

02.02.2024

Our Ref: 56940-001-01

Your Ref: MCU23/0013

The Chief Executive Officer
Burdekin Shire Council
PO Box 974
AYR QLD 4870
Attn:

Planning Department

Dear Planners,

Information Request Response

Development Application for Reconfiguring a Lot - Boundary Realignment and
Material Change of Use - Indoor Sport and Recreation (Extension to Existing Gym)
5 Little Drysdale Street and 177 Macmillian Street, Ayr
Lot 5 on RP882395 and Lot 32 on A26516

We act on behalf of the applicant, Tonion Investments Pty Ltd in relation to the
abovementioned Development Application which is currently before Burdekin Shire
Council for assessment.

Reference is made to the Information Request issued by Council, dated 18 August
2023 and received by email on the same day.

In accordance with section 13 of the Development Assessment Rules, we provide
this

written response to Council's Information Request. This correspondence
constitutes

a complete response to Council's Information Request.

With respect to the matters raised in the Information Request, we advise as
follows:

1. Operational Details

Please provide the following details to allow Council to understand the nature
and

scale of the use consulting rooms shown on the proposal plans to facilitate
appropriate

assessment, including but not limited to:

a. Number and frequency of practitioner and other consultants which will be
onsite at any one time to undertake services;

b. Number and frequency of clientele expected to attend the premises onsite at
any one time for the purpose of a consultation;

Response

The area designated as consulting rooms on the design plans are more so to be
utilised as an amenities area for the patrons of the site, not consulting rooms.

The

amenity area will include the provision of massage chairs and other resources
utilised

by patrons onsite.

120 Queen Street, Ayr Q 4807 P 07 4783 5766 braziermotti.com.au

Commercial in Confidence

2. Flood Hazard

Flood Impact Assessment

The site is mapped as being within an area subject to flood hazard (low - medium hazard).

Please provide a Flood Impact Assessment (FIA) report clearly demonstrating the proposed development does not result in a material worsening of flood impacts to nearby properties or Council infrastructure.

The FIA is to address all flood events up to 1% AEP for both riverine and localised

flooding and demonstrate negligible impacts to the existing flood levels.

Similarly, the

FIA should demonstrate that no more than a 10% increase in experienced to the time

of inundation.

Flood Response

Should the facilities be located below the level of defined flood event, A Flood Response

Plan that demonstrates the facilities are relocatable/easily replaced or designed to

avoid causing a risk to public safety in the event of a flood, is to be provided.

Response

While it is acknowledged that the subject land is contained within the Low and Medium Hazard Areas, the proposal constitutes a Material Change of Use for

Indoor

Sport and Recreation (extension of existing gym) and the Reconfiguration of a Lot

(Boundary Realignment) within an established urban area.

The proposed development is for a commercial premises that does not cause risk to

public safety in the event of a flood event. In consideration that the proposal is for

the extension of an existing commercial premises the required for a Flood Impact Assessment is not warranted in this instance.

3. Stormwater

Please provide a Stormwater Management Plan for the site, prepared by a suitably qualified professional for Council's review and approval.

Response

Stormwater from the site will continue to be lawfully discharged to Council's infrastructure within Little Drysdale Street, which can be appropriately conditioned

to do so. The provision of a Stormwater Management Plan is not considered warranted for this minor proposal.

4. Noise

Given the scale of the proposal and the existing level of residential premises within the

vicinity of the development, potential noise impacts arising from the development

must be considered.

Commercial in Confidence

Please provide a noise impact assessment from a suitably qualified professional identifying potential noise impacts arising from the development and what treatments

will be provided to effectively ameliorate these impacts.

Further, please

i.

Provide further details of the 1.8m high screen fence along the property boundary; and

ii.

Clarify if any activities are taking place outside of if all activities are to take place inside enclosed spaces.

Response

The provision of a noise impact assessment is not warranted when considering the proposal is for the expansion of an existing operation. Activities can occur as currently

approved onsite. At present some activities associated with the currently approved

use are undertaken within an open area. The proposal will result in the open of the

premises being enclosed alongside the construction of a second fully enclosed building within the site. The enclosed buildings will be provided with soundproofing

treatments to the wall spaces.

