

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, 13 JUNE 2023  
at 5.00pm**

Public access to the meeting will also be available via livestream at:  
[www.westtorrens.sa.gov.au/livestream](http://www.westtorrens.sa.gov.au/livestream)

CAP member, 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****1.3 Electronic Platform Meeting****2 PRESENT****3 APOLOGIES****Apologies****Panel Member:**

Ms Jane Strange

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

That the Minutes of the meeting of the Council Assessment Panel held on 9 May 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 58 Richmond Road, KESWICK

Application No 23004522

Appearing before the Panel will be:

Representors: **Irene Papaioannou** of 56 Richmond Road, Keswick wishes to appear in support of the representation.

**Dennis Horton** of 1 Ashford Road, Keswick wishes to appear in support of the representation.

**Jules Williams** of 3 Ashford Road, Keswick wishes to appear in support of the representation.

Applicant: **Andrew Humby** of Humby Consulting wishes to appear in response to the representations.

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	23004522
APPLICANT	Albert and Anita Ruiz Andrew Humby
ADDRESS	58 Richmond Road, Keswick SA 5035
NATURE OF DEVELOPMENT	Change of use from bulky goods outlet to indoor recreation facility (pilates studio) with associated signage
ZONING INFORMATION	<b>Zones</b> <ul style="list-style-type: none"> <li>• Employment</li> </ul> <b>Overlays</b> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Advertising Near Signalised Intersections</li> <li>• Building Near Airfields</li> <li>• Future Road Widening</li> <li>• Hazards (Flooding)</li> <li>• Hazards (Flooding - Evidence Required)</li> <li>• Major Urban Transport Routes</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Traffic Generating Development</li> </ul> <b>Technical Numeric Variations (TNVs)</b> <ul style="list-style-type: none"> <li>• Maximum Building Height (Metres) (Maximum building height is 8.5m)</li> <li>• Maximum Building Height (Levels) (Maximum building height is 2 levels)</li> </ul>
LODGEMENT DATE	1 Mar 2023
RELEVANT AUTHORITY	Council Assessment Panel
PLANNING & DESIGN CODE VERSION	2023.3
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 Management</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	Andrew Simons
RECOMMENDATION	Grant consent with conditions

## SUBJECT LAND AND LOCALITY

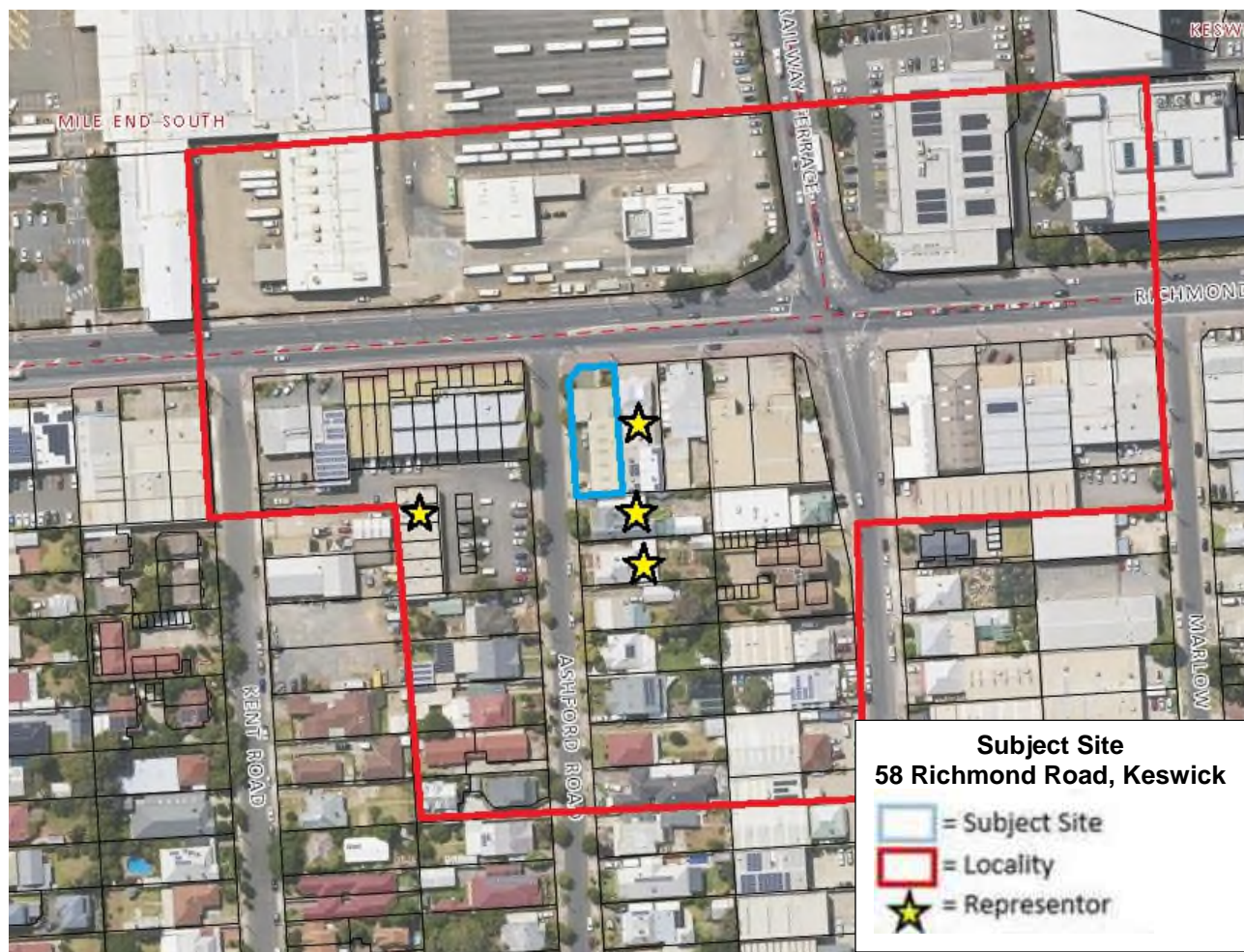
The subject land is formally described as Allotment 29 Filed Plan 19511 in the area named Keswick, in the Hundred of Adelaide, Volume 5242 Folio 338, more commonly known as 58 Richmond Road, Keswick. The subject site is rectangular in shape with an 11m wide frontage to Richmond Road, a secondary frontage to Ashford Road of 39.3m and a site area of 680m<sup>2</sup>.

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

The site currently contains two conjoined structures, together creating one cohesive building. The land itself is relatively flat and there are no Regulated Trees on the subject site or on adjoining land that would be affected by the development. The site is a corner allotment with frontages to Richmond Road (arterial road) and Ashford Road, with a formal access points to each. The Richmond Road access services three formal parking spaces at the front of the site, whereas the Ashford Road access does not service any existing parking spaces, instead being used for access to the storage areas of the building.

The site resides within a mixed locality with a variety of land uses, but separated into distinct sectors. The east-west corridor on the southern side of Richmond Road appears to be primarily commercial and low impact industrial and storage uses, with an inconsistent built form albeit all single storey. To the south of the site the land uses are residential in nature, with the dwellings being predominantly single storey and detached with a few examples of group dwellings and one multi-storey residential flat building. The northern side of Richmond Road is comprised of a public transport depot and a large administrative park comprising several buildings. Richmond Road is serviced by a high-frequency bus service, with the nearest bus stop being approximately 40m away to the west.

The subject land and locality are shown on the aerial imagery and maps below (Figure 1).



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

## PROPOSAL

The proposal is to change the existing land use (bulky goods outlet with associated warehousing) to a pilates studio. This use is specifically listed in Part 7 of the Planning and Design Code (The Code) as being captured in the definition of an indoor recreation facility and so is to be assessed as such. The proposal also includes the alterations to existing signage and establishment of new signage about the buildings primary and secondary facades. The studio is proposed to be in operation between the hours of 5AM to 8PM Monday to Friday, and 6AM to 12PM Saturday and Sunday, with single classes of up to 18 people run by up to 2 staff taking place.

For the purposes of an assessment the proposal is broken down into elements. Each element will have an assessment pathway as set out in The Code.

Elements	Application Category
Indoor Recreation Facility	Performance Assessed
Signage	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 Employment Zone in The Code.

<b>Properties notified</b>	46 properties were notified during the public notification process.
<b>Representations</b>	10 representations were received.
<b>Persons wishing to be heard</b>	3 representors who wish to be heard: <ul style="list-style-type: none"> <li>• Irene Papaioannou</li> <li>• Dennis Horton</li> <li>• Jules Williams</li> </ul>
<b>Summary of representations</b>	Concerns were raised regarding the following matters relevant to the assessment of the applications' planning merits: <ul style="list-style-type: none"> <li>• Availability of parking</li> <li>• Noise impacts, particularly in early morning</li> </ul>
<b>Applicant's response to representations</b>	<ul style="list-style-type: none"> <li>• Traffic survey undertaken demonstrates sufficient on-street parking to take up shortfall</li> <li>• Shortfall in neighbouring off-street parking should not prejudice the assessment of the proposal's parking demand</li> <li>• New cladding will be installed in the southern portion of the building that should reduce potential noise impacts</li> <li>• Acoustic report provided details proposal's compliance with <i>Environment Protection (Noise) Policy 2007</i>.</li> </ul>

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>• Shortfall of 6 spaces on site for land use but 10% discount reasonable due to presence of high-frequency bus service, leaving the shortfall at 4 spaces.</li> <li>• Shortfall for existing land use is 6 spaces based on currently available parking.</li> <li>• Proposed development considered supportable from a parking perspective based on the above.</li> </ul>
<b>Waste Management</b>	<ul style="list-style-type: none"> <li>• Standard kerbside collection is available for the operation of the land use.</li> <li>• Any waste generation exceeding the capacity of the standard 3 bins would require independent waste contractor.</li> </ul>

A copy of the referral responses are contained in **Attachment 3**.

## EXTERNAL REFERRALS

Nil

## RELEVANT PLANNING & DESIGN CODE PROVISIONS

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

## ASSESSMENT

Given the nature of development being for the change in land use of an existing building, there are relatively few quantitative recommendations that are applicable. Nevertheless there are still several quantitative provisions applicable and so the proposal is assessed for consistency with the quantitative requirements of the Planning and Design Code deemed most relevant as outlined in the table below:

PLANNING AND DESIGN CODE PROVISIONS	STANDARD	ASSESSMENT
Transport, Access and Parking DPF 1.1	4.5 parking spaces per 100sqm floor area (19 spaces recommended)	13 spaces provided
Employment Zone DPF 6.1	Advertisements do not exceed 6m in height and 8m <sup>2</sup> in area	4m height 4.2m <sup>2</sup> , 4.1m <sup>2</sup> area

In assessing the merits or otherwise of the application, only those quantitative requirements that do not meet the Code requirements will be discussed along with the respective qualitative provisions.

The proposed development is therefore discussed under the following sub headings:

### Land Use

The proposal involves the change in land use from a bulky goods outlet to a pilates studio, which is specifically captured within the definition of indoor recreation facility as per Part 7 of the Code. As such, an indoor recreation facility is the true element under assessment against the provisions of the Code. The Code does not provide an assessment pathway for such a land use and so the entire Code is applicable, with the discretion as to relevant policies left to the relevant authority.

Employment Zone Performance Outcome (PO) 1.1 states that the Zone should contain a range of employment generating [...] compatible businesses servicing the local community that do not produce emissions that would detrimentally affect local amenity. The associated Designated Performance Feature (DPF) 1.1 then lists specific uses that would be examples of land uses that meet this goal. Indoor recreation facilities are one of these uses and so it could be reasonably implied that a pilates studio is a use that is envisaged within the Employment Zone. PO 1.1 though states the qualifier that business should not produce emissions that detrimentally affect local amenity and so this would need to be tested in order for it to be reasonably stated that the land use is in fact, appropriate. The merits of the proposal therefore rest primarily upon the impacts to the amenity of the locality caused by the reasonably expected emissions of such a business.

### Amenity

The locality contains a large number of residential land uses directly to the south of the land, which would be considered sensitive receivers when considering the potential impacts to amenity. Interface between Land Uses PO 1.2 states that development adjacent to a site containing a sensitive receiver should be designed to minimise adverse impacts, whilst the previously mentioned Zone PO 1.1 essentially promotes the same ideal. The main areas of the proposal that have the largest potential to give rise to amenity impacts are considered to be noise generated from the land use and parking impacts as a result of people accessing the site during business hours. The parking provision likely impacts are discussed further in the report.

In regard to noise impacts, the most likely sources of these would be in the form of the playing of music and in people entering the site with their vehicles and visitors accessing the building itself, particularly in the morning. The Applicant has advised the following hours of operation for the business:

Monday - Friday: 5AM to 8PM

Saturday - Sunday: 6AM to 12PM

Interface between Land Uses PO 2.1 recommends that non-residential development not unreasonably impact the amenity of sensitive receivers through its hours of operation, having regard to: the nature of the development, measures to mitigate off-site impacts and the extent to which the development is desired in the zone. The associated DPF 2.1 does not specify recommended hours for such a land use and so it falls to an assessment of these three items. The last of these is considered to be satisfied as the land use is desired in the zone as evidenced in Zone DPF 1.1 as previously mentioned. The nature of development, being a fitness type land use would typically have hours of operation that were earlier in the day than other land uses typically expected within the Zone and so the proposed hours are not considered to be unusual for the land use. The key consideration then is the impacts of the proposed hours upon the sensitive receivers.

The Applicant has provided a study prepared by Beat Frequency where the expected audio levels were measured at various locations inside and outside the building. The noise produced was in the form of speakers producing sound at a level consistent with the music that would be played during the running of classes in the premises. Interface between Land Uses PO 4.6 requires that development incorporating music achieve suitable acoustic amenity at the boundary of an adjacent sensitive receiver and so this method was considered appropriate. It was also noted that the proposal also includes a fitout to the existing building to establish sound attenuating materials to the walls of the building, and the removal of an existing roller door, with the changes considered to decrease the resulting noise levels further.

The study found that the noise levels on the southern boundary with the building in its current form were 50.2dB, which accord with the ambient noise levels in the environment. The noise level was found to be less than the indicative noise factor stipulated in the EPA's Environment Protection (Noise) Policy for day time hours (after 7AM). The alterations to the building were considered to reduce the noise levels below 45dB, which is the threshold for night time hours (before 7AM). There is also approximately 6m between the southern boundary of the subject site and the nearest habitable room window at the front of the site and so the sound level expected at the nearest sensitive receiver is expected to be further reduced.

It is unclear as to whether the individual who produced the report has the relevant qualifications to declare conclusively that the noise impacts to surrounding sensitive receivers would be at a level that would not cause nuisance; however, the measurements taken and presented are considered suitable for determining the expected noise levels. This combined with the standards outlined in the EPA's Environment Protection (Noise) Policy are considered sufficient to determine that the expected noise levels at the nearest sensitive receivers would be low enough so as to not cause unreasonable impacts within the proposed hours of operation. Interface between Land Uses POs 2.1 and 4.6 are therefore considered to be reasonably satisfied.

## **Traffic, Parking and Access**

The other key source of potential amenity impacts is the shortfall in parking present on the site. The number of parking spaces recommended for the land use is specific in Transport, Access and Parking Table 1, via Performance Outcome 5.1. This PO recommends that sufficient on-site vehicle parking [...] are provided to meet the needs of the land use having regard to factors that may support a reduced on-site rate, such as the availability of on-street parking. The rate recommended in Table 1 is 4.5 spaces per 100m<sup>2</sup> of leasable floor area, resulting in a theoretical demand of 19 spaces. The site plan provided shows the provision of 13 spaces, which presents a shortfall of 6 spaces, but an increase of 2 spaces over the existing arrangement.

Comment was sought from Council's consulting Traffic Engineer, who posited that due to the presence of the high-frequency bus service in close proximity and the on-site provision of bicycle parking, it was not unreasonable to apply a 10% discount to this rate, bringing the more accurate demand to 17 spaces, a shortfall of 4 spaces. It was also stated that the shortfall in parking for the proposed use would be less than what existed for the previous land use based on the parking requirement applied under the City of West Torrens Development Plan at the time. It is not considered that this is reasonable justification for the shortfall though, as it does not adequately answer the questions posed by PO 5.1 in that just because the previous use had a shortfall does not inherently mean that a new shortfall is acceptable. It is agreed that a slightly lesser rate may be reasonable due to the presence of the high-frequency bus route though, particularly considering the proximity of the nearest bus stop.

