

CITY OF WEST TORRENS



# Notice of Panel Meeting

Notice is Hereby Given that a Meeting of the  
**COUNCIL ASSESSMENT PANEL**

will be held in the George Robertson Room, Civic Centre  
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 11 JULY 2023  
at 5.00pm**

Applicant and representor attendance via livestream only available by  
prior arrangement with the Assessment Manager.

**Nicholas Timotheou  
Assessment Manager (Acting)**

## **City of West Torrens Disclaimer**

### **Council Assessment Panel**

Please note that the contents of this Council Assessment Panel Agenda have yet to be considered and deliberated by the Council Assessment Panel therefore the recommendations may be adjusted or changed by the Council Assessment Panel in the process of making the formal Council Assessment Panel decision.

**Note: The plans contained in this Agenda are subject to copyright and should not be copied without authorisation.**

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**1 MEETING OPENED****1.1 Acknowledgement of Country****1.2 Evacuation Procedures****2 PRESENT****3 APOLOGIES****Apologies****Panel Member:**

Mr Michael Arman

**4 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the Minutes of the meeting of the Council Assessment Panel held on 13 June 2023 be confirmed as a true and correct record.

**5 DISCLOSURE STATEMENTS**

In accordance with section 7 of the *Assessment Panel Members – Code of Conduct* the following information should be considered by Council Assessment Panel members prior to a meeting:

A member of a Council Assessment Panel who has a direct or indirect personal or pecuniary interest in a matter before the Council Assessment Panel (other than an indirect interest that exists in common with a substantial class of persons) –

- a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and
- b. must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

If an interest has been declared by any member of the panel, the Assessment Manager will record the nature of the interest in the minutes of meeting.

**6 REPORTS OF THE ASSESSMENT MANAGER****6.1 TRANSITIONAL APPLICATIONS**

Nil

## 6.2 PDI ACT APPLICATIONS

### 6.2.1 183 Holbrooks Rd, UNDERDALE

Application No 22028909

Appearing before the Panel will be:

Representors: **Mark Fogliano** of 125A Seaview Road, Tennyson wishes to appear in support of the representation.

**Grazia Ferrabetta** of Unit 2, 181 Holbrooks Road, Underdale wishes to appear in support of the representation.

**Giulia Libri** of Unit 1, 181 Holbrooks Road, Underdale wishes to appear in support of the representation.

Applicant: **Hongbo Zhou** of 5 Bradshaw Avenue, Crafers represented by **Bill Stefanopoulos** of Town Planning Advisors wishes to appear in response to the representations.

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	22028909
APPLICANT	Hongbo Zhou
ADDRESS	183 Holbrooks Road, Underdale, SA 5032
NATURE OF DEVELOPMENT	The construction of a store for the purposes of print storage
ZONING INFORMATION	<p><b>Zones</b></p> <ul style="list-style-type: none"> <li>Suburban Neighbourhood</li> </ul> <p><b>Overlays</b></p> <ul style="list-style-type: none"> <li>Airport Building Heights (Regulated)</li> <li>Affordable Housing</li> <li>Building Near Airfields</li> <li>Hazards (Flooding - Evidence Required)</li> <li>Prescribed Wells Area</li> <li>Regulated and Significant Tree</li> <li>Stormwater Management</li> <li>Traffic Generating Development</li> <li>Urban Transport Routes</li> <li>Urban Tree Canopy</li> </ul> <p><b>Technical Numeric Variations (TNVs)</b></p> <ul style="list-style-type: none"> <li>Minimum Frontage (Minimum frontage for a detached dwelling is 12m; semi-detached dwelling is 12m)</li> <li>Minimum Site Area (Minimum site area for a detached dwelling is 420 sqm; semi-detached dwelling is 420 sqm)</li> <li>Maximum Building Height (Levels) (Maximum building height is 2 levels)</li> </ul>
LODGEMENT DATE	8 December 2022
RELEVANT AUTHORITY	West Torrens Assessment Panel
PLANNING & DESIGN CODE VERSION	24 November 2022 (2022.22)

CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes
REFERRALS STATUTORY	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
REFERRALS NON-STATUTORY	<ul style="list-style-type: none"> <li>• City Assets</li> <li>• Waste and Resource Recovery</li> <li>• City Operations - Arboriculture</li> </ul>
DELEGATION	<ul style="list-style-type: none"> <li>• A representor has lodged a valid representation and wishes to be heard.</li> </ul>
RECOMMENDING OFFICER	Steve Tilbrook
RECOMMENDATION	Grant consent with reserved matters and conditions

## SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 14 Deposited /Filed Plan 45832 in the area named Underdale Hundred of Adelaide, Volume 6213 Folio 83, more commonly known as 183 Holbrooks Road, Underdale. The subject site is rectangular in shape with a 17.9 metre (m) wide frontage to Holbrooks Road and a site area of 1011 square metres (m<sup>2</sup>).

It is noted that there are no encumbrances or Land Management Agreements on the Certificate of Title.

The site currently contains a single storey building used as a print business. The site is relatively flat. There are no Regulated Trees on the subject site or on adjoining land that would be affected by the development.

The locality consists of predominantly single storey residential dwellings to the north, west and east. A single storey child care centre with associated carpark adjoins the site to the south. The greater locality consists of residential development with increasing examples of new infill replacing older housing stock. Holbrooks Road is a state maintained road.

The amenity of the locality is moderate to high based on the predominant residential nature of development noting the increased vehicle usage of Holbrooks Road. The dwelling stock is 70's with traditional allotment pattern rectangular and 1000 square metres in area.

The subject land and locality are shown on the aerial imagery and maps below.



**Figure 1: Subject Land and Locality (source: WestMaps)**

## PROPOSAL

The application proposes a single storey building measuring 15m long x 6.4m wide with maximum height 4.3m. The building is finished in Colorbond and is 'Woodland grey' in colour. The building will store printing material from the existing printing business on the land.

The existing front carpark will be altered resulting in two (2) carpark spaces. Seven (7) new carpark spaces are proposed in total, with five (5) spaces proposed behind the existing office building.

The proposed hours of operation are 9am to 6pm, Monday to Friday.

New signage was originally proposed but has been removed from the description.

For the purposes of an assessment the proposal is broken down into the following element which has the following assessment pathway as set out in the Planning and Design Code.

Elements	Application Category
Store	Performance Assessed

The relevant plans and documents are contained in **Attachment 1**.

## PUBLIC NOTIFICATION

The application required public notification because it was performance assessed and not exempt from notification by *Table 5 - Procedural Matters* of the Suburban Neighbourhood Zone in the Planning and Design Code (The Code).

<b>Properties notified</b>	49 properties were notified during the public notification process.
<b>Representations</b>	Three representations were received.
<b>Persons wishing to be heard</b>	Three representors wish to be heard. <ul style="list-style-type: none"> <li>• Mark Fogliano</li> <li>• Grazia Ferrabetta</li> <li>• Giulia Libri</li> </ul>
<b>Summary of representations</b>	Concerns were raised regarding the following matters: <ul style="list-style-type: none"> <li>• Land use contrary to Suburban Neighbourhood Zone</li> <li>• Visual amenity impact/bulk and scale of shed</li> <li>• Acoustic impact</li> <li>• Hours of operation</li> </ul>
<b>Applicant's response to representations</b>	The applicant provided the response to the following matters: <ul style="list-style-type: none"> <li>• Printing will only occur in the main building. The proposed shed will be used for storage purposes only;</li> <li>• A reduction in the area of the storage shed to 96sqm and removal of verandah;</li> <li>• In addition to the row of pencil pine trees planted along the northern boundary, a row of pencil pine trees will also be planted along the eastern boundary;</li> <li>• Removal of rear car parking space adjacent to the eastern boundary;</li> <li>• Removal of one parking space in the front setback of the site;</li> <li>• Front parking spaces have been rotated 90 degrees so that vehicles reverse within the site and exit in a forward direction onto Holbrooks Road as opposed to reversing directly onto Holbrooks Road. These spaces are 'staff only';</li> <li>• A new crossover adjacent to the western boundary, with a compliant passing area for vehicles to ensure safe vehicle movements to and from the site;</li> <li>• The existing crossover is to be reinstated to kerb and gutter;</li> <li>• New low-style landscaping along the front boundary to improve the aesthetic quality of the site when viewed from the street;</li> </ul>



	<ul style="list-style-type: none"> <li>• The applicant is agreeable to a Reserved Matter that requires a Stormwater Management Plan be submitted to Council.</li> <li>• An maximum wall height and overall shed height of 4.3m;</li> <li>• A change in the shed colour to Colorbond 'Woodland Grey';</li> <li>• A clear separation between the rear façade of the main building and the shed of 14m;</li> <li>• Removal of signage on the frontage façade;</li> <li>• A reduction in hours of operation for the shed is proposed from 9am to 6pm, Monday to Friday.</li> </ul>
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A copy of the representations and the applicant's response is contained in **Attachment 2**.

## INTERNAL REFERRALS

Department	Comments
<b>City Assets</b>	<ul style="list-style-type: none"> <li>• Access and carparking are now supportable.</li> <li>• Stormwater quality details shall be submitted to Council and managed by way of a reserved matter.</li> </ul>
<b>Waste Resources and Recovery</b>	<ul style="list-style-type: none"> <li>• The existing third party waste management collection will continue and is considered sufficient.</li> </ul>
<b>City Operations - Arboriculture</b>	<ul style="list-style-type: none"> <li>• The street tree adjacent the subject land is supported for removal to facilitate the revised crossover location.</li> </ul>

## EXTERNAL REFERRALS

Holbrooks Road is a state controlled road. The printing land use is existing with the proposal to increase the storage capacity on site. The impact on traffic movements to and from the site was deemed not to warrant a change to the volume or type of vehicles accessing the site when compared to what occurs currently. A referral to the Commissioner of Highways was therefore deemed unnecessary.

## RELEVANT PLANNING & DESIGN CODE PROVISIONS

The subject land is located within the Suburban Neighbourhood Zone as described in the Code. The subject land is also affected by a series of Overlays and Technical Numeric Variations (TNVs).