All activities onsite will be undertaken within the enclosed buildings. A solid screen

fence will be provided along the south-western and south-eastern property boundaries.

The proposed development will result in all buildings onsite to be fully enclosed

reducing any potential impacts to adjoining properties. Given that the existing operation has been conditioned to be operated in a manner to mitigate the potential

for noise impacts, it expected that expansion of the operation can be appropriately

conditioned to do so in the same manner.

5. Access, Parking and Traffic

While noting the application states there will be not be an increase in the number of

clients as a result of Stage 2 of the proposed development, officers are of the opinion

that the expansion introduces the potential for more members (existing or otherwise)

to be onsite at any one time.

Please provide a statement/report prepared by a suitably qualified professional that

demonstrates the proposed development will not impact adversely on the efficiency

and safety of the transport network and those who use it, nor adversely impact on the

immediate surrounding area.

Specifically, a parking assessment prepared by a suitably qualified professional addressing all activities/operations associated with the development including, but

not limited to, is to be provided:

i.

Demonstrating that the existing parking in Little Drysdale Street and Macmillian Street is sufficient to meet the requirements during peak times; and

Commercial in Confidence

ii.

On how the development will accommodate for the additional car parks required resulting from the additional floor area introduced in Stage 2.

Response

In reiterating the application material, the increased floor area of the gym does not

seek to increase the intensity of the use, rather provide additional space for user

comfort and operational efficiency. An increase in patron numbers will not occur.

Sufficient parking is available within both Little Drysdale Street and MacMillan Street

for use by patrons of the site. It is noted that accounting for spaces within Little

Drysdale Street (adjacent to the street frontage and those east of the Drysdale/Macmillan roundabout), a total of 78 car parks are provided within 170m of

the site. Directly adjacent to the subject site (all within 40m of the site), 26 spaces

are available.

As detailed in the operational timetable for the premises, included within Figure 1

below, scheduled class are outside of the typical business hours (9am - 5pm).

Class

numbers are limited to 15 persons.

Figure 1: Class Timetable Source: The Shed NQ

Commercial in Confidence

The surrounding commercial area is characterized by businesses offering retail, sales and food and drink outlet. During typical business hours (9am to 5pm), patronage of the gym is not expected to be more than that required of normal businesses within the area, therefore parking during the business day will not place any undue pressure on the existing on-street parking available to the site or surrounding land uses. The peak demand of the use onsite will be between the hours of 5:00am to 7:00am and 5:30pm and 6:30pm, at which point most businesses and their associated patrons are not utilising the on-street parking. This is further reinforced by photographic parking analysis provided by the applicant for various times of the day undertaken between the 15th & 19th of January 2024, included within Attachment A. At all times observed, parking demand did not exceed the capacity of the on-street parking within Little Drysdale Street with parking spaces available at all times noted. As demand on parking will remain as existing, the on-street carparking facilities are more than sufficient to service both the Indoor Sport and Recreation Use and surrounding commercial/retail lots. Supporting Documents
Please see enclosed the following attachments to assist with Council's assessment of the application:
Attachment A:

Photographs - Parking Analysis

We trust the enclosed information provided is to your satisfaction and look forward to your continued attention to this matter. In the meantime, should you have any further queries in relation to the information response please do not hesitate to contact the undersigned.
Yours Sincerely,

MICHAEL TESSARO
Senior Planner
Brazier Motti Pty Ltd

Commercial in Confidence

Monday 15 January 8.00am

Monday 15 January 9.30am

Monday 15 January 1.00pm

Tuesday 16 January 9.30am

Tuesday 16 January 12.30pm

Tuesday 16 January 3.00pm

Wednesday 17 January 8.00am

Wednesday 17 January 9.00am

Wednesday 17 January 3.00pm

Thursday 18 January 12.00pm

Thursday 18 January 3.00pm

Friday 19 January 8.00am

Friday 19 January 8.30am

Friday 19 January 1.30pm