PO 5.1 does advise that the availability of on-street parking can be used to justify a shortfall and the Applicant has provided a traffic and parking assessment prepared by CIRQA, which undertook a survey of the availability of on-street parking in the locality of the site. The assessment indicates that of the 26 on-street parking spaces identified in the locality, the highest occupancy was 6 on a Saturday morning, and 8 on a Wednesday morning, meaning there would be at least 18 spaces on-street spaces available at these times. The report concluded that there was sufficient on-street parking in the locality to accommodate the expected demand of the land use with minimal reliance on parking spaces in front of residential land uses on Ashford Road. The suggestion was also made in the report that the existing parking restrictions on the secondary street boundary of the site could be removed as they would no longer be needed to allow for the manoeuvring of delivery vehicles. This was presented to City Assets who agreed that this might be reasonable, but would need to be the subject of a separate application to Council and are not a relevant consideration for this assessment. Regardless of this, it is considered that the provision of on-site parking is acceptable when taking into account the availability of on-street parking in the locality and so Performance Outcome 5.1 is considered satisfied.

The subject land resides within the Future Road Widening Overlay and Major Urban Transport Routes Overlay, which both have triggers for referral to the Department for Infrastructure and Transport. Due to the development not proposing building work, the Deemed to Satisfy criteria of the Road Widening Overlay is met and so referral is not required under this Overlay. The existing access point to Richmond Road is not proposed to be altered in any way and it is not considered the proposal would result in an increase in the frequency of movements through this access, particular given that it only services three parking spaces. As such, referral is not required under this Overlay either.

## **Advertisements**

The proposal seeks to establish several advertisements about the site in association with the land uses. One is to reuse the existing pylon sign at the front of the site, which is not development as it will not be increasing the existing advertising area. The second is to change the signage on the front façade of the building, which is also not development for the same reasons. The third is to establish a new sign on the secondary street façade of the building and to paint the entire of the secondary street façade black to match the new branding. The painting of a building is not development but the new sign is and so forms part of the application. The sign itself is circular in shape with an area of 4.1m<sup>2</sup> and would be located approximately 3m above ground level.



The only provision listed in the Zone for advertisements is PO 6.1 but this refers only to free-standing advertisements, which the subject sign is not. This policy is therefore not considered relevant to the assessment. In the general development policies of the Code there are applicable provisions, in particular Advertisements PO 1.1, which recommends that advertisements be compatible and integrated with the design of the building and the land they are located on. Given that the sign generally meets the quantitative recommendations of the associated DPF 1.1 in that it is flush with a wall and does not project outside the extremities of the wall, it is considered that the sign is integrated and compatible with the existing building. It is also considered that the sign is of a scale that is appropriate to the character of the locality, avoids clutter and is not visually dominant. This element of the developments is therefore considered to satisfy Advertisements PO 1.5. Advertisements POs 2.1-2.3 relate to free-standing advertisements and so are not considered applicable.

Overall, the proposal advertising is considered to be acceptable within the locality and the context of the building.

### **Site Contamination and Waste Management**

In accordance with Practice Direction 14, an assessment as to whether or not a change to a more sensitive land use was occurring. Indoor recreation was not listed in Table 1: Land Use Sensitivity Hierarchy and so the relevant authority has to have regard to the potential for exposure of the population using the land use to contaminants when determining whether a more sensitive land use would be present. It is not considered that there is a reasonable likelihood that the land users would be exposed to any contaminants largely due to the site already having been sealed and the use not involving the accessing of any groundwater. It was therefore considered that a Preliminary Site Investigation was not required and that site contamination was not a notable issue.

The Applicant has advised that waste generation is likely to be minimal and would easily be managed through Council's standard kerbside collection. Council's Waste Management team have advised that a kerbside collection is available for the site and identified no issues with this arrangement, with the proviso that if additional waste were to be generated then the operator of the site would need to arrange a private waste collection. It is not considered that this is likely to eventuate and so the standard waste management is acceptable. The bins are proposed to be stored on the southern boundary of the site, which is considered acceptable given that they would be the standard 140L/240L bins and located at least 3m from the nearest habitable room of the southern adjoining dwelling, which is the standard accepted for residential development under Design in Urban Areas DPF 35.4.

### **SUMMARY**

The proposal to change the use of the subject site from bulky goods outlet to indoor recreation facility in the form of a pilates studio is considered to be appropriate as it is an envisaged land use within the Employment Zone, with the potential impacts arising from the land use adequately addressed.

The expected noise levels should not be at a level that would cause unreasonable nuisance to nearby sensitive receivers and the shortfall in parking on the site should be readily accommodated through the availability of on-street parking in the locality. The signage proposed in association with the land use is also considered to be reasonable within the context of the site and the locality generally.

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 2023.3 dated 16 February 2023.

On balance, the proposal reasonably satisfies the relevant provisions of the Planning and Design Code Version 2023.3 and therefore the application warrants the granting of Planning Consent, subject to specified 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 2023.3.
2. Application No. 23004522 by Albert and Anita Ruiz to carry out Change of use from bulky goods outlet to indoor recreation facility (pilates studio) with associated signage is GRANTED Planning Consent subject to the following conditions of consent:

### Planning Consent Conditions:

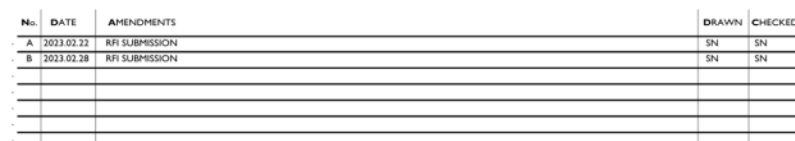
1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
2. The hours of operation of the premises shall not exceed the following period:-
  - 5:00am to 8:00pm Monday to Friday inclusively;
  - 6:00am to 12:00pm Saturday to Sunday
3. The use herein approved shall be restricted in capacity to a maximum of 18 patrons at any given time, and a maximum of 2 staff at any given time
4. A 15 minute changeover interval shall be provided between classes on all days.
5. 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.
6. The acoustic measures referenced in the report prepared by Beat Frequency as included in the documents submitted shall be established prior to the first use of the premises as an indoor recreation facility.
7. No amplified music shall be played outside the building(s).
8. The land use shall at all times be in operation in accordance with the guidelines set out in the *Environment Protection (Noise) Policy 2007*.

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### Attachments

1. **Plans and Reports**
2. **Representations and Applicant's Response**
3. **Referral Response**

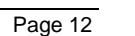





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DWG No:  
A001

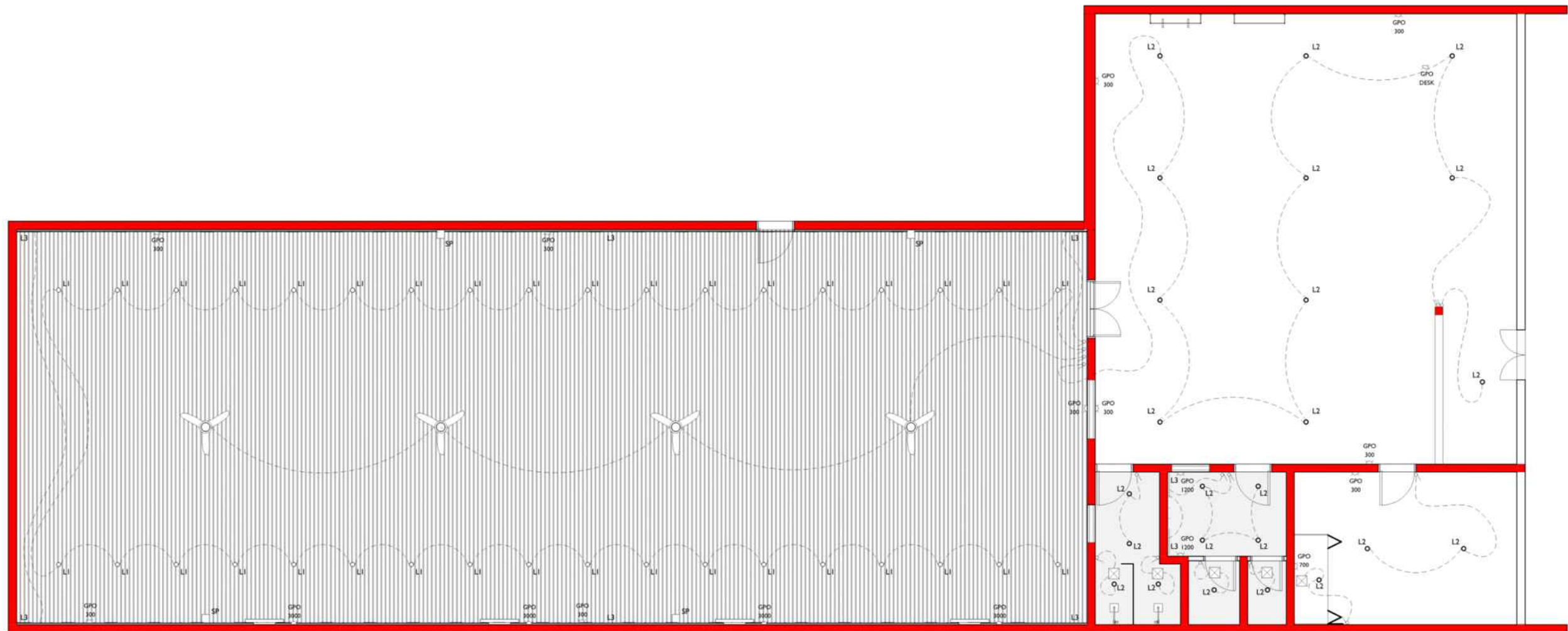


### LEGEND

 - EXISTING WALL TO BE RETAINED

 - EXISTING WALL TO BE REMOVED

 - PROPOSED WALL

[illegible]

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PROJECT TITLE  
58 Richmond Road, Keswick

CLIENT  
STRONG ROWFORMER

**DRAWING TITLE**  
Reflected Ceiling Plan

**DRAWN:**  
SN

SCALE @ A1:  
1 : 50

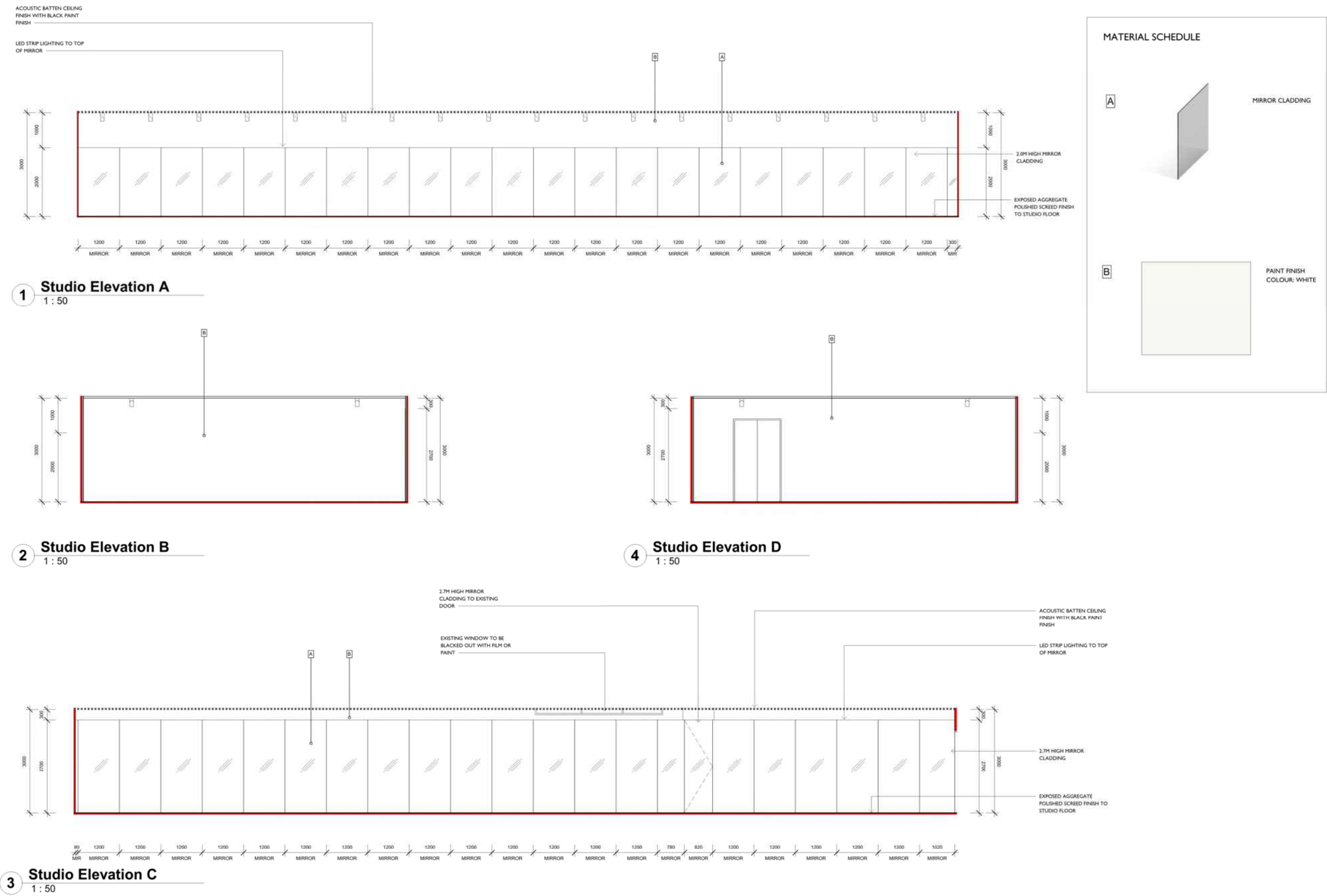
REVISION



JOB No:  
23-01

DATE:  
2023.01.30

DWG No:  
A200



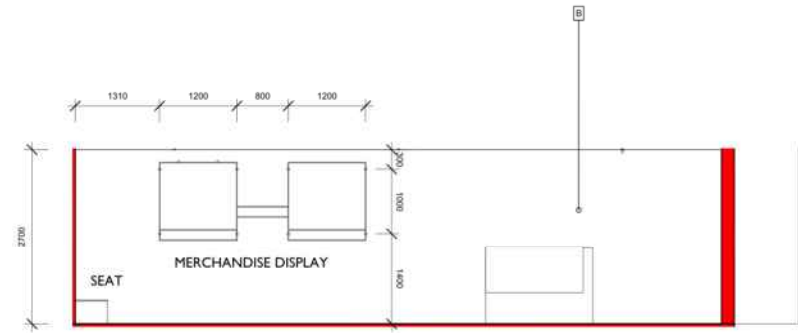
No.	DATE	AMENDMENTS	DRAWN	CHECKED

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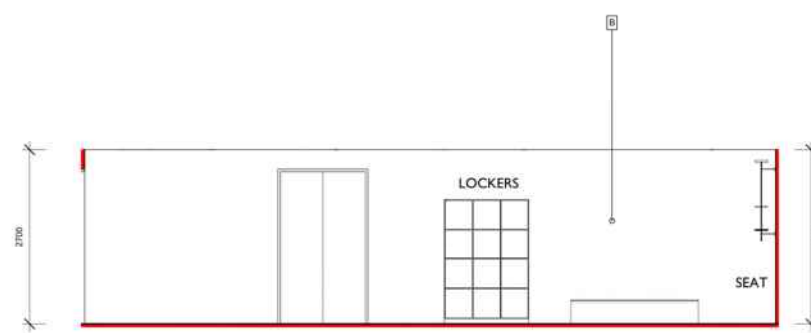
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PROJECT TITLE 58 Richmond Road, Keswick	CLIENT STRONG ROWFORMER	DRAWING TITLE Elevations	DATE 2023.01.30
DRAWN: SN	SCALE @ A1: 1 : 50	REVISION	DWG No: A300