## ASSESSMENT

The proposal is assessed for consistency with the quantitative requirements that do not meet the Planning and Design Code requirements and will be discussed along with respective qualitative provisions. The proposed development is therefore discussed under the following sub headings:

### Land Use

For the purposes of this assessment the proposed building is considered to be a store by land use definition as it stores materials that are fabricated on site to be collected for offsite installation. Store is defined by the Planning and Design Code as:

*Means a building or enclosed land used for the storage of goods and within or upon which no trade (whether wholesale or retail) or industry is carried on.*

The subject site contains an existing established non-residential printing business within a single storey building and therefore existing use rights apply. The proposed building is ancillary to the existing use which has reached its capacity within the existing building and requires additional storage area.

In relation to land use the following policy is considered to be most relevant:

*Desired Outcome (DO) 1: Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.*

*Performance Outcome PO 1.2: Commercial activities improve community access to services are of a scale and type to maintain residential amenity.*

*PO 1.3: Non-residential development located and designed to improve community accessibility to services, primarily in the form of:*

- (a) small-scale commercial uses such as offices, shops and consulting rooms*
- (b) community services such as educational establishments, community centres, places of worship, pre-schools, childcare and other health and welfare services*
- (c) services and facilities ancillary to the function or operation of supported accommodation or retirement facilities*
- (d) open space and recreation facilities.*

*PO 1.5: Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.*

The proposed expansion of the existing land use is commercial in nature and whilst not generally supported within the Suburban Neighbourhood Zone, recent amendments made to reduce the size of the building have minimised the scale of the proposal. This results in a development that is more aligned with the residential context of the locality, and is therefore considered reasonably consistent with DO 1.

Deemed to Satisfy/Designated Performance Feature (DTS/DPF) 1.2 identifies appropriate size of commercial uses, listing shop, consulting room and office, within the Zone. Although, a store is not specifically listed, the anticipated floor area of non-residential uses contemplated is of assistance to understand what size of building might be acceptable. The maximum commercial floor area anticipated is 200m<sup>2</sup> in DTS/DPF 1.2. The proposed overall floor area of the printing business, including the new building is 245m<sup>2</sup>, which is marginally above DTS/DPF 1.2, which is but one way to satisfy PO 1.2. The buildings floor area will be discussed in more detail within the built form and character section.

The existing residential amenity will be marginally impacted by additional activity occurring on the land involving additional pedestrian movements to and from the existing building to the proposed building. This increase in activity is considered marginal, will not be offensive and therefore not cause a negative impact on the immediate locality.

From a land use perspective the proposed expansion of the existing printing business through construction of a store is considered to be a reasonable form of development in the context of the existing residential character.

### **Built Form and Character**

The proposed building is located behind the existing building and therefore maintains limited visibility from Holbrooks Road. Subsequently, the development is not considered to result in a negative streetscape impact.

The building incorporates a 3m wall height adjacent to the residential properties to the north and east which is consistent with the maximum outbuilding wall height contemplated in a Suburban Neighbourhood Zone. The building is also setback 3m from the property boundary at the closest point with landscaping (pencil pines and shrubs) proposed along both boundaries to soften the impact of the development.

The proposed wall height of 4.3m, resulting from the skillion roof design, is considered to be reasonable as this is adjacent to an existing childcare centre located to the south and is setback 8.4m from the property boundary. The overall building height of 4.3m is under the 5m maximum anticipated in the Zone and therefore remains in line with DTS/DPF 11.1(i). The buildings height is also below the height of the existing building on site, with both buildings below the anticipated two level and 9m height maximum, and therefore will not pose risk to aircraft or the airport satisfying the Airport Building Heights (Regulated) Overlay and Building Near Airfield Overlay Code policy.

The overall area of the building has been reduced following representor and Council feedback. While it is acknowledged Suburban Neighbourhood Zone PO 11.1 is not relevant to the assessment of the proposed development, the respective DTS/DPF 11.1(b) provides a guide to that generally tolerable, stipulating a floor area of 60sqm. Council has previously supported larger outbuildings on larger residential allotments that are setback from boundaries, as is the case here. The proposed impact of the 96m<sup>2</sup> building on the residential character and visual amenity of the neighbourhood will not be fundamentally out of character with the residential setting. The development's appearance is similar to that of a typical outbuilding, which is an expected form of development in the rear yards of properties and therefore the proposal is considered to satisfy PO 1.5. It is further acknowledged that despite the floor area proposed, it is acknowledged the development does not result in amenity impacts upon the locality and nearby sensitive receivers, nor does it impact on the ability of the land-use to function appropriately.

Given the above, Council's initial concerns relating to the scale and intensity of the commercial land uses on the land are considered to have been appropriately addressed. The development is considered to achieve Performance Outcome 1.1 of the Zone in that it comprises a complementary non-residential use, compatible with a low density residential character.

The proposed 'woodland grey' colour is considered to be acceptable and will help blend the building in with its surroundings. The development is considered to adequately satisfy the built form and character policies of the Code.

### **Amenity**

The existing printing activity undertaken on the property will continue to occur within the main building, which holds existing use rights. The building will contain stored printing materials and will not involve any commercial processing or any activity that generates noise and therefore will not be contrary to the Environment Protection (Noise) Policy criteria sought in Interface between Land Uses PO 4.1.

The proposed hours of operation have been reduced following representation and Council comments to 9am - 6pm, Monday to Friday. The proposed hours of operation are considered to be standard hours of operation consistent with the hours listed for a consulting room, office and shop in DTS/DPF 2.1 of the Suburban Neighbourhood Zone. The proposal is therefore considered to satisfy PO 2.1:

*PO 2.1: 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:*

- (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.*

The proposed building is sufficiently setback from all property boundaries that ensure there will be no unreasonable overshadowing amenity impacts consistent with Interface between Land Uses PO 3.1 and PO 3.2.

Overall, there are not anticipated to be any adverse amenity impacts resulting from the development considering the existing use rights of the site and the storage nature of the proposed building.

## **Landscaping**

General Development Policies, Design in Urban Areas, Performance Outcome 3.1 and 7.5 are relevant to the assessment of landscaping as part of the subject application. The Performance Outcomes seek:

*Soft landscaping and tree planting are incorporated to:*

- a) minimise heat absorption and reflection*
- b) maximise shade and shelter*
- c) maximise stormwater infiltration*
- d) enhance the appearance of land and streetscapes;*

and

*Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.*

It is acknowledged the subject land presently includes limited landscaping throughout the site and as a result, the development achieves an improvement to the existing arrangement. The proposed landscaping totals 103.4m<sup>2</sup> which equates to 10.2% of the overall site area.

The development concentrates landscaping to the borders of the land. In doing so, the landscaped areas are considered to create an improved environment which assists in providing an improved outlook for nearby sensitive receivers and when viewed from the street. The development achieves an improved and increased landscape area located between the existing building and Holbrooks Road, while creating an attractive streetscape outcome. The two landscaping strips located adjacent to the northern and eastern boundaries measure 700mm in and shall provide opportunities for landscaping to mature and create an attractive environment over the land.

The development is considered to create an improvement to heat absorption and reflection, while contributing to shade and shelter, providing for stormwater infiltration and biodiversity and enhance the appearance of land and streetscapes.

### **Parking and Access**

The application proposes to improve the existing access and car parking arrangement. The existing wide invert and crossover on Holbrooks Road will be reduced to 6m in width as per Council engineering standards. The carpark arrangement located forward of the dwelling will be re-configured with access via an internal driveway rather than directly onto Holbrooks Road which is a safety improvement requested by Council's Engineer.

The provision of seven (7) on site carpark spaces exceeds the requirements of Table 1 - General Off-Street Car Parking Requirements for the existing light industry use of the land and new store of some 96sqm.

The Planning and Design Code provides the following car parking rates as a guide to assessment:

Industry: 1.5 spaces per 100sqm

Store: 0.5 spaces per 100sqm

Given the above, the existing light industry building of some 143sqm creates a car parking demand of 2.1 spaces, while the store generates a demand of 0.5 spaces. Evidenced by the limited floor area of each building, the operation of the use is considered to be of a relatively small scale and nature. This is further reiterated by way of the Applicant's supporting information which details limited staff numbers (two employees) and limited visitors to the land.

A service vehicle currently collects waste once a week and can enter the site and undertake a turnaround movement within the three carpark spaces located to the west of the new building. These carpark spaces will be vacant more often than not.

### **Waste Management**

The proposed building includes an internal rubbish bin for waste storage ensuring it is screened from public view and in accordance with Design PO 20.1. The site currently disposes of waste by an existing third party waste collection company which services the site once a week. This process will continue and will service the new building to the satisfaction of the Planning and Design Code.

### **Stormwater Management**

The building will be connected to the existing stormwater connection for the property. Council's Engineer has requested additional information which has been included as a Reserved Matter that seeks:

- Design level information demonstrating that the stormwater system proposed is able to discharge runoff to the street water table; and
- Detailed stormwater management plan, with supporting calculation/documentation demonstrating stormwater management for the site has meet Council's stormwater detention and quality requirements

The rear of the existing site where the building is proposed is covered entirely with concrete. Council's Engineer requires a minimum finished floor level of 100.15 for the building to achieve a 300mm level above top of kerb which forms a suggested Reserved Matter in the recommendation.

Should the Panel resolve to grant Planning Consent to the development, Administration is satisfied the above matters may be reserved and addressed by the Applicant prior to Development Approval being issued.

## SUMMARY

The proposed store in association with existing printing business is considered to be a reasonable form of development with potential impacts arising from the development adequately addressed.

The building is located behind the existing building and is therefore not considered to be readily visible from Holbrooks Road. Side and rear boundary setbacks of 3m and above are proposed resulting in adequate separation from all boundaries. Proposed pencil pine landscaping along the entire northern and eastern property boundaries, adjacent to residential development, will assist with reducing the visual impact which will be similar to a large outbuilding in a residential backyard.

There are no acoustic impact concerns with the application given the use of the building shall be for the purposes of storage. The improvement of the access and car parking arrangement are positive aspects of the application.

Having considered all the relevant provisions of the Planning and Design Code, the proposal is considered to be not seriously at variance with the Planning and Design Code Version 2022.22 dated 24 November 2022.

