop to the east and offices to the north/north-east.

Highlighted in pink below is the existing building and car parking area adjacent to Pier Street



Aerial Photo of the subject locality (60m radius)



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**
Adjacent to General Neighbourhood Zone

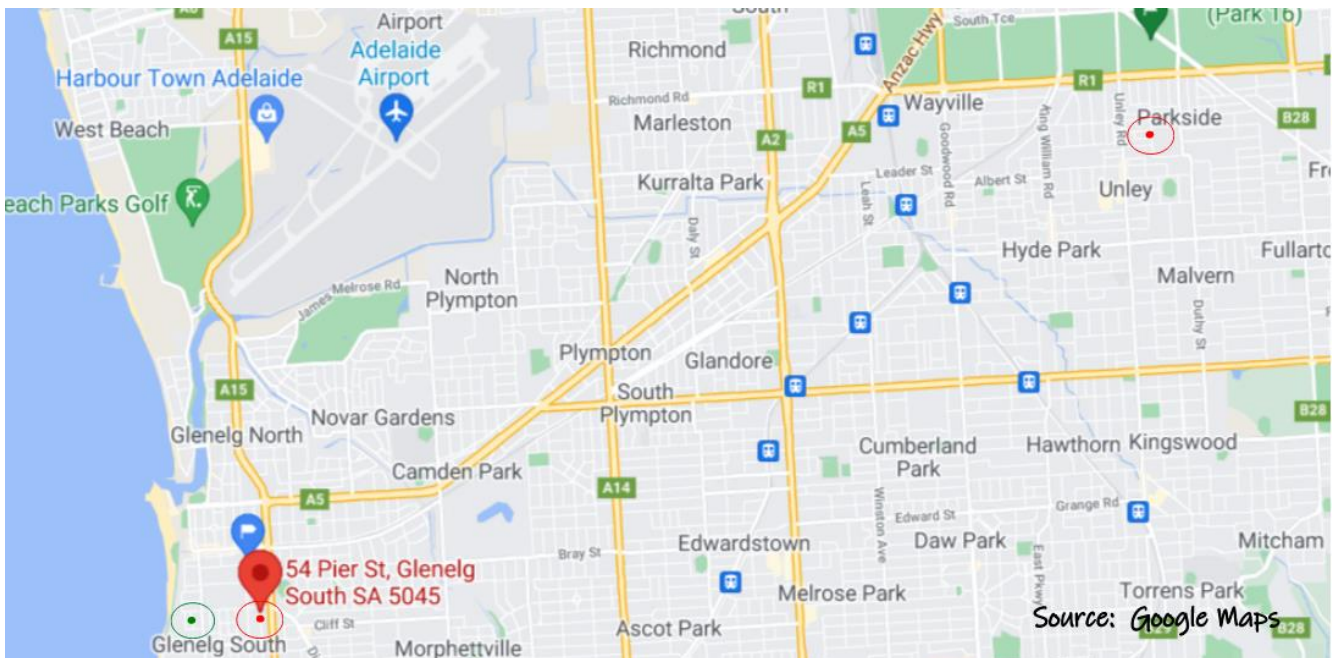
LIST OF REPRESENTATIONS

- Martin Winston of 27 Porter Street, Parkside (support with concerns pertaining to car parking and traffic)
- Taryn Thompson of 42 Penzance Street, Glenelg South (support with concerns pertaining to car parking)
- Desmond DeCean of 8 Glouster Street, Glenelg South (in support of proposal)

None of the Representer’s wish to be heard. Only two concerns were raised, which relate to the opinion that there is insufficient on-street car parking in the locality to support the proposed use and that the proposed use will generate increased levels of traffic.

On considering these concerns, the proposal accommodates 3 on-site spaces with the balance of only 1 consulting room, with sufficient availability of nearby on-street parking on the occasion that this may be required. The nature of the car parking is such that visitor/patient parking is of a short period (ie. The land use operates via appointments). It is considered that traffic flows would be comparable to the existing office. In the case of any traffic increase, it would be negligible.

Map demonstrating location of representors relative to subject site



SUMMARY

The applicant submitted a reply to representations highlighting the fact the proposal consists of only 1 consulting room and it is their opinion that the land use should not create any significant increase in car parking or traffic demand further than the existing office.

PLANNING ASSESSMENT

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

Desired Outcome	
DO 1	A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities.

A consulting room is an example of a low-impact business activity.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>A range of employment-generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce emissions that would detrimentally affect local amenity.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Advertisement (b) Consulting room (c) Indoor recreation facility (d) Light industry (e) Motor repair station (f) Office (g) Place of worship (h) Research facility (i) Retail fuel outlet (j) Service trade premises (k) Shop (l) Store (m) Telecommunications facility (n) Training facility (o) Warehouse

A consulting room is specifically listed as a kind of development envisaged in the Employment Zone, and therefore is a suitable in the context of the locality.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature							
Hours of Operation								
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land. 	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Class of Development</th> <th style="text-align: center;">Hours of operation</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Consulting room</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="text-align: center;">Office</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> </tbody> </table>		Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday
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Although the hours of operation have not been specified on the proposal documents, a condition of planning consent is included which reflects the above hours of operation table.

Table 1 – General Off-Street Car Parking Requirements

The following parking rates apply and if located in an area where a lawfully established carparking fund operates, the number of spaces is reduced by an amount equal to the number of spaces offset by contribution to the fund.

Class of Development	Car Parking Rate (unless varied by Table 2 onwards) Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.
Consulting room	4 spaces per consulting room excluding ancillary facilities.

The subject site contains 3 existing on-site car parking spaces, which previously accommodated an office land use. The proposal comprises a single consulting room, therefore generating a demand of 4 on-site car parking spaces, as per the above table. The shortfall of 1 car parking space is considered minor, particularly given that such a land use would typically accommodate 2 long term parking requirements (ie. The consultant and receptionist) with the remaining spaces being short term (ie. The patient and perhaps 1 additional patient in the waiting room.

The use of any on-street spaces would be only over a short period at a time, such as the turnover of patients.

CONCLUSION

The proposal reflects a kind of development envisaged in the Zone, particularly when adjacent to residential properties. The only Design Code shortfall relates to a shortfall of 1 car parking space, however as expressed above, the shortfall is not such that would result in an adverse impact on the subject site or surrounding locality. There are a sufficient number of nearby on-street car parking spaces that would facilitate any periodic increase in car parking demand.

RECOMMENDATION

It is recommended that the Council Assessment Panel/SCAP 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 21017514, by Ayumi Sato is granted Planning Consent subject to the following reasons/conditions/reserved matters:

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 7am to 9pm Monday to Friday and between the hours of 8am and 5pm Saturdays 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).

Planning Consent

To be determined

OFFICER MAKING RECOMMENDATION

Name: Dean Spasic

Title: Development Officer - Planning

Date: 31/08/2021