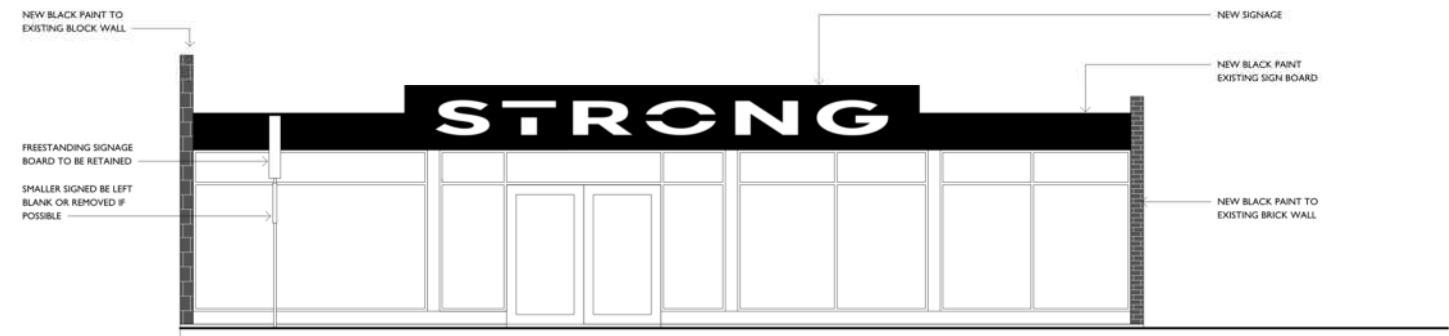


**A** Waiting Area Elevation A  
1 : 50

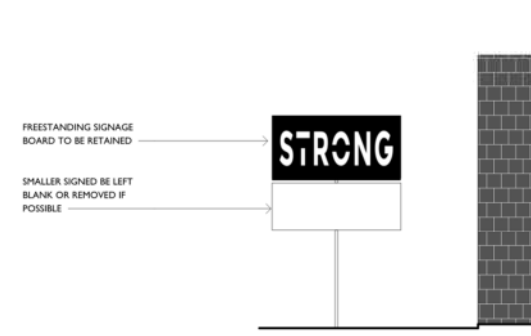


**2** Waiting Area Elevation B  
1 : 50

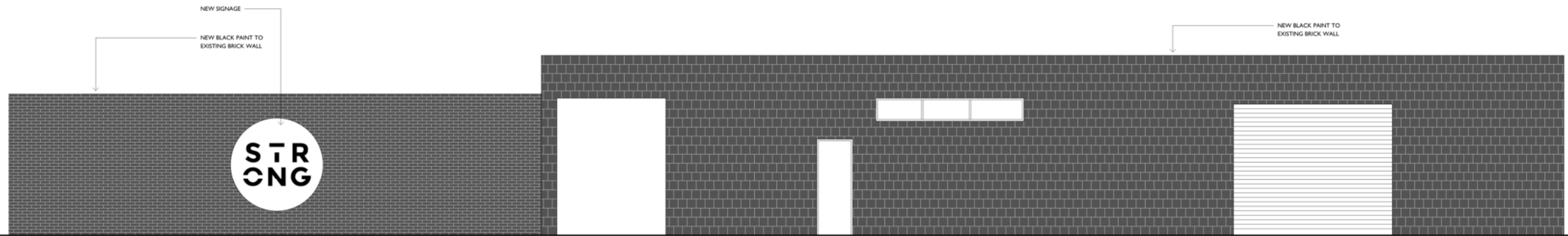
MATERIAL SCHEDULE		
A		MIRROR CLADDING
B		PAINT FINISH COLOUR: WHITE



**1** Facade Elevation A  
1 : 50



**4** Freestanding Signage Elevation  
1 : 50



**3** Facade Elevation B  
1 : 50

No.	DATE	AMENDMENTS	DRAWN	CHECKED

ARCHITECTURE BY SEMU

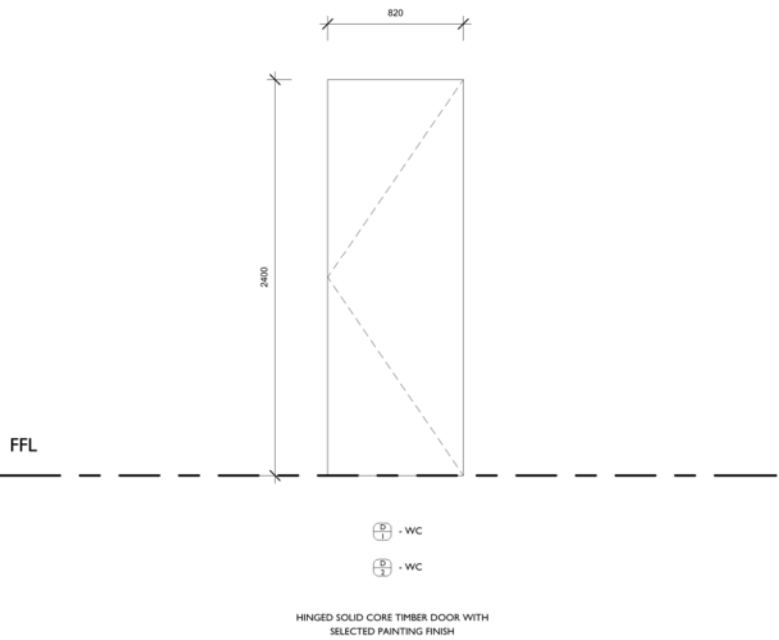
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PROJECT TITLE 58 Richmond Road, Keswick	CLIENT STRONG ROWFORMER	DRAWING TITLE Elevations	DATE 2023.01.30
DRAWN: SN	SCALE @ A1: 1 : 50	REVISION	DWG No: A301





DOOR SCHEDULE



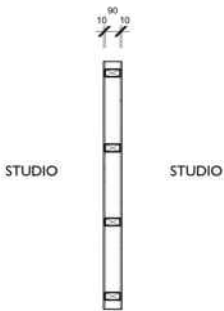
WALL TYPE SCHEDULE

EXISTING WALL



- Existing wall structure to be retained

WT1



- 1 x 10mm plasterboard wall lining  
- 90mm timber studs at 450mm cts  
- 1 x 10mm plasterboard wall lining

Note: Wet area plasterboard to wet area

WT2



- 1 x 10mm plasterboard wall lining  
- Top Hat sections fixed to existing walls

WINDOW / DOOR LEGEND

FRAME TYPES - ALL EXTERNAL WINDOWS AND DOORS ARE TO BE CHARCOAL COLOUR ALUMINIUM FRAMED UNLESS NOTES OTHERWISE

GLAZING TYPE

F	FIXED GLASS PANE
AW	AWNING WINDOW WITH CLEAR GLASS
OG	OBSCURE GLASS
SL	SLIDING

WINDOW NOTES

1. ALL OPERABLE WINDOW AWNINGS TO BE EQUIPPED / OPERATED BY LOCABLE WINDOW WINDERS. PROVIDE REMOTE MANUAL WINDOW WINDER TO HIGH LEVEL AWNING WINDOWS
2. ALL DOOR AND WINDOW GLAZING TO AS1288 & AS2047
3. DIMENSIONS ON WINDOWS SCHEDULE ARE NOMINAL. VERIFY ALL DIMENSIONS ON SITE PRIOR TO MANUFACTURING ANY WINDOWS
4. ALL EXTERNAL GLAZED DOORS TO HAVE WEATHER SEALS AND THRESHOLDS PLATES UNLESS NOTES OTHERWISE
5. ALL WINDOWS ARE SHOWN VIEWED FROM THE EXTERNAL ELEVATION AND TO BE OF PAINT FINISH UNLESS NOTED OTHERWISE
6. REFER ALL WINDOW HARDWARE TO SPECIFICATIONS
7. ALL STEEL WINDOW FRAMES TO BE PRIMED AND PAINTED UNLESS NOTES OTHERWISE
8. WINDOW NUMBERS GENERALLY REFER TO ENTIRE WINDOW FRAMING SLITE. NUMBERS OTHERWISE NOTED BY SPECIFIC WINDOW NUMBERING METHOD
9. ALL WINDOWS TO HAVE A SUB-SILL ALL AROUND FRAME. PROVIDE LONG THROW SUB-SILL AT BASE AS REQUIRED
10. ALUMINIUM SLIDING GLAZED DOORS TO BALCONIES TO BE CAPRAL 900 HIGH PERFORMANCE SLIDING DOORS AND HINGED DOORS TO BE 200 SERIES OR SIMILAR APPROVED BY ARCHITECT
11. ALL WINDOW SWINGS AND SLIDING DOOR DIRECTIONS ARE TO BE CHECKED AND CONFIRMED ON FLOOR PLANS PRIOR TO MANUFACTURING AND INSTALLATION.
12. REFER ENERGY RATING REPORT FOR ENERGY RATING REQUIREMENTS AND VENTILATION REQUIREMENTS.
13. KEY LOCKS TO ALL OPERABLE WINDOWS
14. GRADE 'A' LAMINATED SAFETY/ TOUGHENED GLASS TO ALL GLAZING BELOW 1 METER OR AS DIRECTED BY AS1288 & AS2208

DOOR NOTES

1. ALL REQUIRED EXIT DOORS AND DOORS IN THE PATH OF TRAVEL TO A REQUIRED EXIT MUST BE READILY OPENABLE WITHOUT A KEY FROM THE INSIDE, BY A SINGLE HANDED DOWN WARD ACTION LOCATED BETWEEN 900 - 1100MM FROM FLOOR LEVEL
2. ALL DOOR AND WINDOW GLAZING TO AS1288 & AS2047
3. DIMENSIONS ON DOORS SCHEDULE ARE NOMINAL. VERIFY ALL DIMENSIONS ON SITE PRIOR TO MANUFACTURING ANY DOORS
4. ALL EXTERNAL DOORS TO HAVE WEATHER SEALS AND THRESHOLDS PLATES UNLESS NOTES OTHERWISE
5. ALL DOORS ARE SHOWN VIEWED FROM THE EXTERNAL ELEVATION AND TO BE OF PAINT FINISH UNLESS NOTED OTHERWISE
6. REFER ALL DOOR HARDWARE TO SPECIFICATIONS
7. ALL STEEL DOOR FRAMES TO BE PRIMED AND PAINTED UNLESS NOTES OTHERWISE
8. DOOR HANDLES AND LOCKS SHOWN HERE ARE INDICATIVE ONLY. REFER DOOR HARDWARE FOR SPECIFICATIONS
9. FOR ALL DOOR SIGNAGE REFER TO SPECIFICATIONS. ALL STATUTORY SIGNAGE TO COMPLY WITH AUSTRALIAN STANDARDS AND RELEVANT BCA
10. ALUMINIUM SLIDING DOORS TO BALCONIES TO BE CAPRAL 900 HIGH PERFORMANCE SLIDING DOORS AND HINGED DOORS TO BE 200 SERIES OR SIMILAR APPROVED BY ARCHITECT
11. ALL DOOR SWINGS AND SLIDING DOOR DIRECTIONS ARE TO BE CHECKED AND CONFIRMED ON FLOOR PLANS PRIOR TO MANUFACTURING AND INSTALLATION.
12. REFER ENERGY RATING REPORT FOR ENERGY RATING REQUIREMENTS AND VENTILATION REQUIREMENTS.

DOOR CONTROL NOTES

ALL EXIT DOORS AND DOORS IN THE PATH OF TRAVEL TO EXITS ARE TO BE CAPABLE OF BEING OPERATED AT ALL TIMES FROM THE SIDE FACING A PERSON SEEKING EGRESS FROM THE BUILDING WITH A SINGLE HANDED DOWNWARD ACTION OR PUSHING ACTION ON A SINGLE DEVICE WITH THE USE OF A KEY AND LOCATED BETWEEN 900MM AND 1100MM ABOVE THE FLOOR LEVEL IN ACCORDANCE WITH CLAUSE D2.21 OF THE NCC & AS1428.1-2009

ALL DOORS AND HANDLES TO COMPLY WITH AS1428.1-2009 AND DOOR FRAMES TO HAVE 30% LUMINANCE CONTRAST TO THE ADJACENT SURFACE. SAFETY DECALS TO DOOR LEAF, SIDE LIGHTS AND ANY OTHER AREAS WHICH CAN BE MISTAKEN FOR OPENINGS. SOLID NON-TRANSPARENT BAND NO LESS THAN 75MM WIDE REQ. WITH THE LOWER EDGE OF THE BAND TO BE 900 - 1000MM ABOVE AFL.

DOOR, WALL AND OR FRAME COLOURS ACHIEVE A MINIMUM LUMINANCE CONTRAST OF 30% BETWEEN TWO OF THE SURFACES

OUTWARDS - OPENING DOORS SHALL HAVE A MECHANISM THAT HOLDS THE DOOR IN A CLOSED POSITION

HANDLES AND LOCK AS TO BE LOCATED 900 - 1100, AFFL (AS1428.1-2009 CLAUSE 13.5.3(A))

D SHAPED LEVEL AND PULL HANDLE TO BE PROVIDED TO ALLOW A PERSON WITH LIMITED GRIP TO USE THE HANDLE (AS1428.1-2009 CLAUSE 13.5.2(B))

HANDLES TO HAVE CLEARANCE OF 35 - 45MM BETWEEN THE HANDLE AND THE DOOR (AS1428.1-2009 CLAUSE 13.5.2(B))

D PULL HANDLE ON SLIDING DOORS REQUESTED TO BE 60MM FROM THE DOOR JAMP ON BOTH THE OPENING AND CLOSED POSITION (AS1428.1-2009 CLAUSE 13.5.3 (D))

LONG PULL HANDLES WHICH EXTEND BELOW 900MM AFFL. AREA NOT TO INTRUDE INTO THE REQUIRED CLEAR OPENING OF THE DOOR (850MM CLEAR OPENING). A GREATER DOOR LEAF SIZE WILL BE REQUIRED WHERE THE DOOR CANNOT OPEN PAST 90 DEGREES (AS1428.1-2009 CLAUSE 6.3(C))

DOOR SNIBS ON ALL DOORS REQUIRED TO BE ACCESSIBLE. INCLUDING ACCESSIBLE SANITARY FACILITIES AND AMBULANT CUBICLES TO BE MINIMUM 45MM LONG LEVERS, MEASURED FROM THE CENTRE OF THE SPINDLE (AS1428.1-2009 CLAUSE 13.5.2 (E))

AN AUXILIARY PULL HANDLE OR HORIZONTAL GRAB RAIL ON THE CLOSING FACE OF THE DOOR IS REQUIRED ON DOORS THAT ARE NOT SELF-CLOSING (AS1428.1-2009 CLAUSE 13.5.2 (F)) (FIGURE 3a)

CONTROLS FOR AUTODOORS TO BE LOCATED 900 - 1250MM AFFL. BETWEEN 1000-2000MM FROM THE DOOR OR THE ARC OF HINGED DOOR AND NOT WITHIN 500MM OF AN INTERNAL CORNER (AS1428.1-2009 CLAUSE 13.5.3 (C) & (E))

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PROJECT TITLE	CLIENT	DRAWING TITLE	DATE
58 Richmond Road, Keswick	STRONG ROWFORMER	Schedules	2023.01.30
DRAWN:	SCALE @ A1:	REVISION	JOB No:
SN	1 : 20		23-01
			DWG No: A400



1 March 2023

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## **CHANGE OF USE FROM SERVICE TRADE PREMISE TO INDOOR RECREATION FACILITY (PILATES STUDIO) AND EXTERNAL SIGNAGE**

**58 RICHMOND ROAD, KESWICK**

### **INTRODUCTION**

Humby Consulting has been requested by the applicant, Anita & Albert Ruiz to assist in the preparation, assessment and lodgement of a development application for the above mentioned development at 58 Richmond Road, Keswick.

In undertaking an assessment of the proposal, I have both reviewed and assisted in the preparation of the proposed plans whilst reviewing the most pertinent provisions of the Planning and Design Code.

I have also inspected the subject land and its locality, with the merits of the proposal previously discussed with Council administration. I provide my views and opinions on this matter below.

### **SUBJECT LAND AND LOCALITY**

The subject land comprises Allotment 29, Filed Plan 19511 of Certificate of Title Volume 5242 Folio 338 – commonly known as 58 Richmond Road, Keswick.

The rectangular shaped allotment is located on the south eastern corner of Richmond Road and Ashford Road. The subject land contains a frontage of 10.97 (plus 6.02 corner cut-off) to Richmond Road and 39.32 metres frontage to Ashford Road. The subject land contains a site area of approximately 632m<sup>2</sup>.

The subject land contains an existing single level building fronting Richmond Road. A service trade premise (Bamboo Flooring SA) occupies the building, with a glass fronted showroom located at the Richmond Road frontage and a warehouse/workshop located at the rear.

The existing built form is built on the majority of the eastern and southern boundaries, with increased setbacks from Richmond Road and Ashford Road that provide suitable on-site car parking. Three (3) on-site car parks are located at the Richmond Road with up to 10 on-site car parks provided along the Ashford Road frontage.

Access to the service trade premise is obtained from Richmond Road, with pickup/deliveries occurring from the Ashford Road frontage. A large roller door, immediately adjoining a residential property to the south, is the main access point for pickups and deliveries.