On balance, the proposal reasonably satisfies the relevant provisions of the Planning and Design Code Version 2022.22 and therefore the application warrants the granting of Planning Consent subject to the specified reserved matters and conditions.

## 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 Version 2022.22.
2. Application No. 22028909 by Mr Hongbo Zhou for the construction of a store for the purposes of print storage (CT-6213/83) is GRANTED Planning Consent subject to the following reserved matters and conditions of consent:

### Reserved Matters:

The following information shall be submitted for further assessment and approval by the City of West Torrens as reserved matters under Section 102(3) of the *Planning, Development and Infrastructure Act 2016*:

1. A detailed Stormwater Management Plan shall be provided to the reasonable satisfaction of the Assessment Manager prior to the issuing of Development Approval addressing (at minimum) the following:
  - Design level information demonstrating that the stormwater system proposed is able to discharge runoff to the street water table.
  - Detailed stormwater management plan, with supporting calculation/documentation demonstrating stormwater management for the site to satisfy Council's stormwater detention and quality requirements
2. A revised site plan shall be provided to the reasonable satisfaction of the Assessment Manager prior to the issuing of Development Approval detailing a minimum finished floor level of 100.15, based on the survey information provided on 'Contour & Detail', (SKS Surveys - Reference 587222).

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council reserves its decision on the form and substance of any further conditions of consent that it considers appropriate to impose in respect of the reserved matters outlined above.

**Planning Consent Conditions:**

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below.
  2. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
  3. The hours of operation of the premises shall not exceed the following period-
    - 9:00am to 6:00pm, Monday to Friday.
  4. All car parking spaces shall be line marked, in accordance with the approved plans and in accordance with AS 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Line marking and directional arrows shall be clearly visible at all times.
  5. All planting and landscaping shall be completed within three (3) months of occupation or the next available planting season and be maintained in a reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
  6. Prior to the use and/or occupation of the structure(s), all stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details.
- 

**Attachments**

1. **Application Plans**
2. **Representations and Response to Representations**



Product  
Date/Time  
Customer Reference  
Order ID

Title and Valuation Package  
06/09/2022 12:56PM  
ZH FAMILY TRUST  
20220906005226

## Certificate of Title

Title Reference CT 5780/261  
Status CURRENT  
Easement NO  
Owner Number 90004901  
Address for Notices ADELAIDE, SA 5000  
Area 1011M<sup>2</sup> (CALCULATED)

## Estate Type

Easement Only

## Registered Proprietor

SOUTH AUSTRALIAN WATER CORPORATION  
OF ADELAIDE SA 5000

## Description of Land

EASEMENT(S) IN THROUGH OVER ACROSS AND ALONG

PORTION OF ALLOTMENT 14 DEPOSITED PLAN 45832  
IN THE AREA NAMED UNDERDALE  
HUNDRED OF ADELAIDE

OVER THE LAND MARKED A FOR SEWERAGE PURPOSES CREATED BY TRANSFER 8832350

## Last Sale Details

There are no sales details recorded for this property

## Constraints

### Encumbrances

NIL

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
2118425003	CURRENT	183 HOLBROOKS ROAD, UNDERDALE, SA 5032

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL





**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Title and Valuation Package  
06/09/2022 12:56PM  
ZH FAMILY TRUST  
20220906005226

## Registrar-General's Notes

NIL

## Valuation Record

**Valuation Number** 2118425003  
**Type** Site & Capital Value  
**Date of Valuation** 01/01/2022  
**Status** CURRENT  
**Operative From** 01/07/1966  
**Property Location** 183 HOLBROOKS ROAD, UNDERDALE, SA 5032  
**Local Government** WEST TORRENS  
**Owner Names** HONGBO ZHOU  
PEI-CHIN HO  
**Owner Number** 17529015  
**Address for Notices** 6 BALLANTYNE ST THEBARTON, SA 5031  
**Zone / Subzone** SN - Suburban Neighbourhood\\  
**Water Available** Yes  
**Sewer Available** Yes  
**Land Use** 2149 - Wine Shop  
**Description** OFFICE  
**Local Government Description** Commercial - Shop

## Parcels

Plan/Parcel	Title Reference(s)
D45832 ALLOTMENT 14	CT 5780/261,CT 6213/83

## Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$700,000	\$730,000			
Previous	\$620,000	\$640,000			

## Building Details

**Valuation Number** 2118425003  
**Building Style** State Bank Bungalow  
**Year Built** 1920  
**Building Condition** Good

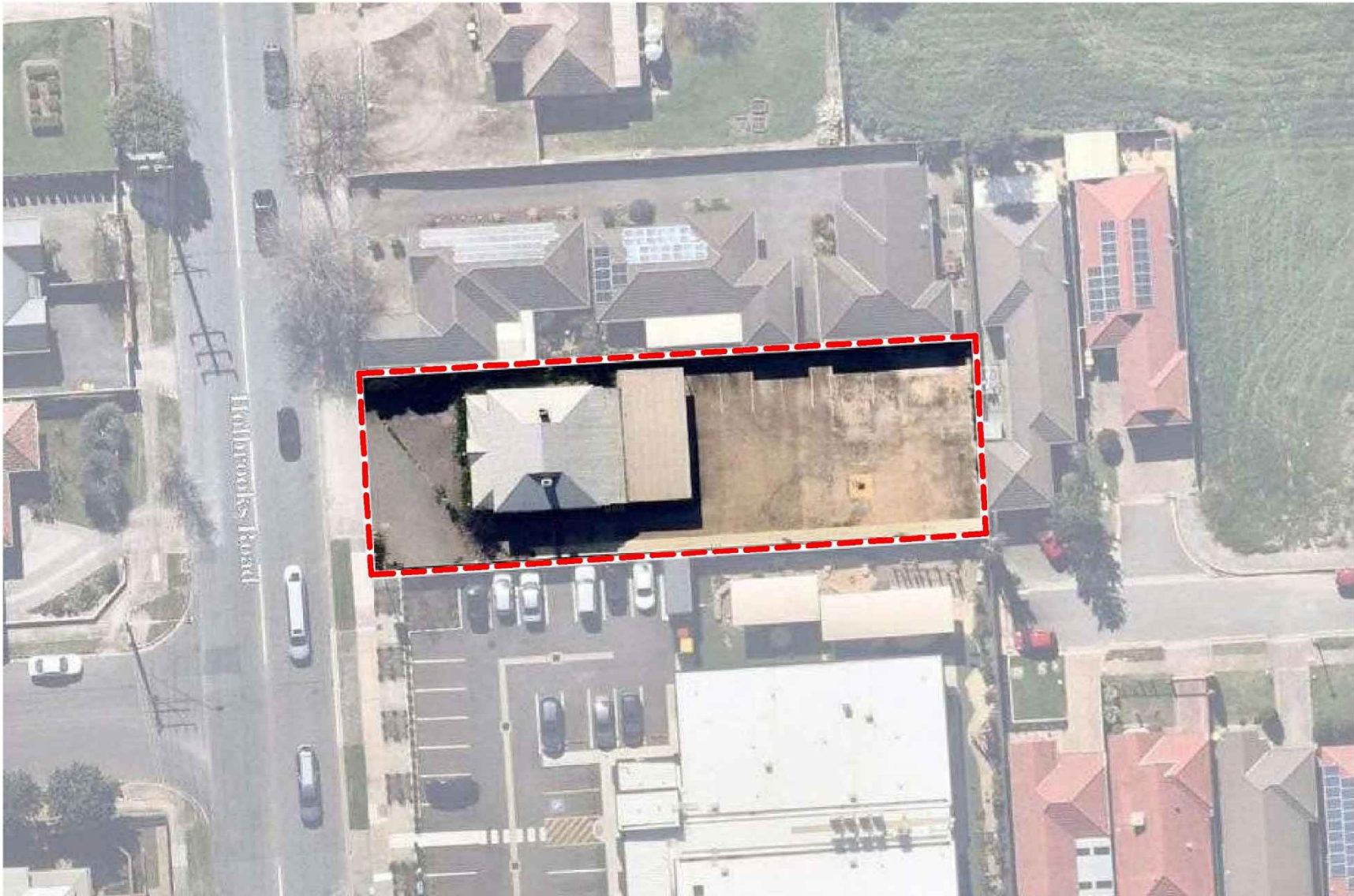


<b>Product</b>	Title and Valuation Package
<b>Date/Time</b>	06/09/2022 12:56PM
<b>Customer Reference</b>	ZH FAMILY TRUST
<b>Order ID</b>	20220906005226

<b>Wall Construction</b>	Brick
<b>Roof Construction</b>	Galvanised Iron
<b>Equivalent Main Area</b>	120 sqm
<b>Number of Main Rooms</b>	Not Available

*Note – this information is not guaranteed by the Government of South Australia*

DOL - A



183 HOLBROOKS ROAD, UNDERDALE

PLANNING ISSUE

ISSUE	DATE	DESCRIPTION
C	30/05/2023	Revision 4
B	Date 3	Revision 3
A	Date 2	Revision 2
1	Date 1	Revision 1

SETTING OUT OF WORK IS THE RESPONSIBILITY OF THE CONTRACTOR. VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS. WORK TO FIGURED DIMENSIONS AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE SUPERINTENDANT BEFORE PROCEEDING. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATION.