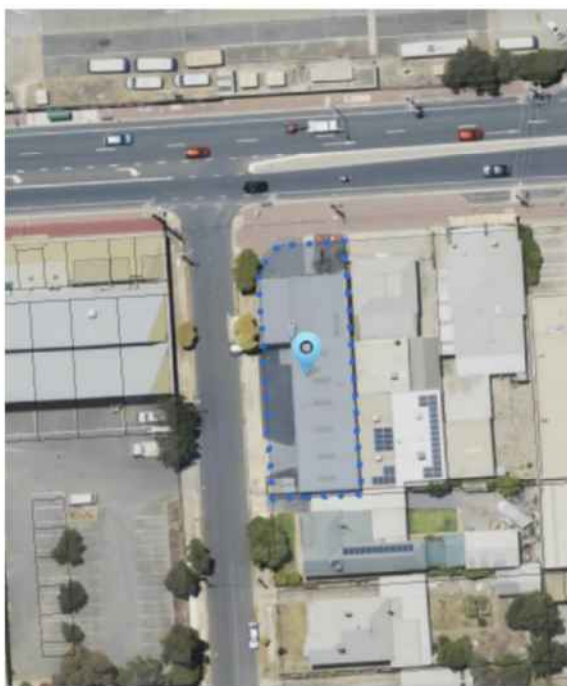


No regulated or significant trees are located on the subject land. Two street trees are located along the Ashford Road frontage, however neither are regulated or significant. Landscaped areas are located adjoining the car parking along the Richmond Road frontage.

The subject land is for all intents and purposes relatively flat, with no noticeable slope over the land.

There are no Land Management Agreements, easements or other encumbrances that apply over the subject land.

**Subject Land**



Source: SAPPA



*View from Richmond Rd looking south at subject land*



*Existing Signage on Richmond Road frontage*





*View from Ashford Road looking west at subject land*



*View from adjoining land looking west at subject land*



*View from subject land looking north west*



*View from subject land looking north*



*View of adjoining allotment looking south west*



*View from subject land looking west*



*Internal areas of existing service trade premise*

The subject land is located within an commercial precinct where all allotments fronting Richmond Road, are commercial in nature and contains a low to moderate amenity.

To the north of the subject land is a large landholding comprising the Torrens Transit bus depot (Mile End Depot) that occupies the majority of land between South Road and Railway Terrace. No vehicular access is obtained from Richmond Road, with its primary frontage facing Railway Terrace. Chainmesh fencing and advertisements are located along the Richmond Road frontage.

To the west of the subject land is a mix of commercial activities and common car parking areas that form part of the 'Richmond Centre' complex. Built form is located on the Richmond Road frontage, with shared carparking to the rear (accessed off Ashford Road). Further west are a mix of commercial and light industrial land uses fronting Richmond Road.

To the immediate east of the subject land is an allotment containing the Greeks of Egypt & Middle East Society of SA Inc, a community centre that provides a meeting hall for members of this community. Services are provided between 10am and 3pm (Tuesdays) and dinners (from 6pm) on Sunday. Further to the east is a small shop ('Lunch on Richmond') that operates between 6:30am and 4pm, Monday to Friday.

Allotments to the south (or rear) of the subject land are of a residential nature and located with the Housing Diversity Neighbourhood Zone. The allotment to the immediate south contains a single storey detached dwelling, with a garage built on its northern boundary.

The locality is considered to contain a mix of commercial/light industrial land uses fronting Richmond Road and the northern section of Ashford Road, with residential allotments of a similar size and configuration located to the south of the subject land.



### Locality Plan



Source: SAPPA

### PROPOSAL

It is proposed to change the use of the land from an existing service trade premises to an indoor recreation facility (Pilates Studio) at 58 Richmond Road, Keswick. Consisting of a 416m<sup>2</sup> footprint, the proposed development will comprise the following:

- Reception / waiting area / staff room / amenities (178m<sup>2</sup>)
- Pilates Studio (238m<sup>2</sup>)
  - Including 18 Pilates 'rowformers'

The proposed Pilates Studio will utilise the existing building with no significant structural upgrades to the building proposed. The existing showroom will be used as the reception/waiting room area, with the rear warehouse/workshop being converted to a purpose built Pilates studio.

'Strong' Pilates is a new Pilates franchise that incorporates a 'rowformer' that is the first machine to combine resistance training with cardio HIIT training. Class combine strong controlled movements and bursts of fast movement. Thirty-two (32) venues currently operate around Australia, including 4 venues in Adelaide (Henley Beach, Modbury, Port Adelaide and Somerton Park) with a further 8 soon to be opened.

Eighteen (18) Pilates machines ('rowformers') are to be located in the rear section of the existing building. Each rowformer can only accommodate 1 person, resulting in a maximum 18 clients and 1 Pilates teacher. Each class runs for 40 minutes, with a 15 minute timeframe for clients to leave the premise (and carpark area) prior to the arrival of next clientele (arrival is promoted 5 minutes before classes start).





At certain times, a second staff member will be present throughout the day to manage ongoing day-to-day operations. As such, it is anticipated that a maximum 20 persons will be present on site at any one time.

The development incorporates 13 on-site vehicle car parks, 10 located on the Ashford Road frontage and 3 located on the Richmond Road frontage. The proposed car parking formalises the existing car parking layout, particularly along the Ashford Road frontage, whereby the current activities have been using this area for external storage and commercial deliveries.

Areas are also available for Bicycle 'parking', with 3 bike parks located along the Richmond Road frontage, with overflow areas located internally, adjoining the internal lockers.

The existing signage located on the subject land is to be replaced with the 'Strong' Pilates branding. The existing building facades along Richmond and Ashford Roads are also to be painted black to emphasise the chosen branding.

One portion of the non-illuminated free-standing sign (fronting Richmond Road) is to be replaced with the 'Strong' branding, with the lower portion to be left blank. The lower portion will be removed at a later stage.

A 'Strong' sign will be placed on the front façade (replacing a similar sized Bamboo Flooring sign) with the balance of the facade and wall painted black. Existing windows will be retained. One circular 'Strong' sign will be attached to the facade and will not be illuminated.

The internal areas of the Pilates studio area will be upgraded with the existing roller door/large door entrances onto Ashford Road closed and 2.7 metre high mirror cladding installed. 2.0 metre high mirror cladding will also be installed along the internal eastern wall.

An acoustic batten ceiling within the Pilates studio area will be installed to assist in containing any noise generating from the class activities.

Small wall-mounted speakers are will be installed within the studio area to provide amplified music. The small speakers are not designed to be have large noise output but rather provide music while the Pilates trainer teaches the clientele through the scheduled classes.

Operating hours will be as follows:

- Monday to Friday – 5am to 8pm
- Saturday and Sunday – 6am to 12noon

Scheduled classes are not to be held throughout the entire opening hours, with the period between 11am and 3:30pm retained for smaller personalised classes or corporate events with local businesses (ie promoting well-being sessions with neighbouring businesses).

Landscaping areas along the Richmond Road frontage will be retained, with additional shrubs (300mm height x 300mm wide) proposed to increase the landscaped coverage.

No external lighting is proposed.

General waste is expected to be minimal and will be managed via Council's standard bin system. Collection can be obtained via Ashford Road, with bins located in a designated area along the southern boundary.



## PLANNING ASSESSMENT

The subject land is located within the Employment Zone of the Planning and Design Code (2 February 2023 – Version 2023.2).

The adjacent allotments to the north, east and west are located within the Employment Zone, with the allotments to the south located in either the Housing Diversity Neighbourhood Zone or Urban Corridor (Business) Zone.



The subject land has a number of Overlays and Technical and Numerical Variations (TNV) that are applicable to any assessment, including the following:

- Airport Building Heights (Regulated) – Over 15 metres
- Advertising Near Signalised Intersections
- Building Near Airfields
- Future Road Widening
- Hazards (Flooding)
- Hazards (Flooding – Evidence Required)
- Major Urban Transport Routes
- Prescribed Wells Area
- Regulated and Significant Tree
- Traffic Generating Development
- Maximum Building Height (Metres) TNV – 8.5 metres
- Maximum Building Height (Levels) TNV – 2 levels

## KIND AND NATURE OF DEVELOPMENT

The proposed development is considered to fall with the classification of an Indoor Recreation Facility (in the form of a Pilates Studio) pursuant to Part 7 of the Planning and Design Code.



The change in the use of the land from an existing Service Trade Premise to an Indoor Recreation Facility is neither listed as a Deemed to Satisfy or Restricted development in the Employment Zone and as such, the development is to be considered as a Performance Assessed application.

Table 5 of the Employment Zone identifies land use classes of performance assessed development that are excluded from notification. It is recognised that Indoor Recreation Facility is not listed as an excepted land use in this Table and would normally require public notification.

The proposed change in use from an existing Service Trade Premise to an Indoor Recreation Facility (Pilates Studio) is considered to result in an improved level of amenity within the Ashford Road locality. The existing Bamboo Floors SA business operates Monday to Friday (9am to 5pm) and Saturday (9am to 2pm), with a minimum 2 commercial deliveries to and from the site every day.

Deliveries are managed via the rear roller door that is located directly abutting the residential allotment to the south. The ageing roller door creates excessive noise when operated, with the forklift and trade vehicle deliveries creating noises that have been known to cause impacts upon the adjoining resident.

The proposed Pilates Studio seeks to decommission the roller door and other access points onto Ashford Road. The internal spaces within the building will consist of 2.7 metre high mirrors for use of clientele during classes. No access will be available via the roller door/large side access doors, ensuring that the noise impacts are substantially reduced on the adjoining residential allotments.

This is further enhanced by the inclusion of an acoustic batten ceiling that will result in an improvement to the building's acoustic measures and reduce noise impacts upon the adjoining residential allotment.

The visual appearance of the existing built form will also be enhanced. The car parking areas along Ashford Road are currently used for external storage, with the proposal seeking to formalise the car parking areas and paint the external facades of the building. This will improve the visual amenity along Ashford Road.

The proposal does not create any substantial changes to the overall footprint of the existing built form but rather seeks to make changes to the external design and internal layout.

The proposed change in the use of the land to an indoor recreation facility is considered to be a more suitable land use than the existing service trade premise as it will result in minimal external impacts upon the adjoining residential area.

Council, as the relevant authority, is therefore encouraged to consider the proposed development to be 'minor in nature' pursuant to Section 1 of Table 5 of the Zone and not result in the requirement of public notification:

- *Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.*

## OVERLAYS AND TECHNICAL AND NUMERICAL VALUES

The subject land has a number of Overlays that affect the land and are identified as being applicable to the assessment of the proposed change in the use of the land. My assessment of the proposal against the applicable policies of these Overlays is as follows:

**Airport Building Heights (Regulated) – 15 metres** – this Overlay seeks to manage the potential impacts of buildings to maintain the operational and safety requirements of certified commercial and military airfield, airports, airstrips and helicopter landing sites. In this circumstance, the proposal utilises the existing building,





with no external building work. The existing building is substantially less than the 15 metre high requirement and will not pose a hazard to the operations of the certified or registered aerodrome.

**Advertising Near Signalised Intersections** – this Overlay seeks to maintain a safe road environment by reducing driver distraction at key points of conflict on the road. In this circumstance, the proposal seeks to replace existing signage:

- Fascia signage – Richmond Road frontage – non-illuminated
- Free-standing signage – Richmond Road frontage – non-illuminated
- Fascia Signage – Ashford Road frontage – non-illuminated.

It is recognised that the subject land is located approximately 65 metres from the signalised intersection to the east (Richmond Road and Railway Terrace/Croydon Road). As the proposed signage is not illuminated (either by way of internal or external illumination), a referral to the Commissioner of Highways is not required.

**Building Near Overlay** – this Overlay seeks to maintain the operational and safety requirements of certified commercial and military airfield, airports, airstrips and helicopter landing sites. In this circumstance, the proposal is not likely to attract or result in an increase in wildlife to the area resulting in the increase risk of aircraft wildlife strike – ensure consistency with Performance Outcome 1.2. Similarly, the location of the subject land exceeds the minimum separation requirements and meets the intent of Performance Outcome 1.3.

In regards to outdoor lighting, no external lighting is proposed. This will ensure consistency with Performance Outcome 1.1 of the Overlay.

**Hazards (Flooding) Overlay and Hazards (Flooding – Evidence Required) Overlay** - these Overlays seek to ensure that the impacts from flood risk are minimised through the appropriate siting of development. The proposed change in the use of the land does *not* alter the existing built form or the existing stormwater disposal techniques. The proposal also retains the existing areas of landscaping, that allow a small area of infiltration.

Given there is no increase in the impervious areas on the site nor does it result in any increase in the volumes of stormwater disposal, a detailed analysis or application of this Overlay is not required.

**Future Road Widening Overlay** – this Overlay seeks to ensure that development does not compromise the ability for future road widening requirements of the Metropolitan Adelaide Road Widening Plan. In this circumstance, it is recognised that the Richmond Road frontage is subject to the Overlay provisions (C Type requirements and 6 Metre Consent Area).

Performance Outcome 1.1 states that development should not compromise or minimise its impacts on future road widening requirements, with the corresponding Designated Performance Feature 1.1 stating that *'development does not involve building work, or building work is located wholly outside the land subject to the 6m Consent Area and C Type Requirement' areas.*

In this circumstance, no 'building work' is being proposed within the C Type Requirement area as the three existing on-site carparks, freestanding signage and landscaping are to be retained. The front of the existing building is located within the 6m Consent Area, with the





proposal undertaking no any 'building work'. The existing external walls and windows are being retained, with only lightweight internal fixtures proposed within the reception area and staff room.

As the proposed development does not undertaken building work, a referral to the Commissioner of Highways is not required in relation to future road widening.

**Prescribed Wells Area Overlay** – this Overlay seeks to ensure that suitable water use within prescribed wells areas. As the proposed development does not seek to extract any ground water, the application of this Overlay is not required.

**Regulated and Significant Tree Overlay** – this Overlay seeks to conserve Regulated and Significant Trees. No Regulated or Significant Trees are located on the subject land or adjoining land. It is also acknowledged that the proposed development does not result in any changes to the existing built form, resulting in no further impacts to the existing street trees (neither are Regulated or Significant). As such, the application of this Overlay is not required.

**Traffic Generating Development Overlay + Major Urban Transport Routes Overlay** – these Overlays seeks to ensure safe and efficient access to and from urban transport routes. In this circumstance, Richmond Road is a 'State Maintained Road'. There are however no changes proposed to the existing access or on-site carparking fronting Richmond Road.

Although it is recognised that the proposal does not create a new access or junction onto Richmond Road, Council may be of the opinion that the proposed development changes the nature of vehicle movements or increases the number or frequency of movements through the existing access.

As discussed further in this report (Car Parking and Access), the main area of on-site car parking associated with the proposed development is accessed via Ashford Road not Richmond Road. Ten (10) on-site car parks are located along the Ashford Road frontage, with only 3 on-site car parks accessible from Richmond Road.

The 3 car parks accessed from Richmond Rd are existing, with no changes proposed to either the layout of the car parks or the access/crossover onto Richmond Road. One (1) of the car parks will be utilised by a staff member, ensuring that only 2 may be used by visiting clientele. Given the small number, it is my opinion that the proposed change in the use of the land will not result in any perceivable changes to the nature of vehicle movements frequency of movements through this access point.

As referenced in the 'Procedural Matters – Referrals' section of the Major Urban Transport Routes Overlay, (part (c)) provides Council, as the Relevant Authority, the opportunity to deem the proposal as 'minor' and not require a referral to the Commissioner of Highways.

As indicated above, the proposed change in the use of the land, does not require a referral based upon the Advertising Between Land Uses Overlay or the Future Road Widening Overlay.

Council is therefore encouraged to consider the 'minor' status of this proposal and support the suggestion that a referral to the Commissioner of Highways is not required.

**Maximum Building Height (Metres) TNV** – The maximum height applicable for this development is 8.5 metres. The proposed change in use of the land does not alter the existing building heights. In any event, the existing single storey building height is substantially less than the maximum height permissible.





**Maximum Building Height (Levels) TNV** – The maximum levels applicable for this development is 2. The proposed change in use of the land does not alter the existing building levels. In any event, the existing single storey building is less than the maximum levels permissible.

**Site Contamination** – Previous discussions with Council administration has confirmed that the proposed development falls within the same class as the current land use. As such, no further review is required.

## INTENT OF ZONE AND LAND USE

The Employment Zone supports 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 (Desired Outcome 1).

Performance Outcome 1.1 further expands on the anticipated land uses with 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'*. The corresponding Designated Performance Feature 1.1 specifically identifies 'Indoor Recreation Facility' as a land use encouraged with the Employment Zone.

The proposed external upgrades to the building façade, including the coordinated painting and signage designs on both the Richmond Road and Ashford Road frontages, assists to create a distinctive building and streetscape design that achieves an improved visual amenity along this arterial road frontage and interface with the adjoining zone boundary. This ensures consistency with Performance Outcome 2.1 of the Employment Zone.

As such, it is my opinion that the proposed development is an appropriate land use that is consistent with the Desired Outcomes and satisfies the Performance Outcomes of the Employment Zone.

## CARPARKING, TRAFFIC AND ACCESS

*Table 1 – General Off-Street Car Parking Requirements (Transport, Access and Parking section of the General Development Policies)* of the Planning and Design Code suggests car parking rates for the proposed development:

- Indoor Recreation Facility
  - 6.5 spaces per 100m<sup>2</sup> of total floor area for a Fitness Centre
  - 4.5 spaces per 100m<sup>2</sup> of total floor area for all other Indoor recreation facilities

In this circumstance, it is recognised that the proposed Pilates Studio is considered to be a 'fitness centre'. It is however acknowledged that the size and type of fitness centres vary, with the proposed Pilates studio considered to be on the smaller scale.

The proposed development incorporates 178m<sup>2</sup> of floor area for the reception/waiting area/staff room/amenities with 238m<sup>2</sup> for the Pilates reformer area – a combined floor area of 416m<sup>2</sup>.

The proposed development would generate a theoretical requirement of 27 on-site car parks if utilising the above criteria. It is noted that the proposed development creates 13 on-site car parks – 10 accessed from Ashford Road and 3 from Richmond Road, a theoretical shortfall of 14 car parking space.

It is considered that the proposed Pilates Studio could operate on the subject land without achieving the theoretical expectations of Table 1 of the Code.



Eighteen (18) Pilates machines ('rowformers') are to be located in the rear section of the building. Each rowformer can only accommodate 1 person, resulting in a maximum 18 clients and 1 Pilates teacher. Each class runs for 40 minutes, with sufficient time (15 minutes) for clients to leave the premise (and carpark area) prior to the arrival of next clientele (arrival is promoted 5 minutes before classes start). This will ensure that there is no overlap of both classes clientele and reduce potential traffic congestion.

At certain times, a second staff member will be present throughout the day to manage ongoing day-to-day operations. As such, it is anticipated that a maximum 20 persons will be present on site at any one time.

Pilates has traditionally been a female dominant clientele, with marketing being more female-focussed. The 'Strong' Pilates model seeks to incorporate strength and cardio workouts that attracts an increase in male clientele, with an increased number of 'couples' attending other Strong facilities across Australia. Given the nature of the Pilates class, a higher proportion of clientele attend the site with a partner or as commonly seen in other Pilate studios, with a friend. This results in an increased use of shared vehicle use and an overall reduction of vehicles present at any one time.

Scheduled classes (with the maximum number of potential clientele) are not to be held throughout the entire opening hours, with the period between 11am and 3:30pm (Monday to Friday) retained for smaller personalised classes or corporate events with local businesses (ie promoting well-being sessions with neighbouring businesses). These events are anticipated to generate a lower car parking requirement.

A conservative estimate of 13 vehicles are expected per scheduled class, resulting in 26 vehicle movements per hour (Monday to Friday prior to 11am and after 3:30pm and Saturday/Sunday). A reduced vehicle movements in the order of 10 vehicles per hour are anticipated between 11am and 3:30pm. This results in an expected number of vehicle movements on Monday-Friday in the order of 275 per day, with Saturday/Sunday 160 per day.

The maximum vehicle length expected to access the site will be restricted to light/passenger vehicles. No larger vehicles (using trailers or medium rigid vehicles) are required for the activities proposed.

The site also has capacity for the provision of on-site bicycle parking, with 3 bike racks located adjoining the Richmond Road frontage. Areas suitable for bicycle racks can also be located within the waiting area adjoining the clientele lockers. The use of bicycles (and walking) will be encouraged to members as part of the overall health and welfare programme.

It is considered that the combination of increased use of shared transportation and the provision of on-site bicycle parking ensures that the proposal will provide adequate on-site parking spaces to cater for this small-scale indoor recreation facility.

It is recognised that the proposed car parking layout results in vehicles reversing out onto Ashford Road. Similarly, vehicles existing onto Richmond Road utilise the pathway to manoeuvre and exit in a forward direction. Although this configuration is not strictly in accordance with Australian Standards, they are consistent with the previously approved land uses on this site.

The existing land use – a service trade premise – has been operating from the site for an extended period of time. It is acknowledged that the existing land use was assessed against the relevant provisions of the former West Torrens Development Plan, however the relevant traffic and access provisions are consistent with those found within the Planning and Design Code.



Other than providing additional car parking spaces in front of the existing roller door, the proposal does not alter the overall layout or functionality of the existing car parks and vehicular movements.

Given the small scale nature of the proposed Pilates studio, it is considered that the traffic expected from the proposed development can be safely accommodated without having a detrimental impact on Richmond Road, Ashford Road and the adjoining road networks.

As such, it is reasonable to suggest that the proposed development could be reasonably expected to occur without having any detrimental impacts on the locality and satisfies the relevant provisions of the Planning and Design Code.

### **ACOUSTIC IMPACT**

It is acknowledged that the activities occurring within the Pilates studio have the potential to generate minor acoustic impacts. The upgrades and refurbishment of the internal areas of the building are however considered appropriate design measures to mitigate any external impacts on adjoining residential allotments (and in particular the adjoining southern allotment).

Of particular interest, the proposal seeks to decommission the roller door and other access points onto Ashford Road. The current service trade premise receives all deliveries via the rear roller door that is located directly abutting the residential allotment to the south. The ageing roller door creates excessive noise when operated, with the forklift and trade vehicle deliveries creating noises that have been known to cause impacts upon the adjoining resident.

The use of the building for a Pilates studio will result in the installation of internal cladding along the western walls (2.7 metre high mirrors for use of clientele during classes). No access will be available via the roller door/large side access doors, ensuring that the noise impacts are substantially reduced on the adjoining residential allotment.

This is further enhanced by the inclusion of an acoustic batten ceiling that will result in an improvement to the building's acoustic measures and reduce noise impacts.

Although the proposed classes will use amplified music, the small wall-mounted speakers are not designed to have large noise output. Unlike other gym/fitness centres that operate with loud, non-stop music that use elevated noise levels across large floor plate areas, the proposed Pilates studio is contained within a compact 238m<sup>2</sup> area. The 18 'rowformers' are located in this space, and unlike traditional gym equipment, these machines are low-noise generating.

Music noise levels are also kept to a minimum to enable the Pilates trainer to 'teach' the clientele through the scheduled classes.

The existing building is located on the southern boundary, with a solid wall running the majority of this boundary. The adjoining dwelling contains a garage/enclosed carport adjoining the common wall, with the main living areas contained with the dwelling providing increased separation from the subject land.

With the above mentioned management measures, the acoustic impacts of the proposed development are anticipated to be acceptable within the Employment Zone (and wider locality) and it is considered that the activities can operate with the requirements of the *Environment Protection (Noise) Policy 2008*.





## SIGNAGE

The existing signage located on the subject land is to be replaced with the 'Strong' Pilates branding.

One portion of the non-illuminated free-standing sign (fronting Richmond Road) is to be replaced with the 'Strong' branding, with the lower portion to be left blank. The lower portion will be removed at a later stage.

A 'Strong' sign will be placed on the front façade (replacing a similar sized Bamboo Flooring sign) with the balance of the facade and wall painted black. Existing windows will be retained. The Ashford Road façade will similarly be painted black. One circular 'Strong' sign will be attached to the façade and will not be illuminated.

The signage is considered to be of a scale and size that is appropriate for a commercial operation in the Employment Zone and is established to be coordinated with and complementary of the architectural form and design of the building, as envisaged by Performance Outcome 1.1 of the Advertisements General Development policies.

The signage also ensures consistent with Performance Outcome 2.1 and Performance Outcome 6.1 of the Employment Zone that seeks to avoid visual clutter and untidiness by restricting signage to 1 freestanding advertisement, not exceeding 6m in height and do not have a face that exceeds 8m<sup>2</sup>.

## CONCLUSION

It is my opinion that the proposed development represents an appropriate form of development in the context and intent of both the Employment Zone and other relevant policies in the Planning and Design Code.

The proposed development is a form of development that is considered to be consistent with the Desired Outcomes and Performance Outcome of the Employment Zone and is a contemporary, high-quality design that is both functional and visually appealing. Sufficient levels of on-site carparking has been provided to ensure that no adverse impacts on the local traffic network and adjoining allotments are anticipated.

The improvements to the external facades of the existing built form, coupled with the decommissioning of the existing roller door (that removes all trade deliveries and its associated interface impacts) is considered to be an improvement to the Ashford Road streetscape and provide a suitable transition into the adjoining residential areas.

As such, it is my opinion that Planning Consent is warranted as a Performance Assessed application.

Should you require any further information or clarification, I can be contacted on 0402 832 226.

**Andrew Humby**  
Director  
Humby Consulting  
[andrew@humbyconsulting.com.au](mailto:andrew@humbyconsulting.com.au)



**Ref: 23091|CB**

6 April 2023

Mr Albert Ruiz  
A&A.R Pty Ltd  
24 Sandwell Street  
PETERHEAD SA 5016

By email: albert.anytime@gmail.com

Dear Albert,

**PROPOSED PILATES STUDIO  
58 RICHMOND ROAD, KESWICK**

I refer to the Request for information (RFI) received from the City of West Torrens in relation to the proposed change-in-use from bulky goods retail to indoor recreation centre (Pilates studio) of the site at 58 Richmond Road, Keswick (Application ID: 23004522).

As requested, I have undertaken a review of the parking aspects associated with the proposal. This letter summarises the assessment undertaken.

**1. BACKGROUND**

The subject site is located on the southeast corner of the intersection of Richmond Road and Ashford Road in Keswick. The site is bounded by Richmond Road to the north, commercial development to the east, a residential dwelling to the south and Ashford Road to the west.

The site's current use is a bulky goods retail outlet with a gross leasable floor area of 416 m<sup>2</sup>. Access to the site is currently provided via an existing crossover on Richmond Road (which provides access to 3 off-street parking spaces) and a crossover on Ashford Road (which provides access to 10 off-street parking spaces). The Planning and Design Code identifies that the site is located within an Employment Zone.

Richmond Road is an arterial road under the care and control of the Department for Infrastructure and Transport (DIT). Adjacent the site, Richmond Road comprises two traffic lanes and a bicycle lane in an eastbound direction and a single traffic lane, a bicycle lane and an intermittent parking bay in a westbound direction. The eastbound and



westbound lanes in Richmond Road are separated by a median, with separated turn lanes provided at side street intersections. A bicycle lane restriction applies on both sides of the road, with the exception of intermittent parking bays in which timed parking restrictions apply (a combination of 15-minute parking and 1-hour parking in the vicinity of the site). Traffic data obtained from DIT indicates that this section of Richmond Road has an Annual Average Daily Traffic (AADT) volume in the order of 20,200 vehicles per day (vpd), of which approximately 6.0% are commercial vehicles. Adjacent the site, a 60 km/h speed limit applies on Richmond Road.

Ashford Road is a local road under the care and control of the City of West Torrens. Adjacent the site, Ashford Road comprises an 8.5 m wide carriageway (approximate) with a single traffic lane in each direction. On the western side of Ashford Avenue, a 'No Stopping' restriction is in place, extending approximately 30 m south of Richmond Road and, on the eastern side, a 'No Stopping' restriction extends approximately 24 m south of Richmond Road. Two-hour parking restrictions apply on both sides of Ashford Road from 8:00 am to 5:00 pm (Monday to Friday) between the aforementioned 'No Stopping' restrictions and Everard Avenue (with the exception of additional "No Stopping" restrictions adjacent industrial crossovers near Everard Avenue). The default urban speed limit of 50 km/h applies on Ashford Avenue.

Richmond Road and Ashford Road form a priority-controlled (Give Way) T-intersection (with priority assigned to Richmond Road).

## **2. PROPOSAL**

The proposal seeks a change of use from bulky goods retail outlet to indoor recreation facility (Pilates Studio). It should be noted that the proposal does not include amendments to existing access points or parking areas, nor does it propose significant amendments to the site's existing building structures (i.e., the office and warehouse/atrium areas will be retained with only minor amendments to internal fixtures, cladding, signage and bicycle parking facilities).

The Client advises that the proposed Pilates studio will operate 7 days per week, with the proposed weekly class timetable shown in Table 1.





*Table 1 – Proposed Pilates studio class timetable*

Monday to Friday	Saturday	Sunday
5:00-5:45am		
5:55-6:40am		
6:50-7:35am	6:30-7:15am	
7:45-8:30am	7:25-8:10am	7:30-8:15am
8:40-9:25am	8:20-9:05am	8:25-9:10am
9:35-10:20am	9:15-10:00am	9:20-10:05am
10:30-11:15am	10:10-10:55am	10:15-11:00am
4:30-5:15pm		
5:30-6:15pm		
6:30-7:15pm		

The Client has advised that classes will accommodate a maximum of 18 clients, with no more than 1 staff member on-site at any one time.

### **3. PARKING ASSESSMENT**

#### **3.1 THEORETICAL ASSESSMENT**

The Planning and Design Code identifies a parking requirement of 4.5 spaces per 100 m<sup>2</sup> of total floor area for land uses classified as indoor recreation facility (other than a Fitness Centre), with 'Pilates studio' included on the list of 'other' indoor recreation facilities for "Table 1 – General Off-Street Car Parking Requirements" of the Planning and Design Code). Based upon a total floor area of 416 m<sup>2</sup>, the proposed Pilates studio would have a theoretical requirement for 19 parking spaces. Given that 13 spaces will be provided on-site, the proposal would result in a theoretical shortfall of 6 spaces when assessed against the parking requirements of the Planning and Design Code.

#### **3.2 FIRST PRINCIPLES ASSESSMENT**

In order to confirm whether the parking requirements of the Planning and Design Code represent a realistic level of parking demand associated with the proposed change-in-use, a 'first principles' assessment was undertaken based on the following assumptions:

- that no more than 18 clients and 1 staff member will be on-site at any time;
- that the proposed staggering of class times (10 to 15 minutes between classes) will ensure that the site will experience parking demand associated with only one class at any time; and
- that each client and each staff member will drive to the site in a separate vehicle (which conservatively assumes that no staff or clients will utilise public and/or active transport modes) and require a parking space.



On the basis of the above assumptions, the proposed Pilates studio is forecast to have a (worst-case) peak parking demand in the order of 19 parking spaces (18 client spaces and 1 staff space). This confirms that the parking requirements of the Planning and Design Code represent a reasonable (albeit conservative) estimate of peak parking demands for the proposed development.

### 3.3 PARKING SURVEYS

In order to determine the availability of on-street parking in the vicinity of the site, parking occupancy surveys were undertaken by Austraffic on Saturday 25 March and Wednesday 29 March 2023. The surveys were undertaken from 6:30 am to 11:00 am on Saturday, and from 5:00 am to 11:30 am and from 4:30 pm to 7:30 pm on Wednesday (which is a survey sample comprising a full weekday and full weekend day of scheduled class times for the proposed Pilates studio), and involved collection of parking data in 15-minute intervals.

The surveys recorded the number of vehicles parked on-street in Ashford Road, between Richmond Road and a point 100 m south of the subject site, with the road divided into the following survey zones (which are illustrated in Figure 1):

- **Zone A** (6 spaces) – the western side of Ashford Road, between Richmond Road and the northern boundary of 4 Ashford Road (comprising the side boundary of the commercial property at 60-66 Richmond Road);
- **Zone B** (7 spaces) – the western side of Ashford Road, between the northern boundary of 4 Ashford Road and the northern boundary of 14 Ashford Road (comprising residential frontages); and
- **Zone C** (13 spaces) – the eastern side of Ashford Road, between the southern boundary of the subject site and the northern boundary of 15 Ashford Road (comprising residential frontages).



Figure 1 – Survey zones with respect to the location of the subject site





Table 2 lists the parking occupancy recorded during the Saturday survey period, whilst data for the Wednesday am and pm periods is contained in Table 3 and Table 4, respectively.

*Table 2 - Parking occupancy during the Saturday am survey period*

Time	On-street Occupancy <b>Zone A</b> (6-space capacity)	On-street Occupancy <b>Zone B</b> (7-space capacity)	On-street Occupancy <b>Zone C</b> (13-space capacity)
6:30 am	0	0	4
6:45 am	0	1	4
7:00 am	0	1	4
7:15 am	0	0	3
7:30 am	0	0	3
7:45 am	0	0	3
8:00 am	0	0	3
8:15 am	0	0	2
8:30 am	0	0	1
8:45 am	0	0	1
9:00 am	0	0	2
9:15 am	0	0	2
9:30 am	0	0	1
9:45 am	1	0	0
10:00 am	0	0	0
10:15 am	0	0	1
10:30 am	0	0	2
10:45 am	0	0	2
11:00 am	0	1	2

As illustrated in Table 2, during Saturday class times at the subject site, only a single vehicle was found to be parked (briefly) within Zone A (at 9:45 am). Therefore, five of the six spaces associated with the proposal's parking shortfall would theoretically be accommodated within Zone A, with the remaining single on-street vehicle space associated with the shortfall accommodated within Zone B or Zone C (whilst leaving ample parking spaces for neighbouring residential uses).