E: bill.yu.amstudio@gmail.com

Project Name  
Owner

183 Holbrooks Rd Underdale SA 5032

COVER

Job No:	Project Number	Issue:
Scale:	@ A3	C
Issue Date:	30/05/2023	Dwg No:
Drawn:	Author	Checked: Checker
		A01

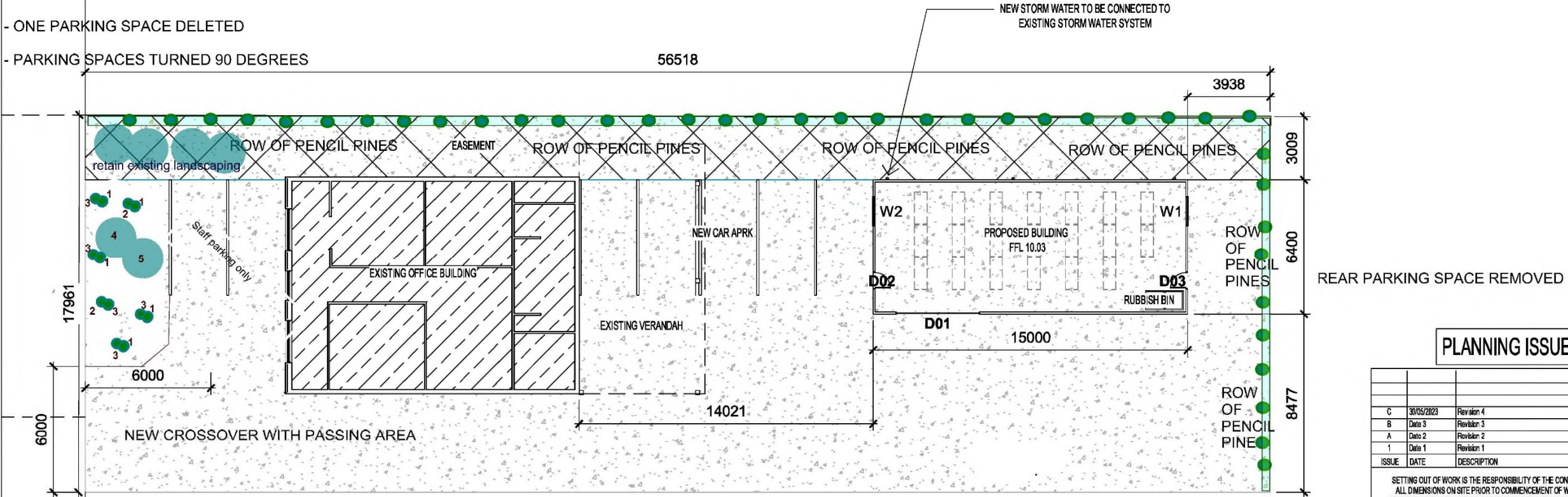


NOTES

- EXISTING CROSSOVER DELETED
- KERB AND GUTTER REINSTATED
- ONE PARKING SPACE DELETED
- PARKING SPACES TURNED 90 DEGREES

Window Schedule			
Mark	Width	Height	Description
W1	1400	1500	ALUMINIUM SLIDING DOOR
W2	1400	1500	ALUMINIUM SLIDING DOOR

Door Schedule			
Mark	Width	Height	Description
D01	4000	3000	COLORBOND ROLLER DOOR
D02	820	2040	METAL EXTERNAL DOOR
D03	820	2040	METAL EXTERNAL DOOR



PROPOSED FLOOR PLAN

1 : 200

LANDSCAPING

Mix of the following:

Grasses-

1. Liriope Muscari- Evergreen Giant- 0.6m
2. Dietes Grandiflora- Wild Iris- 0.8m
3. Westeria Sinensis- Climber

Shrubs-

- 4- Grevillea Rosmarinifolia 'Robyn Gordon'- 1-1.5m
- 5- Wetsringia Fruticosa- Coastal Rosemary- 1-1.5m

THE PROPOSED BUILDING IS USED TO BE STORAGE.

WORKING TIME: 9AM-6PM, MONDAY TO FRIDAY

STUFF NUMBER: MAX 2

RUBBISH: PAPER & VINYL, COLLECTED ONCE A WEEK

PLANNING ISSUE

ISSUE	DATE	DESCRIPTION
C	30/05/2023	Revision 4
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SETTING OUT OF WORK IS THE RESPONSIBILITY OF THE CONTRACTOR. VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS. WORK TO FIGURED DIMENSIONS AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE SUPERINTENDANT BEFORE PROCEEDING. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATION.



E: bill.yu.amstudio@gmail.com

Project Name  
Owner

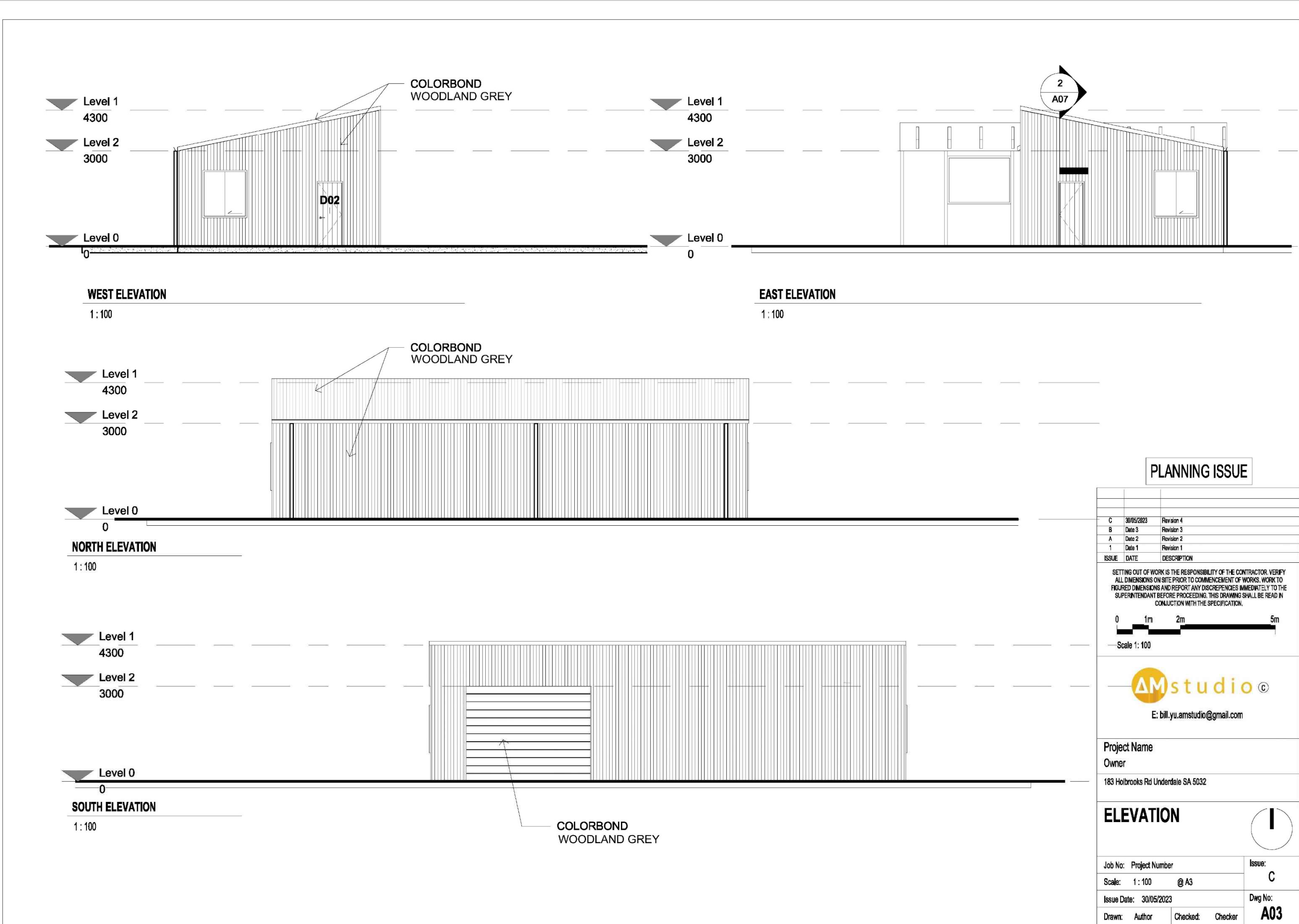
183 Holbrooks Rd Underdale SA 5032

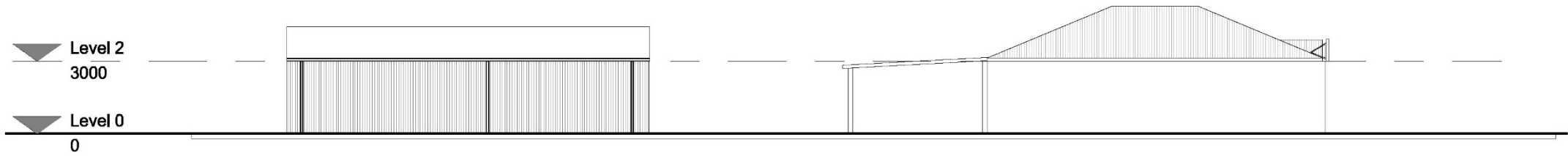
PROPOSED FLOOR PLAN



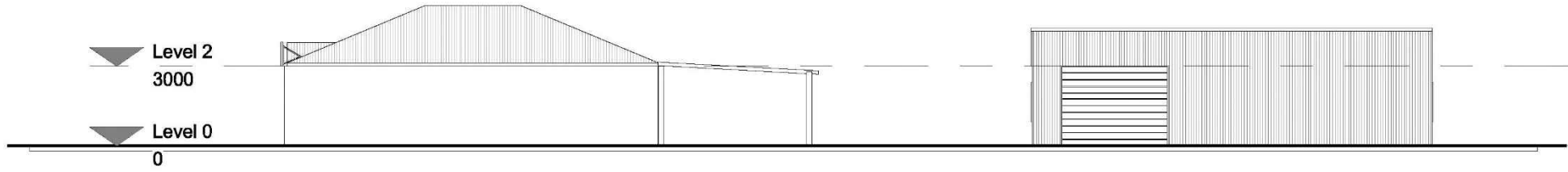
Job No:	Project Number	Issue:
Scale:	1 : 200 @ A3	C
Issue Date:	30/05/2023	Dwg No:
Drawn:	Author	Checked: Checker

A02





NORTH ELEVATION - OVERALL  
1 : 200



SOUTH ELEVATION - OVERALL  
1 : 200

PLANNING ISSUE

ISSUE	DATE	DESCRIPTION
C	30/05/2023	Revision 4
B	Date 3	Revision 3
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SETTING OUT OF WORK IS THE RESPONSIBILITY OF THE CONTRACTOR. VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS. WORK TO FIGURED DIMENSIONS AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE SUPERINTENDANT BEFORE PROCEEDING. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATION.



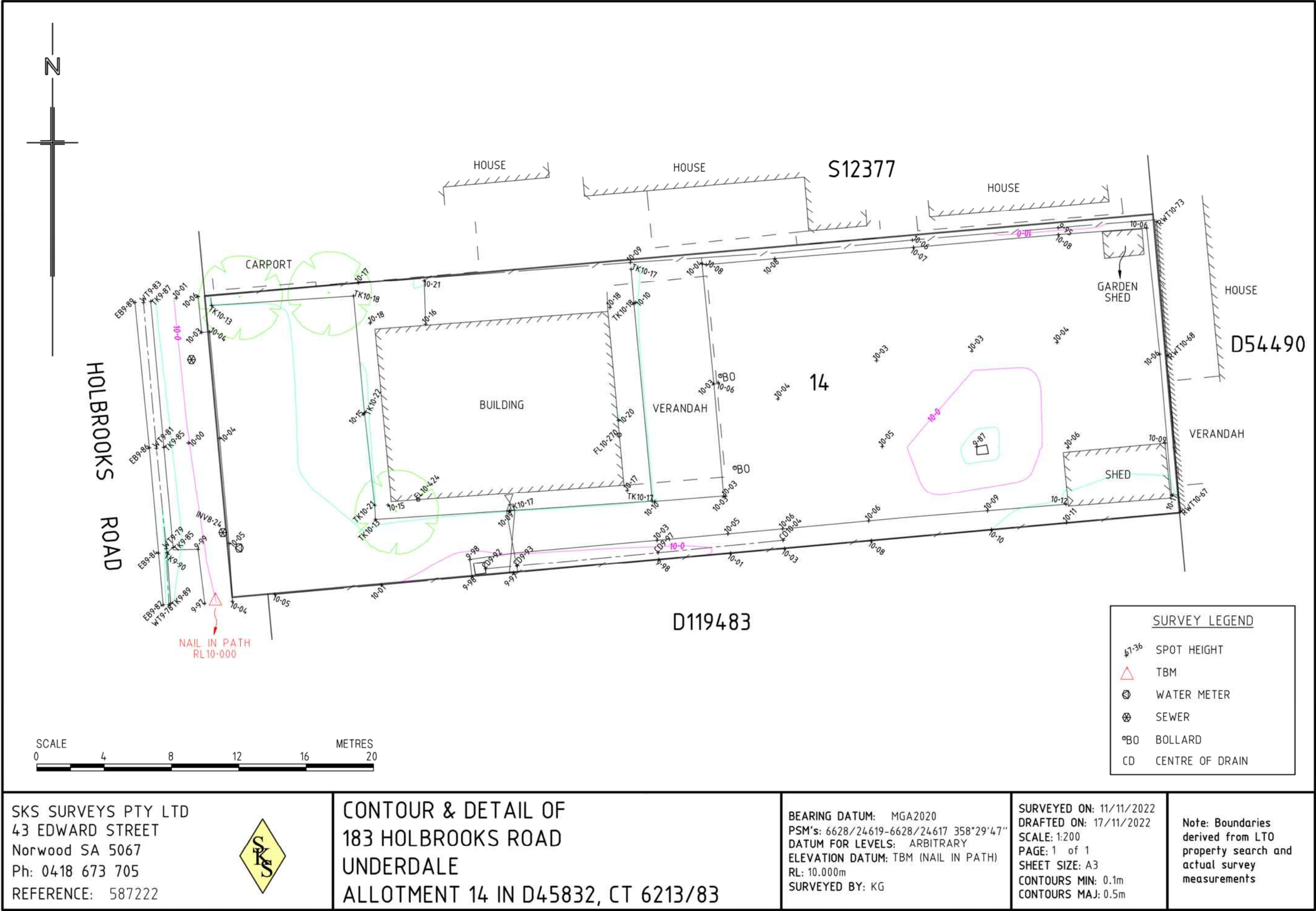
E: bill.yu.amstudio@gmail.com

Project Name  
Owner  
183 Holbrooks Rd Underdale SA 5032

OVERALL ELEVATION I

Job No:	Project Number	Issue:
Scale:	1 : 200 @ A3	C
Issue Date:	30/05/2023	Dwg No:
Drawn:	Author	Checked: Checker
		A04





## Details of Representations

### Application Summary

Application ID	22028909
Proposal	To erect a large shed to assist front office to do big scale print and storage, plus a verandah
Location	183 HOLBROOKS RD UNDERDALE SA 5032

### Representations

#### Representor 1 - Mark Fogliano

Name	Mark Fogliano
Address	125A Seaview Road TENNYSON SA, 5022 Australia
Submission Date	02/02/2023 01:25 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

#### Reasons

The specific reasons I believe that planning consent should be granted/refused are: 1. The proposed development would appear to contravene zoning definition "Suburban Neighbourhood", defined in the PlanSA document dated November 2020 found on the West Torrens Council Website (<https://www.westtorrens.sa.gov.au/Building-and-Planning/Buying-a-property/Zoning>) " Suburban Neighbourhood Zone: This zone envisages low density housing consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character." Addressing each highlighted point: a. The proposed commercial printing facility is well outside any definition of "low density housing". b. It is inconsistent with recent development patterns of the last 15-20 year, which has seen Underdale, and the Holbrooks Rd corridor move to a predominantly low density housing area, complimented by community facilities such as schools and child-care centres, and small local retail. c. Whilst there still remains some larger office and warehouse facilities (eg 153 Holbrooks Rd, Underdale - Novatech offices), it is argued that these facilities are long standing, prior to any recent changes to zoning in the area, and would therefore be considered "legacy / grand-fathered" facilities. d. The proposed printing business is neither a service or community facility - but rather a commercial wholesale operation focussed on business to business sales, and therefore having limited benefit to the making of the surrounding community. e. The proposed structural development of a large scale shed for the purpose of print manufacturing and warehousing is not in keeping with the residential amenity and character of the area - especially when considering when it will be placed between residential properties and a childcare centre. 2. The proposed development states that the activities to be conducted at the site will create a maximum noise level of 60db. The concerns relating to this are: a. We would require more information as to how the max 60db claim has been calculated. - If it considers a certain type of machine, then what is the specific make and model? - If it's only a shed construction then noise from any machinery will reverberate and be amplified. b. Has the maximum 60db noise claim been independently verified by a body such as the Environmental Protection Agency (EPA)? c. If the business was wanting to expand its commercial facilities with additional machinery, would this exceed the maximum 60db noise level stated? And will they need to request approval if they decide to upgrade or increase the number of printing

machines in future? d. Does the noise level include increased traffic to the property as a result of its "large scale" printing activities? e. The development plans are silent on the Acoustic Performance of the roof, walls and windows: - What are the construction details of the noise build-ups and specifications that indicate the acoustical performance to show they satisfy minimum requirements. - This is considered particularly pertinent for the wall adjacent to my property on the north side (as well as the other property to the east). f. 60db noise level is a subjective noise level in terms of its affect. For example, the chatter in an office, or music at 60db, is very different to the constant hum of machinery in terms of its ability to be tolerated under normal living standards, and could be considered an annoyance for prolonged periods of time. 3. The proposed times of operation from 7am to 10pm raises concerns around adjoining residents being allowed "quiet enjoyment" of their properties. It would also exacerbate the concerns raised in points 1 and 2 above.

### **Attached Documents**

Mark-Fogliano\_Representation\_on\_Application\_-\_Performance\_Assessed\_Development\_2FEB23-1180638.pdf

## REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

*Planning, Development and Infrastructure Act 2016*

**Applicant:** HONGBO ZHOU *[applicant name]*

**Development Number:** 22028909 *[development application number]*

**Nature of Development:** "Erecting a large shed to assist front office to do big scale print and storage, plus a verandah" *[development description of performance assessed elements]*

**Zone/Sub-zone/Overlay:** SN - Suburban Neighbourhood *[zone/sub-zone/overlay of subject land]*

**Subject Land:** 183 Holbrooks Road, Underdale SA 5032, CT 5780/261 *[street number, street name, suburb, postcode]*  
*[lot number, plan number, certificate of title number, volume & folio]*

**Contact Officer:** Phil Smith *[relevant authority name]*

**Phone Number:** 884166336 *[authority phone]*

**Close Date:** 6/2/2023 *[closing date for submissions]*

My name\*: Mark Fogliano (owner Unit 3 181  
Holbrooks Rd Underdale SA 5032)

My phone number:

My postal address\*: 125A Seaview Rd, Tennyson SA  
5022

My email: i

\* Indicates mandatory information

My position is:

☐ I support the development

☐ I support the development with some concerns (detail below)

☒ I oppose the development



Government of South Australia  
Department for Trade  
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

The specific reasons I believe that planning consent should be granted/refused are:

1. The proposed development would appear to contravene zoning definition "Suburban Neighbourhood", defined in the PlanSA document dated November 2020 found on the West Torrens Council Website (<https://www.westtorrens.sa.gov.au/Building-and-Planning/Buying-a-property/Zoning>)

*" Suburban Neighbourhood Zone: This zone envisages **low density housing** consistent with the **existing local context and development pattern**. **Services and community facilities** contribute to making the neighbourhood a convenient place to live without **compromising residential amenity and character**."*

Addressing each highlighted point:

- a. The proposed commercial printing facility is well outside any definition of "**low density housing**".
- b. It is inconsistent with recent **development patterns** of the last 15-20 year, which has seen Underdale, and the Holbrooks Rd corridor move to a predominantly low density housing area, complimented by community facilities such as schools and child-care centres, and small local retail.
- c. Whilst there still remains some larger office and warehouse facilities (eg 153 Holbrooks Rd, Underdale - Novatech offices), it is argued that these facilities are long standing, prior to any recent changes to zoning in the area, and would therefore be considered "legacy / grand-fathered" facilities.
- d. The proposed printing business is neither a **service or community facility** - but rather a commercial wholesale operation focussed on business to business sales, and therefore having limited benefit to the making of the surrounding community.
- e. The proposed structural development of a large scale shed for the purpose of print manufacturing is and warehousing is not in keeping with the **residential amenity and character of the area** - especially when considering when it will be placed between residential properties and a childcare centre.