Table 3 - Parking occupancy during the Wednesday am survey period

Time	On-street Occupancy <b>Zone A</b> (6-space capacity)	On-street Occupancy <b>Zone B</b> (7-space capacity)	On-street Occupancy <b>Zone C</b> (13-space capacity)
5:00 am	0	1	5
5:15 am	0	1	5
5:30 am	0	1	6
5:45 am	0	1	5
6:00 am	0	1	5
6:15 am	0	1	5
6:30 am	0	1	5
6:45 am	0	1	5
7:00 am	0	1	4
7:15 am	0	1	5
7:30 am	0	1	5
7:45 am	0	1	5
8:00 am	0	1	5
8:15 am	0	1	5
8:30 am	0	1	5
8:45 am	0	1	5
9:00 am	0	1	5
9:15 am	0	1	5
9:30 am	1	0	5
9:45 am	0	0	5
10:00 am	0	0	5
10:15 am	0	0	5
10:30 am	0	0	5
10:45 am	0	0	5
11:00 am	0	0	6
11:15 am	0	0	6
11:30 am	0	0	6

With regard to the Wednesday morning survey, only a single vehicle was found to be parked within Zone A (at 9:30 am and, again, briefly). Therefore, as with the Saturday survey, five of the six spaces associated with the proposal's parking shortfall would theoretically be accommodated within Zone A, with the remaining single on-street vehicle space associated with the shortfall accommodated within Zone B or Zone C (whilst leaving ample parking spaces for neighbouring residential uses).



Table 4 - Parking occupancy during the Wednesday pm survey period

Time	On-street Occupancy <b>Zone A</b> (6-space capacity)	On-street Occupancy <b>Zone B</b> (7-space capacity)	On-street Occupancy <b>Zone C</b> (13-space capacity)
4:30 pm	0	2	4
4:45 pm	0	2	3
5:00 pm	0	2	3
5:15 pm	0	2	3
5:30 pm	0	2	4
5:45 pm	0	2	4
6:00 pm	0	2	4
6:15 pm	0	2	4
6:30 pm	0	2	4
6:45 pm	0	2	4
7:00 pm	0	2	4
7:15 pm	0	2	4
7:30 pm	0	2	4

With regard to the Wednesday afternoon survey, no parked vehicles were recorded in Zone A during the survey period. Therefore, the 6 vacant parking spaces within this zone would theoretically accommodate the parking shortfall associated with the proposed change-in-use (with significant on-street parking vacancies also recorded within Zones B and C).

Based on the survey results, it is considered that the theoretical 6-space parking shortfall associated with the proposed change-in-use would be adequately accommodated within on-street parking areas on Ashford Road with minimal reliance on parking spaces in front of residential properties (Zones B and C). In addition, it is reiterated that parking requirement is conservative and that realistic peak demands would be less than suggested above.

### 3.4 ON-STREET PARKING RESTRICTIONS AND MANAGEMENT

It is noted that the existing 'No Stopping' parking restrictions in Ashford Road extend 30 m south of Richmond Road on the eastern side and approximately 24 m south of Richmond Road on the western side. Given that the reason for these parking restrictions is likely to be associated with commercial vehicle access for the subject site, it may be possible to reduce the length of these restrictions (in coordination with the proposed change-in-use), thereby increasing the supply of on-street parking and minimising the impact of on-street parking demand on neighbouring residential properties.



To further minimise the impact of on-street parking demand on neighbouring residential properties, it is recommended that, when on-site parking areas are at full capacity, clients of the proposed Pilates studio are encouraged to utilise on-street parking areas within Zone A in the first instance (through regular messaging via email notifications, etc.).

#### **4. TRAFFIC ASSESSMENT**

The NSW RMS' "Guide to Traffic Generating Developments" (the RTA Guide), identifies peak period trip generation rates of 2.7 weekday and 3.9 weekend trips per 100 m<sup>2</sup> of floor area for the site's existing bulky goods retail land use. Based on this rate, the site's existing use is forecast to generate in the order of 12 weekday peak hour and 17 weekend peak hour trips.

Given that the types of indoor recreation facilities are many and varied, assessment of the traffic generation associated with such facilities is typically based on a 'first principles' assessment. Considering the number of clients and staff on site for each class (which are held at intervals of between 55 and 60 minutes), it is estimated that the proposal would generate in the order of 36 peak hour movements by clients and, assuming conservatively that the site's lone staff member arrives within the same peak hour (but remains on site past the end of the peak hour), there would be 1 additional movement. It is therefore forecast that the development has the potential to generate in the order of 37 movements in the peak morning and afternoon/evening peak hour on both weekdays and weekends. Such a level of vehicle movements is expected to be adequately accommodated by the adjacent intersections (including existing separated turn lanes).

I note that the RFI letter received from the City of West Torrens includes the following comment:

*"The proposed change in land use has the potential to increase the frequency of vehicle movements through an existing access point on an arterial road. As of yet it has not been determined as to whether this potential increase could reasonably be considered minor and so the proposal may yet trigger a referral to the Department for Infrastructure and Transport. It is recommended that the aforementioned traffic assessment address the likely increase in vehicle movements through this access point."*

Considering that 3 parking spaces are currently accessed via the crossover on Richmond Road (and evidence from aerial photography and Google Street View that vehicles belonging to the site's current operator are regularly parked within this northern parking area), it is estimated that the current proposal would generate in the order of 3 peak hour movements via the Richmond Road crossover (assuming that a staff member and a single customer accesses this crossover during the peak hour). With regard to the proposed use, given that this northern parking area will continue to provide parking for up to 3 vehicles (with one space within this parking area designated as 'staff only'), it is estimated that the proposal would generate in the order of 5 peak hour movements via the Richmond Road crossover. Therefore, the proposal is forecast to generate in the order of 2





additional peak hour movements via the subject crossover, which is regarded as resulting in minimal impact on the operation of the adjacent road network. Furthermore, there are approximately 12 properties on the southern side of the 850 m section of Richmond Road between South Road and Eton Road (including the subject site) with access arrangements that do not include provision for forward entry and exit to/from Richmond Road. These access points service a variety of land uses, including a motor repair station, a service trade centre, bulky goods retail outlets, offices, a meeting hall, a hairdresser and a dry cleaner. Therefore, reversing manoeuvres onto Richmond Road in the vicinity of the subject site would not be uncommon and net increase in the order of 2 peak hour movements is regarded as having negligible impact on overall traffic conditions on Richmond Road.

It should also be noted that the proposal will result in a significant reduction in the number of commercial vehicle movements undertaken to and from the subject site, which is a positive outcome for the adjacent road network (with respect to safety and efficiency) and for adjoining residents (with respect to residential amenity).

Based on the above discussion, it is considered that vehicle movements generated by the proposal will be readily accommodated on the adjacent road network with minimal impact upon its operation.

## **5. SUMMARY**

The proposal comprises the change-of-use of the site at 58 Richmond Road from bulky goods retail outlet to indoor recreation facility (Pilates studio). The proposal includes retention of existing building structures, access points and parking areas.

It is forecast that the proposal would have a theoretical requirement for 19 parking spaces (based upon the rates identified by the Planning and Design Code, as well as a 'first principles assessment'). Given that 13 spaces are proposed to be provided on-site, the proposal would be associated with a 6-space parking shortfall.

In order to determine the impacts of such a shortfall, a parking survey was undertaken on-street in the vicinity of the subject site during the site's proposed weekend and weekday operating hours. The survey identified that the parking demand associated with the proposed change-in-use would be adequately accommodated on-site and on-street, with minimal reliance on parking spaces in front of residential properties.

With regard to the site's traffic generation, the proposed change-of-use will generate in the order of 37 peak hour trips (including 5 trips via the Richmond Road access point). Such a level of traffic generation is considered low and is not considered to have any significant impact on the safety and function of the site's access points or the surrounding road network.



I trust that the assessment contained within this letter assists with the response to Council's Request for Information, however please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Chris Bentick", written in a cursive style.

**CHRIS BENTICK**

Senior Transport Planner | CIRQA Pty Ltd

Beat Frequency Audio Services  
13 Trim Crescent  
Old Noarlunga  
5168

*Acoustic Observation report for 58 Richmond Rd, Keswick t/a Strong Pilates*

**Purpose of report:**

There has been a proposal for the commercial site at 58 Richmond Rd, Keswick, to be utilised as a recreational fitness venue (Strong Pilates). As part of council approval, a report was requested regarding the impact of amplified music and voice on the residentially zoned houses adjacent to the site following the *Environmental Protection (Noise) act 2007* and provisions of the *South Australian Planning and Design Code*.

This report includes measurements and observations from a site visit on the 22nd of March, 2023 and information provided by the tenant and subcontractors. All recommendations and postulations are made assuming that the equipment and materials are installed and used as stated by all parties involved.

**Background:**

58 Richmond Rd, Keswick, is a single-story industrial unit in a shared residential/industrial zone in the City of West Torrens Council area. Commercial units are located on either side of Richmond Road, which is noted as a major thoroughfare.



The residential property adjacent to the proposed site

The primary purpose of the proposed business is a modern Pilates studio where amplified music and instructors' voice is considered essential as part of the safety and wellness of clients and a significant part of the expectations of customers.

The proposed business hours are Weekdays: 5 am – 9 pm; Weekends, 6 am – 7 pm, with several classes running during these operating hours.

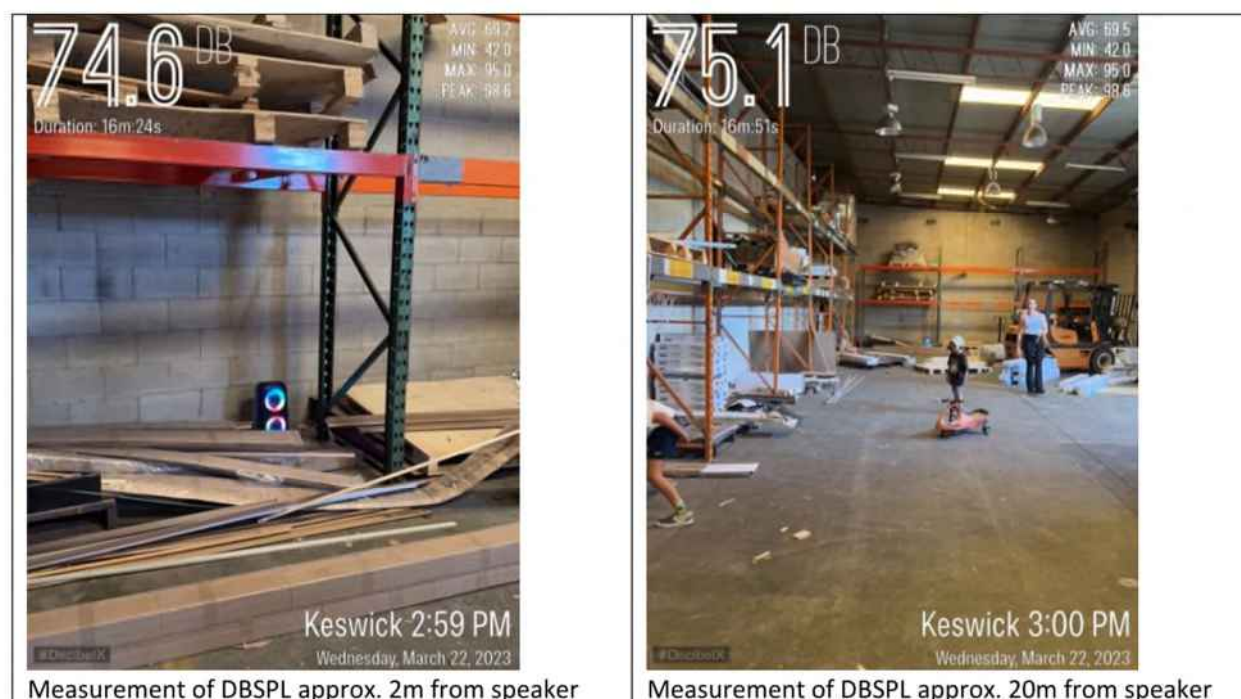
**Acoustic Measurements:**

There was a site visit on the 22<sup>nd</sup> of March to primarily measure sound pressure levels and evaluate the impact of amplified music on the proposed tenants in the vicinity.

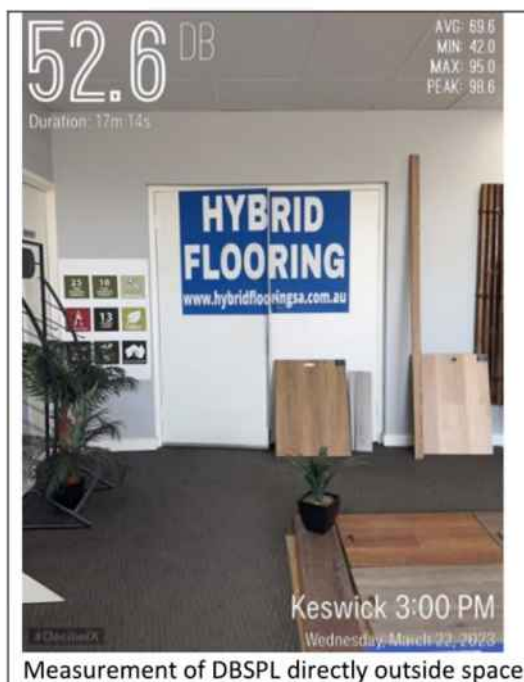
We used an 8" 600W Active PA speaker connected to a mobile phone to simulate comparable levels and genre aesthetics in everyday business operations. This test aligned to the test requirements set out in the *Environment Protection (Noise) Policy 2007 Section 12—Noise-affected premises and measurement place* and was conducted with similar equipment so that we could evaluate the perceived impact. The unit was not fit out in any way, there was no acoustic treatment or isolation, and there were limited fittings or stock that would have impacted acoustic dampening. We played the source music at roughly 90dB SPL.

Following the *Environment Protection (Noise) Policy 2007*, the measurements were taken with a digital application displaying SPL levels at 'A Weighting' scale and a 'fast' response. The aim was to measure the average perceived levels as the norm when measuring public events while observing the peak levels and aligning with general information charts regarding SPL levels (Appendix 1).

The speaker was placed on the ground, on the back wall of the premises facing forwards towards the front of the unit (north), and measurements were taken as follows: in the proximity of the speaker, at the furthest side of the open space and in the foyer with the door closed. Measurements were also taken outside the property at the front door, loading dock door and on the neighbour's premises. See images with measurements displayed.







Measurement of DBSPL directly outside space



Measurement of DBSPL at front door, please note the higher SPL level is from traffic and ambient noise



Measurement of DBSPL outside the property



Measurement of DBSPL at loading door with no acoustic isolation or treatment bleeding through door

### Day Measurement (EPA, 2007)

We played high-energy music at a level of 90dbSPL and measured loudness levels through the main studio space and outside the premises on both Richmond and Ashford Roads. The measurement averaged 74.85dbSPL inside the proposed space compared to traffic noise which measured 59.1dB SPL. See Appendix 1 for general references to loudness. The level measured at the back next to the residential unit was 50.2dB SPL, which aligns with the

general outdoor ambience. The reasons for speaker placement were due to the restrictions of placing them at proposed high levels and exaggerating the bass levels on the wall adjacent to the residential neighbours.

**It must be noted that when the measurements were taken, there was no acoustic treatment or walls in place; once the fit-out has been completed, the perceived loudness level will likely decrease to levels lower than the measurements on the day.**

#### **Proposed Amplification system and treatment:**

The amplification system and speaker array will consist of three 8" speakers mounted at a high level on the western wall. They will be directed diagonally towards the eastern wall. These speakers are rated as 350W with an RMS rating of 175W, the rationale is to have three speakers to efficiently cover the whole area, particularly as the instructor will be giving specific instructions to the participants, but this also poses an advantage as they can be set to playing at lower levels.