2. The proposed development states that the activities to be conducted at the site will create a maximum noise level of 60db. The concerns relating to this are:

- a. Has the noise level been independently verified by a body such as the Environmental Protection Agency (EPA)?
- b. If the business was wanting to expand its commercial facilities with additional machinery, would this exceed the maximum 60db noise level stated?
- c. Does the noise level include increased traffic to the property as a result of its "large scale" printing activities?
- d. the plans are silent on whether there are any acoustic treatment for the walls and roofing that will support the minimisation of any noise creation.
- e. 60db noise level is a subjective noise level in terms of its affect. For example, the chatter in an office, or music at 60db, is very different to the constant hum of machinery in terms of its ability to tolerate, or be considered an annoyance.

3. The proposed times of operation from 7am to 10pm raises concerns around adjoining residents being allowed "quiet enjoyment" of their properties. It would also exacerbate the concerns raised in points 1 and 2 above.



*[attach additional pages as needed]*

Note: In order for this submission to be valid, it must:

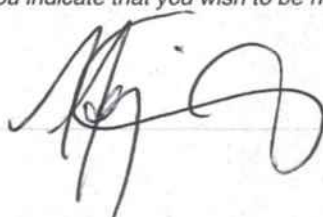
- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
  - Click here to enter text. *[list any accepted or deemed-to-satisfy elements of the development]*.

I: ☒ wish to be heard in support of my submission\*  
☐ do not wish to be heard in support of my submission

By: ☒ appearing personally  
☐ being represented by the following person: Click here to enter text.

*\*You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:



Date: 2 February 2023

Complete online submission: [planninganddesigncode.plan.sa.gov.au/haveyoursay/](https://planninganddesigncode.plan.sa.gov.au/haveyoursay/)



## Representations

### Representor 2 - Grazia Ferrabetta

Name	Grazia Ferrabetta
Address	Unit 2, 181 Holbrooks Road UNDERALE SA, 5032 Australia
Submission Date	02/02/2023 01:28 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

#### Reasons

The specific reasons I believe that planning consent should be granted/refused are: 1. The proposed development would appear to contravene zoning definition "Suburban Neighbourhood", defined in the PlanSA document dated November 2020 found on the West Torrens Council Website (<https://www.westtorrens.sa.gov.au/Building-and-Planning/Buying-a-property/Zoning>) " Suburban Neighbourhood Zone: This zone envisages low density housing consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character." Addressing each highlighted point: a. The proposed commercial printing facility is well outside any definition of "low density housing". b. It is inconsistent with recent development patterns of the last 15-20 year, which has seen Underdale, and the Holbrooks Rd corridor move to a predominantly low density housing area, complimented by community facilities such as schools and child-care centres, and small local retail. c. Whilst there still remains some larger office and warehouse facilities (eg 153 Holbrooks Rd, Underdale - Novatech offices), it is argued that these facilities are long standing, prior to any recent changes to zoning in the area, and would therefore be considered "legacy / grand-fathered" facilities. d. The proposed printing business is neither a service or community facility - but rather a commercial wholesale operation focussed on business to business sales, and therefore having limited benefit to the making of the surrounding community. e. The proposed structural development of a large scale shed for the purpose of print manufacturing and warehousing is not in keeping with the residential amenity and character of the area - especially when considering when it will be placed between residential properties and a childcare centre. 2. The proposed development states that the activities to be conducted at the site will create a maximum noise level of 60db. The concerns relating to this are: a. We would require more information as to how the max 60db claim has been calculated. - If it considers a certain type of machine, then what is the specific make and model? - If it's only a shed construction then noise from any machinery will reverberate and be amplified. b. Has the maximum 60db noise claim been independently verified by a body such as the Environmental Protection Agency (EPA)? c. If the business was wanting to expand its commercial facilities with additional machinery, would this exceed the maximum 60db noise level stated? And will they need to request approval if they decide to upgrade or increase the number of printing machines in future? d. Does the noise level include increased traffic to the property as a result of its "large scale" printing activities? e. The development plans are silent on the Acoustic Performance of the roof, walls and windows: - What are the construction details of the noise build-ups and specifications that indicate the acoustical performance to show they satisfy minimum requirements. - This is considered particularly pertinent for the wall adjacent to my property on the north side (as well as the other property to the east). f. 60db noise level is a subjective noise level in terms of its affect. For example, the chatter in an office, or music at 60db, is very different to the constant hum of machinery in terms of its ability to be tolerated under normal living standards, and could be considered an annoyance for prolonged periods of time. 3. The proposed times of operation from 7am to 10pm raises concerns around adjoining residents being allowed "quiet enjoyment" of their properties. It would also exacerbate the concerns raised in points 1 and 2 above.

#### Attached Documents

Grace-Ferrabetta\_Representation\_on\_Application\_-\_Performance\_Assessed\_Development\_2FEB23-1180641.pdf



## REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

*Planning, Development and Infrastructure Act 2016*

**Applicant:** HONGBO ZHOU *[applicant name]*  
**Development Number:** 22028909 *[development application number]*  
**Nature of Development:** "Erecting a large shed to assist front office to do big scale print and storage, plus a verandah" *[development description of performance assessed elements]*  
**Zone/Sub-zone/Overlay:** SN - Suburban Neighbourhood *[zone/sub-zone/overlay of subject land]*  
**Subject Land:** 183 Holbrooks Road, Underdale SA 5032, CT 5780/261 *[street number, street name, suburb, postcode]*  
*[lot number, plan number, certificate of title number, volume & folio]*  
**Contact Officer:** Phil Smith *[relevant authority name]*  
**Phone Number:** 884166336 *[authority phone]*  
**Close Date:** 6/2/2023 *[closing date for submissions]*

My name\*: Grazia Ferrabetta (Grace)

My phone number:

My postal address\*: Unit 2 181 Holbrooks Road  
Underdale SA 5032

My email:

\* Indicates mandatory information

My position is: ☐ I support the development  
☐ I support the development with some concerns (detail below)  
☒ I oppose the development



Government of South Australia  
Department for Trade  
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

1. The proposed development would appear to contravene zoning definition "Suburban Neighbourhood", defined in the PlanSA document dated November 2020 found on the West Torrens Council Website (<https://www.westtorrens.sa.gov.au/Building-and-Planning/Buying-a-property/Zoning>)

*"Suburban Neighbourhood Zone: This zone envisages low density housing consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character."*

Addressing each highlighted point:

- a. The proposed commercial printing facility is well outside any definition of "**low density housing**".
- b. It is inconsistent with recent **development patterns** of the last 15-20 year, which has seen Underdale, and the Holbrooks Rd corridor move to a predominantly low density housing area, complimented by community facilities such as schools and child-care centres, and small local retail.
- c. Whilst there still remains some larger office and warehouse facilities (eg 153 Holbrooks Rd, Underdale - Novatech offices), it is argued that these facilities are long standing, prior to any recent changes to zoning in the area, and would therefore be considered "legacy / grand-fathered" facilities.
- d. The proposed printing business is neither a **service or community facility** - but rather a commercial wholesale operation focussed on business to business sales, and therefore having limited benefit to the making of the surrounding community.
- e. The proposed structural development of a large scale shed for the purpose of print manufacturing and warehousing is not in keeping with the **residential amenity and character of the area** - especially when considering when it will be placed between residential properties and a childcare centre.

2. The proposed development states that the activities to be conducted at the site will create a maximum noise level of 60db. The concerns relating to this are:

- a. We would require more information as to how the max 60db claim has been calculated.
  - If it considers a certain type of machine, then what is the specific make and model?
  - If it's only a shed construction then noise from any machinery will reverberate and be amplified.
- b. Has the maximum 60db noise claim been independently verified by a body such as the Environmental Protection Agency (EPA)?
- c. If the business was wanting to expand its commercial facilities with additional machinery, would this exceed the maximum 60db noise level stated? And will they need to request approval if they decide to upgrade or increase the number of printing machines in future?
- d. Does the noise level include increased traffic to the property as a result of its "large scale" printing activities?
- e. The development plans are silent on the Acoustic Performance of the roof, walls and windows:

G. Frattolo

- What are the construction details of the noise build-ups and specifications that indicate the acoustical performance to show they satisfy minimum requirements.
  - This is considered particularly pertinent for the wall adjacent to my property on the north side (as well as the other property to the east).
- f. 60db noise level is a subjective noise level in terms of its affect. For example, the chatter in an office, or music at 60db, is very different to the constant hum of machinery in terms of its ability to be tolerated under normal living standards, and could be considered an annoyance for prolonged periods of time.

3. The proposed times of operation from 7am to 10pm raises concerns around adjoining residents being allowed "quiet enjoyment" of their properties. It would also exacerbate the concerns raised in points 1 and 2 above.

*[attach additional pages as needed]*

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
  - Click here to enter text. *[list any accepted or deemed-to-satisfy elements of the development]*.