The business will line the ceilings with a 3mm thick rubber as part of the standard fit-out. This will contribute positively towards acoustic isolation. Rubber has a very good absorption coefficient, which has heeled great results at other locations. As. Secondary treatment acoustic panels will be installed on the roof, assisting with internal reflections and reverberations, and new doors will isolate the current spill from the current delivery doors. The building construction appeared as Besser / Clinker blocks, aiding acoustic isolation to the adjacent residential property. (See figure below, Line 5)

#### **ABSORPTION COEFFICIENTS**

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MATERIAL	THICKNESS	FREQUENCY Hz					
		125	250	500	1000	2000	4000
MASONRY WALLS							
Rough concrete		0,02	0,03	0,03	0,03	0,04	0,07
Smooth unpainted concrete		0,01	0,01	0,02	0,02	0,02	0,05
Smooth concrete, painted or glazed		0,01	0,01	0,01	0,02	0,02	0,02
Porous concrete blocks (no surface finish)		0,05	0,05	0,05	0,08	0,14	0,2
Clinker concrete (no surface finish)		0,10	0,20	0,40	0,60	0,50	0,60
Smooth brickwork with flush pointing		0,02	0,03	0,03	0,04	0,05	0,07
Smooth brickwork with flush pointing, painted		0,01	0,01	0,02	0,02	0,02	0,02
Standard brickwork		0,05	0,04	0,02	0,04	0,05	0,05
Brickwork, 10mm flush pointing		0,08	0,09	0,12	0,16	0,22	0,24
Lime cement plaster on masonry wall		0,02	0,02	0,03	0,04	0,05	0,05
Glaze plaster on masonry wall		0,01	0,01	0,01	0,02	0,02	0,02
Painted plaster surface on masonry wall		0,02	0,02	0,02	0,02	0,02	0,02
Plaster on masonry wall with wall paper on backing paper		0,02	0,03	0,04	0,05	0,07	0,08
Ceramic tiles with smooth surface		0,01	0,01	0,01	0,02	0,02	0,02
Breeze block		0,20	0,45	0,60	0,40	0,45	0,40
Plaster on solid wall		0,04	0,05	0,06	0,08	0,04	0,06
Plaster, lime or gypsum on solid backing		0,03	0,03	0,02	0,03	0,04	0,05

#### **Conclusion and recommendations:**

From our observations during the site visit and the measurements are taken, I believe that if the proposed fit-out and treatments are applied. The proposed amplified levels have been adhered to, the music and speech will be in line with both *Environment Protection (Noise) Policy (2007)* and the *Environmental Protection Authorities Noise guidelines*, and the sessions should not disrupt the residents adjacent to the site, adhering to the *South Australian Planning and Design Code Desired and Performance Outcomes*.

#### **NOTES:**

- Relating to the *Environment Protection (Noise) Policy (2007)*, the 5 am time slot will likely be the most disruptive time, as the general ambience will be less than the measurements during the site visit. However, our measured levels (50.2 dB) were

lower than the Indicative noise factors as stipulated in Table 2 (subclause (1)(b)) (see appendix 3) and were also in line with the disturbance guidelines as set out by the Environmental Protection Authorities Noise guidelines set out in *EPA 424/13* (see appendix 4)

- The proposed additional acoustic isolation installed in the ceilings and the proposed upgrade of the current doors will address the provisions of the Planning and Design Code and, in particular:
  - DO 1: Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.
  - PO 1.2: Development adjacent to a site containing a sensitive receiver...is designed to mitigate adverse impacts.
  - PO 2.1: Non-Residential developments does not unreasonably impact the amenity of sensitive receivers...
  - PO 4.1: Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers.
- The physical size of the 8" drivers should not be able to replicate significant low-frequency levels that will disturb the residential property adjacent to the proposed site and align with above mentions Performance outcomes.

**Disclaimer:**

Beat Frequency has no financial interest in any parties involved in this business and/or project. We have advised to the best of our knowledge and experience, utilising measurements obtained on the site visit and information provided by stakeholders. We cannot be held responsible for installing the proposed equipment or if changes in the proposed installation create a different outcome.



For any further questions, please feel free to contact me.

Kind Regards  
Johann Dreyer  
MCI. B Audio Production.

Beat Frequency  
[johann@beatfrequency.com.au](mailto:johann@beatfrequency.com.au)



Appendixes:

 <b>Sound sources (noise) Examples with distance</b>	 <b>Sound pressure Level <math>L_p</math> dB SPL</b>
Jet aircraft, 50 m away	<b>140</b>
Threshold of pain	<b>130</b>
Threshold of discomfort	<b>120</b>
Chainsaw, 1 m distance	<b>110</b>
Disco, 1 m from speaker	<b>100</b>
Diesel truck, 10 m away	<b>90</b>
Kerbside of busy road, 5 m	<b>80</b>
Vacuum cleaner, distance 1 m	<b>70</b>
Conversational speech, 1 m	<b>60</b>
Average home	<b>50</b>
Quiet library	<b>40</b>
Quiet bedroom at night	<b>30</b>
Background in TV studio	<b>20</b>
Rustling leaves in the distance	<b>10</b>
<b>Hearing threshold</b>	<b>0</b>

Appendix 1 - Examples of SPL levels








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国际互认  
检测  
TESTING  
CNAS L1449

TEST REPORT

No.:CFH2019YB0046

Sample Name	PVC/Rubber plastic insulation materials	Sample Quantity	12sqm
Sampling Date	16th,July,2019	Accept State	16th,July,2019
Base Number	500sqm	Sampling Site	Factory finished product warehouse
Ref Documents	GB 8624-2012 GB/T 17794-2008		
Test Item	Combustion performance B1(C),Thermal conductivity,Dimensional stability(105°C±3°C, 7d),Ageing resistance,Smoke toxicity,etc		
Test Conclusion	The sample combustion performance meets GB 8624-2012 I required levels for building materials of B1(C,s1,d0,t1).Other testing items meet GB/T17794-2008 I requirements for PVC/Rubber plastic insulation materials.		

TEST REPORT

No.	Test Item		GB requirements	Result	Conclusion	
1	Combustion performance B1(C)	Single Burning Item	W/S	≤250	201	pass
			MJ	≤15	10	pass
		Combustibility (Ignition time 30s)	Length of flame	≤150 in 60s	< 150 in 60s	pass
			Combustion phenomena	No burning drop igniting filter paper in 60s	No burning drop igniting filter paper in 60s	pass
		LOI(Limited oxygen index),%		≥32	34.5	pass
2	Dimension Tolerance	Length	10000mm	±25	+ 1.8	pass
		Width	1500mm	±10	0	pass
		Thickness	H > 15mm	0~ +5	+ 0.3	pass
3	Apparent density kg/m3		≤95	48.5	pass	
4	Coefficient of heat conductivity(40°C),W/(m*K)		≤0.041	0.036	pass	
5	Coefficient of heat conductivity( 0°C),W/(m*K)		≤0.036	0.035	pass	
6	Coefficient of heat conductivity(-20°C),W/(m*K)		≤0.034	0.032	pass	
7	Dimension stability(105°C±3°C, 7d),%		≤10	3	pass	
8	SDR		≤75	27	pass	

## Appendix 2 – Specifications of rubber proposed to be installed in roof cavity.

(9) **Tables****Table 1 (subclause (1)(a))**

Land use category	Indicative noise factor (dB(A))	
	Day	Night
General Industry	65	65
Special Industry	70	70

**Table 2 (subclause (1)(b))**

Land use category	Indicative noise factor (dB(A))	
	Day	Night
Rural Living	47	40
Residential	52	45
Rural Industry	57	50
Light Industry	57	50
Commercial	62	55
General Industry	65	55
Special Industry	70	60

## Appendix 3 – Indicative Noise levels from Environment Protection (Noise) Policy 2007

Land use category	Noise levels not to exceed in dB(A)*	
	7 am–10 pm	10 pm–7 am
Rural Living	47	40
Residential	52	45
Rural Industry	57	50
Light Industry	57	50
Commercial	62	55
General Industrial	65	55
Special Industry	70	60

\* Measured according to the Noise Policy at any place, other than the premises from which the noise emanates, where a person lives or works.

Where different land uses for the noise source and the noise receiver interface, or where council development plans indicate a mixed use zone, the noise levels are averaged to give a noise level to be met at the noise receiver.

## Appendix 4 – Indicative Noise levels from Environmental Protection Authorities (EPA 424/13)

## Details of Representations

### Application Summary

Application ID	23004522
Proposal	Change of use from bulky goods outlet to indoor recreation facility (pilates studio) with associated signage
Location	58 RICHMOND RD KESWICK SA 5035

### Representations

#### Representor 1 - Matt McKenzie-Smith

Name	Matt McKenzie-Smith
Address	UNIT 20 60-66 Richmond Road KESWICK SA, 5035 Australia
Submission Date	19/04/2023 01:22 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 support the development with some concerns
<b>Reasons</b> I totally support this plan, however with one caveat. That it be made very clear that our carpark is not for their use.	

### Attached Documents

## Representations

### Representor 2 - Pia Mazzaracca

Name	Pia Mazzaracca
Address	53 GARFIELD AVENUE KURRALTA PARK SA, 5037 Australia
Submission Date	19/04/2023 03:27 PM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<b>Reasons</b>	

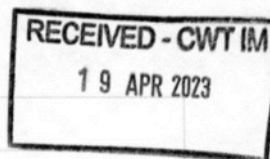
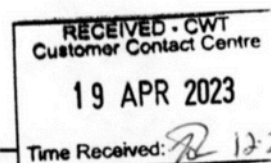
### Attached Documents

Da23004522-58RichmondRoadKeswick-  
RepresentationOnApplicationFromHEBrakelAndPDMazzaracca2990911-5349851.pdf



## REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

*Planning, Development and Infrastructure Act 2016*



<b>Applicant:</b>	Albert & Anita Ruiz, Andrew Humby <i>[applicant name]</i>
<b>Development Number:</b>	23004522 <i>[development application number]</i>
<b>Nature of Development:</b>	Change from use of bulky goods to indoor recreation Facility <i>[development description of performance assessed elements]</i>
<b>Zone/Sub-zone/Overlay:</b>	Click here to enter text. <i>[zone/sub-zone/overlay of subject land]</i>
<b>Subject Land:</b>	58 Richmond Road Keswick SA 5035 <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>	Pia Mazzaracca <i>[relevant authority name]</i>
<b>Phone Number:</b>	<i>[authority phone]</i>
<b>Close Date:</b>	9/5/2023 <i>[closing date for submissions]</i>

My name*: P D Mazzaracca	My phone number:
My postal address*: 53 Garfield Ave Kurralt Park SA 5037	My email:

\* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> 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:

*Additional page Attached*

*[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:

*P. Maggiorace*

Date:

*19/4/2023*

Return Address: 53 Garfield Ave Kurralta Park SA 5037 *[relevant authority postal address]* or

Email: *[relevant authority email address]* or

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

Application ID :23004522

Subject Land: 58 Richmond Road Keswick 5035

Proposed Development: Pilates Studio

Concerns the activities of this facility with regards to potential parking problems

This land development is on the corner of Richmond Road and Ashford Road and opposite the rear of "The Richmond Centre" the proposed 13 parking spaces is not enough parking to accommodate the number of staff and customers who potentially could be attending this facility at any one time. With only a 15-minute timeframe for clients to leave the premises before another class starts this would have a build-up of parking requirements and require clients to find alternate parking.

Also, the anticipated persons on site at one time is 20. (18 Pilates machines( one per person) plus two staff members) 13 car spaces are inadequate .

As parking has been removed from along Richmond Road, people are parking in side streets. Any more than the 13 clients at the proposed development and they will have no option but to park in Ashford Road. Ashford Road has restricted parking of 3 hours so staff will have difficulty using this parking and as it is a residential street consideration should be given to bin collections on a Wednesday. Extra activity will also impact on where visitors of residents in the street can park.

The side of this premises over looks "The Richmond Centre" where we already have many unauthorised people parking during the day. People who are visiting others business on Richmond Road, park in our carpark because of no parking on Richmond Road. On Tuesday we have a Society on Richmond Road that opens its hall to meetings and this causes many parking problems for owners and tenants of "The Richmond Centre" and impacts how we are able to conduct business.

This development application fails to provide enough parking for the activities they are proposing and, on that basis, we opposed planning consent.

H E Brakel & P D Mazzaracca

53 Garfield Ave Kurralta Park SA 5037

Mobile:                      L (Pia Mazzaracca)

## Representations

### Representor 3 - Jules Williams

Name	Jules Williams
Address	3 Ashford Rd KESWICK SA, 5035 Australia
Submission Date	19/04/2023 04:32 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 support the development with some concerns
<b>Reasons</b> My concern is regarding noise levels in the early morn (before 7am). In other aspects I support the development and wish good luck. Cheers.	

### Attached Documents



## Representations

### Representor 4 - Dennis Horton

Name	Dennis Horton
Address	1 Ashford Rd KESWICK SA, 5035 Australia
Submission Date	24/04/2023 08:51 AM
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
<b>Reasons</b> As we are only separated from premises by a wall we have noise and parking concerns.for the 30years we have lived here occupants have Had low volume of customer visits on weekends nothing this obviously will change we have no idea what their projected patronage will be or peak times .we are seriously concerned about what do to our lives or property value we have to wonder how a retired pensioner's voice will compete against business	

### Attached Documents

## Representations

### Representor 5 - Nam Tran

Name	Nam Tran
Address	187 grand junction road OTTOWAY SA, 5013 Australia
Submission Date	02/05/2023 12:04 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
<b>Reasons</b> The development will provide a fitness service to the area.	

## Attached Documents

## Representations

### Representor 6 - Irene Papaioannou

Name	Irene Papaioannou
Address	56 Richmond Road KESWICK SA, 5035 Australia
Submission Date	04/05/2023 12:55 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 support the development with some concerns

#### Reasons

I am President of the Greeks of Egypt & Middle East Soc. of SA whose property adjoins the proposed development property at 58 Richmond Rd, Keswick SA. Our Society has concerns about the impact regarding car parking availability on Ashford Rd, Keswick. We are a social club with Bingo & Lunch on Tuesdays and other events on certain weekends. Our attendance ranges from 60 to 110 people with most being elderly requiring close parking. The premises on 60 Richmond Rd used for Flower Arrangement Lessons, also have their attendees parking in Ashford Rd, as well as other local businesses using it. The survey conducted to review parking on behalf of the developers was done only on a Wednesday and does not represent the full details of Ashford Road's parking use.

### Attached Documents

## Representations

### Representor 7 - Lin Dlm

Name	Lin Dlm
Address	18 croydon Ave KESWICK SA, 5035 Australia
Submission Date	05/05/2023 09:28 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
<b>Reasons</b> I have heard only good things about this studio and have always wanted to try. Happy to have something close to my workplace and hope to use on the way to work.	

### Attached Documents



## Representations

### Representor 8 - Jonathan Pacis

Name	Jonathan Pacis
Address	26A Lucas street RICHMOND SA, 5033 Australia
Submission Date	06/05/2023 10:50 AM
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 support the development
<b>Reasons</b> With the trend to look after our health, having a Pilates studio would benefit the community for the long term.	

### Attached Documents

## Representations

### Representor 9 - Carmina Ramintas

Name	Carmina Ramintas
Address	26A Lucas street RICHMOND SA, 5033 Australia
Submission Date	06/05/2023 10:54 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
<b>Reasons</b> I go to KX Pilates as it's the closest one to me at mile end, but is costing me an arm and a leg, I support this as it will be cost saving and I've heard it's a supportive business with the possibility of child care during fitness class	

### Attached Documents

## Representations

### Representor 10 - Thomas Venditti

Name	Thomas Venditti
Address	17 Geary Place ATHELSTONE SA, 5076 Australia
Submission Date	07/05/2023 03:52 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
<b>Reasons</b> Being close to my place of employment, it will be nice to have alternative to the current.	

### Attached Documents

16 May 2023

City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033

Att: Andrew Simons



PO Box 7434  
Halifax Street SA 5000  
0402 832 226  
andrew@humbyconsulting.com.au  
humbyconsulting.com.au

## RESPONSE TO REPRESENTATIONS - DA 23004522

### CHANGE OF USE FROM BULKY GOODS OUTLET TO INDOOR RECREATION FACILITY (PILATES STUDIO) WITH ASSOCIATED SIGNAGE

#### 58 RICHMOND ROAD, KESWICK

I refer to your correspondence dated 10 May 2023, providing a copy of the ten (10) representations received during the public notification period of the abovementioned application. I have been requested by the applicant to review the representations and provide a response to Council as appropriate.