I: ☒ wish to be heard in support of my submission\*  
☐ do not wish to be heard in support of my submission

By: ☐ appearing personally  
☒ being represented by the following person: Mark Fogliano

*\*You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:



Date: 2 February 2023

Complete online submission: [planninganddesigncode.plan.sa.gov.au/haveyoursay/](https://planninganddesigncode.plan.sa.gov.au/haveyoursay/)

## Representations

### Representor 3 - Giulia Libri

Name	Giulia Libri
Address	UNIT 1 181 HOLBROOKS ROAD UNDERDALE SA, 5032 Australia
Submission Date	07/02/2023 09:16 AM
Submission Source	Post
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<b>Reasons</b>	

### Attached Documents

Da22028909-183HolbrooksRoadUnderdale-RepresentationOnApplicationFromHongboZhoua2959543-4818569.pdf

RECEIVED - CWT IM  
6 FEB 2023

## REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

*Planning, Development and Infrastructure Act 2016*

<b>Applicant:</b>	HONGBO ZHOU <i>[applicant name]</i>
<b>Development Number:</b>	22028909 <i>[development application number]</i>
<b>Nature of Development:</b>	"Erecting a large shed to assist front office to do big scale print and storage, plus a verandah" <i>[development description of performance assessed elements]</i>
<b>Zone/Sub-zone/Overlay:</b>	SN - Suburban Neighbourhood <i>[zone/sub-zone/overlay of subject land]</i>
<b>Subject Land:</b>	183 Holbrooks Road, Underdale SA 5032, CT 5780/261 <i>[street number, street name, suburb, postcode]</i> <i>[lot number, plan number, certificate of title number, volume &amp; folio]</i>
<b>Contact Officer:</b>	Phil Smith <i>[relevant authority name]</i>
<b>Phone Number:</b>	884166336 <i>[authority phone]</i>
<b>Close Date:</b>	6/2/2023 <i>[closing date for submissions]</i>

My name\*: Giulia Libri

My phone number: I

My postal address\*: Unit 1 181 Holbrooks Road  
Underdale SA 5032

My email: N/A

\* Indicates mandatory information

My position is:

☐ I support the development

☐ I support the development with some concerns (detail below)

☒ I oppose the development



**Government of South Australia**  
Department for Trade  
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

1. The proposed development would appear to contravene zoning definition "Suburban Neighbourhood", defined in the PlanSA document dated November 2020 found on the West Torrens Council Website (<https://www.westtorrens.sa.gov.au/Building-and-Planning/Buying-a-property/Zoning>)

*" Suburban Neighbourhood Zone: This zone envisages **low density housing** consistent with the **existing local context and development pattern**. **Services and community facilities** contribute to making the neighbourhood a convenient place to live without **compromising residential amenity and character**."*

Addressing each highlighted point:

- a. The proposed commercial printing facility is well outside any definition of "**low density housing**".
  - b. It is inconsistent with recent **development patterns** of the last 15-20 year, which has seen Underdale, and the Holbrooks Rd corridor move to a predominantly low density housing area, complimented by community facilities such as schools and child-care centres, and small local retail.
  - c. Whilst there still remains some larger office and warehouse facilities (eg 153 Holbrooks Rd, Underdale - Novatech offices), it is argued that these facilities are long standing, prior to any recent changes to zoning in the area, and would therefore be considered "legacy / grand-fathered" facilities.
  - d. The proposed printing business is neither a **service or community facility** - but rather a commercial wholesale operation focussed on business to business sales, and therefore having limited benefit to the making of the surrounding community.
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  - d. Does the noise level include increased traffic to the property as a result of its "large scale" printing activities?

- e. The development plans are silent on the Acoustic Performance of the roof, walls and windows:
- What are the construction details of the noise build-ups and specifications that indicate the acoustical performance to show they satisfy minimum requirements.
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3. The proposed times of operation from 7am to 10pm raises concerns around adjoining residents being allowed "quiet enjoyment" of their properties. It would also exacerbate the concerns raised in points 1 and 2 above.

*[attach additional pages as needed]*

Note: In order for this submission to be valid, it must:

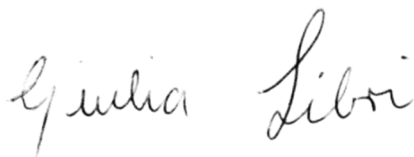
- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
  - Click here to enter text. *[list any accepted or deemed-to-satisfy elements of the development]*.

I: ☒ wish to be heard in support of my submission\*  
☐ do not wish to be heard in support of my submission

By: ☐ appearing personally  
☒ being represented by the following person: Mark Fogliano

*\*You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:



Date: 7 February 2023

Complete online submission: [planninganddesigncode.plan.sa.gov.au/haveyoursay/](https://planninganddesigncode.plan.sa.gov.au/haveyoursay/)





PO BOX 9061 HENLEY BEACH SOUTH SA 5022  
Mobile: 0478 509 777  
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6 June 2023

Mr Steve Tilbrook  
Development Officer - Planning  
City of West Torrens

**183 Holbrooks Road, Underdale**

**To erect a shed for storage purposes, ancillary to the front office building Response to Council's concerns**

Dear Steve,

Thank you for corresponding with us and clarifying Council's concerns with the proposal.

Town Planning Advisors have reviewed the representations and Council's concerns on behalf of our client and provide the following response below. We also provide Council with amended plans to reflect these changes. The changes are as follows:

- A further reduction in the area of the shed to 96sqm and no verandah;
- In addition to the row of pencil pine trees planted along the northern boundary, a row of pencil pine trees will also be planted along the eastern boundary;
- Removal of the rear car parking space adjacent to the eastern boundary;
- Removal of one parking space in the front setback of the site;
- Front parking spaces have been rotated 90° so that vehicles reverse within the site and exit in a forward direction onto Holbrooks Road as opposed to reversing directly onto Holbrooks Road. These spaces are 'staff only';
- A new crossover adjacent to the southern boundary, with a compliant passing area for vehicles to ensure safe vehicle movements to and from the site;
- The existing crossover is to be reinstated to kerb and gutter;
- New low-style landscaping along the front boundary to improve the aesthetic quality of the site when viewed from the street; and
- As discussed, my client is agreeable to a Reserved Matter that requires a Stormwater Management Plan be submitted to Council.

**Commentary regarding changes**

### Council concerns

We consider that the shed is now of a scale that is more amenable to the Suburban Neighbourhood Zone and the residential development on the adjoining property to the north. The area of the proposed shed is significantly less than the area of the existing building and is less visible from the streetscape with the verandah removed from the proposal. On this basis, offsite impacts are further reduced and are not considered to be unreasonable in this regard.

It is noted that landscaping is further improved within the site, with existing vegetation to be retained, in addition to a row of Pencil Pine trees to be planted along the northern boundary and the eastern boundary at the rear of the site, in addition to low level landscaping to be planted along the front boundary. The low level planting comprises *Liriope Muscari*, *Dietes Grandiflora*, *Wisteria Senisis*, *Grevillia Rosmarinifolia* and *Westringia Fruiticosa*.

The benefits of the additional landscaping are threefold. First, the site becomes visually improved by additional landscaping from the streetscape. Second, the shed from the adjoining residential properties, is less visible. Third, the additional landscaping assists to minimise heat absorption and reflection.

Traffic management is also improved within the site. The car parking spaces at the front of the site have been rotated 90° so that vehicles must reverse within the site from these spaces and exit in a forward direction. These spaces have now been designated as 'staff only spaces'. The existing crossover is to be reinstated to kerb and gutter to prevent vehicles from reversing straight onto Holbrooks Road. A new crossover, with passing area, is to be provided so that vehicles can enter and exit simultaneously. The removal of two parking spaces is not expected to have any detrimental impact on the appropriateness of the proposal as seven (7) spaces will be provided on site, which is surplus to the business' requirements.

Finally, as discussed with you, my client is satisfied to have a Reserved Matter placed on any approval granted that requires the submission of a Stormwater Management Plan to Council for approval prior to full Development Approval being granted.

### Representors Concerns

The wall heights and overall height of the proposed shed are compatible to outbuildings on residential allotments, therefore offsite impacts are not considered to be unreasonable in this regard. The change to Woodland Grey will result in a more recessive colour and more commonly seen in a residential environment.

The length of the shed proposed at 15m is also considered to be appropriate as it will be setback 3m from the common shared northern boundary. According to Table 5 – Procedural Matters (within the Planning and Design Code in the Suburban Neighbourhood Zone), Point 3, an outbuilding 11.5m in length or less, with a wall height of 3m on the boundary would not be notified to adjoining landowners for this reason, thus the main concern should be whether the remaining 3.5m is unreasonable to the adjoining landowners to the north. We contend that it is not, as views from these adjoining properties of the shed will be minimal at best. It is also acknowledged that the proposed shed will have less impact being setback 3m from the boundary which is a far greater outcome for these residents, than having a shed located on the boundary. Furthermore, we also note that the shed is now approximately proposed at half of its original width (not including the verandah which is also removed from the proposal), further minimising the shed's visual impact from all vantage points.

In Figure 1 below, the image is taken towards the rear of Unit 2, 181 Holbrooks Road from the subject site. Where the beginning of the 'A+' sign is located against the fence, is approximately where the front façade of the proposed shed will be located. It should be noted that this portion of the house

has no windows but locates a small garden shed in this area. Comparing this to the aerial view at Figure 2, it is clear that this land owner will not be burdened by any unreasonable impacts in comparison to the original proposal. The clear separation between the main building and the proposed shed eliminates the extent of visual bulk presented with the original proposal.



Figure 1: View from subject site towards rear of Unit 2, 181 Holbrooks Road

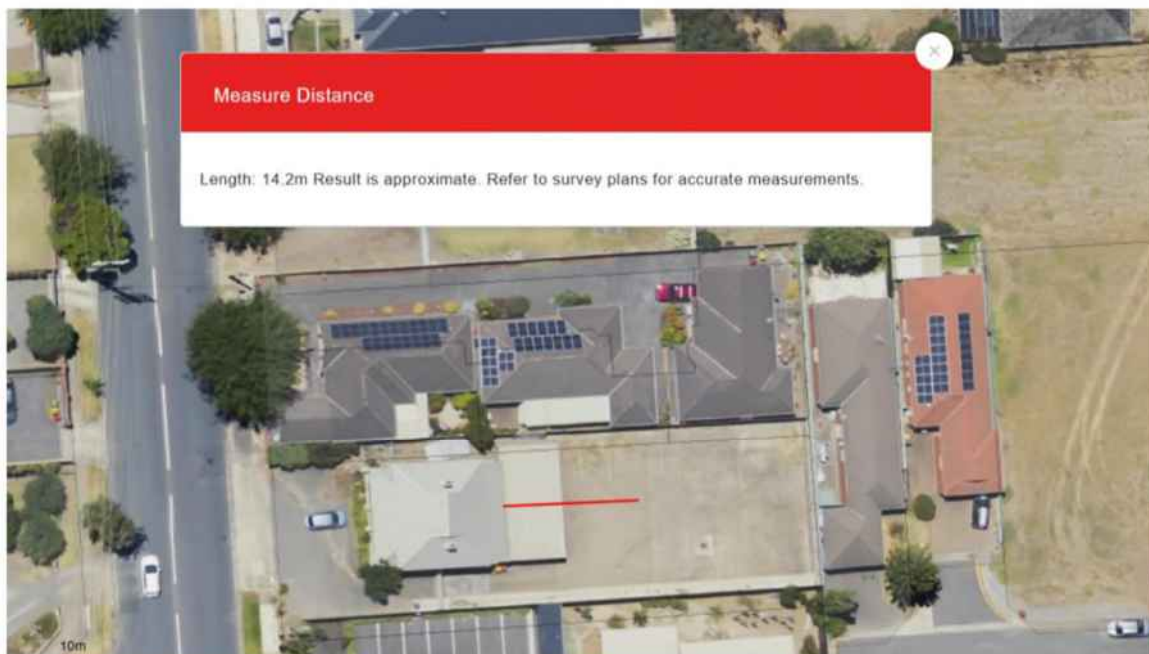


Figure 2: Aerial view of the site



Unit 1 will not be affected by the proposed shed given the distance to the shed from its private open space and their own landscaping obstructing views in the direction of the shed.

As seen in Figure 3, Unit 3 will not be unreasonably impacted by the shed as their private open space is located to the east of the dwelling. Furthermore, the two windows facing towards the subject site have obscured glazing, thus are not habitable rooms.



**Figure 3: View from subject site towards Unit 3, 181 Holbrooks Road**

As noted above, the printer will remain in the existing building, therefore there is no change to existing conditions. Hours of operation of the shed fall within typical business hours, however it is not expected to generate any unreasonable noise impacts to adjoining properties. A row of pencil pine trees will be planted along the northern boundary and eastern boundary to diffuse views of the shed and add additional landscaping to the site.

### **Representations**

Three representations were made from the following parties:

- Mark Fogliano, 125A Seaview Road TENNYSON SA
- Grazia Ferrabetta, Unit 2, 181 Holbrooks Road UNDERDALE SA
- Giulia Libri, UNIT 1 181 HOLBROOKS ROAD UNDERDALE SA

It is noted that each of these representations is identical to the others.

The matters raised by the representors are summarised as follows:

- The development appears to contravene the planning code;
- Acoustic/Noise concerns; and
- Hours of operation.

Each of these issues is addressed individually below.

### Contravention of planning code

The specific reasons I believe that planning consent should be granted/refused are:

1. The proposed development would appear to contravene zoning definition "Suburban Neighbourhood", defined in the PlanSA document dated November 2020 found on the West Torrens Council Website (<https://www.westtorrens.sa.gov.au/Building-and-Planning/Buying-a-property/Zoning>) "Suburban Neighbourhood Zone: This zone envisages low density housing consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character." Addressing each highlighted point:

- a. The proposed commercial printing facility is well outside any definition of "low density housing".
- b. It is inconsistent with recent development patterns of the last 15-20 year, which has seen Underdale, and the Holbrooks Rd corridor move to a predominantly low density housing area, complimented by community facilities such as schools and child-care centres, and small local retail.
- c. Whilst there still remains some larger office and warehouse facilities (e.g. 153 Holbrooks Rd, Underdale - Novatech offices), it is argued that these facilities are long standing, prior to any recent changes to zoning in the area, and would therefore be considered "legacy / grand-fathered" facilities.
- d. The proposed printing business is neither a service or community facility - but rather a commercial wholesale operation focussed on business to business sales, and therefore having limited benefit to the making of the surrounding community.
- e. The proposed structural development of a large scale shed for the purpose of print manufacturing and warehousing is not in keeping with the residential amenity and character of the area - especially when considering when it will be placed between residential properties and a childcare centre.

**The application has been amended so that a planning consent is being sought for a storage shed only. A storage shed, i.e. outbuilding, is an envisaged land use in a Suburban Neighbourhood Zone.**

**The shed has been reduced in scale to a more appropriate design for the Suburban Neighbourhood Zone. A generous separation is now proposed between the building and the shed, thus visual bulk issues are eliminated. The proposed shed will have a wall height and overall height of 3m and 4.3m respectively, which is consistent for a typical domestic shed ancillary to a dwelling.**

**The site and existing building have existing use rights as a commercial premises and have done so for a number of years. That aspect of the development is indisputable. The proposed development seeks planning consent for an ancillary shed for storage purposes. It should be noted that the site is not an isolated commercial premises, in fact, a child care centre abuts the site to the south, followed by a bowling club.**

**As per Desired Outcome 1 of the Zone, there is an expectation of 'services' occurring in the zone and that they are acceptable land uses. A list of potential land uses is noted at DTS/DPF 1.1 however this list is by no means exhaustive in nature. 'Services', as a land use, is not defined in the Planning and Design Code. We contend that this printing company is a legitimate service and is an acceptable land use on the subject site, again noting that the business has existing use rights.**

**On the basis of the above, it is considered that the proposed shed is now in a form that warrants planning consent.**

#### **Acoustic/Noise concerns**

The proposed development states that the activities to be conducted at the site will create a maximum noise level of 60db. The concerns relating to this are:

- a. We would require more information as to how the max 60db claim has been calculated. - If it considers a certain type of machine, then what is the specific make and model? - If it's only a shed construction then noise from any machinery will reverberate and be amplified.
- b. Has the maximum 60db noise claim been independently verified by a body such as the Environmental Protection Agency (EPA)?
- c. If the business was wanting to expand its commercial facilities with additional machinery, would this exceed the maximum 60db noise level stated? And will they need to request approval if they decide to upgrade or increase the number of printing machines in future?
- d. Does the noise level include increased traffic to the property as a result of its "large scale" printing activities?
- e. The development plans are silent on the Acoustic Performance of the roof, walls and windows:  
- What are the construction details of the noise build-ups and specifications that indicate the acoustical performance to show they satisfy minimum requirements. - This is considered particularly pertinent for the wall adjacent to my property on the north side (as well as the other property to the east).
- f. 60db noise level is a subjective noise level in terms of its affect. For example, the chatter in an office, or music at 60db, is very different to the constant hum of machinery in terms of its ability to be tolerated under normal living standards, and could be considered an annoyance for prolonged periods of time.

**As noted earlier, all printing will continue to occur within the main building, thus no change is proposed in this regard. We reiterate that the proposed shed will be for used for storage purposes only, therefore the noise concerns raised by the representors are no longer an issue.**

**With two staff on site, all patrons will likely park between the main building and the proposed shed. Any noise from customer traffic will likely be indiscernible from other passing traffic noise on Holbrooks Road.**

#### **Hours of operation**

The proposed times of operation from 7am to 7pm raises concerns around adjoining residents being allowed "quiet enjoyment" of their properties. It would also exacerbate the concerns raised in points 1 and 2 above.

**The proposed times have been amended to be between the hours of 9am to 6pm, Monday to Friday to reflect standard business hours, therefore there should be no issues relating to loss of amenity.**

#### **Summary and Conclusion**

With regard to the proposed development, I resolve it to be reasonable and supportable that complies with the majority of the Assessment Provisions of the Planning and Design Code. The proposal represents a development anticipated within the Zone and will not have an unreasonable impact upon adjoining properties.



Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having assessed the application against the Planning and Design Code, the application is NOT seriously at variance with the Planning and Design Code provisions.

We are of the opinion that planning consent is still warranted.

Yours faithfully,



Bill Stefanopoulos, MPIA  
BA Planning, Grad Dip Environmental Planning



**7 REVIEW OF ASSESSMENT MANAGER DECISION**

Nil

**8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER**

Nil

**9 RELEVANT AUTHORITY ACTIVITIES REPORT****9.1 Activities Summary - July 2023****Brief**

This report presents information in relation to:

1. Any development appeals before the Environment, Resources and Development (ERD) Court where the Council Assessment Panel (CAP) is the relevant authority;
2. Other appeal matters before the ERD Court of which SCAP and the City of West Torrens Assessment Manger are the relevant authority;
3. Any deferred items previously considered by the CAP;
4. Any matters being determined by the State Commission Assessment Panel (SCAP) or the State Planning Commission (SPC).

**RECOMMENDATION**

The Council Assessment Panel receive and note the information.

**Development Application appeals before the ERD Court in the City of West Torrens**

Relevant authority: Council Assessment Panel			
DA number	Address	Description of development	Status
Nil			

Relevant authority: Assessment Manager			
DA number	Address	Description of development	Status
22034703	71 Milner Rd Richmond SA 5033	Construction of a two-storey residential flat building comprising four (4) dwellings and fences to a maximum cumulative height of 2.3 metres	Appeal lodged on 19/06/2023 against an Administrative Decision to refuse the subject application.

Relevant authority: State Commission Assessment Panel			
DA number	Address	Description of development	Status
Nil			



**Deferred CAP Items**

DA number	Address	Description of development	Status
Nil			

**Development Applications pending determination by SCAP/SPC**

DA Number	Referral Reason	Address	Description of development
211/M135/21 Lodged 16 March 2021	Schedule 10, Development Regulations	1 Selby Street, Kurralta Park	Construction of a 10-storey residential flat building with associated car parking and site works.
23000380	Restricted - Section 94(1)(b)	254-262 Richmond Rd, Marleston	Change of use of an existing building to a shop (bulky goods outlet) incorporating alterations and additions, installation of associated advertising signage and car parking and tree damaging activity.
22036672	Designated by Regs - Section 94(1)(a)(ii)	86 George St, Thebarton	To retain an existing shop and demolish an existing detached dwelling to accommodate a new residential flat building comprising 10 dwellings of five levels with associated carparking and landscaping
23008332	Designated by Regs - Section 94(1)(a)(ii)	177-179 Henley Beach Road, Mile End and 1 and 3 Henley Street, Mile End	5 level Mixed Use Commercial & carparking Ground Floor and 4 levels of Apartments.
211/V151/23	Designated by Regs - Section 94(1)(a)(ii)	Corner of Africaine Road and Tapleys Hill Road	Entry statement and illuminated signage to the corner of Africaine Road and Tapleys Hill Road. Works consist of feature vertical timber posts and curved steel fins amongst soft landscaping.

**Conclusion**

This report is current as at 22 June 2023.

**Attachments**

Nil

**10 OTHER BUSINESS****10.1 Planning Policy Considerations****10.2 Appointment of Deputy Presiding Member****MOTION**

That ..... be appointed as the Deputy Presiding Member of the Council Assessment Panel, pursuant to Section 83(1)(b)(vi) of the *Planning, Development and Infrastructure Act 2016* for the period 1 July 2023 to 30 June 2025.

**11 MEETING CLOSE**

Council Assessment Panel  
Agenda 11 July 2023