I have considered the ten (10) representations received by Council for which each provided comments on the proposal. Of the 10 representations:

- 5 Support the proposal
- 3 Support the proposal with some concerns
- 2 Oppose the proposal

I also note that five (5) representors have indicated that they wish to be heard by the Panel:

- 1 Supports the proposal
- 3 Supports the proposal with some concerns
- 1 Opposes the proposal

An overview of the representations are provided below:

No.	Name	Address	To be heard before CAP	Position
1	Matt McKenzie-Smith	Unit 20, 60-66 Richmond Road, Keswick	Yes	SUPPORTS with some concerns: <ul style="list-style-type: none"> <li>• The adjoining car park at 60-66 Richmond Road is not be used by future Pilates clientele</li> </ul>
2	Pia Mazzaracca	53 Garfield Ave, Kurralta Park	No	OPPOSES <ul style="list-style-type: none"> <li>• Concerns with lack of parking</li> <li>• Shortfall of existing parking in Ashford Road</li> </ul>
3	Jules Williams	3 Ashford Road, Keswick	Yes	SUPPORTS with some concerns:





				<ul style="list-style-type: none"> <li>Noise levels in the early morning (before 7am)</li> <li>All other aspects of the development are supported</li> </ul>
4	Dennis Horton	1 Ashford Road, Keswick	Yes	OPPOSES <ul style="list-style-type: none"> <li>Concerns with noise impacts</li> <li>Impacts on property values</li> </ul>
5	Nam Tran	197 Grand Junction Road, Ottoway	No	SUPPORTS
6	Irene Papaioannou	56 Richmond Road, Keswick (Greeks of Egypt & Middle East Society of SA)	Yes	SUPPORTS with some concerns: <ul style="list-style-type: none"> <li>Concerns that the proposal will limit car parking availability on Ashford Road, Keswick that is used by its members.</li> <li>Concerns that the traffic survey was done on a Wednesday and does not represent the full details of Ashford Road's parking use.</li> </ul>
7	Lin Dlm	18 Croydon Ave, Keswick	No	SUPPORTS
8	Jonathan Pacis	26A Lucas St, Richmond	Yes	SUPPORTS
9	Carmina Ramintas	26A Lucas St, Richmond	No	SUPPORTS
10	Thomas Venditti	17 Geary Place, Athelstone	No	SUPPORTS

A response to the issues raised within the representations are provided below.

#### On-site Car Parking and Impacts on Ashford Road

A number of representors have raised concerns with the lack of on-site car parking and the implications on availability of on-street car parking within Ashford Road.

A traffic and parking assessment, prepared by CIRQA, was provided as part of this application to determine the suitability of this proposal.

In accordance with *Table 1 – General Off-Street Car Parking Requirements* of the Planning and Design Code, the proposed Pilates Studio (an Indoor Recreational Facility) would have a theoretical requirement for 19 on-site car parks. Given that 13 on-site car parks are provided, the proposed development would result in a theoretical shortfall of 6 car parks.

In order to determine the availability of on-street car parking within the immediate locality, parking surveys were undertaken on:

- Saturday 25 March 2023 – 6:30am to 11am
- Wednesday 29 March 2023 – 5:00am to 11:30am
- Wednesday 29 March 2023 - 4:30pm to 7:30pm



The survey recorded the number of vehicles parked on-street between Richmond Road and 100 metres south of the subject site, with particular reference made to the area located immediately adjoining the subject land and abutting the side boundary of the 'Richmond Centre' (identified as 'Zone A').

On both the recorded Saturday and Wednesday survey times, there were 6 on-street car parks available for the majority of the time (except for a 15min period Saturday and Wednesday morning), ensuring that the 6 vacant car parking spaces located within close proximity to the subject land could readily accommodate the parking shortfall associated with the proposed development, with minimal reliance on parking spaces in front of residential allotments further to the south.

It is also acknowledged that the proposed design incorporates 3 bike racks located on the Richmond Road frontage, with the potential for increased 'wall racks' being located in the waiting areas (adjoining the clientele lockers). The use of bicycles will be encouraged to members as part of the Strong Pilates health and welfare programmes and will assist to reduce the reliance on the use of vehicles and minimise the impacts of the theoretical parking shortfall.

CIRQA's assessment has also identified that the existing 'No Stopping' parking restrictions in Ashford Road (closest to the Richmond Road intersection) extend 30 metres on the eastern side and 24 metres on the western side. As these existing restrictions are likely to have been created in order to enable suitable turning areas for commercial vehicles entering and exiting the subject land, CIRQA is of the opinion that the overall length of these restrictions could be reduced if this proposed development is granted Consent.

The reduction of the existing on-street parking restrictions would assist to provide additional car parking in the immediate locality and lessen the parking demand on nearby residential allotments.

The suitability of reducing the extent of on-street parking restrictions is currently being reviewed by Council administration (at the time of writing this letter), with the intent that this could be undertaken concurrently with the proposed use of the site - should the Council Assessment Panel grant Planning Consent.

It is recognised that a representation from the Greeks of Egypt & Middle East Society of SA raised concerns that the survey was only done on a Wednesday and does not provide a represent the typical parking activities along Ashford Rd. It is noted that the survey period was undertaken in both the morning and afternoon of Wednesday 29 March along with the morning of Saturday 29 March, ensuring that a sample of the weekly and weekend activities were recorded.

The assumption that the subject land should not be used for the intended Pilates Studio due to the Greeks of Egypt & Middle East Society of SA site own lack of on-site carparking, is not supported. CIRQA's assessment has considered the merits of the proposed development based upon the availability of on-site parking at 58 Richmond Road, with the minor shortfall being readily accommodated immediately adjoining the site. CIRQA has also reiterated that their parking assessment is relatively conservative, with the realistic peak demands likely to be less than calculated. This would ensure that proposed Pilates Studio can function in this locality without creating any adverse parking constraints.

It is also noted in 1 representors submission, that they '*totally support this plan, however with one caveat - that it be made very clear that our carpark is not for their use*'. This representation relates to the adjoining 'Richmond Centre' that contains a number of commercial activities and utilise a common car park at the



rear of the site. As previously indicated, the CIRQA assessment has concluded that the 13 on-site car parks provided on-site and the availability of nearby on-street car parking will ensure that the proposed Pilates Studio will not require the use of adjoining private car parks.

Having regard to the above factors, it is considered that the proposed development could be reasonably expected to occur without having any detrimental impacts on the locality and satisfies the relevant provisions of the Planning and Design Code.

#### Potential Noise impacts of the proposed development

Two (2) representors, located at residential allotments to the south the subject land (1 and 3 Ashford Road) have raised concerns with the potential noise impacts caused by the proposed Pilates studio.

The representation from 3 Ashford Road only raised concerns with the proposed hours of operation prior to 7am and provides support for all '*other aspects of the development*'.

An acoustic report, prepared by Beat Frequency Audio Services, was provided as part of this application and incorporates both an assessment of existing noise levels and the potential impact of amplified music upon adjoining residential allotments.

The noise levels have been compared against standards in the *Environment Protection (Noise) Policy 2007* with the aim of ensuring the Pilates studio does not adversely impact on the amenity of any dwelling in the locality and ensure compliance with the relevant provisions of the Planning and Design Code.

The proposed development seeks to decommission the large roller door and other access/delivery points onto Ashford Road. The current bulky goods outlet receives all deliveries via the rear roller door that is located directly abutting the residential allotment to the south. The ageing roller door creates excessive noise when operated, with the forklift and trade vehicle deliveries creating noises that have been known to cause impacts upon the adjoining resident.

The proposed change in the use for a Pilates studio will result in the installation of internal cladding along the western walls (2.7 metre high mirrors for use of clientele during classes). No access will be available via the roller door/large side access doors, ensuring that the noise impacts are substantially reduced on the adjoining residential allotment. This is further enhanced by the inclusion of an acoustic batten ceiling that will result in an improvement to the building's acoustic measures and reduce noise impacts.

The acoustic report, undertaken on 22 March 2023, undertook measurements of 3 x 600W amplified speakers located within the building to simulate comparable noise levels that will be generated by the Pilates studio. Of particular interest, the noise level generated outside the property, immediately adjoining the closest dwelling on Ashford Road, generated a maximum 50.2dB – a noise level less than the daytime requirements prescribed within the *Environment Protection (Noise) Policy 2007* (52db).

It is also important to note that the noise measurements were undertaken *prior* to the additional acoustic treatments being installed (internal walls and ceiling treatments). The acoustic report concludes that the acoustic treatments will reduce both speech and music levels will be in line with both the daytime (52dB) and night time (45dB) levels of the *Environment Protection (Noise) Policy 2007* – mitigating the external impacts on the adjoining residential allotments.





In the context of the relevant provisions of the Planning and Design Code, the acoustic report demonstrates that the proposed land use and additional acoustic treatments will address the following Interface between Land Use provisions:

- *Desired Outcome 1*
  - *Development if located and designed to mitigate adverse effects on or from neighbouring and proximate land uses*
- *Performance Outcome 1.2*
  - *Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts*
- *Performance Outcome 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.*
- *Performance Outcome 4.1*
  - *Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers)*
- *Performance Outcome 4.6*
  - *Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.*

Having regard to the above factors, it is considered that the proposed development with the additional acoustic treatments, will result in an acceptable form of development within the Employment Zone (and wider locality) and it is considered that the activities can operate without having a detrimental impact upon adjoining landowners.

#### Loss of property values

The perceived concern of the loss of property value due to a proposed development is a matter previously considered by the Environment, Resources and Development Court. The Court acknowledges that there have been assertions that both policy changes (via former Development Plan Amendments or Code Amendments) and development proposals can either increase or reduce the value of existing properties.

However, the Court has inferred that the tools for planning assessment do not provide a mechanism to give consideration of land values, and as such any proposal must be considered on its merits against the relevant provisions of the Planning and Design Code to determine if the proposal warrants support.





### **Conclusion**

The applicant has sought to respond to the key concerns raised by the representors, particularly with regards to the proposal's noise and traffic impacts.

It is my opinion that the proposed change of use from a bulky goods outlet to an indoor recreation facility (Pilates Studio) represents an appropriate form of development in the context and intent of both the Employment Zone and other relevant policies in the Planning and Design Code.

The proposed development is a form of development that is considered to be consistent with the Desired Outcomes and Performance Outcome of the Employment Zone and is a contemporary, high-quality design that is both functional and visually appealing.

The improvements to the external facades of the existing built form, coupled with the decommissioning of the existing roller door (that removes all trade deliveries and its associated interface impacts) is considered to be an improvement to the Ashford Road streetscape and provide a suitable transition into the adjoining residential areas.

Independent car parking and acoustic assessments have been undertaken and conclude that sufficient levels of on-site and on-street carparking are provided and the anticipated noise levels meet the relevant minimum standards, ensuring that no adverse impacts will occur on the immediate locality.

As such, it is my opinion that Planning Consent is warranted as a Performance Assessed application.

We would appreciate the opportunity for this application to be considered at the next available Council Assessment Panel meeting.

Should you require any further information or clarification, I can be contacted on 0402 832 226.

**Andrew Humby**  
Director  
Humby Consulting  
[andrew@humbyconsulting.com.au](mailto:andrew@humbyconsulting.com.au)

# Memo

From Richard Tan  
Date 14/3/2023  
Subject 23004522 58 Richmond Rd Keswick SA 5035

Andrew,

The following City Assets Department comments are provided with regards to the assessment of the above development application:

## 1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

1.1 Not applicable

## 2.0 Verge Interaction

2.1 Not applicable

## 3.0 Traffic Requirements

The following comments have been provided by Council's Traffic Consultant, Mr Frank Siow:

I refer to the above development which involves a change of use to the existing building. From the planning report provided, I understand that the current authorised use of the building is a bulky goods or service trade premises. The subject site is located within the Employment Zone of the Planning and Design Code.

The subject site has 3 existing parking spaces on Richmond Road and 9-10 spaces on the Ashford Road frontages. The existing parking arrangement requires drivers to reverse out to the street to Richmond Road and Ashford Road. While the existing parking arrangement would not be desirable for new developments, as this is a change of use application of an existing building only, the retention of the parking arrangement is considered to be reasonable in this instance. Therefore, for the purpose of my parking assessment, there is a current on-site parking provision of 13 spaces.

### 3.1 Parking Assessment

*Table 1 – General Off-Street Car Parking Requirements* of the Planning and Design Code would be relevant to the assessment. The proposal is an indoor recreational facility and more particularly a Pilates studio.

The relevant parking rates are:

- 6.5 spaces per 100m<sup>2</sup> total floor area for a Fitness Centre
- 4.5 spaces per 100m<sup>2</sup> total floor area for all other indoor recreational facilities

In the Land Use Definition section of the Planning and Design Code, I note that a 'Pilates studio' is listed as a separate type of use from a 'Fitness Centre'. Therefore, the 4.5 rate would be relevant to the parking assessment.

From the planning report, I understand that the floor area of the existing building is 416m<sup>2</sup>. Based on the parking rate of 4.5, the parking required would be 19 spaces (rounded up).

The subject site is located adjacent to GO ZONE bus services on Richmond Road with bus stops nearby. There are also bicycle lanes present on Richmond Road. While not required by the Planning and Design Code, the proposal includes the provision of 3 bicycle racks to encourage cycling as a mode of transport. Having regard to these factors, it would not be unreasonable for the parking requirement to be discounted by say 10%, which would reduce the parking required to 17 spaces. As 13 on-site parking spaces would be available, the potential parking shortfall would be 4 spaces.

For change of use developments, it is not uncommon to give consideration to the parking requirement attached to the existing use when considered the parking adequacy issue for the new development. The existing land use would have fallen under the category of 'service trade premises' or 'bulky goods', prior to the introduction of the Planning and Design Code. Under the previous Council Development Plan, the parking rate applicable was 4 spaces per 100m<sup>2</sup>. Based on the 416m<sup>2</sup> floor area, the existing land use would have been 17 spaces (rounded up). The on-site parking would be 11 spaces (less than 13 because of the two operating roller doors). The parking shortfall for the existing land use would have been 6 spaces.

When assessed based on the above approach of comparing the parking requirement based on the existing and proposed land uses, the proposed development would be supportable given that the parking shortfall would be less than the existing situation.

I note that the specific type of Pilates studio includes 18 'rowformers' (exercise equipment). A maximum of 18 clients is anticipated with 1 additional teacher and 1 other staff. The maximum number of people on-site would be 20. The planning report also advised that there would be a minimum 15 minutes for changeover of classes.

If some clients car-share and having regard to the proximity of GO ZONE bus services and bicycle lanes nearby, I estimate that, based on the maximum 20 people on-site, the parking required would be in the order of 16 to 17 spaces. As 13 on-site parking spaces would be available, the potential parking shortfall would be 3 to 4 spaces. Such a shortfall would theoretically be less than the shortfall from the existing land use of 6 spaces.

In summary, based on the above assessment, the proposed development would be supportable from a parking perspective with the following conditions included:

- Each class shall be restricted to a maximum of 18 clients at any one time.
- The maximum number of staff present at any one time shall be 2.
- A minimum of 15 minutes between classes shall be provided.

### **3.2 Parking Layout and Traffic Impact**

The existing parking arrangement would be retained. I do not have concern with the traffic impact of the proposal, given the relatively small scale of the development.

### **3.3 The following comment has been provided by City Assets Department:**

The arrangement of formalised the parking on Ashford Street is supportable in principle. I noted that the provided plan has indicated that the existing roller door and access door have been marked as redundant. A condition should be included to ensure these access are suitably sealed, and wall should be reinstated. The driveway to the roller door should also be reinstated.

## **4.0 Waste Management**

### **4.1 Not applicable**

## **5.0 Stormwater Requirements**

### **5.1 Not applicable**

Regards  
Richard Tan  
Civil Engineer

## 7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

## 8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

### 8.1 31 Capper Street, CAMDEN PARK

Application No. 22033457

#### Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with regulation 13(2)(a) (vii) and (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- (viii) legal advice.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

#### RECOMMENDATION

It is recommended to the Council Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. At the completion of the confidential session the meeting be re-opened to the public.



**8.2 11-13 Lydia Street, PLYMPTON**

Application No. 22037262

**Reason for Confidentiality**

It is recommended that this Report be considered in CONFIDENCE in accordance with regulation 13(2)(a) (vii) and (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- (viii) legal advice.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

**RECOMMENDATION**

It is recommended to the Council Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. At the completion of the confidential session the meeting be re-opened to the public.

## 9 RELEVANT AUTHORITY ACTIVITIES REPORT

### 9.1 Activities Summary - June 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 Manager 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
22037262	11 & 13 Lydia Street, PLYMPTON	Construction of two (2) three storey residential flat buildings comprising 16 dwellings	This application was refused.  Appeal lodged on 23 March 2023 to the ERDC.  A conciliation conference is scheduled for 20 June 2023.
22033457	31 Capper Street, CAMDEN PARK	Construction of a habitable outbuilding including a rumpus room, garage and verandah	This application was refused.  Appeal lodged on 28 March 2023 to the ERDC.  A conciliation conference is scheduled for 20 June 2023.
22032260	148 Anzac Highway, GLANDORE	Construction of two (2) three storey residential flat buildings comprising 14 dwellings	This application was refused.  Appeal lodged on 26 April 2023 to the ERDC.  A preliminary conference is scheduled for 29 May 2023

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

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 determined under delegation (CAP is the relevant authority)

*Awaiting Plan SA Portal functionality to report on relevant applications accurately.*

### 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.
23006182	Designated by Regs - Section 94(1)(a)(ii)	19 Passmore St, West Richmond	1 Torrens title dwelling and 2 group dwellings.
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 26 May 2023.

### Attachments

Nil

## **10 OTHER BUSINESS**

### **10.1 Planning Policy Considerations**

## **11 MEETING CLOSE**